

*Salem Charter
Commission
June 2, 2022*

**The Derry
Experience**



Derry at a Glance

Population: 33,482 – largest Town and 4th largest community in State

Single Town School District independent of Town government

Pinkerton Academy – private, provides Grades 9-12 education



Derry Town Charter - History

Adopted November 1984 with January 1, 1985, effective date.



Charter Revision in 1993 when previous structure (Mayor/Council/Administrator) was deemed not in compliance with State Statutes.

15 Charter amendments approved between 1988 – 2020.

Derry Town Charter

Current Structure

- RSA 49-D:3 I structure – Town Council is governing and legislative body.
 - Similar to a city form of government – Derry and Durham have adopted
 - Regardless of title, must have CAO with Town Manager RSA 37 powers and duties
- 7 Councilors – 4 elected by District and 3 at large
 - Staggered, three-year terms (3/2/2)
- Council Chair elected annually by Councilors

Derry Town Charter - Highlights

- Council adopts the annual budget by May 31 or Administrator's proposed budget is deemed to have been adopted. (Article 9)
- Council may approve Supplemental Appropriations during the fiscal year – 2/3 approval of entire Council required. (Article 9)
- Council actions adopted by ordinance (Article 6)
- Council confirms direct reports to the TA (Article 8)
- Capital Improvements Plan responsibility of TA, with input from PB. (Article 9)

Derry Town Charter Highlights

- Citizen petitions at different levels (Article 3)
 - Individual Petitions – Town Council action discretionary
 - Group Petitions – At least 100 signatures; Council must hold public hearing and act upon the petition
 - Initiative Petitions – Signatures must be at least 20% of votes cast at last regular Town election.
 - Council passes measure without alteration
 - Council schedules special Town election
 - Referendum Petitions – Same procedure as Initiative; “protest petition”
 - Measure being protested may be suspended
 - Council may vote to repeal action
 - If not repealed, must bring issue forward to special Town election

Derry Town Charter Highlights

Tax Cap on Town portion of Tax Rate (Article 9)

- Based upon changes to the Northeast CPI-U for the preceding calendar year.
- Overrides available:
 - Debt Service
 - State or Federal Mandates
 - General Override

Implementation of Town Charter Section 9.4 (A)		
Prior Year Tax Rate (FY 22 - 2021)		\$ 7.22
CPI Adjustment per Section 9.4 (A)	5.9%	\$ 0.43
<small>Northeast Region CPI-U for CY2021</small>		
Authorized Tax Rate for FY23 - 2022		\$ 7.65
Projected 2022 Town Tax Rate		\$ 7.43
Projected Tax Rate Adjustment	2.9%	\$ 0.21

Derry Town Charter - Consequences

- Town government becomes a truly representative government
- Town can react more readily to opportunities and challenges
 - Supplemental Appropriation authority
 - Ordinance (including zoning changes) throughout the year
- Additional oversight on senior staff appointments
- Higher threshold on citizen petitions
- Budget expectations under Tax Cap
- Supermajority required for critical issues (2/3 of entire Council)
 - Supplemental Appropriation
 - Emergency Ordinances
 - Tax Cap Override