

9:35 PM

VII. OTHER BUSINESS

- A. Liaison Reports
- B. Town Manager's Report
- C. Board/Committee Appointments/Reappointments/Resignations

9:45 PM

VIII. ADJOURNMENT

MEETING SCHEDULE:

- A. Town Council, October 2, 2006 @ 7:00 PM, Moose Hill Council Chambers
- B. Town Council, October 16, 2006 @ 7:00 PM, Moose Hill Council Chambers
- C. Town Council, October 23, 2006 @ 7:00 PM, Moose Hill Council Chambers – FY08 Budget Presentation
- D. Town Council, November 7, 2006 @ 6:00 PM, Moose Hill Council Chambers

Introduced: 8/21/06
Second Read: 9/18/06
Public Hrg.: 10/2/06
Adopted: X/XX/XX

ORDINANCE 2006-10
AN AMENDMENT TO THE MUNICIPAL CODE
RELATING TO THE SEWER RENTAL CHARGES

WHEREAS the Town of Londonderry provides municipal sewer services to a number of residential, commercial and industrial properties throughout the community; and,

WHEREAS the Sewer Division is self-funded through a system of sewer use and access charges; and,

WHEREAS these charges need to be updated periodically to insure that the costs of operating the system, including wastewater treatment charges from the Town of Derry and City of Manchester, are totally funded through sewer fees;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title IV – Health, Safety & Welfare, Chapter IX – Sewer Ordinance, Section XIII – Sewer Rental Charges, is hereby amended as attached.

Brian Farmer - Chairman
Town Council

Meg Seymour

Town Clerk

A TRUE COPY ATTEST:
xx/xx/xx

(TOWN
SEAL)

Introduced: 7/17/06
Second Read/Public Hrg.: 8/21/06
Adopted: 8/21/06

ORDINANCE 2006-08
AN AMENDMENT TO THE MUNICIPAL CODE, TITLE VI, CHAPTER XIX, RELATING TO APPROVAL OF AFFILIATE RECREATION GROUPS

WHEREAS the Town of Londonderry owns and manages many recreation facilities, and collaborates with the School District on the use of additional facilities; and,

WHEREAS the Londonderry Recreation Commission does not directly manage many recreation programs and consequently receives numerous requests from youth and adult groups to utilize Town recreation facilities; and,

WHEREAS a policy is necessary to ensure that facilities are utilized in a safe and efficient manner;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title VI – Town Policy, Chapter XIX, Approval of Affiliate Recreation Groups, is hereby adopted as attached, effective six months from the adoption date.

Brian Farmer - Chairman
Town Council

Meg Seymour

(TOWN
SEAL)

Town Clerk

A TRUE COPY ATTEST:
08/21/06

Chapter XIX - APPROVAL OF AFFILIATE RECREATION GROUPS

SECTION I PURPOSE

A. The Town of Londonderry owns and manages many recreational facilities, however, the Town does not operate many recreation programs. Youth and Adult programs are organized and managed by various non-profit groups. To ensure that town facilities are utilized in a safe manner for the benefit of town residents, the Town Council has adopted the following guidelines when recognizing affiliate groups.

SECTION II AUTHORITY

A. This policy is authorized under Article 3, Section 3.12 of the Town of Londonderry Charter.

SECTION III APPLICATION

- A. Upon approval of an Affiliate Group by the Town Council, that Group is eligible to utilize town recreation facilities pursuant to the use and scheduling policies and practices as promulgated by the Recreation Commission.
- B. Recognition by the Town does not guarantee exclusivity to times or locations of any facility. Every effort will be made in conjunction with the School District to make appropriate facilities available based on request and availability. The Town recognizes that the School District is the controlling authority for all School District facilities.

SECTION IV ELIGIBILITY CRITERIA

- A. In order to be considered eligible for approval as an Affiliate Recreation Group, the following guidelines shall be met:
 - 1. The affiliate group has been registered as a Volunteer Corporation with the New Hampshire Secretary of State, in accordance with RSA 292, and remains in good standing.
 - 2. 60% of the participants are residents of Londonderry.
 - 3. A majority of the coaches/supervisors are residents of Londonderry and, if applicable, have received training/certification from a nationally-recognized sanctioning body.

4. In recognition of the limited availability of facilities and the desire to avoid scheduling conflicts, demonstration that the program offering is new or unique to the Town, and if not, justification for starting a similar program.
5. Demonstration that the program is not temporary, but is designed to continue to provide recreational opportunities for an indefinite period.
6. Demonstration that the program has been well planned and will be properly supervised, as set forth in the group's Articles of Agreement, By-Laws and Code of Conduct.
7. That the group requesting sanctioning demonstrates that they have the proper framework for leadership, and that the coaches/supervisors will provide this leadership.
8. Demonstration that the group is non-profit and does not have any outstanding obligations to the Town and has the ability to financially support the group's activities.
9. All affiliated groups must comply with all the rules set forth by the School District and Recreation Commission regarding the usage of facilities.
10. Once sanctioned by the Town Council, all affiliate groups must maintain the following documents with the Commission (documents must be current to demonstrate a group's good standing with the appropriate agencies):
 - a. Articles of Agreement
 - b. By-Laws
 - c. Code of Conduct
 - d. IRS Filings (if applicable)
 - e. State of New Hampshire Filings with Secretary of State and/or Attorney General's Office, Charitable Trust Division

Affiliate groups shall file copies of the applicable documents simultaneously with submission of information to the appropriate state and federal agencies.

11. That facilities exist to accommodate the new activity.
12. Failure to comply with the rules may result in the withdrawal of the Town's affiliation with the group.

13. Effective Date 02/21/07.

~~End of Chapter~~

ORDER 2006-13

An order relative to
Distribution of Cable Special Revenue Funds

First Reading: 09/18/06
Second Reading: Waived
Adopted: 09/18/06

WHEREAS the Town of Londonderry maintains a Special Revenue Fund to finance the activities of the Cable Division; and,

WHEREAS the Londonderry School District has expanded its video curriculum and use of the Access Center; and,

WHEREAS the School District's programs increase awareness and use of the Access Center and create opportunities for additional volunteers at the Access Center; and,

WHEREAS the Cable Division would like to encourage increased use of the Access Center and provide a grant to the School District to purchase equipment for the program;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Town Treasurer is hereby directed and authorized to expend, from the Cable Division Special Revenue Fund, to the School District, the sum of \$7,500 for a grant to the Londonderry School District.

Brian Farmer - Chairman
Town Council

Marguerite Seymour - Town Clerk/Tax Collector

(
TOWN SEAL)

A TRUE COPY ATTEST:
09/18/06

ORDER 2006-14

AN ORDER RELATIVE TO THE EXPENDITURE OF MAINTENANCE TRUST FUNDS

First Reading: 9/18/06

Second Reading: N/A

Adopted: 9/18/06

WHEREAS voters at recent Town Meetings approved funding for the maintenance of public building and grounds in the town; and

WHEREAS necessary improvements include the resurfacing of floors at the Mayflower Grange, and fencing and other improvements at the Highway Garage;

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$19,848.25 from the Expendable Maintenance Trust Fund for Buildings and Grounds for work at the Mayflower Grange and Highway Garage.

Brian Farmer - Chairman
Town Council

Meg Seymour

Town Clerk

(TOWN
SEAL)

A TRUE COPY ATTEST:
09/18/06

RESOLUTION 2006-24

A Resolution Relative to the
Community Emergency Response Team (CERT)

First Reading: 09/18/06
Second Reading: Not required
Adopted: 09/18/06

WHEREAS concerned citizens began an ALERT team to assist the Town's public safety professionals during major emergencies; and

WHEREAS the Town's public safety capabilities are enhanced through a coordinated effort of the ALERT team and the Town's Police and Fire Departments; and,

WHEREAS ALERT team members are interested in expanding their service to the Town by forming a Community Emergency Response Team (CERT); and

WHEREAS CERT is a nationally recognized concept of volunteers who receive additional training to further complement public safety professionals during disasters and other emergencies;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Londonderry Community Emergency Response Team (CERT) be established in accordance with the "Committee Charge", a copy of which is hereto attached.

Brian Farmer - Chairman
Town Council

(TOWN SEAL)

Marguerite A. Seymour
Town Clerk/Tax Collector
09/18/06

LONDONDERRY COMMUNITY EMERGENCY RESPONSE TEAM (CERT) “COMMITTEE CHARGE”

PURPOSE:

The Londonderry Community Emergency Response Team (CERT) shall exist to assist town public safety professionals in times of natural and manmade disasters, search & rescue and other emergencies.

REPRESENTATION:

The Emergency Management Council shall consist of seven (7) voting members as follows:

The Town Manager or designee

The School Superintendent or designee

The Chief of Police or designee

The Fire Chief or designee

Three (3) representatives from the community, appointed by the Town Council upon recommendation of the Londonderry ALERT team in the first instance, and upon recommendation of the CERT team thereafter.

ORGANIZATION:

Each respective committee or board shall notify the Town Manager of its appointees in writing on or before November 1, 2006.

The Committee shall determine its own rules and order of business, unless otherwise provided by law or Town Charter. The Committee shall choose from its members a Chairperson, Vice Chairperson and Secretary.

DUTIES / RESPONSIBILITIES:

1. Hold meetings and keep minutes of any such meetings, in accordance with RSA Chapter 91-A.
 2. Identify program goals which are not inconsistent with this charge, and an action plan to meet those goals.
3. Prepare a written report with findings and recommendations to the Town Council no later than March 1, 2006.
 2. Maintain a permanent project file that at a minimum, includes:
 - A. Committee minutes.

- B. Project plans, contracts and payment requests
 - C. Project correspondence.
 - D. Other materials as deemed necessary.
5. Provide periodic reports to the Town Council and media.

TOWN COUNCIL MEETING
July 25, 2006

The Council Meeting of July 25, 2006 was called to order at 7:00 PM in the Londonderry Access Center, 281 Mammoth Road, Londonderry, NH.

PRESENT: TOWN COUNCIL; Chairman, Brian Farmer; Councilors Mark Oswald, Tom Dolan, Marty Bove and Joe Paradis; Assistant Town Manager/Fin. Dir. Susan Hickey; and Margo Lapietro, Executive Assistant.

Chairman Farmer opened the meeting by stating there was only one item on the agenda Council Discussion and Fact Finding review of statutory responsibilities, Public Libraries and the adoption of relative issues. He proceeded to provide an outline of the meeting and the differences between public meetings vs. public hearings. Public Meetings are those held in public settings, in view of the public. Participation is at the discretion of the chair of the meeting. We do not follow Robert's Rules. Public Hearing is similar except that we are actually seeking public input. This is a public meeting of the Council. The Chairman of the Library Trustees and the Trustees Liaison to the Council have been invited to participate in the discussions. The participation of others will be limited and is at the discretion of the Council Chairman. Two elected government bodies should be able to conduct themselves in a professional manner.

OPEN STATEMENTS

Council Chair – Brian Farmer stated the goal is to hopefully work out the different viewpoints we have. This is about trying to bring closure to what has been simmering for years. The Charter gives the Town Council Chair the authority to call a special meeting any time he wishes with proper notice. Open for questions, no input. He stated that we recognize that there are three separate governing bodies, Town Council, School Board and the Trustees of the Library. We should appreciate that the first two are completely independent of each other, have a history of collaboration on a variety of issues; maintain dialogue on a number of issues. Unfortunately this same distinction does not apply to the Library Trustees in their relationship with Town Council. While separate, the Trustees are not completely independent from the Council. The budgetary process joins them and the budget they receive is based on Councils' recommendation. This is the very reason the Town Council takes an interest in the operation of the Library. Sadly the relationship with the Council and Trustees does not reflect the reality of this joint mission. Where one should expect a close collaboration with goals and objectives, there is acrimony. The Council has actively sought the means to change this. Although this acrimony has been going on for some time, which seems to be a surprise to some people, a great deal of effort has been going on to change this. Largely due to the efforts of the Council Liaison and the Trustees and the way in which he has been treated has been drawing a lot of attention to the public. No matter how well intentioned the advice may be supplied by the liaison it seems to be ignored and discarded. The Town Council is elected to provide

oversight to the Town, we work very hard to ensure a reasonable level of service, and we do our best to manage a stable tax rate. Have to have a higher level of cooperation between the Council and the Trustees to accomplish this task. As Trustees it should be your objective as well. The Council seeks a workable relationship. This Council will begin to explore all the options available to us to ensure that the best interests of the Community of Londonderry are first and foremost. Respect the contribution that volunteers have done for the Community. We are elected representatives and we need to work better together.

Trustee Liaison – Councilor Dolan, stated that the Library Trustees at the beginning of this month sent a letter to the Attorney Generals (AG) Office to clarify an Ordinance about the roles and responsibility of Council Liaisons. This is symptomatic I believe that in many cases this semi-autonomous group has established adversarial relations with both the taxpayer and their representatives, Town Manager, Town Finance Director, HR Manager, School Superintendent and now Town Council. At one point the Library threatened the School District with issuing them a water bill because an outside hose was used by a school group trying to raise money by a car wash event. When a resident moves to Londonderry, and drives through the Town Center parking lot their first impression is a hostile greeting, some 23 no parking signs for 21 parking spaces. Library's technology is falling behind, there has not been a Capital Improvement Plan (CIP) in over five years. No ability to search or reserve books on the web, not capable to handle wireless laptops to do research, software over a dozen years old, no meeting room projectors or cameras, no ability to televise a meeting or presentation. They have the fourth largest budget in Town and meet with no exposure to television. They discussed, until recently, employee evaluations in public. There is an alarming attrition rate of almost 30% of employees leaving the library each year. Derry only has 4%. The Library takes in about 25K in cash receipts every year, however in our most recent audit the cash management problems identified at the Library have no corrective action plan. It has no strategic plan, no technology plan, no goals, and no objectives. This year they again have no input to the CIP. He stated there are 7 libraries in Town, six are run by the School Department, one by the Trustees. The six run by the School Dept. work together, have an efficient operation and control costs, invite suggestions from others. Those six libraries operate like a well oiled machine, offer new technologies, on line research and reservations. Also operate with little or no attrition. Leach Library operates as an island, little ability or desire to be efficient by itself. Pays 3 times the executive overtime rate than the rest of the Town which is in violation of Town policy and its own accepted rules. It is the only entity in the community that pays bonuses to public employees and operates with no strategic plan, no shared accountability with any other libraries in the community. Services and technology are falling behind while their budget is growing faster each year than any other element of government in the community. This can only be fixed with creative and proactive solutions. Technology services should be approved and updated, hours of operation should be expanded, and customer service should be improved. Focus on "turf issues" is a waste of time. Tax payers want modern services from the library and lower taxes. The taxpayers expect the Library will soon reduce the adversarial relationships with their fellow residents, play by the rules, and take

responsibility for the 4th. largest budget in Town and start saving the Londonderry taxpayers some money. Need fresh ideas for the community.

Councilors – Councilor Bove stated he had the pleasure of being the liaison for 4 years and during that time he found the Trustees and staff to be professional, responsible, considerate, and fully open to any question the public brought to them and understanding of the difficulty of the budget process. Their budget has been beaten down a number of times taking money away from books requested. They don't have their own IT support. He commended them on the excellent job they have done. Some things do have to be changed. He stated it would be difficult to cut the budget and install new technology while asking for budget cuts. He stated that he does not see a public outcry for the new technology. He stated that the library has put out surveys to the community to see where improvements could be made. He commended them for a good job and was sorry that this whole misunderstanding came about.

Councilor Paradis stated this his short term as Liaison was a positive experience. He offered suggestions and opinions when asked, not as well versed in RSA's as they apply to the Library because new to the Council. Trustees have had some problems with Town Government and Finance. The Trustees don't run the Library as a business, should be addressed and streamlined. He recommended everyone come to an agreement on going forward on how the Library could be run more efficiently.

Chair of Board of Trustees – Richard Matchie stated he disagrees with what Councilor Dolan said. He said the school group was not a charitable organization. He stated they have lost 2 people in the last year one went to college and the other was the Children's Librarian who lost her husband and made changes in her life. He told Councilor Dolan he had no idea what he was talking about.

Library Trustee Liaison to Town Council – Anne Jacoby said she was here to engage, tone of meeting so far does nothing for engagement. Just adjourned from an emergency meeting that the Library Trustees just had, reason it was an emergency meeting was not that we needed to react to this but we wanted to have an opportunity to talk with two experts in the field of RSA's, and library law. We are elected by this community, constitutionally the Town Council is required to provide adequate funding to the Town Library that is constitutional law in the State of NH. We look to the liaison in the past as a key individual to open up communication, to be an advisor, to tell us what is important to the Council, to go to the Council and be a spokesperson for the library. She stated that it should be two bodies working together for this community. She stated that the meeting held tonight should have been held in non-public and they are still arguing about it and they decided to err on side of caution. Introduced two experts on RSA law; Lillian Edelmann, Pres. Of the Board of Directors of the NH Library Trustees Assoc. ,and Elizabeth Ives of member of the NH Library Trustees Assoc. Board of Directors Chairman Farmer asked to hold off with their comments until they review the RSA's. Councilor Bove stated he didn't see why we had to review the RSA's because this is supposed to be about issuing the guidelines and policies for the liaison. If somebody has a particular problem with a certain RSA they should talk about it..

Review of Council Order on Liaison Roles and Responsibilities – Chairman Farmer stated the liaisons serve thirty odd committees, the role and responsibilities were never formally defined. The Ordinance was not directed at the Library Trustees, it was directed at all liaison's responsibility. No formal definition in the Town Charter. Discussion ensued about working issues out with both the Library and Town Council. Councilor Dolan talked about the attrition rate that he felt affected the efficiency at the library. Questioned how we can get the library to operate at a high level, improving technology and at a lower cost. Richard Matchie said this meeting was initially a fact-finding mission to improve relations between the Council and the Trustees. He felt it was turning into a lecture on finding fault with the library by a person who has no idea what he is talking about. He felt that Council went out of their way to add Library Trustees to the Ordinance, the liaison should follow the lead with the prior liaison. He also stated that the Ordinance reads that Council has the right to remove a Trustee if they miss four consecutive meetings including an elected official.. Chairman Farmer said he would check it out and revise the language. It was probably an error and missed. R. Matchie requested that the meeting go back to the original intent of the meeting of how we are going to improve relations between the Council and Trustees. Lecturing and berating the Trustees is not a way to improve relationships. Councilor Oswald stated we should refer the question to our Counsel or AG's Office about the removal of the Trustees based on State statute or Town Ordinances. He said he was disappointed that the Library had chosen to go to the AG's office when none of the other Boards in Town had ever done that. He asked if they had a response from the AG's Office at which point Anne Jacoby said she was disappointed with the tone of tonight's meeting. She stated that this meeting should have been in a non-public issue. At this point in the meeting the Library Trustees exited the room. Chairman Farmer stated Town Council consulted with legal counsel and they were told that they could not hold this meeting in non-public session. Chairman Oswald stated that he was still waiting for an answer as to whether or not they received an answer from the AG's Office. CC Mitchell stated that we should get past the problem, Councilor Dolan should not stay on as liaison to the Trustees. Lillian Edelman, Pres. Of the NH Library Trustees said that on 4/12/94 Supreme Court ruled that the library is distinct and completely autonomous. Has complete jurisdiction of the funding and the management of the library. Suggested the Council and Library work out problems, terrible for Town and Library. At this point in the meeting the Trustees returned to their seats. Chairman Farmer asked L. Edelman that the Library confirm existence of meeting minutes where the following items were formalized: RSA 202-A:12-Trust Fund Annual Reports – he feels that that requirement is not being met. Every other Town Dept. supplies that information. Referring to trust funds, receipts from whatever sources, all expenditures, all properties in Trustees care, any bequests and donations, total number of books, number of borrowers. He stated that outside funding would have a bearing on the amount of money the Town would be expected to raise that year or the following year. The Council needs that data to properly consider the budget. Not getting full financial reports, been told they are not available. He stated his strongest concern with all the RSA's is the specific provision for providing financial reporting information, it has to be comprehensive, it is relative to the community and has to exist. The RSA's call it a misdemeanor if not supplied, what are they going to do to solve that problem. L.

Edelman stated that your are going to have to meet with the Trustees to deal with these difficulties. Councilor Bove stated that funds were always recognized in the meeting minutes and the Librarian always provided a detailed report at budget time. Councilor Oswald asked again if a response was received from the AG's Office. Anne Jacoby said a verbal comment from the AG's Office said we indeed need to look at #3 and #4 in Section #10. The Library Trustees definition of the role is to facilitate communication, share Town Council opinion. Sharing communication both ways and the seating arrangements did not facilitate that role. It should not be at the discretion of the chair for a liaison to enter non-public. Any meeting or any topics in non-public are decided ahead of time as to the appropriateness of this and so on. The Chair cannot at the sole discretion of that person decide that the liaison can go into non-public. That individual requires the entire support and majority of the Board. If it is relevant to a Town issue that is different. Chairman Oswald asked for a copy of the decision from the AG's Office and upon receipt a copy will be forwarded to Town Counsel for review. Councilor Dolan listed the problems he witnessed at the meetings he attended:

First Meeting-Observed employee evaluations and raises in public
Second Meeting-Coffee issue and lack of technology – advised Trustees of where to obtain money for technology, no request from Trustees to update technology through franchise fees
Third Meeting-Was told they wanted him to sit down and be quiet.
Didn't go to the fourth meeting.

Councilor Paradis stated he did not see how it could work with Councilor Dolan staying as the liaison.

At this point in time, Barbara Ostertag-Holtkamp, Library Director addressed the points of turn-over at the library. She requested that Assist. Library Director, Sally Nelson read the 2000 annual report written by her predecessor about retaining and recruiting library personnel. B. Holtkamp proceeded to list every person who left the library from 2001 – 2005. She stated that the library has always strived to stay within the mandates of Town Council relative to the budget process. After this, she will ask for more things. Always listen to suggestions from the community, always run the library efficiently. Will be happy to implement new items if Council wants to give them more money for their budget. Invited Councilors to come and see how library is run. Chairman Farmer requested that she and the Trustees put together a list of the top ten things they would like to have.

Conclusion – Chairman Farmer suggested having small meetings, perhaps B. Holtkamp and Town Manager Dave Carron sit down in a more informal setting and start a dialogue to better serve the community. A. Jacoby stated we have to look at the process, not personalities. We have an obligation to the community to focus on working together. Councilor Oswald apologized on behalf of the community to Tom Dolan, he served the community well at Town Council. Did not hear a lot of refuting about Tom's meetings from taxpayers. He stated he hopes that the Trustee consider requesting cable equipment to televise their meetings. Funds are available . A. Jacoby said they were discussing it at

their next meeting, they have to be just as accountable as other committees. At this point in time Councilor Dolan offered to resign if Council felt he was not fulfilling his liaison obligations. He stated that the issues brought up by him will not go away by changing the liaison. He researched the RSA's, issues of technology, CIP and read available meeting minutes. Chairman Farmer stated it was not a question of service, personality is the question. He asked the Council for their opinion, Councilor Bove, Councilor Paradise and Chairman Farmer stated Aye. Councilor Oswald abstained. Richard Matchie stated he appreciated the Council willingness to make a change, welcomes change, and appreciates the efforts to have cooperation between Town Council and Board of Trustees.

Adjourn – 9:27 PM

Notes and Tapes by: Margo Lapietro Date: 07/25/06

Minutes Typed by: Margo Lapietro Date: 07/28/06

Approved: Town Council Date:

TOWN COUNCIL MEETING
August 21, 2006

The Council Meeting of August 21, 2006 was called to order at 7:10 PM in the Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH.

PRESENT: TOWN COUNCIL; Chairman, Brian Farmer; Vice Chairman Joe Paradis; Councilors Mark Oswald, Tom Dolan, Marty Bove; Town Manager David Caron; Asst. Mgr/Dir. of Finance Sue Hickey and Margo Lapietro, Executive Assistant.

CALL TO ORDER

Chairman Farmer opened the meeting at 7:10 P.M. with the Pledge of Allegiance. This was followed by a moment of silence for the men and women in the service and for those who have given their lives for this country as well as the police officers who serve the Town.

Councilor Dolan made a motion to open the Public Hearing. Second by Councilor Oswald. Councils' vote 5-0-0.

PUBLIC HEARING

Ordinance 2006-08 – Relative to an Amendment to the Municipal Code, Title VI, Chapter XIX, Sanctioning of Recreation Groups & Programs – Councilor Paradis read the second reading and made **motion to accept the Ordinance. Second by Councilor Dolan.** Open for discussion. Councilor Oswald and resident Paul Domingue, 25 Charleston Ave. who is associated with the Blue Lion questioned insurance issues. Town Manager Caron suggested Mr. Domingue check with the School District for their requirements. Mr. Domingue stated his group had obtained insurance. **Councilor Dolan made a motion to amend the Ordinance by correcting some typos and adding a sentence to Section III – Application - stipulating that “The Town recognizes that the School District is the controlling authority for all district facilities.” Amended notation seconded by Councilor Oswald. Councils' vote for the amendment 5-0-0.** All recreation groups have to be re-sanctioned by the Town Council and Recreation Commission under the new guidelines, effective date 2/01/07. **Councils' vote on the Ordinance as amended 5-0-0.**

Ordinance 2006-09 – Relative to an Amendment to the Traffic Safety Ordinance – Traffic Patterns on Wilson Road – Councilor Oswald read the second reading and **made a motion to accept. Second by Councilor Bove.** Open for discussion. Councilor Oswald explained the Traffic Safety Committee (TSC) reviewed this issue and decided that posting a portion of Wilson Road, north of Lance Avenue as one-way would reduce traffic and enhance safety. Virginia Ash from Lance Avenue suggested having all of

Wilson Road posted one-way. Public Works Director, Janusz Czyzowski explained that they would like to see how this current proposal works. Douglas Jones from 55 Wilson Road questioned if the speed limit could be lower than 35 MPH. J. Czyzowski explained it could not be any lower. Discussion ensued about opening the road to local traffic only. TSC Chairman, Bob Ramsey explained it is harder to enforce, which is why they were trying one-way first. Increased police activity will be tried and if speed still an issue the residents should notify TSC. **Councils' vote 5-0-0.**

Councilor Dolan made a motion to close the Public Hearing. Second by Councilor Oswald. Councils' vote 5-0-0.

PUBLIC COMMENT

Paul Martin – Auburn Road – Mr. Martin explained that three years ago he was told by the Town to move a picket fence out of the Right of Way (ROW). He complied with the request. He recently applied for a lot line adjustment to build a driveway and has discovered a portion of the fence is still in the ROW. He is requesting the Town release an easement to allow for the lot line adjustment. J. Czyzowski expressed his concern that the Town would be setting precedents with private improvements to Town property. After further discussion it was the general opinion of the Council that Mr. Martin had done everything he could to comply with the Town's request. **Councilor Oswald made a motion that we grant Mr. Martin permission to maintain the fence in its current location. Second by Councilor Bove.** Tim Peloquin, Mr. Martin's surveyor stated that a small portion was in the ROW now but Mr. Martin's intention was to comply. John Farrell stated that Mr. Martin had complied with everything the Town asked. Council agreed to table the matter and directed Town Manager Caron to get legal guidance and they will discuss the matter at the September 18 Council Meeting

Chief Joe Ryan – Chief Ryan introduced 16 new officers. He gave commendation bars to Capt. Gerry Dussault and Sgt Kevin Cavallaro

Nutfield Mom's Club – Laura McIntyre and representatives from the group explained that they were trying to raise money to put new playground equipment at the Sanborn Road location. The equipment would be low maintenance and they had a conceptual design, and samples of equipment that will be used at the site. They will shortly have a "Touch a Truck" fundraising event at the LAFFA fields. Suggestions were made about how to go about obtaining grant money and it was suggested that something be put on the Town website as well as suggestions for a citizen's petition warrant article.

Nevin's Retirement Community – Elmer Pease wanted the Town's permission to allow him to purchase an adjoining lot to allow him to increase the homes he was building from 125 homes to 128. The adjoining lot is zoned commercial and purchasing it would increase his total acreage to 15 acres. He wanted to get a feeling from Town Council before he went to the Planning Board. The Councils' consensus was that it was a good

idea because the surrounding properties were residential and it would keep the area residential.

Alert Team - George Herrmann and Fire Capt. Jim Roger's explained they wanted to expand the role of the ALERT Team in Town. It currently consists of 35 active trained members of first responders. The CERT (Community Emergency Response Team) responds in the event of a major disaster. Establishment of the team will mean they have access to funding grants, resources and training. They were here tonight to gain support from the Town Council and set up an Emergency Management Council. Town Council instructed Town Manager Caron to develop a Resolution and Charge for the group. **Councilor Dolan made a motion to set the team up. Second by Councilor Oswald. Councils' vote 5-0-0.**

OLD BUSINESS

FY 07 Goals and Objectives – Town Manager Caron reviewed the Town Council Goals and Objectives for FY07 and categorized them according to major work areas:

1. Economic Development
2. Environmental Issues
3. Finance and Administration
4. Communications
5. Infrastructure/Capital Projects

Discussion ensued about the location of a cell tower in Town. Town Manager Caron stated the process may require adjustments of land use – may have to petition the Planning Board to get regulations changed.

Flying Tigers - Rick Bono, Pres. Of the Flying Tigers was in attendance. The Council did not have any objections to his organization using the Auburn Rd. facility to fly their model airplanes. Chairman Farmer instructed Town Manager Caron to work out a lease agreement with the organization. **Councilor Dolan made a motion to authorize the Town Manager to enter into negotiations with the Flying Tigers for a lease agreement on the Auburn Rd. site. Second by Councilor Oswald. Councils vote 5-0-0.**

NEW BUSINESS

Resolution 2006-21 – Relative to the Waiver of Sewer Access Fees for the Parrish Hills Community Councilor Paradis read the first reading, waived the second reading and made a motion to adopt the Resolution. Second by Councilor Dolan. Open for discussion. Bill Lynch, President of Parrish Hills Association was in attendance. Councilor Oswald stated we would be setting precedence and we should amend the resolution to indicate that this action is not the norm. Councilor Bove asked how much money we were talking about if we allowed them the user fee for three years and the one-time hook up fee. Town Manager Caron said it totaled \$54K per year. Discussion ensued

about this being a unique condition, and loss of sewer revenue. The Resolution is only for the one time hook-up fees which would be for the 37 homes in the development in the amount of \$18,500. **Councilor Oswald made a motion to amend the Resolution to read: “Whereas recognizing the significant issues attributed to the previous developer for this project, that the Council would support this resolution on a non-precedenting basis”.** Second by Councilor Bove. **Vote on amendment 5-0-0. Councils’ vote on the Resolution as amended 5-0-0.**

Resolution 2006-22 – Sale of Lot #3-4-58 (3 Chartwell Court). Councilor Dolan read the first reading and **made a motion to waive the second and adopt the Resolution. Second by Councilor Oswald.** Open for discussion. Town Manager Caron stated that the Assessing Dept. shows this lot as a buildable lot, which it is not. An abutter, Aaron Hill, would like to acquire the property and add to his property at 5 Chartwell Court. The sale price would be \$3,600 and it would be merged with 5 Chartwell Court. Councilor Farmer suggested Town Manager Caron come back to the Council with more unbuildable lots and propose the same idea to abutters. Councilor Dolan suggested selling the old South Fire Station and using the proceeds towards the cost of the new fire station. **Councils’ vote 5-0-0.**

FY 08 Budget Guidelines – Town Manager Caron reviewed the proposed budget schedule; the first public hearing is scheduled for January 8, 2007 with agenda items on 12/4/06 and 12/18/06 for preliminary budget recommendations. Chairman Farmer stated he wanted a zero base budget for departments and he wanted to break down departments into large and small departments. Councilor Dolan suggested doing this on a trial approach, develop some expectations and only do it with one large and one small department first. Councilor Farmer called for re-organization in the Town, School and Library. At this point in time Town Manager Caron reviewed his PowerPoint presentation of:

- General Fund Expenses
- General Fund Revenues
- Completion of Audit Pending
- Appropriations
- Revenues

Recommendations:

- No increase in manpower in FY 08
- Strategic adjustments in critical areas such as fuel, hearing, strive to maintain level funding on all other expenses
- Consider Capital Items on a case-by-case basis with consideration of CIP Committee recommendations

Library Trustee Liaison Anne Jacoby asked council to give the Trustees some structure with clear expectations of goals in the budget presentation.

Ordinance 2006-10 – Relative to an Amendment to the Municipal Code Relating to Sewer Rental Charges – Councilor Bove read the first reading, **made a motion to read the second reading on 9/18/06 and conduct a public hearing on 10/2/06.** Town Manager Caron suggested Council dedicate time to changes in the Budget at the Council meetings on 9/18 and have the changes ready to go to the public hearing on 10/2/06. **Second by Joe Paradis.** No discussion. **Councils’ vote 5-0-0.**

Resolution 2006-23 – Agreement with Granite Ridge Energy – Councilor Bove read the first reading and waived the second reading, **motion to accept. Second by Councilor Paradis.** Open for discussion. Town Manager Caron explained that Granite Ridge and the Town have agreed on tax payments. There will be no refund to Granite Ridge for the tax years of 2003 – 2005, a small adjustment to their assessment will be made for the years 2006-2007. For the year 2008 the value of the plant cannot be adjusted upward or downward by more than 20%. Original request would have \$3M refund in property taxes, and that multi year tax agreements with major utilities are common. Tom Freda, 30 Buckingham Dr. asked if Granite Ridge was waiving the right to abate in the three years, Town Manager Caron responded yes. **Council’s vote 5-0-0.**

APPROVAL OF MINUTES

Councilor Bove made a motion to accept the public meeting minutes of 07/17/06. Second by Councilor Dolan. Council’s vote 5-0-0. Due to the fact that Councilor Oswald had not received the meeting minutes to 7/52/06 the Council deferred the approval of meeting minutes from the 7/25/06 meeting to the next meeting scheduled for 9/18/06.

OTHER BUSINESS

Liaison Appointments/Reports:

Due to late hour, council agreed to not provide these reports.

Town Manager’s Report

Due to late hour, council agreed to not hear this report.

Board/Committee Appointments/Reappointments/Resignations:

Councilor Dolan **made a motion to accept the resignation of Mark Officer from the Advisory Budget Committee. Second by Councilor Paradis. Councils’ vote 5-0-0.**

NEXT MEETING

September 18, 2006 at 7:00 PM, Town Hall, Moose Hill Conference Room
October 2, 2006 at 7:00 PM, Town Hall, Moose Hill Conference Room
October 16, 2006 at 7:00 PM, Town Hall, Moose Hill Conference Room
November 6, 2006 at 7:00 PM, Town Hall, Moose Hill Conference Room

ADJOURNMENT

Councilor Dolan made a motion to adjourn at 11:17 PM. Second by Councilor Bove. Councils' vote 5-0-0.

Notes and Tapes by: Margo Lapietro Date: 08/21/06

Minutes Typed by: Margo Lapietro Date: 08/28/06

Approved: Town Council Date: