

**TOWN COUNCIL
AGENDA
December 04, 2006**

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry. **Scheduled agenda times are advisory only.** Regular meetings are cablecast live and videotaped for the convenience of our viewers at home.

- 7:00 PM I. CALL TO ORDER
- 7:01 PM II. PUBLIC COMMENT
- A. Elmer Pease
- 7:30 PM III. OLD BUSINESS
- A. Resolution #2006-27 – Relative to the Creation of a Housing Taskforce
- B. FY08 Budget – Preliminary Budget Recommendations
- 9:30 PM IV. NEW BUSINESS
- A. Amendments to the Town Charter
- B. Resolution #2006-29 – Relative to the Acceptance of a Conservation Easement
- C. Order #2006-18 – Relative to Withdrawal from the Expendable Maintenance Trust Fund
- 10:00 PM V. APPROVAL OF MINUTES
- A. Public and Non-Public Meeting Minutes of 11/20/06
- 10:05 PM VI. OTHER BUSINESS
- A. Liaison Reports
- B. Town Manager's Report
- C. Board/Committee
- Appointments/Reappointments/Resignations
1. Re-Appointment of Allen Fowler as a full member to the Sewer Advisory Committee, term to expire 12/31/2009.
2. Resignation of Anne Jacoby from Trustees of Leach Library, resignation to be effective x/x/07, term to expire 3/2009.

3. Re-Appointment of Brian Blais as a full member to the ZBA, term to expire 12/31/09.

10:30 PM

VII. ADJOURNMENT

MEETING SCHEDULE:

- A. Town Council, December 18, 2006 @ 7:00 PM, Moose Hill Council Chambers
- B. Town Council, January 8, 2007 @ 7:00 PM, Moose Hill Council Chambers – Budget Public Hearing
- C. Town Council, January 22, 2007 @ 7:00 PM, Moose Hill Council Chambers – Bond Hearing

RESOLUTION 2006-27

Relative to the
CREATION OF A HOUSING TASKFORCE

First Reading: 10/06/06
Second Reading: Waived
Adopted: 10/06/06

WHEREAS the Londonderry Planning Board adopted the revised Master Plan in 2004; and

WHEREAS as a result of extensive community input, the Master Plan contained a number of recommendations to further study critical issues facing the town; and

WHEREAS one of the significant issues facing the community as identified in the Master Plan is the need for a balanced housing mix in Londonderry;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that there is established a Londonderry Housing Taskforce, which shall function in accordance with the "Committee Charge" as attached.

Brian Farmer, Chairman
Town Council

Marguerite Seymour - Town Clerk/Tax Collector

(TOWN SEAL)

A TRUE COPY ATTEST:

xx/xx/xx

**LONDONDERRY HOUSING TASKFORCE
“COMMITTEE CHARGE”**

PURPOSE:

The Londonderry Housing Taskforce (“Task Force”) shall exist to study the issue of housing affordability and diversity. The taskforce, based on its findings, will define housing affordability and develop strategies to address the issues as it relates to Londonderry’s age demographics, residential growth and economic development.

REPRESENTATION:

The “Task Force” shall consist of **nine (9)** voting members as follows:

- One (1) appointed representative from the Elder Affairs Committee
- One (1) appointed representative from the Town Council
- One (1) appointed representative from the School Board
- One (1) appointed representative from the Planning Board
- One (1) appointed representative from the Londonderry Housing and Redevelopment Authority (LHRA)
- Four (4) appointed At Large representatives

The Town Manager and the Director of Planning & Economic Development shall provide administrative and technical support to the “Task Force.”

ORGANIZATION:

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

The “Task Force” shall determine its own rules or order of business, unless otherwise provided by law or Town Charter.

The Town Council shall appoint a Chairperson, Vice Chairperson and secretary

DUTIES / RESPONSIBILITIES:

1. Hold meeting and keep minutes of any such meeting, in accordance with RSA Chapter 91-A.
2. Prepare a written report with findings and recommendations to the Town Council no later than September 30, 2007.
3. Act as liaison to the Town Council and other Town Boards and committees on issues relating to the project.
4. 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 material as deemed necessary.

5. Provide periodic report to the Town Council and media.

RESOLUTION 2006-29

A Resolution relative to
The Acceptance of Conservation Easement

First Reading: 12/04/06
Second Reading: Waived
Adopted: 12/04/06

WHEREAS the Town of Londonderry has received an application for a site plan on Map 6, Lots 49, 51 & 52; and

WHEREAS the provisions of RSA 36:A-4 allow the Conservation Commission to receive gifts of money and property and to purchase property; and

WHEREAS the property owner is desirous of granting to the Town a Conservation Easement on a portion of said property;

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Manager is authorized to execute all documents necessary to accept a Conservation Easement in favor of the Town on Map 6, Lots 49, 51 & 52, in a form and terms acceptable to the Conservation Commission and Planning Board.

Brian Farmer - Chairman
Town Council

Marguerite Seymour - Town Clerk/Tax Collector

(TOWN SEAL)

A TRUE COPY ATTEST:
12/04/06

ORDER 2006-18

AN ORDER RELATIVE TO THE EXPENDITURE OF MAINTENANCE TRUST FUNDS

First Reading: 12/04/06

Second Reading: N/A

Adopted: 12/04/06

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

WHEREAS necessary improvements include funding various improvements at the Mayflower Grange; and

WHEREAS an extension to the roof at the Grange is needed to keep the front steps free of ice and snow, and funds were included in the FY07 Budget to complete this project;

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$5,780.00 from the Expendable Maintenance Trust Fund for Buildings and Grounds to construct an extension of the roof at the Mayflower Grange.

Brian Farmer - Chairman
Town Council

Meg Seymour

Town Clerk

(TOWN
SEAL)

A TRUE COPY ATTEST:
12/04/06

TOWN COUNCIL/BUDGET MEETING
November 20, 2006

The Council Meeting/Budget Meeting Workshop of November 20, 2006 was called to order at 7:21 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; Assist. Town Manager/Finance Director Sue Hickey; and Margo Lapietro, Executive Assistant. **BUDGET COMMITTEE:** Mike Brown, Tom Freda, Frank Hegarty, (7:35PM) Michael Toth. **Absent:** Chairman John Silvestro, and Sean O'Keefe.

CALL TO ORDER

Chairman Farmer opened the meeting at 7:21 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.

Councilor Bove made a motion to enter into public hearing. Second by Councilor Paradis. Councils' vote 5-0-0.

PUBLIC HEARING

Ordinance 2006-12 – Relative to the Prohibition of Smoking on Town Property –

Councilor Oswald read the second reading. He explained the reason behind the ordinance and **made motion to accept. Second by Councilor Dolan.** Councilor Oswald said there was a direct link of cancer to second hand smoke. He wants to set example for public health in Londonderry. Councilor Dolan said this is overwhelming supported by the public; it is the Council's responsibility to represent public views. Councilor Paradis asked if 20 ft from public entrance still the intent for public entryways. Councilor Oswald said the intent is 20 ft. from that entry point, trying to get the smoke away from congested areas. Councilor Bove asked if it is the Town's obligation to put up signs. Town Manager Caron stated that the ordinance is written to become effective upon adoption by the Council and erection of signs. The signs will be posted mostly at confined entry points at athletic fields and building entrances. Chairman Farmer clarified that the signs would be posted at bandstand; Town Manager Caron said they would be posted at steps to bandstand. Open for discussion. Al Baldasaro, 14 Hall Rd. suggested little buildings outside for smokers. Will be more legal fees, and this Ordinance will be challenged in court. Chief Joe Ryan clarified that violation of this Ordinance would be treated as a violation; it is not an arrestable offense. Frank Omero 110 Rockingham Rd., congratulated councilors. When people smoke outside a building smoke will rise to second floor. He will support ordinance. Al Baldasaro said VA hospital; reserve centers have heated outdoor facilities. Councilor Dolan said when people make life choices, shouldn't affect other people. Second hand smoke is transmitted to other people who don't want it. Councilor Oswald said in 1972 people used to smoke at desks. People have rights to smoke but no right to require other people to make it convenient for you to

smoke. Have to be 20' away from town buildings. Chairman Farmer said the Council needs to change Section III, A, remove work "misdemeanor" and change to read "violation". **Councilor Dolan made a motion to amend Ordinance 2006-12, change Section 3 subsection A from "misdemeanor" to "violation". Amended Ordinance seconded by Councilor Oswald. Councils' vote on amendment 5-0-0. Councils vote for Ordinance 2006-12 as amended 5-0-0, Councilor Dolan made a motion to close the public hearing. Second by Councilor Oswald. Vote 5-0-0.**

PUBLIC COMMNET

Police Chief Joe Ryan – Introduction of New Hires, Employee Recognition and New Promotions. Chief Ryan introduced Ofc. Keith Lee, and announced the promotion of Ryan Carney to Sergeant status. He announced that nine Officers graduated from Police Academy last Friday, one received the highest academic award. Jim Finch, Fieldstone Dr. talked about open enrollment for Medicare prescription drug plan. He will be at the Senior Center every Wednesday from now until the end of December. There are 53 plans this year, anyone eligible can join, and some plans have changed. Citizens can also call Service Link of NH for assistance. Councilor Dolan thanked Jim Finch for his work with the Senior Citizens.

OLD BUSINESS

FY08 Budget Discussion – Town Manager Caron asked that any questions be directed to him before January 8th meeting Sue Hickey answered all open questions received, distributed out additional information requested during the budget workshops. Councilor Dolan asked for updates on performance measures in LFD. S. Hickey said ambulance was one, updated in this packet. She will look at other areas in FD. Councilor Dolan encouraged Town Manager Caron to reduce budget a little further. Councilor Oswald asked if he could forecast retirements particularly in police and fire, anyway to capture that number in 2-5 years. He also ask the Town Manager and S. Hickey to go back to find \$200K in additional cuts. Recommend a \$250K reduction Chairman Farmer asked Budget Committee. Member Adriana Komst if the Budget Committee was ready to make a recommendation, she responded not ready to make official statement until 11/30 meeting. Chairman Farmer suggested taking all road repairs out of general budget; put into bond, and have the tax impact noted. Councilor Farmer suggested realigning a couple of departments. Last year it was suggested to combine building into the planning department. He suggested getting staff recommendations. A. Komst under default budget of \$180K was listed, excellent starting point of \$200K. Mike Brown reminded everyone that the operating budget does not take into account unresolved contracts, CIP and any warrant articles. Don't know impact of these other items, good idea to reduce by \$200K.

Resolution 2006-27 – Relative to the Creation of a Housing Taskforce – Chairman Farmer stated this was adopted at last meeting; it is on the agenda tonight to re-addressing other issues. Councilor Dolan excluded the Budget and Conservation Committee off of the committee to get more at-large-appointments. Would like to re-

include the two representatives, proposed they be add to Resolution. Councilor Oswald agrees because of great importance these two committees will bring to the taskforce. He questioned adding a representative from the Historic Society. In addition ad 3 non-voting members made up of real estate or developers to answer questions people will have. Councilor Oswald suggested NH Housing, SNH Planning could be invited to speak to group. Have public forum whereby these people can talk. Can achieve this with appointing non-voting members. Both Councilor Oswald and Councilor Paradis agree with re-inserting Cons. Com. and Bud. Cmte. as participants. Chairman Farmer stated that since the Bud. Cmte. was here they should be asked if they wanted to participate. A. Komst said they will get back to Council after their next meeting. Chairman Farmer said we should ask if Cons. Com. wants to be involved. Councilor Bove said we need people with expertise on the taskforce. Councilor Oswald said a lot of research and commitment is involved. Discussion ensued about real estate and developers being part of the taskforce. Councilor Dolan stated under provision of town charter, he is exercising his prerogative to defer this item to the next meeting on 12/4/06.

NEW BUSINESS

Appointment of Deputy Treasurer - Councilor Dolan made a motion to appoint John Connoly as Deputy Treasurer. Second by Councilor Oswald. Open for discussion. Chairman Farmer asked Town Manager Caron if being the treasurer for the School District caused any conflict. Town Manager responded no. Reed Page Clark III asked why the need for a deputy. Councilor Dolan responded the treasurer will be out of town a lot, needed back up. **Councils; vote 5-0-0.**

Order 2006-17 – Relative to Withdrawal from the Expendable Maintenance Trust Funds - Councilor Oswald read first reading, no second reading required. **He made a motion to adopt. Second by Councilor Dolan.** No discussion. **Councils' vote 5-0-0.** This was money for repair of the roof at the Mayflower Grange, Councilor Bove asked if it was a historical site, R. P. Clark III said no it was not but could be.

Resolution 2006-28 – Relative to Negotiations for the Placement of a Cellular Tower on Town Property. Councilor Paradis read the first reading, second reading waived. **Motion to adopt. Second by Councilor Dolan.** Town Manager Caron explained the project; Carolyn O'Connor is leading the project. Staff is seeking authorization from Council tonight to negotiate with Verizon Wireless. C. O'Connor explained they have three locations, Nelson Rd., 268B Mammoth Rd, and Davis Dr. Received two proposals, going with Verizon they chose Nelson Rd. She displayed a map indicating Verizon's estimate of increased service. The Fire Dept. intends to relocate fire dept tower to that spot. Terms are for 5 yrs with 3 % escalated each year. Town Manager Caron stated it is the standard in the industry, if they decide not to renew Town can own it. FAA has only completed a preliminary review, will take substantial time to receive final approval. Councilor Bove asked if additional tower being proposed in north end affect FAA approval. Town Manager Caron responded second tower is responsibility of ZBA; don't know if any overlap in coverage would occur. Discussion ensued about who owns a tower near golf course. C. O'Connor responded AT&T and Cingular own that tower,

don't know what their coverage is. Councilor Dolan asked if the proposed tower will cover recreation fields where coverage is poor, and how far back from Mammoth Rd does it cover. C. O'Connor said specs indicate area more toward skate park area. Councilor Dolan said to stay off Mammoth Rd as much as possible. Councilor Oswald suggested something visual (weather balloon) so people can see how high it will be. Mike Brown, 5 Carousel Court, asked how tall the proposed tower was. C. O'Connor said it is 120' will support a maximum of 2-3 co-locaters. M. Brown said the Zoning Ordinance states should have capacity to support 2 or more co-locaters. He also questioned if a red light is required at top of tower, FAA sometimes mandates it. Councilor Dolan asked what the revenue was to Town; C. O'Connor said \$25K a year in revenues. R.P. Clark III said he has had some experience with the prior proposed tower and red light is required anywhere in the flight path. The maximum of co-locaters to a tower are three. He also said there was supposed to be a tower every 5 miles. Did they define where other towers are located? Chairman Farmer said there was a 40' water tower located on Josephine Drive, owned by Manchester Water Works. C. O'Connor will research. **Councils' vote 5-0-0.**

APPROVAL OF MINUTES

Public Meeting Minutes of 11/4/06, 11/6/06, NP 11/6/06 and 11/9/06

Councilor Oswald made a motion to approve Public Meeting Minutes from 11/6 with an edit on line 202 from "Second by Councilor Oswald" to read "Second by Councilor Dolan" Edit second by Councilor Dolan Meeting minutes approval seconded by Councilor Dolan. Councils' vote 5-0-0.

Councilor Dolan made a motion to approve Public Meeting Minutes from 11/4 with an edit on line 16, should read "Kyle" not "Carl" and line 101 after money insert "for hydrant rental". Edits second by Councilor Oswald. Meeting minutes approval seconded by Councilor Oswald. Councils' vote 5-0-0.

Councilor Oswald made a motion to adopt Non-Public Meeting Minutes from 11/6 and Public Meeting Minutes from 11/9. Second by Councilor Bove. Councils' vote 5-0-0.

OTHER BUSINESS

Liaison Reports

Councilor Bove attended the Heritage Commission meeting where they reviewed the addition by Coca-Cola. Reviewed presentation of proposed restaurant, band and coffee shop in front of Shaw's. Discussed preliminary designs for Welcome to Londonderry signs, will come to Council with the final design. Won't cost Town, looking for sponsors. Signs will only go up when we have a sponsor

Paradis attended the Planning Board meeting. Joe DiCarolis presented his proposed development.

Councilor Dolan attended the Recreation Commission talked about additional lights at LAFFA fields. Discussion ensued about tractor for use by the Commission. Talking to Public Works about the possibility of using their old tractor. ZBA spent a lot of time on cell tower, will continue to be discussed. M. Brown said applicant will be doing balloon tests, will have workshops, ZBA will hire outside consultant, will follow statutes. Councilor Dolan said the FCC was involved in this project. Chairman Farmer said the Chairman of ZBA was keeping a tight rein on information being released to press on this project.

Councilor Oswald briefed the Council on the ConsComm meeting??

Town Manager's Report – Exterior work being completed at So. Fire, still looking at December occupancy. Current So. Station on sub-standard lot, looking into what can be done with it.

C. O'Connor is the lead on cell tower, presented her information tonight. She has also oversaw the new roof at Mayflower Grange and has researched renewing the lease on Town Hall vehicles. Staff investigated the use of hybrid vehicles and determined it to be too expensive.

Board/Committee Appointments/Reappointments/Resignations:

1. **Resignation of Anne Jacoby from Trustees of Leach Library, resignation to be effective 3/7/07, term to expire 3/2009.** Chairman Farmer asked Anne Jacoby about effective date of her resignation, not an open seat for re-election. A. Jacoby assured the Council that she was indeed resigning and would like the Council to put the opening on the Ballot. Chairman Farmer said they would make sure it will be filled by election. Town Manager will check with Town Clerk Meg Seymour to make sure that resignation's effective date allows for the position to be filled by ballot. Councilor Dolan suggested it be tabled until M. Seymour responds to correct wording on the ballot.
2. **Re-appointment of Paul DiMarco as a full member of the Planning Board, term to expire 12/31/09.**
3. **Re-Appointment of Lynn Wiles as an alternate member of the Planning Board, term to expire 12/31/09/**
4. **Re-appointment of Bill Manning as a full member of the Recreation Commission, term to expire 12/31/09.**
5. **Re-Appointments of Julie Liese, Art Rugg and Reed Page Clark, III as full members of the International Exchange Committee, terms to expire 12/31/09.**
6. **Re-Appointment of Mike Brown as a full member of the ZBA, term to expire 12/31/09.**
7. **Re-Appointment of George Herrmann as an alternate member of the Conservation Commission, term to expire 12/31/07.**
8. **Re-Appointment of Gary Fisher as an alternate member of the Recreation Commission, term to expire 12/31/07.**

9. Re-Appointment of Ginny Dahlfred as a full member of the Heritage Commission, term to expire 12/31/09

Councilor Dolan made motion to accept all the re-appointments listed in #2 - #9. Second by Councilor Oswald. Councils' vote 5-0-0.

ADJOURNMENT

Councilor Oswald made a motion to adjourn at 9:03PM. Second Councilor Dolan. Councils' vote 5-0-0.

Notes and Tapes by:	<u>Margo Lapietro</u>	Date: <u>11/20/06</u>
Minutes Typed by:	<u>Margo Lapietro</u>	Date: <u>11/22/06</u>
Approved:	<u>Town Council</u>	Date:

MEETING SCHEDULE

Town Council, December 4, 2006 @ 7:00 PM, Moose Hill Council Chambers – Meeting and follow-up Budget Workshop

Town Council, December 18, 2006 @ 7:00 PM, Moose Hill Council Chambers – Meeting and Follow-Up Budget Workshop

Town Council, January 8, 2007 @ 7:00 PM, Moose Hill Council Chambers – First Budget hearing & Preliminary Budget Adoption

Town Council, January 22, 2007 @ 7:00 PM, Moose Hill Council Chambers – Bond Hearing (if necessary/Warrant Approval)