

**TOWN COUNCIL
AGENDA
February 19, 2007**

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 HEARING
- A. Ordinance 2007-01 – Relative to Amendments to the Zoning Ordinance Regarding Elderly Housing
- 7:30 PM III. PUBLIC COMMENT
- A. Vickie Keenan - Interview for alternate position on ZBA
B. Richard Bielinski
- 7:45 PM IV. OLD BUSINESS
- A. 2007 Town Meeting – Signing of Warrant
- 7:50 PM V. NEW BUSINESS
- A. Order 2007-03 – Relative to the Licensing of a Junkyard Pursuant to RSA 236 – Murray’s Auto Recycling
B. Order 2007-04 - Relative to the Licensing of a Junkyard Pursuant to RSA 236 – S&S Metals
C. Order 2007-05 - Relative to the Licensing of a Junkyard Pursuant to RSA 236 – Londonderry Salvage
D. Order 2007-06 - Relative to the Licensing of a Junkyard Pursuant to RSA 236 – Hill’s Salvage Facility
E. Order 2007-07 – Relative to the Expenditure of Maintenance Trust Funds for Recreation Purposes
F. Resolution 2007-07 – Relative to the Sanctioning of the Londonderry Blue Lions (Spirit)
G. Resolution 2007-08 – Relative to the Sanctioning of the Londonderry Athletic and Field Association (LAFA)
H. Resolution 2007-09 – Relative to the Sanctioning of the Londonderry Basketball Club

- I. Resolution 2007-10 – Relative to the Sanctioning of the Londonderry Youth Football and Spirit
- J. Order 2007-08 – Relative to the Expenditure of Maintenance Trust Funds for the Highway Garage
- K. Resolution 2007-11 – Relative to an Amendment to the Municipal Code, Title VI, Chapter XVI, Public Access Facility Use Policy

8:50 PM

VI. APPROVAL OF MINUTES

- A. Public Meeting Minutes of 2/05/07

8:55 PM

VII. OTHER BUSINESS

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

9:10 PM

VIII. ADJOURNMENT

MEETING SCHEDULE:

- A. Town Council, March 5 @ 7:00 PM, Moose Hill Council Chambers
- B. Town Meeting, Election of Officers/Bond Issues, March 13, 7:00 AM – 8:00 PM, Londonderry High School Gymnasium
- C. Budgetary Town Meeting, March 17, 2007 – 9:00 AM, Londonderry High School Cafeteria
- D. Town Meeting, March 19 @ 7:00 PM, Moose Hill Council Chambers

Introduced: 01/22/07
Second Read/Pub Hrg: 02/05/07
Adopted: xx/xx/xx

ORDINANCE 2007-01
*AN AMENDMENT TO THE ZONING ORDINANCE
RELATIVE TO ELDERLY HOUSING
REQUIREMENTS.*

WHEREAS the Londonderry Planning Board has held a public hearing on an amendment to the Zoning Ordinance; and

WHEREAS the Planning Board has voted unanimously to support amending several provisions relative to elderly housing developments; and

WHEREAS approving the requested amendment is consistent with the orderly development of the community;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Zoning Ordinance is hereby amended to:

- Add Conditional Use Permit Language to permit Affordable Elderly Housing;
- Add standards and requirements for Affordable Elderly Housing;
- Amend Support Facility & Services Uses, making provision of elderly support services and/or uses a requirement for all projects;
- Introduces a “cap” on the total number of Elderly Housing units to be permitted within the community:

to become effective upon passage by the Town Council.

Brian Farmer
Chairman - Londonderry Town Council

A TRUE COPY ATTEST:

Marguerite Seymour - Town Clerk
xx/xx/xx

Town Seal

ORDER 2007-06

An Order Relative to
THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236

First Reading: 02/19/07
Second Reading/Public Hearing: Not Required
Adopted: 02/19/07

WHEREAS

Kenneth Hill, who resides at 7 Litchfield Rd., Londonderry, NH, and is the owner of Hill’s Salvage Facility, 7 Litchfield Rd., Londonderry, NH desires a license to continue operations of said business; and

WHEREAS

Kenneth Hill has complied with the requirements of RSA 236 and is in the process of compliance with other conditions of operations as set forth by the Town Council; and

WHEREAS

the Londonderry Town Council, acting as the Legislative body of the Town has such licensing authority and with approval of the Londonderry Building/Health Inspector who has oversight authority, it appears that the public good so requires such license be granted;

IT IS THEREFORE ORDERED by the Londonderry Town Council that Kenneth Hill, doing business as Hill’s Salvage Facility, be granted a license to operate an auto recycling facility with the conditions as set forth in the attached agreement.

Brian Farmer - Chairman
Town Council

(TOWN SEAL)

Meg Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
02/19/07

ORDER 2007-03

An Order Relative to
THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236

First Reading: 02/19/07

Second Reading/Public Hearing: xx/xx/xx

Adopted: xx/xx/xx

WHEREAS

Edward Dudek, Jr., who resides at 36 Strafford Lane, Bedford, NH, and is the owner of Murray's Auto Recycling, 55 Hall Road, Londonderry, NH desires a license to continue operations of said business; and

WHEREAS

Edward Dudek, Jr., has complied with the requirements of RSA 236 and other conditions of operations as set forth by the Town Council; and

WHEREAS

the Londonderry Town Council, acting as the Governing Body of the Town has such licensing authority and with approval of the Londonderry Building/Health Inspector who has oversight authority, it appears that the public good so requires such license be granted;

IT IS THEREFORE ORDERED by the Londonderry Town Council that Edward Dudek, Jr., doing business as Murray's Auto Recycling, be granted a license to operate an auto recycling facility with the conditions as set forth in the attached agreement.

Brian Farmer - Chairman
Town Council

(TOWN SEAL)

Meg Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
02/19/07

ORDER 2007-04

An Order Relative to
THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236

First Reading: 02/19/07
Second Reading /Public Hearing: xx/xx/xx
Adopted: xx/xx/xx

WHEREAS

Vito J. Solomini, who resides at 39 Tsienneto Road, Derry, NH, and is the owner of S & S Metals, 196 Rockingham Road, Londonderry, NH desires a license to continue operations of said business; and

WHEREAS

Vito J. Solomini has complied with the requirements of RSA 236 and other conditions of operations as set forth by the Town Council; and

WHEREAS

the Londonderry Town Council, acting as the governing body of the Town has such licensing authority and with approval of the Londonderry Building/Health Inspector who has oversight authority, it appears that the public good so requires such license be granted;

IT IS THEREFORE ORDERED by the Londonderry Town Council that Vito Solomini, doing business as S & S Metals, be granted a license to operate an auto recycling facility and that renewal of said license be hereby granted, and conditioned upon compliance with the attached agreement.

Brian Farmer - Chairman
Town Council

(TOWN SEAL)

Meg Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
02/19/07

ORDER 2007-05

An Order Relative to
THE LICENSING OF A JUNKYARD PURSUANT TO RSA 236

First Reading: 02/19/07
Second Reading/Public Hearing: Not Required
Adopted: xx/xx/xx

WHEREAS Doris N. Iodice, who resides at 211 Rockingham Road, Londonderry, NH and is the owner of Londonderry Salvage, 211 Rockingham Road, Londonderry, NH desires a license to continue operations of said business; and

WHEREAS the Londonderry Town Council, acting as the Legislative body of the Town has such licensing authority and with approval of the Londonderry Building/Health Inspector who has oversight authority, it appears that the public good so requires such license be granted;

IT IS THEREFORE ORDERED by the Londonderry Town Council that Doris Iodice doing business as Londonderry Salvage, be granted a license to operate an auto recycling facility and that renewal of said license be hereby granted.

Brian Farmer - Chairman
Town Council

(TOWN SEAL)

Meg Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
02/19/07

First Reading: 02/19/07
Second Reading/Public Hearing: waived
Adopted: 02/19/07

ORDER 2007-07

***AN ORDER RELATIVE TO THE EXPENDITURE OF
MAINTENANCE TRUST FUNDS FOR RECREATION PURPOSES***

WHEREAS voters since 2003 have approved funding for the maintenance and repair of public building and grounds in the town; and

WHEREAS the Recreation Division has identified the need for a tractor to assist with the maintenance of its facilities; and

WHEREAS the Division has conducted a bid process and made a selection in accordance with the Town's Purchasing Policy;

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to transfer up to \$15,250.00 from the Expendable Maintenance Trust Fund to purchase a Kubota tractor from MB Tractor and Equipment.

Brian Farmer - Chairman
Town Council

Meg Seymour

Town Clerk
A TRUE COPY ATTEST:
02/19/07

(TOWN SEAL)

RESOLUTION 2007-07

Relative to the
SANCTIONING OF THE LONDONDERRY BLUE LIONS

First Reading: 2/19/07
Second Reading: xx/xx/xx
Adopted: x/xx/xx

WHEREAS there is a need to sanction athletic organizations in order to better manage town recreation facilities; and

WHEREAS the Town Council adopted Title VI, Chapter XIX, Approval of Sanctioned Recreation Groups, which established a process by which groups may be sanctioned; and

WHEREAS the Recreation Commission has been reviewing applications in accordance with the aforementioned Town Ordinance;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Londonderry Blue Lions Cheerleading Organization, having met the requirements of Chapter XIX and receiving the positive recommendation of the Recreation Commission, is hereby sanctioned until March 31, 2011.

Brian Farmer, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
2/19/07

RESOLUTION 2007-08

Relative to the
***SANCTIONING OF THE LONDONDERRY ATHLETIC AND
FIELDS ASSOCIATION***

First Reading: 2/19/07
Second Reading: xx/xx/xx
Adopted: x/xx/xx

WHEREAS there is a need to sanction athletic organizations in order to better manage town recreation facilities; and

WHEREAS the Town Council adopted Title VI, Chapter XIX, Approval of Sanctioned Recreation Groups, which established a process by which groups may be sanctioned; and

WHEREAS the Recreation Commission has been reviewing applications in accordance with the aforementioned Town Ordinance;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Londonderry Athletic and Fields Association, having met the requirements of Chapter XIX and receiving the positive recommendation of the Recreation Commission, is hereby sanctioned until March 22, 2010.

Brian Farmer, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
2/19/07

RESOLUTION 2007-09

Relative to the
SANCTIONING OF THE LONDONDERRY BASKETBALL CLUB

First Reading: 2/19/07
Second Reading: xx/xx/xx
Adopted: x/xx/xx

WHEREAS there is a need to sanction athletic organizations in order to better manage town recreation facilities; and

WHEREAS the Town Council adopted Title VI, Chapter XIX, Approval of Sanctioned Recreation Groups, which established a process by which groups may be sanctioned; and

WHEREAS the Recreation Commission has been reviewing applications in accordance with the aforementioned Town Ordinance;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Londonderry Basketball Club, having met the requirements of Chapter XIX and receiving the positive recommendation of the Recreation Commission, is hereby sanctioned until November 2, 2010.

Brian Farmer, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
2/19/07

RESOLUTION 2007-10

Relative to the
***SANCTIONING OF THE LONDONDERRY YOUTH FOOTBALL AND
SPIRIT***

First Reading: 2/19/07
Second Reading: xx/xx/xx
Adopted: x/xx/xx

WHEREAS there is a need to sanction athletic organizations in order to better manage town recreation facilities; and

WHEREAS the Town Council adopted Title VI, Chapter XIX, Approval of Sanctioned Recreation Groups, which established a process by which groups may be sanctioned; and

WHEREAS the Recreation Commission has been reviewing applications in accordance with the aforementioned Town Ordinance;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Londonderry Youth Football & Spirit, having met the requirements of Chapter XIX and receiving the positive recommendation of the Recreation Commission, is hereby sanctioned until December 7, 2010.

Brian Farmer, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
2/19/07

First Reading: 02/19/07
Second Reading/Public Hearing: waived
Adopted: 02/19/07

ORDER 2007-08

***AN ORDER RELATIVE TO THE EXPENDITURE OF
MAINTENANCE TRUST FUNDS FOR THE HIGHWAY GARAGE***

WHEREAS voters since 2003 have approved funding for the maintenance and repair of public building and grounds in the town; and

WHEREAS the Highway Division has identified the need to replace the standby generator at the Highway Garage; and

WHEREAS the Division has conducted a bid process and made a selection in accordance with the Town's Purchasing Policy;

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to transfer up to \$4,020.00 from the Expendable Maintenance Trust Fund to purchase a generator from Scherbon Consolidated.

Brian Farmer - Chairman
Town Council

Meg Seymour

Town Clerk
A TRUE COPY ATTEST:
02/19/07

(TOWN SEAL)

RESOLUTION 2007-11

Relative to an
**AMENDMENT TO THE MUNICIPAL CODE, TITLE VI, CHAPTER
XVI, PUBLIC ACCESS FACILITY USE POLICY**

First Reading: 2/19/07
Second Reading: xx/xx/xx
Adopted: x/xx/xx

WHEREAS the Town maintains a Public Access Facility for the broadcast of public meetings and events, production of programming, and/or training of volunteers; and

WHEREAS programming produced at the Access Facility may appeal to a wider audience, thus increasing the probability of rebroadcast on commercial and/or mainstream channels, which may include the insertion of advertisements, resulting in profits to the producer; and

WHEREAS should the aforementioned occur, the Town should be compensated for the use of its facilities;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the proposed amendments to Title VI, Chapter XVI addressing the reimbursement to the Town for the use of its facilities, are hereby adopted.

Brian Farmer, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
2/19/07

TOWN COUNCIL/BUDGET MEETING
February 07, 2007

The Council Meeting/Budget Meeting Workshop of February 07, 2007 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; Councilors Mark Oswald (8:11 PM), Tom Dolan, Marty Bove; Town Manager David Caron; and Margo Lapietro, Executive Assistant.

ABSENT: Vice Chairman Joe Paradis;

CALL TO ORDER

Chairman Farmer opened the meeting at 7:10 PM 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 go into public hearing. Second Councilor Dolan. Vote to go into public hearing 3-0-0.

PUBLIC HEARING

Motion to open Public Hearing. – Councilor Dolan made a motion to open the Public Hearing. Second by Councilor Bove.

Resolution 2007-01 – Relative to the Elderly Exemption Policy. - **Councilor Dolan read the second reading, and public hearing, made a motion to adopt. Second by Councilor Bove. Open for discussion. Councilor Dolan read the changes, including eligibility and valuation reduction levels for the elderly exemption. Town Assessor, Karen Marchant explained the applications have to be submitted by 4/15 to apply for the reductions. Substantial change in state regulations is residency requirement has been reduced from 5 years to 3. Town Manager Caron said about \$24K will be saved by eligible taxpayers, to be redistributed to other taxpayers. Mrs. Phyllis O'Brien, 70 Alexander Rd. asked for clarification of the Ordinance, particularly the use of the words “net income”. Newspaper quoted using the net income and it was reported the same last year. She contacted the Assessing Dept. and they use the gross amount. K. Marchant said it is gross income including social security income unless they are doing business at their property. Town Manager Caron read RSA 72: 39-A I, and RSA 72: 39-B. Chairman Farmer told Mrs. O'Brien if she wanted an interpretation of how her income was calculated to see K. Marchant and she will work with her. Councilor Dolan clarified net income “as defined by the RSA” Councilor Dolan make a motion to amend Section II C of the resolution; after the words “net income” add (“as enclosed in RSA 72:39-A”) Second by Councilor Bove. Councils vote 3-0-0 to amend resolution. Councils’ vote for resolution as amended 3-0-0.**

Resolution 2007-02 – Relative to Veteran’s Tax Credit Policy - **Councilor Bove read the second reading and public hearing. Made a motion to adopt. Second by Councilor Dolan. Open for discussion. Councilor Dolan stated that this resolution is a tax credit, state maximum allowed is \$500 for veterans. He strongly urged**

veterans' if they don't need it, don't apply for it and leave it for veterans who need it. Chairman Farmer said there were members of the Council who were veterans and they have not applied for this credit because there are different categories. He served 11 years and does not qualify because he was not in a recognized conflict. Councilor Bove stated that the Council committed to this a long time ago, if state raises limit again he will gladly support it. Councils' vote 3-0-0. Councilor Bove stated any veteran honorably discharged should be allowed any tax credit.

Resolution 2007-03 – Relative to the Disabled Persons Exemption Policy. – Councilor Dolan read the second reading and public hearing, made a motion to adopt. Second by Councilor Bove. Open for discussion. Councilor Dolan said this change is up from \$92,400 to \$98,900. Councils' vote to adopt 3-0-0.

Resolution 2007-04 – Relative to the Blind Tax Exemption Policy - Councilor Bove read second reading and public hearing, made a motion to adopt. Second Councilor Dolan. Open for discussion. Councilor Dolan said this change is up from \$30,000 to \$32,100. Councils' vote 3-0-0.

Resolution 2007-05 – Relative to the Adoption of Energy System Exemptions (Solar, Wind-Powered & Wood heating) Policy. Councilor Dolan read second reading, and public hearing. He made a motion to adopt. Second Councilor Bove. Open for discussion. Councilor Bove asked how we would be able to determine if person is actually using the energy systems. K. Marchant responded the Assessing Office will do a yearly inspection of the properties in order to enforce the resolution. Councilor Bove asked if she had any criteria to follow. She said she contacted several municipalities who have a similar resolution on their books; all of them were the same. The assessment is basically the cost of the equipment, could not find anyone enforcing for wood heating and wind-power. Some communities are re-working criteria because of wording. Councilor Bove said the resolution would give up to \$5K exemption. K. Marchant stated it has to be their major source of heating. Chairman Farmer asked if the value of system is what it will be restricted to. K. Marchant stated there is a House Bill limiting it to value of what it costs to install. Rob Nichols, 2 Cedar Lane researched these exemptions, and offered statistics. He said the federal government is offering some tax relief, and he would like to see more because systems are expensive. Asked if solar domestic water was allowed, Town Manager Caron said it is. R. Nichols said he supported the resolution, it is a good idea. Reed Paige Clark, III voiced his opinion. Chairman Farmer passed gavel to Councilor Dolan. Chairman Farmer said he is going to make a motion to remove exemption of wood heating and leave solar and wind powered. Wood pollutes the air, eventually will exhaust supply of wood. Chairman Farmer made a motion to delete wood heating from the resolution, second by Councilor Bove. Open for discussion. Vote 3-0-0 to amend. Councilor Dolan passed gavel back to Chairman Farmer. Councilor Bove stated if we have enough interest about the wood heating he will bring it back to Council. Councils' vote of 3-0-0 as amended.

Ordinance 2007-01 Relative to Amendments to the Zoning Ordinance Regarding Elderly Housing - Councilor Dolan tabled the Ordinance per Section 3.6.E of the Town Charter. Recommended prior to next scheduled meeting to schedule a workshop with the planning board to get more information. Councilor Dolan withdrew motion on advice from Town Manager Caron, who advised that if 3.6.E were used, it would be

necessary to act upon the measure at the next meeting. Councilor Dolan moved to table indefinitely until meeting is set up with the Planning Board. Councilor Bove asked why Councilor Dolan wants it tabled. He responded this policy direction is so drastic; wants full council in attendance and wants to hear from the Planning Board on their new policy direction. Directed Dave to schedule a meeting with Planning Board and Town Council to discuss. Motion to table 3-0-0.

Councilor Dolan made a motion to close public hearing. Second by Councilor Bove. Public hearing closed.

PUBLIC COMMENT

Project Play Group – Representatives including Laura McIntire gave an update; the group has raised over \$10K to date. They are separating from Nutfield Mom’s Club to create one non-profit, which will give the group more flexibility for fund raising and wanted to appeal to more to Londonderry. They have increased their visibility in Town and want to erect a sign “progress board” on Town Common on a permanent basis for the length of the project. Chairman Farmer stated Town is very protective of signs on the Town Common; propose alternative location on corner of Sargent and Mammoth Rd. This is road leading up to playground. Work with staff to determine appropriate size. Consensus for location of sign agreed to.

Kevin Dillon – Director of Manchester Airport – He stated 2006 was a difficult year, down 10% in passenger traffic, which is related to loss of flights and 20% of available seats, bankruptcy, jet fuel prices, overall industry economics. For 2007 Southwest announced two more flights to Orlando and Philadelphia. Some airlines are increasing plane size, will see turn a round. The Airport’s Capital Program is currently on hold. Only have two projects going on. RW 6-24 safety overrun project, 6-24 will be closed runway service extending 600ft on So Willow St. for safety over runs. R/W usage will be skewed again. Other project is glycol de-icing detention pond. Working on an enclosed storage tank, designed pipe line going directly into river, eliminates foaming and odor issue. MHT received 106 noise complaints in 06, Londonderry generated 20 complaints. Councilor Bove asked about additional non-stop service, K. Dillon said cost of jet fuel causing problems Councilor Bove asked if they have any feed-back to name change. K. Dillon responded they are targeting the national market. Internet is the easiest because as it works out, more hits because coming up with the name of Boston. He mentioned the free bus service to Boston offered by MHT. Councilor Dolan asked for an update on sound insulation. K. Dillon responded that they were at the end of the program. Only 30 homes qualified in Londonderry. Total program consisted of up to 1400, homes. Councilor Dolan asked about Londonderry police services at MHT. LEO under contract for three years, transition went smoothly due to Chief Ryan. Very pleased, LPD adapted to issues at MHT, trying to reduce level of overtime.

Paul Martin, Adams Road - Lot line identification resulted in the movement of fence. Earlier request to Council in August of 06 was to leave fence in ROW, he is asking earlier request to be amended to leave stone wall as well as retaining wall in

the ROW. Councilor Oswald made a motion to allow. Second by Councilor Bove. Open for discussion. Janusz Czyzowski, Dir. of Public Works said Planning Board consistent with our requirements in Town. If Council makes exceptions to placing landscaping in the town ROW, the Public Works (PW) will have multiple obstructions for our drainage system and swale. He asked the Council to support Planning Board to remove landscaping, sprinkler system and rock wall. These kind of obstructions are breaking plows. Art Rugg, Planning Board Chair, stated the Planning Board went by what was represented on the plan. Councilor Dolan asked P. Martin how far in town ROW is stone wall located, he responded 4-5 feet. Chairman Farmer asked if the plan indicated the removal of the entire wall or just the section that protrudes in the town ROW. J. Czyzowski responded just the part that is within the ROW. Councilor Oswald said he feels that P. Martin has made a good faith effort to adhere to regulations. J. Czyzowski stated the issue is not being able to create a swale for drainage. Chairman Farmer said his understanding is that the discussion has always been about the fence not the wall with the Planning Board this should have been resolved two year ago. Councilor Dolan suggested sending a letter to P. Martin stating that swale, fence, underground sprinkler, loam and landscaping can remain in place but it will be subject to removal by the owner if necessary for use by PW. Councilor Bove stated there has never been a swale there, asked J. Czyzowski if he intend to put a swale there and if you do, Mr. Martin understands that it may impact what he has there. Chairman Farmer said as it stands now a motion will be make to allow Mr. Martin to maintain fence, landscaping, etc. as it exists and allow the Town to make changes. P. Martin said he took down one layer of the rock wall, wants to put second layer of rocks back on wall. It was agreed that he could do that. Town Manager Caron was instructed to send a second letter to homeowner stipulating that Town owns ROW, not a permanent situation, will require removal in future. Vote to allow wall, etc. to be as is and understanding it is not permanent, that town can exercise its future ROW, councils' vote 4-0-0.

Vinnie Curro, 103 High Range Road, member of the Fire Facilities Committee invited Council and residents of Londonderry to new South Fire Station. Open House this Sunday, 2/11/07 from 1-3PM Thanked Council for help with Red Cross blood drive and Dana Farber Cancer Institute Bone marrow typing drive held this past Friday. Got 131 pints of blood. Able to type another 30 for bone marrow typing.

OLD BUSINESS

NEW BUSINESS

- A. Order 2007-02 – Relative to the Expenditure of Recreation Impact Fees
Councilor Dolan made a motion to authorize, first reading, no second reading needed. Second by Councilor Oswald. Open for discussion. Art

Psaledas, Recreation Director and Bill Manning Recreation Commission Chair were presenting. A. Psaledas stated enrollment in LAFA has gone up over 10%, and they have done everything they can to not limit kids to field space. Illuminating additional fields gives kids more time. Will give kids 2 additional games at night. LAFA has contributed a quarter of a million dollars to recreation in the Town. Ron Campo said there will be a total of 4 fields lit. Councilor Bove said he goes along with it, maximum benefit for the Town, would like to see some other fields lit. **Councils' vote 4-0-0.**

- B. Citizen's Petition – NH Climate Change Resolution** -Thomas Kennedy, 7 Sunflower Lane from Sierra Club collected signatures for a petition. He spoke about global warning and results of a study done in Europe. Councilor Dolan stated he supports the concept; however nature of Town Meeting doesn't allow opinion referenda. Our form of government doesn't allow opinion items on warrant, only budget items are allowed. To show support the petition would have to be a resolution in a Town Council meeting. Councilor Oswald said Conservation Commission is on record for supporting this item. Town Manager Caron stated Council can develop a resolution and send letters to congressional delegation, and president of US. **Councilor Dolan made a motion to propose this item as a Council Resolution. Second by Councilor Oswald for discussion.** Councilor Oswald asked to have this for a brief agenda item at final budget meeting. Councilor Dolan said there is still a sizable number of skeptics, suggested getting a member of the scientific community to explain to the public the science behind this concept, hopefully at 3/5/07 meeting. **Vote to bring forth a resolution for approval, 4-0-0.**

APPROVAL OF MINUTES

Councilor Dolan made a motion to accept the Public Meeting Minutes of 1/22/07 Second by Councilor Oswald. Open for discussion. Mary Wing Soares, 17 Gale Road questioned line 43. Chairman Farmer voted not to put the bond for a N/W Fire station before the voters, she questioned why. He responded he did not support it. She asked why he would not give the "masses" the right to vote for or against the NW Fire Station. Chairman Farmer said not a question of giving the "masses" the right to vote for or against, Council members have a responsibility not only to put things in front of the voters that they feel are appropriate, but they also have the responsibility to not put things in front of the voters that they feel are appropriate. Chairman Farmer stated his philosophy is if he strongly feels opposed to doing something because he feels that now is not the time, then he will vote no on moving it to a public hearing or a ballot item. M. Soares pointed out the School Deliberative session is on 2/9 not on 2/2/07 as listed on line 105 under Public Comment of the Meeting Minutes. **Councilor Dolan amended his motion to reflect the change on line 105. Second by Councilor Oswald. Vote to accept minutes as amended 4-0-0.**

OTHER BUSINESS

Liaison Reports – Councilor Bove attended school board meeting, they recognized

people in Pantene Beautiful Length Hair Donation, televised on Good Morning America; Deliberative session this Friday evening in LHS cafeteria. 2/13 meeting of NHCAFE. He commended the students who did presentation on PEER Mediator group at school board meeting.

Councilor Dolan did not attend ZBA meeting. Will attend the Planning Board meeting on 2/14/07 in place of Councilor Paradis.

Councilor Oswald stated that issues at MHT covered by K. Dillon tonight. Conservation Commission had a presentation by forester, would like to have him come to Town Council. Musquash field day this Sat 10 – 2. DOT hearing 2/13 here at Moose Hill Conf. Room at 7:00 PM.

Chairman Farmer said most of his meetings happen after this meeting. Will fill Liaison roll for the Library Wednesday of this week. Thursday is last public hearing for Budget and Warrant articles with the Budget Committee.

Town Manager's Report – Town Manager Caron reported we received three bids today for the purchase of South Fire. Range from \$60, 250 to \$100,253. Each contained the mandatory \$5K bid bond. Hope to present a resolution authorizing the transfer of the property at the 2/19/07 meeting. Councilor Dolan asked Town Manager Caron what would happen to those funds if the NW fire station to which the funds were going to, is not approved this year. He responded it goes into the estimated revenues which increases the year end balance, will be in next budget cycle if the project is re-considered.

Board/Committee Appointments/Reappointments/Resignations:

1. Resignation of Debbie Curtin from the Londonderry Arts Council, Appointed Member. **Mark Oswald made a motion to accept with regret, resignation of Debbie Curtin from the LAC. Second by Councilor Dolan. Councils/ vote 4-0-0.**
2. Appointment of Larry Casey to the Londonderry Arts Council, Appointed Member. **Councilor Dolan made a motion to appoint Larry Casey to the Londonderry Arts Council. Second Councilor Bove. Councils vote 4-0-0.**
3. Boston/Manchester Airport Authority vacancy still open per Mark Oswald. Chairman Farmer stated he spoke to John Farrell. J. Farrell already involved in other things but if someone else in community interested he is fine with that. Councilor Oswald said we have 5 individuals interested in the position and a Donald Jorgensen has had some 30 years in the aviation industry. **Councilor Oswald made a motion to appoint Donald Jorgenson to the Boston/Manchester Airport Authority, term to end 3/01/09. Second by Councilor Dolan. Councils' vote 4-0-0.** Councilor Bove suggested sending letters to other individuals notifying them of openings on other volunteer Boards, Committees, etc.

ADJOURNMENT

Councilor Dolan made a motion to adjourn at 9:30 PM. Second Councilor Oswald.
Councils vote 4-0-0.

MEETING SCHEDULE

Notes and Tapes by: Margo Lapietro Date: 02/05/07

Minutes Typed by: Margo Lapietro Date: 02/06/07

Approved: Town Council Date:

MEETING SCHEDULE:

Town Council, February 8 about 7:00 PM, Moose Hill Council Chambers – Final Public
Hearing on Budget

Town Council, February 19 about 7:00 PM, Moose Hill Conference Chambers Warrant
Signing