

**TOWN COUNCIL  
AGENDA  
April 21, 2008**

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 – PUBLIC SESSION
- 7:01 PM            II     PUBLIC HEARING
- A.     Ordinance #2008-04 - Relative to Rezoning of Tax Map 7, Lots 132-1 through 132-20.
- B.     Resolution #2008-09 – Relative to the use of Map 11, Lot 46 as a Firearms Range
- 8:00 PM            III.   PUBLIC COMMENT
- A.     Tom Dolan - Input on Goals and Objectives
- 8:15 PM            IV.   OLD BUSINESS
- A.     FY09 Goals and Objectives
- B.     Operating Conditions – Murray’s Auto Recycling
- 8:45 PM            V.     NEW BUSINESS
- A.     Ordinance #2008-05 – Relative to the Rezoning of Map 15, Lot 96, Clark and Jacks Bridge Road.
- B.     Ordinance #2008-06 – Relative to Amendments to the Zoning Ordinance Regarding Temporary Structures and Minimum Lot Sizes
- C.     Ordinance #2008-07 – Relative to an Amendment to the Municipal Code, Title V, Reorganization of Departments
- D.     Resolution #2008-07 – Relative to a Partial Mortgage Discharge at Wagon Wheel Cooperative
- E.     Resolution #2008-08 –Relative to a Transfer of Funds from the Health Insurance Holding Account
- F.     Order #2008-11 – Relative to a Withdrawal from the Capital Reserve Fund for Pathway Snow Removal Equipment

9:15 PM

VI. APPROVAL OF MINUTES

- A. Minutes of the Council's April 7, 2008 Public and Non-Public Meeting.

9:30 PM

VII. OTHER BUSINESS

- A. Liaison Reports
- B. Town Manager's Report
- C. Board/Committee  
Appointments/Reappointments/Resignations
  - 1. Re-Appointment of Laura El-Azem to replace vacant position of Paul DiMarco on the Planning Board as a Full Member. Term to expire 12/09.

9:45 PM

VIII. ADJOURNMENT

MEETING SCHEDULE:

- A. Town Council Meeting, May 5, 2008, Moose Hill Council Chambers, Town Hall, 7:00 PM
- B. Town Council Meeting, May 19, 2008, Moose Hill Council Chambers, Town Hall, 7:00 PM

**ORDINANCE 2008-04**  
*AN AMENDMENT TO THE ZONING  
ORDINANCE  
RELATING TO REZONING MAP 7, LOTS 132-1  
THROUGH 132-20*

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**Introduced: 4/07/08**  
**Second Read/Pub Hrg: 4/21/08**  
**Adopted:**  
**XX/XX/XX**

*WHEREAS* the Planning Board received a request to rezone the above-referenced parcels by removing the Rte. 102 Performance Overlay District (POD), leaving the parcels with the underlying zoning of C-I; and

*WHEREAS* the Planning Board has recommended that the Town Council act favorably upon the request; and

*WHEREAS* the requested action is recommended to become effective only after the lots are consolidated, and a site plan consistent with the presentation made to the Planning Board on both February 13 and March 12, 2008 is approved by the Planning Board;

*NOW THEREFORE BE IT ORDAINED* by the Town Council of the Town of Londonderry that the Town Zoning Ordinance be amended to reflect the rezoning of Map 7, Lots 132-1 through 132-20, removing the Rte. 102 Performance Overlay District (POD), to become effective upon passage by the Town Council and compliance with the afore-mentioned conditions.

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Marty Bove-Chairman  
Londonderry Town Council

*A TRUE COPY ATTEST:*

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*Marguerite Seymour - Town Clerk*  
*xx/xx/xx*

*Town Seal*

# RESOLUTION 2008-09

Relative to the  
**USE OF MAP 11, LOT 46 AS A FIREARMS RANGE**

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First Reading: 02/11/08  
Second Reading: 04/21/08  
Adopted: XX/XX/XX

*WHEREAS* the Police Department requires the use of a firearms range to meet required training and qualifications needs of sworn officers; and

*WHEREAS* an opportunity has presented itself to develop a range for the exclusive use of the Police Department; and

*WHEREAS* materials and labor to construct the range shall be donated by other businesses and organizations; and

*WHEREAS* development of this area will allow the Department to more efficiently schedule its training;

***NOW THEREFORE BE IT RESOLVED*** by the Londonderry Town Council that the Town Manager is hereby authorized to execute an agreement with Continental Paving for the use of a portion of Map 11, Lot 46 as a firearms range for the Londonderry Police Department.

Marty Bove, Chairman  
Town Council

( TOWN SEAL )

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Marguerite Seymour - Town Clerk/Tax Collector

*A TRUE COPY ATTEST:*  
04/21/08

**ORDINANCE 2008-05**  
*AN AMENDMENT TO THE ZONING  
ORDINANCE  
RELATING TO REZONING MAP 15, LOT 96,  
CLARK AND JACKS BRIDGE ROAD*

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*WHEREAS* the Planning Board has received a request to rezone the above-referenced parcels from AR-I to I-I; and

*WHEREAS* the Planning Board has recommended that the Town Council act favorably upon the request, subject to conditions; and

*WHEREAS* the requested rezoning would further expand the Town's non-residential tax base without any detrimental effects upon the quality of life in the community;

*NOW THEREFORE BE IT ORDAINED* by the Town Council of the Town of Londonderry that the Town Zoning Ordinance be amended to reflect the rezoning of Map 15, Lot 96 from AR-I to I-I, to become effective upon passage by the Town Council and subject to the following conditions:

Final approval by the Planning Board of the subdivision of the lot into 2 lots and the site plan for the industrial use of the new lot are approved by the Planning Board.

\_\_\_\_\_  
Marty Bove  
Chairman - Londonderry Town Council

*A TRUE COPY ATTEST:*

\_\_\_\_\_  
*Marguerite Seymour - Town Clerk*  
*xx/xx/xx*

*Town Seal*

Introduced: 4/21/08  
Second Read/Pub Hrg: 5/05/08  
Adopted: x/xx/xx

**ORDINANCE 2008-06**  
*RELATING TO AMENDMENTS TO THE  
ZONING ORDINANCE REGARDING  
TEMPORARY STRUCTURES AND MINIMUM  
LOT SIZES*

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*WHEREAS* the Planning Board and Staff have undertaken the process of systematically reviewing and updating sections of the Zoning Ordinance; and

*WHEREAS* changes in state statues and standards promulgated by professional organizations result in conflicts with provisions in the Town's existing ordinance; and

*WHEREAS* the Planning Board has recommended that the Town Council act favorably upon proposed amendments to resolve these conflicts;

*NOW THEREFORE BE IT ORDAINED* by the Town Council of the Town of Londonderry that the Town Zoning Ordinance be amended to reflect the revisions to Sections 2.3.1.2.2 which revises the time period one is allowed to occupy a temporary manufactured housing unit on a lot while replacing a primary structure due to fire damage (consistent with RSA 674:32 II) and Section 2.3.1.3.1, Table 2 (Minimum Lot Size), to be consistent with the updated soil-based lot sizing standards of the Society of Soil Scientists of Northern New England.

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Marty Bove  
Chairman - Londonderry Town Council

*A TRUE COPY ATTEST:*

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*Marguerite Seymour - Town Clerk*  
*x/xx/08*

*Town Seal*

Introduced: 04/21/08  
Second Read/Public Hrg.: 05/05/08  
Adopted: xx/xx/xx

**ORDINANCE 2008-07**  
*AN AMENDMENT TO THE MUNICIPAL CODE*  
*Title V-Administrative Code, Chapter I-Legal Basis and*  
*Departmental Organization, Section II - Municipal*  
*Departments*

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*WHEREAS* the Charter of the Town of Londonderry was formally adopted at the Annual Town Meeting held on March 12, 1996; and,

*WHEREAS* said Charter became effective as of July 1, 1996; and,

*WHEREAS* Section 4.9, subsection B of said Charter provides that the Town Council is authorized to amend the Administrative Code to create, consolidate or abolish departments or agencies and define or alter their function and duties; and,

*WHEREAS* the needs of the municipal organization would be served more efficiently by reorganizing several departments, and,

*WHEREAS* an opportunity exists to promote maximum utilization of resources currently provided by the taxpayers by reorganizing the Building/Health/Zoning Department with the Planning and Economic Development Department, thereby enhancing the services to the taxpayers and organizational efficiencies,

*NOW THEREFORE BE IT ORDAINED* by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title V - Administrative Code, Chapter I - Legal Basis and Departmental Organization, Section II Municipal Departments, is amended as hereto attached.

Marty Bove - Chairman  
Town Council

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Meg Seymour  
Town Clerk

(TOWN SEAL)

*A TRUE COPY ATTEST:*  
*x/xx/xx*

**CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION**

**SECTION I LEGAL BASIS**

A.

This Administrative Code is established in accordance with the provisions of the Londonderry Town Charter.

**SECTION II ADMINISTRATIVE DEPARTMENTS**

A. A department shall be a legal subdivision of the Town government usually performing a variety of inter-related functions with multiple staff positions.

B. A departmental division shall have a single primary function.

C. The administrative services of the Town shall consist of the following groups, and departments. Groups and departments may be divided into divisions or bureaus as provided herein or as provided by the Town Charter.

Group/.Department/Division

Department/Division Head

**I. Administration**

**Town Manager**

**II. Community  
Town Manager  
Services Group**

**a. Divisions:**

Cable  
Recreation  
Family Mediation

Cable Coordinator  
Recreation Director  
Fam.Med. Coordinator  
Senior Affairs  
Senior Affairs  
Coordinator

**III.**

**Finance & Administration Group  
Asst. Town Manager, Finance  
& Admin.**

**a. Divisions:**

MIS  
Finance  
Town Clk/Tax Collector  
Assessing  
Treasury

MIS Director  
Asst. Town Mgr./Fin. & Admin.  
Town Clerk/Tax Collector  
Assessor  
Treasurer



***Londonderry Municipal Code***  
***Title V - Administrative Code***

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***Revised 7/14/03, 2/09/04, 4/21/08***

Assistance                    General  
Mgr./Fin. & Adm.            Asst. Twn.  
  
Adm                              Human Resources  
                                    Asst. Twn. Mgr./Fin. &

**CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION (Cont'd)**

**SECTION II ADMINISTRATIVE DEPARTMENTS (Cont'd)**

C. The administrative services of the Town shall consist of the following groups and departments: (Cont'd)

	<u>Group/Department/Division</u>	<u>Department Head</u>
4.	<del>Building/Health/Zoning</del>	<del>Building Inspector</del>
IV.		<b>Planning &amp; Community Development/Economic Development Planning/Econ.Dev. &amp; Comm. Development Director</b>
a.	<b>Divisions:</b> Planning Economic Development Conservation Land Mgt GIS <i>Building/Health/Zoning</i>	
V.	<b>Public Works Department</b>	<b>Public Works Director</b>
a.	<b>Divisions:</b> Solid Waste/Recycling Sewer/Water Engineering Highway/Bridges	Solid Waste Coordinator Sewer Supt'd Town Engineer Highway Foreman
VI.	<b>Fire &amp; Rescue Department</b>	<b>Fire Chief</b>
a.	<b>Divisions:</b> Code Enforcement Emergency Medical Svcs. Operations Public Education	
VII.	<b>Police Department</b>	<b>Police Chief</b>
a.	<b>Divisions:</b> Operations Division Support Services Division	
VIII.	<i>Leach Library</i>	<i>Library Trustees</i>

**CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION (Cont'd)**

**SECTION III POWERS AND DUTIES OF DEPARTMENT HEADS**

- A. Each department head shall be responsible for the efficient operation of their department. They shall perform all the duties and exercise all the powers conferred upon their office by applicable laws, ordinances and resolutions.
- B. Department heads may prescribe departmental rules and regulations not inconsistent with general law, the Town Charter, this Administration Code, and the provisions of the Personnel Policy for the administration of their various departments, conduct of their employees, and the proper performance of the department's business.
- C. Department heads, with the approval of the Manager and by Council amendment to the Administrative Code, may establish such departmental divisions, bureaus or other sub-units as may be deemed desirable in the interest of economy and efficiency and in accordance with sound administrative principals and practices.
- D. Each department head shall be responsible for maintaining the operation of their department on a close and friendly basis of cooperation with all other departments and with the public.
- E. Each department head shall be responsible for satisfactory maintenance and care of all Town property and buildings assigned to their department.
- F. Each department head shall be responsible for preparing and submitting both routine and special reports on the operation of their department to the Manager, Town Council, or to any State or Federal Agency as required.
- G. At such time as may be requested by the Manager, each department head shall submit an itemized estimate of the expenditures for the next fiscal year for their department for use in preparation of the proposed budget for said year, including planned expenditures for Capital Improvements.
- H. Each department head shall be responsible for following the provisions of this Administrative Code and Town Policy in establishing a purchasing and control system with respect to purchases and contracts for his/her department.
- I. Each department head shall be responsible for management of divisional functions within that department.

**CHAPTER I - LEGAL BASIS AND DEPARTMENTAL ORGANIZATION (Cont'd)**

**SECTION IV SELECTION, QUALIFICATION, COMPENSATION AND  
TERMS OF OFFICE OF DEPARTMENT HEADS AND OTHER  
PERSONNEL**

- A. All department heads shall be appointed as provided by the Londonderry Town Charter for indefinite terms on the basis of merit and fitness to perform their duties and may be removed by the Manager as provided for by the Londonderry Town Charter, State Law and the Personnel Policy.
- B. The compensation of all department heads and non represented personnel shall be fixed in accordance with the Personnel Policy.

**SECTION V DEPARTMENT STAFFS**

- A. Department Heads may establish subordinate positions, make appointments and removals as necessary, within the limitations of the appropriations provided and subject to the provisions of the Town Charter, the Personnel Policy and approval of the Manager.
- B. All employees shall be under the supervision of their respective department heads, and all employees in the Town's service shall be compensated in accordance with the Personnel Policy and/or the appropriate collective bargaining unit agreement.

**CHAPTER II - MUNICIPAL DEPARTMENTS**

**SECTION I ADMINISTRATION**

**A. Town Manager Responsibilities**

1. The Manager shall be the administrative head of the Town, and shall perform all the duties and have all the responsibilities prescribed by the Londonderry Town Charter, and all Orders, Ordinances and Resolutions.

2. The Manager shall supervise all department heads and Administrative Departments as established by this Code (*except the Library Director, who pursuant to State Statute reports to the Board of Library Trustees*). *The Manager* shall have the power to suspend and discipline and perform or delegate the duties and responsibilities of such department heads.

3. The Manager may prescribe such rules and regulations not inconsistent with the Town Charter and Town Ordinances as he or she may deem necessary for the conduct of the various departments, and he or she may investigate and inquire into the affairs of any department at any time.

4. The Town Manager, or such person appointed by the Town Manager as Personnel Director, shall perform all personnel functions as described in the Town Charter, Town Ordinances and the Personnel Policy.

5. The Town Manager shall, annually, make a “State of the Town Address” at the Annual Town Meeting.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION II COMMUNITY SERVICES GROUP**

- A. Community Services Group** - The **Community Services** Group shall be under the supervision of the **Town Manager**.
- B.** The Town Manager shall manage the functions of the following divisions:
1. **Recreation Division** - The Recreation Division is under the supervision of the **Recreation Director** appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff in accordance with Chapter I, Section V.A - Department Staffs. The Recreation Director shall perform the following functions:
    - a. Develop a general recreational program for the Town.
    - b. Coordinate and oversee all the recreational activities on Town parks, playgrounds, swimming pools, beaches, tennis courts, ski areas and all other recreational facilities, including buildings.
    - c. Prepare and maintain all records pertaining to the Recreation Department
    - d. Coordinate and cooperate with private groups as well as with public officials in the development and promotion of recreational activities in the Town.
    - e. Cooperate and coordinate with the School Superintendent and Highway Department to develop, maintain, and care for all municipal and recreational buildings, parks, playgrounds, athletic fields and other recreational areas and all other departments of the Town.
    - f. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION II - COMMUNITY SERVICES GROUP**

**B.** The Town Manager shall manage the functions of the following divisions:  
(Cont'd)

3. 2. **Library Division** The Library Division shall consist of the **Librarian** and professional and clerical staff, and shall consist of the subdivisions of Cataloging, Reference, Circulation, Young People and Children. The Librarian and other Library staff shall be nominated and approved by the **Library Trustees** and shall perform the following functions:

a. Select and procure books, magazines, periodicals and other materials for use by residents.

b. Catalog, classify and circulate for home use all such material.

c. Provide a reference service for answering requests for specific information.

d. Promote the availability of the library material to stimulate a wider general interest in its use.

e. Promote special reading services for children and young people to aid in the development of desirable reading habits.

f. Prepare and maintain all records pertaining to the Library Department.

g. Coordinate with School District for provision of Library Services.

h. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION II COMMUNITY SERVICES GROUP**

**B.** The Town Manager shall manage the functions of the following divisions:  
(Cont'd)

**2.3. Cable Division** - The Cable Division shall be under the supervision of the **Cable Coordinator** who is appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Cable Coordinator shall perform the following functions:

a. Oversee all cable related services and relevant technologies for the Town, including contract compliance issues and resolution of subscriber complaints

b. Manage the Londonderry Access Center (LAC) to maximize the community's ability to produce PEG access programming. This includes assuring that all users are properly supervised and trained and that policies for use are up to date and applied uniformly.

c. Provide for the maintenance of the institutional network (I-Loop) and coordinate its usage to ensure compatible endeavors.

d. Prepare reports as required to keep the Town Manager apprised of emerging technologies

e. Work cooperatively with the Town Departments, School District, OVS (Other Video Services), the Town's other agencies and cable provider(s) to ensure the optimum use of available communications resources.

f. Perform all other related functions as required.



**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION II**

**COMMUNITY SERVICES GROUP**

**3. 4.** Senior Affairs Division - The Division shall be under the supervision of the Senior Affairs Coordinator who is appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Senior Affairs Coordinator shall perform the following functions: Develop, plan and implement programs and services for the Community's elder population.

- 1.** Develop, plan and implement programs and services for the Community's elder population
- 2.** Manage the Mayflower Grange to maximize the use of the facility as a community resource.
- 3.** Identify services provided by others which would be of assistance to the Town's elder population.
- 4.** Prepare Reports as required to keep the Town Manager apprized of emerging elder services
- 5.** Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION III FINANCE AND ADMINISTRATION GROUP**

A. The **FINANCE AND ADMINISTRATION** Group shall be headed by an **Asst. Town Manager/Finance and Administration** in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff in accordance with Chapter I, Section V.A - Department Staffs.

B. The Asst. Town Manager/Finance and Administration shall manage the functions of the following divisions:

1. **Finance Division:** The Finance Division shall be managed by the Asst. Town Manager/Finance and Administration in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff in accordance with Chapter I, Section V.A-Department Staffs. The Asst. Town Manager/Finance and Administration shall perform the following duties:

- a. Pre-audit all receipts and process all authorized claims against the Town before authorizing payment thereof.
- b. Post-audit all receipts and disbursements.
  - c. Maintain the general financial accounts of the Town and exercise accounting control.
  - d. Prepare financial reports as required by the Manager and Town Council
  - e. Negotiate, upon the authorization of the Manager and Town Council, all loans of whatever term.
  - f. Maintain custody of all insurance policies of the Town.
  - g. Supervise and control the operation of all financial data processing functions and its records.
  - h. Maintain all Town employees earnings records, including records of all deductions from earnings for retirement, social security, medical/health coverages, savings plans, and any other related materials, and maintain all Town employees payroll action forms, vacation and sick leave records.
- i. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION III FINANCE AND ADMINISTRATION (Cont'd)**

B. The Asst. Town Manager/Finance and Administration shall manage..... (Cont'd)

2. **Assessing Division** - The Assessing Division shall consist of an **Assessor** appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Assessor shall perform the following functions:

- a. Carry out all the duties relative to taking the inventory and the appraisal of property for taxation, and in regard to the assessment and abatement of taxes and issuing warrants for the collection of taxes, as are now or may hereafter be required by law of Assessors of Towns.
- b. Prepare all assessment and tax rolls and tax notices as required by law.
- c. Check all property transfers and maintain all property records.
- d. Prepare and maintain all assessment record cards, filing systems, and all other records of the department.
- e. Make regular and frequent checks of the Town to assure all taxable property is being accurately reported.
- f. Prepare and maintain all tax maps.
- g. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION III FINANCE AND ADMINISTRATION (Cont'd)**

B. The Asst. Town Manager/Finance and Administration shall manage..... (Cont'd)

3. **Town Clerk/Tax Collector** - The Town Clerk/Tax Collector is an elected position pursuant to the Laws of the State of NH, bonded as required by Statute and shall include such clerical staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Town Clerk/Tax Collector shall perform the following functions:

- maintain the Boards and
- a. Serve as Keeper of the Records of the Town Council and records of all proceedings of the Town Council and other Committees as required by State Law.
  - b. Arrange for all elections and maintain all election records, and have custody of all property used in connection therewith.
  - c. Obtain and maintain all statistics on births, marriages and deaths as required by law.
  - d. Notify the Manager, at least thirty (30) days prior thereto of the expiration of terms of all members of boards or commissions.
  - e. File and preserve, as required by State and Federal Law, all contracts, bonds, oaths of office and other documents.
  - f. Issue licenses and permits and collect all fees, as required by statute and ordinance unless otherwise provided, and deposit these collections through the Treasurer.
  - g. Be custodian of the Official Town Seal.
  - h. Keep on file the official copy of the Town Charter, all Ordinances of the Town and maintain a record of all corrections and amendments.
  - i. Perform all duties and exercise all powers incumbent upon or vested in Town Clerks by the laws of the State of New Hampshire.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION III FINANCE AND ADMINISTRATION (Cont'd)**

B. The Asst. Town Manager/Finance and Administration shall manage..... (Cont'd)

4. **Town Clerk/Tax Collector**

j. Perform all Tax Collection responsibilities as vested in Tax Collectors by the laws of the State of New Hampshire and as outlined below:

1. Mail all tax notices

2. Collect all taxes due the Town

3. Maintain proper records pertaining to collection functions.

4. Turn over daily to the Treasurer a record and account for all monies on the date received.

5. Collect permit fees for the registration of motor vehicles, required to be paid under the provisions of New Hampshire Revised Statutes Annotated, 1955, Chapter 260, Section 27, and amendments thereto.

6. Perform all other related functions as required.

5. **Treasury** - The **Town Treasurer** shall be elected pursuant to the Laws of the State of New Hampshire and bonded as required by Section 20 thereof. The Town Treasurer shall perform the following functions:

a. Maintain custody of all Town funds, including the recording of the deposit and withdrawal thereof, as required by ordinance and general law.

b. Carry out the duties as specified by the New Hampshire Revised Statutes Annotated, 1955, Chapter 33, and amendments thereto, relative to Town bonds, notes and records thereof.

c. Sign all checks, drafts, notes and bonds for the Town.

d. Record the deposit of all monies daily in the depositories designated by the Town Council.

e. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION III FINANCE AND ADMINISTRATION (Cont'd)**

B. The Asst. Town Manager/Finance and Administration shall manage..... (Cont'd)

6. **General Assistance Division** shall be under the supervision of the Asst. Town Manager/Finance and Administration who is appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The General Assistance Division shall perform the following functions:

- a. Plan, budget report and control the Town's Welfare Program
- b. Investigate all requests for relief and authorize such relief aid as may be deemed necessary.
- c. Exercise all powers and perform all duties conferred or imposed by law on overseers of the poor.
- d. Keep full and accurate records of persons fully supported, the persons relieved and partially supported, and the travelers and vagrants lodged at the expense of the Town, together with the amount paid to them for such support and relief, and make such reports to the State Board of Public Welfare as required by law.
- e. Serve on the Ambulance Hardship Committee
- f. Perform all other related functions as required.

7. **Human Resources Division** -The Human Resources Division shall consist of an Asst. Town Manager/Finance and Administration appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs. The Director shall perform the following functions:

- a. New employee orientation
- b. Assistance with collecting data and preparing for collective bargaining negotiations
- c. Management of workplace
- d. Behavior issues, including absenteeism, harassment, substance abuse.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION III FINANCE AND ADMINISTRATION (Cont'd)**

B. The Asst. Town Manager/Finance and Administration shall manage..... (Cont'd)

- e. Compliance with state and federal workplace and employment rules and regulations.
- f. Assistance with processing grievances.
- g. Management of individual personnel records, including:
  - 1. Wages and Benefits
  - 2. Personnel Evaluations
  - 3. Personnel Actions
  - 4. Required Testing and Certifications
  - 5. Assistance with employee separation issues
  - 6. Administer recruitment process
  - 7. Assist with meeting mission critical training needs.
  - 8. Meeting safety and security compliance issues.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION IV ~~BUILDING/HEALTH/ZONING~~**

~~A. The **Building/Zoning/Health Department** shall be headed by a Building Inspector, who shall also serve as Health Officer and Zoning Enforcement Officer, appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A Department Staffs. The Building Inspector shall perform the following duties:~~

~~1. Investigate all complaints relating to nuisances that may be brought to his/her attention. He/she shall serve all notices and orders as necessary, and shall enforce all rules and regulations affecting the health and safety of the public.~~

~~2. Investigate and render assistance in reference to private water supply and septic tanks.~~

~~3. Investigate all communicable diseases.~~

~~4. Investigate all sanitary hazards and enforce sanitary laws.~~

~~5. Issue building permits and inspect construction for compliance with Federal and local building laws and codes and the zoning regulations.~~

~~6. Prepare and maintain records of all permits issued.~~

~~7. Prepare and maintain all necessary records required by laws of the State of New Hampshire and the Town Ordinances.~~

~~8. Perform all research work which might be assigned by the Manager, Town Council, Planning Board or the Zoning Board of Adjustment.~~

~~9. Enforce the Zoning Regulations.~~

~~10. Perform all other related functions as required.~~



**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION IV PLANNING/ & COMMUNITY ECONOMIC DEVELOPMENT DEPARTMENT**

A. The **Planning/ & Community Economic Development Department** shall consist of a **Planning/ & Community Economic Development Director** appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs.

B. The **Planning/ & Community Economic Development Director** shall perform the following functions for the **Planning Division**:

1. Act in the capacity of advisor to the Planning Board.

2. Investigate, study, report and recommend on all matters relating to land use, zoning, traffic, parking, highways, public facilities, population, community development, subdivisions, parks, playgrounds and other related phases of Town planning.

3. Revise the Zoning Map as changes are made thereto by Town Ordinance.

4. Perform all research work which might be assigned by the Manager, Town Council, or Planning Board.

5. Develop and implement the various elements of the Master Plan and Capital Improvements Plan being used as guides for the development of the Town.

6. Investigate, study and report on all matters relating to the construction of municipal structures.

7. Research, review and prepare Zoning Ordinance changes for review by the Planning Board.

8. Liaison with appropriate state and regional planning entities.

9. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION IV PLANNING/~~ECONOMIC~~ *COMMUNITY* DEVELOPMENT DEPARTMENT  
(Cont'd)**

C. The Planning/~~Economic~~ *& Community* Development Director shall perform the following functions for the **Economic Development Division**:

1. Act in the capacity of advisor to the Economic Development Committee and coordinate with the Londonderry Housing and Redevelopment Authority and other regional economic development organizations.

2. Work to broaden Londonderry's economic base and achieve economic stability through steady growth and quality development, while providing a positive local business climate for innovative, progressive companies.

3. Provide assistance to new and/or relocating companies

4. Assist existing businesses in their expansion efforts.

5. Perform all other related functions as required.

D. The Planning/~~Economic~~ *& Community* Development Director shall perform the following functions for the Land Conservation Management Division:

1. Responsible for overall conservation land management

2. Meeting with interested landowners

3. Maintaining record files on properties, site visits to insure compliance with terms of easements and deeds

4. Prepare Baseline Documentation on each property

5. Assist legal counsel and Conservation Commission with securing easements and deeds on conservation properties.

6. Perform other related functions as required.

E. The Planning/~~Economic~~ *& Community* Development Director shall perform the following functions for the GIS Division:

1. Responsible for implementation, programming and management of the Geographical Information System

2. Develop information and reports to assist other town departments, school district, boards and commissions

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION IV PLANNING/ECONOMIC *COMMUNITY* DEVELOPMENT DEPARTMENT  
(Cont'd)**

3. Perform other related functions as required.

*F. The Planning & Community Development Director shall perform the following functions for the Building/Health/Zoning Division:*

*1. Appoint a Senior Building Inspector, who shall also serve as Health Officer and Zoning Enforcement Officer.*

*2. Appoint such other professionals and staff in accordance with Chapter I, Section V.A - Department Staffs.*

*The Senior Building Inspector shall perform the following duties:*

- a. Investigate all complaints relating to nuisances that may be brought to his/her attention. He/she shall serve all notices and orders as necessary, and shall enforce all rules and regulations affecting the health and safety of the public.*
- b. Investigate and render assistance in reference to private water supply and septic tanks.*
- c. Investigate all communicable diseases.*
- d. Investigate all sanitary hazards and enforce sanitary laws.*
- e. Issue building permits and inspect construction for compliance with Federal, State and local building laws and codes and the zoning regulations.*
- f. Prepare and maintain records of all permits issued.*
- g. Prepare and maintain all necessary records required by laws of the State of New Hampshire and the Town Ordinances.*
- h. Perform all research work which might be assigned by the Director of Planning & Community Development, Planning Board or the Zoning Board of Adjustment.*
- i. Enforce the Zoning Regulations.*

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*j. Perform all other related functions as required.*

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION-VI PUBLIC WORKS DEPARTMENT**

- A. The **Department of Public Works**, under the supervision of the Public Works Director, appointed in accordance with Chapter I, Section IV.A and shall consist of the divisions of Highways and Bridges; Sewers and Sewage Disposal; Solid Waste Recycling and Disposal, and Engineering. Each division shall consist of such supervisory, technical, clerical and engineering staff appointed in accordance with Chapter I, Section V.A - Department Staffs.
- B. The division of **Highways and Bridges**, under the supervision of the Director, shall perform the following functions:
1. Construct, maintain and repair all roads, streets, bridges and sidewalks, except where specific projects may be let to contractors.
  2. Remove snow and distribute salt and sand on all highways, streets, bridges, sidewalks and other public ways.
    3. Plant, maintain and remove trees and brush on or affecting Town property, either by Town forces or contractual services.
    4. Prepare and maintain all necessary records pertaining to the highways and bridges division.
    5. Install, maintain and repair all street-name signs, traffic control devices and warning signs in the Town.
    6. Paint, when necessary, all parking, crosswalk, street division and direction lines on the Town's streets, except where specific projects may be let to contractors.
    7. Prepare and maintain all necessary records pertaining to street painting and sign placement.
  8. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION VI PUBLIC WORKS DEPARTMENT (Cont'd)**

C. The division of **Sewers and Sewage Disposal** is under the supervision of the ***Environmental Engineer*** ~~Sewer Superintendent~~, and who shall report to the Public Works Director, shall perform the following functions:

1. Review, approve and inspect public and new private sewer construction proposals.
2. Plan, design and build the municipal sewer infrastructure.
3. Repair, maintain and operate the Town's sewer system in accordance with the Sewer Ordinance, State and Federal regulations and inter-municipal agreement, except where specific projects may be let to contractors.
4. Prepare and maintain all necessary records, drawings, and permits required by State and Federal regulations pertaining to the sewer and sewage disposal facilities.
5. Administer and enforce the town's Industrial Pretreatment Program in accordance with the Town's National Permit requirements of the Department of Environmental Services. (NPDES)
6. Apply for State/Federal Grants and Loans
7. Administer the Sewer billing program
8. Perform all other related functions as required.

D. The division of **Solid Waste Recycling/Disposal**, under the supervision of the ***Environmental Engineer*** ~~Solid Waste/Recycling Coordinator~~, and who reports to the Public Works Director, shall perform the following functions:

1. Coordinate the collection and removal of all refuse and recyclables, including organizing a bi-annual Household Hazardous Waste Collection Day
2. Prepare and maintain all necessary records pertaining to the refuse/recycling collection, marketing and disposal division.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION VI PUBLIC WORKS DEPARTMENT (Cont'd)**

- D. The division of **Solid Waste Recycling/Disposal** (Cont'd)
3. Develop, maintain and care for the Municipal Recycling Drop Off Center and (Do-It-Yourself) DIY Used Oil Collection facility.
  4. Maintain and promote the Master Recyclers' Training and Program
  5. Manage, maintain and supervise renewal of Town contracts for collection of refuse and recyclables.
  6. Apply for Federal/State grants
  7. Promote recycling and the solid waste program through education in the schools and businesses
  8. Perform all other related functions as required.
- E. The division of **Engineering** is under the supervision of the ~~Town Engineer, who shall report to the~~ Public Works Director, shall perform the following functions:
1. Investigate, study, report and recommend on all matters relating to land use, zoning, traffic, parking, highways, public facilities, population, community development, subdivisions, parks, playgrounds and other related phases of Town planning.
  2. Review all subdivision/site plans as presented and make recommendations as required to developers and the Planning Board.
  3. Conduct final inspections on subdivisions, including utilities and signs installations, drainage swales, sidewalks and driveways.
  4. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION VII FIRE AND RESCUE DEPARTMENT**

- A. The **Fire and Rescue Department** shall be under the supervision of a Fire Chief appointed in accordance with Chapter I, Section IV.A and shall consist of such other professionals and staff appointed in accordance with Chapter I, Section V.A - Department Staffs.
- B. The **Fire and Rescue Department** shall perform the following functions:
1. Extinguish fires.
  2. Provide rescue services
  3. Provide emergency medical services
  4. Enforce all applicable State laws, administrative rules, and State and local codes.
    5. Hazardous materials incident mitigation.
    6. Prepare and maintain all records as required.
  7. Issue required permits.
    8. Plan and carry out a training program of instruction for all regular and call personnel.
    9. Cooperate with surrounding communities through mutual aid agreements
    10. Provide public education in fire safety and related subjects.
    11. Perform all other related functions as required.



**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION VIII POLICE DEPARTMENT**

- A. The **Police Department**, under the supervision of the Chief of Police, appointed in accordance with Chapter I, Section IV.A who shall exercise the power conferred upon Police Chiefs by the Laws of the State of New Hampshire, and which department shall consist of such officers and staff appointed in accordance with Chapter I, Section V.A - Department Staffs.
- B. The Police Department shall perform the following functions:
1. Enforce the laws and ordinances of the State of New Hampshire and the Town of Londonderry.
  2. Investigate crimes and maintain peace and order.
  3. Protect lives and property
  4. Prosecute all violations of the law within its jurisdiction.
    5. Promote public awareness and education in alcohol, drug abuse, crime prevention, domestic violence prevention and other areas of public concern.
  6. Prepare and maintain all necessary records pertaining to the Police Department.
  7. Enforce the licensing laws and other statutes, ordinances and regulations pertaining to domestic animals.
  8. Perform all other related functions as required.

**CHAPTER II - MUNICIPAL DEPARTMENTS (Cont'd)**

**SECTION VIII - LEACH LIBRARY**

**Library Division** - The Library Division shall consist of the **Librarian** and professional and clerical staff, and shall consist of the subdivisions of Cataloging, Reference, Circulation, Young People and Children. The Librarian and other Library staff shall be nominated and approved by the **Library Trustees** and shall perform the following functions:

- a. Select and procure books, magazines, periodicals and other materials for use by residents.
- b. Catalog, classify and circulate for home use all such material.
- c. Provide a reference service for answering requests for specific information.
- d. Promote the availability of the library material to stimulate a wider general interest in its use.
- e. Promote special reading services for children and young people to aid in the development of desirable reading habits.
- f. Prepare and maintain all records pertaining to the Library Department.
- g. Coordinate with School District for provision of Library Services.
- h. Perform all other related functions as required.



**CHAPTER III - BOARDS, COMMITTEES AND COMMISSIONS (Cont'd)**

**SECTION II GENERAL PROVISIONS**

- A. Composition, terms of office, vacancies, functions and duties of Boards, Committees and Commissions shall be as provided by the Charter of the Town of Londonderry, Sections 8 and 9, Ordinances of the Town of Londonderry, and by the New Hampshire Revised Statutes Annotated (RSAs) and any amendments thereto.
- B. Each board, committee or commission shall function as a separate standing committee, working in an advisory capacity to the Manager. Each committee shall study, advise and recommend to the Manager on all matters of policy pertaining to their committee appointment.
- C. Procedures shall be pursuant to Article 8, Sections 8.13 A through 8.13 C inclusive of the Town Charter, Ordinance and New Hampshire RSA 91A.
- D. Committee Review - The Town Council shall meet with the Chairmen of all Town committees in accordance with Article 9, Section 9.5 of the Town Charter.
- E. All persons appointed to a Board, Committee or Commission shall take an oath of office from the Town Clerk before exercising voting privileges.
- F. Prohibition shall be pursuant to Article 8, Section 8.12 A through 8.12 D inclusive of the Town Charter or Ordinance.

**SECTION III TERMS OF OFFICE**

- A. All appointments to boards, commissions and committees shall serve for the term appointed and until a successor shall have been appointed and qualified.
- B. Terms of appointees shall commence on January 1 of the year following appointment or as otherwise set forth by the Town Charter, Ordinance or Statute.
- C. Terms of Full Members shall be staggered and shall run for three (3) years, ending not later than December 31 of any year or as set forth by the Town Charter, Ordinance or Statute.
- D. Unless otherwise prescribed by law or ordinance, the Planning and Zoning Boards shall maintain Alternate Members as provided by Article 9 of the Londonderry Town Charter. Terms of Alternate Members of other appointed boards shall be for three (3) years.
- E. Terms of other Boards, Committees, Commissions are:
  - 1. Manchester Airport Authority - 3 years
  - 2. Southern NH Planning Commission - 5 years
  - 3. Londonderry Housing & Redevelopment Authority - 5 years

**CHAPTER III - BOARDS, COMMITTEES AND COMMISSIONS (Cont'd)**

**SECTION IV JURISDICTION**

- A. The Town Council shall make appointments to any and all Boards, Committees and Commissions as may come under its purview in accordance with the Charter, and this code, unless they are otherwise empowered by Statute.
- B. In cases where State law or directive of Town Meeting has dictated the election, procedure and terms of office, the Town Council shall have no jurisdiction.

**SECTION V RECORDKEEPING**

- A. The Town Clerk shall maintain the official list of all appointed Board, Commission and Committee members, inclusive of date of appointment, oath of office date, if any, length of term and term expiration date.

**SECTION VI PUBLIC NOTICE OF VACANCIES**

- A. On or before October 1 of each year, the Town Council shall cause to be published in one local paper of general circulation and shall post in two (2) public places:
  - a. Names of Boards, Commissions, Committees who have vacancies
  - b. Number of vacancies
  - c. How applicant shall reply (forward letter of intent to the Town Council - address)
  - d. Cut off date of applications
- B. Names and related information of individuals who have expressed an interest in serving a board, committee or commission shall be retained in a "Talent Bank" for review as vacancies occur.

**SECTION VII FILLING OF UNEXPIRED TERMS**

- A. When a member of an appointed or elected Board, Committee or Commission resigns or is unable to serve the remainder of his/her term, that position shall be filled in accordance with Section 9.4 of the Town Charter, Ordinance or Statute.

**CHAPTER III - BOARDS, COMMITTEES AND COMMISSIONS (Cont'd)**

**SECTION VIII      RULES OF ATTENDANCE**

- A. Appointed and elected officials shall conduct business in the best interests of the Town in keeping with the Town Charter, Ordinances and Statute.
  - 1. Each committee shall determine its own rules and order of business (by-laws) unless otherwise provided by Town Charter or Statute.
  - 2. Each committee shall hold its meetings and maintain its records in accordance with RSA 91-A.
  - 3. Members shall act collectively as a body unless authorization is given a member to act as representative and with specific instruction of that body.

**SECTION IX        FORFEITURE OR REMOVAL FROM OFFICE**

- A. Any appointed member who fails to attend three successive meetings shall be deemed to have resigned and shall be replaced according to Section 9.4 of the Town Charter, or Ordinance.
- B. Any elected member shall cease to hold office immediately upon missing four consecutive scheduled or announced meetings, of which that member received reasonable notice, without being excused by the Chair.
- C. Consideration shall be given appointed and elected members for absences under the circumstance of prolonged illness.
- D. Conditions for removal of any board, commission, or committee member shall be as defined by Town Charter, Ordinance or the Administrative Code.



## CHAPTER IV - ADOPTION AND AMENDMENT

### SECTION I PURPOSE/INTENT

- A. This ordinance is to be known as the *Administrative Code* of the Town of Londonderry
- B. This ordinance shall become effective after adoption by the Town Council at a regular or special meeting
- C. This ordinance may be amended from time to time by the Town Council at a regular or special meeting.

### SECTION II SEVERANCE

- A. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason whatsoever, such decision shall not effect the remaining portions of this ordinance, which shall remain in full force and effect, and to this end, the provisions of this ordinance are hereby declared to be severable.

Town Manager / Date

Chairman - Town Council / Date

~~End of Section~~



# RESOLUTION 2008-07

A Resolution relative to  
***A Partial Mortgage Discharge at Wagon Wheel Cooperative***

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First Reading: 04/21/08  
Second Reading: Waived  
Adopted: 04/21/08

*WHEREAS* the Town of Londonderry has assisted the Wagon Wheel Tenants Cooperative to secure CDBG funds to address waste water disposal and water supply deficiencies; and,

*WHEREAS* pursuant to CDBG regulations, as main recipient of the grant, the Town was assigned a lien on Cooperative property to insure that CDBG processes and regulations are followed; and

*WHEREAS* the property abuts the intersection of Mammoth and Litchfield Roads, which NHDOT plans reconstruct beginning this summer;

*WHEREAS* NHDOT requires the taking of 0.19 acres of Cooperative property to complete its project;

***NOW THEREFORE BE IT ORDERED*** by the Londonderry Town Council that the Town Manager is authorized to execute a Partial Mortgage Discharge on the 0.19 acres granted to the Town by Wagon Wheel Tenants Cooperative, Inc. to accommodate the NHDOT reconstruction of the Mammoth and Litchfield Roads intersection.

Marty Bove - Chairman  
Town Council

( TOWN SEAL )

---

Marguerite Seymour - Town Clerk/Tax Collector

*A TRUE COPY ATTEST:*  
*04/21/08*

# RESOLUTION 2008-08

An order relative to

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Transfer of Funds from the Health Insurance Holding Account

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First Reading: 04/21/08  
Second Reading: Waived  
Adopted: 04/21/08

*WHEREAS* the Town Council under Resolution 2007-29 placed all excess appropriation resulting from lower FY08 insurance rates into a Health Insurance Holding Account; and,

*WHEREAS* the Resolution stipulates that the Town Manager shall not expend without first receiving input from the Town Council; and,

*WHEREAS* during the development of the FY09 Budget, funds for the Mosquito Control Program were removed, with this account identified as the funding source for that program;

*NOW THEREFORE BE IT RESOLVED* by the Londonderry Town Council that the Council concurs with the Town Manager to transfer \$90,000 from the Health Insurance Holding Account to fund the Mosquito Control Program for 2008 and 2009.

Marty Bove, Chair  
Town Council

( TOWN SEAL )

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Marguerite Seymour - Town Clerk/Tax Collector

*A TRUE COPY ATTEST:*  
04/21/08

# ORDER 2008-11

An Order Relative to  
**THE WITHDRAWAL OF CAPITAL RESERVE FUNDS FOR  
PATHWAY  
SNOW REMOVAL EQUIPMENT**

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First Reading: 04/21/08  
Hearing/Second Reading: Waived  
Adopted: 04/21/08

*WHEREAS* the Town of Londonderry by adoption of Article No. 6 at the Annual Town Meeting of March 12, 1994, created a Capital Reserve Fund to procure Highway Heavy Equipment, and,

*WHEREAS* voters approved an additional appropriation of \$12,200 at the 2008 Town Meeting to purchase accessories and equipment to provide winter maintenance on the Multi-Purpose Path; and,

*WHEREAS* the Town can realize cost savings by purchasing said accessories and equipment at this time;

***IT IS THEREFORE ORDERED*** by the Londonderry Town Council that the Town Treasurer is hereby directed and authorized to expend, from the Highway Heavy Equipment Capital Reserve Fund, the sum of \$10,034 to purchase accessories and equipment necessary to provide winter maintenance of the Multi-Purpose Pathway.

Marty Bove - Chairman  
Town Council

( TOWN SEAL )

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Marguerite Seymour - Town Clerk

*A TRUE COPY ATTEST:*  
04/21/08

**TOWN COUNCIL**  
**April 7, 2008**

The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry, NH.

**PRESENT: TOWN COUNCIL; Vice Chairman, Brian Farmer; Councilors Kathy Wagner, Paul DiMarco and Mike Brown; Town Manager David Caron and Margo Lapietro, Executive Assistant.**  
**Absent: Chairman Marty Bove**

**CALL TO ORDER – PUBLIC SESSION**

Vice Chairman Farmer opened the meeting at 7:03 PM with the Pledge of Allegiance. Londonderry Boy Scouts led by Scoutmaster Joe Adams were in attendance and led the Pledge. This was followed by a moment of silence for the men and women fighting for our country.

**PUBLIC COMMENT**

**Retired Supervisor of the Checklist** - Marlene Thompson whose term expired as the Supervisor of the Checklist was honored by Council for her nine years of service. Londonderry Access Center Dir., Dottie Grover announced Comcast agreed to supply the Town with the sixth channel, it is activated, 24/7 for programming, broadcasting on channel 170, with no costs incurred by the Town. **Councilor DiMarco made a motion to recognize that Comcast is now in compliance with the Franchise Agreement, and waive the fines for previously not being in compliance of Section 7.2(a). Second Councilor Brown. Council's vote 4-0-0.**

Reed Paige Clark, III asked Town Manager Caron if he has heard of any bids going out from the state for the work scheduled at Stonehenge/Litchfield Rd./Mammoth Rd. intersection. He responded he will update the Council on 4/21.

**OLD BUSINESS**

**FY09 Goals and Objectives.**

Vice Chairman Farmer distributed a draft copy of the goals and objectives discussed at the March 31, 2008 meeting. Councilors proceeded to read each one and discuss.

Goal #1 –To reorganize one Town Department by June 30<sup>th</sup>, 2008 with the resulting effort being accomplished in a manner that provides for the delivery of the same services as currently provided under the current structure with no increase in headcount above

currently authorized positions. Councilor Brown asked if this goal can be achieved by and applied to the Town Manager's reorganization recommendations of 3/31. Councilor Brown asked if there are any there costs savings he would like them to be noted. He asked if there are any savings can it be moved about in the budget. Town Manager Caron said the Town can move money around in the budget as long as there is a stated purpose existing in the budget for the proposed expense.

Goal #2 - The Town Manager will work with the School District Administrator to identify common service areas for streamlining and/or consolidation resulting in cost savings to both governments. The implementation plan for the approval of both Boards will be submitted prior to 8/30/08. Each Board may appoint a two person subcommittee to aid the managers in the identification, review and creation of the implementation plan and both Boards agree to discuss and agree upon the plan prior to September 30, 2008 in order for the plan to be incorporated into the next fiscal year budgets. NOTE: This Council goal is draft form only and needs to be socialized with, and meet the approval of the School Board prior to formal adoption. Vice Chairman Farmer said that Chairman Bove was going to have chair to chair communication on this. Councilor Brown said if the School Board was interested we should have the flexibility to meet their needs, partnership is more important. Councilor Wagner expressed doubt that this could be done.

Goal #3 - The Town Council will appoint a 2 person subcommittee to work with Town Staff to identify strategies and process changes that can be used by applicants and the Town to streamline commercial & industrial development approval process, without adversely impacting the goals of the zoning ordinance and/or the Town's environment. A draft report on suggested changes will be ready for Council approval prior to 7/31/08. Councilor Wagner said we are in essence telling the Planning Board (PB) what to do, we don't have that authority. Councilor DiMarco made the suggestion that the PB appoint the two people to create the draft report and work with them. Councilor Wagner stated we should not be dictating to the PB, the Council should be a tool to help. Vice Chairman Farmer explained the reason for the goal to Art Rugg, Chairman of PB and asked his input. A. Rugg said the goals are consistent with the Master Plan. They are trying to streamline the application process, it is a team effort. Vice Chairman Farmer said time of setting goals has to be realistic. He asked A. Rugg if PB will have a problem with a two person subcommittee starting end of July, he said he will have to talk to PB. Councilor Wagner stated that she doesn't think the Town Council has to staff two to the PB, does not want to interfere with the process, the way it is written we interfere with the process. Councilor Wagner stated that the Council has a liaison now, having another would be taking up staff time. We are setting new precedent for our goals, does not like it. Town Council should not appoint two persons to a subcommittee. Councilor Brown said that economic development was our number one goal, this was a goal determined last year. He said he reads it as a way to identify strategies collectively, identifies streamlining the approval process to help bring in business quicker.

Goal #4 - Identify 2 departments within the Town of Londonderry that are frequently called by citizens with questions regarding service. Identify a set of no less than 10

Frequently Asked Questions (FAQ's) and create a FAQ page to be added in a prominent location on the Town Web Site for those 2 departments with the web change to be implemented by 5/31/08. Councilors Brown and DiMarco asked Town Manager Caron to talk to staff and department managers to come up with FAQ's.

Goal #5 - Town staff will prepare a "Financial Mechanisms" report for purposes of assisting the Council in making policy decisions regarding the future funding of Economic Development activity within the Town of Londonderry. The report shall include an overview of Tax Increment Financing (TIF) Districts and alternative means as may be appropriate. The subject report should coincide with the completion of the Capital Improvement Plan (CIP) Committee's work on the CIP and be submitted to the Council and Planning Board for review prior to the adoption of the CIP with a date to the Council of no later than 9/30/08. Vice Chairman Farmer stated it is valuable for both boards to look at this. Councilor Brown said he would rather see options other than TIF to come out of this report. A. Rugg said we should look at everything and be as creative as possible. Vice Chairman Farmer asked Town Manager Caron if staff can research other incentives. He responded he is not aware of enabling legislation which allow direct incentives; options are TIF, grants and private sector contributions. Vice Chairman Farmer said that A. Garron mentioned the \$14M that we might need could possibly be done incrementally over a few years. He asked to have A. Garron provide an overview of what we would deal with. Councilor Brown said he wants to see options on the TIF involving MHT, landowners, developers and Londonderry. Town Manager Caron said the \$14M in the CIP is the expense side, hopefully different contributors will help pay for that. He also said it is an estimate for the main roads, water and utilities. Other costs will be incurred by private development constructing other roads and extending utilities. This goal has to be done by 9/30/08. Vice Chairman Farmer said he would like to see the results of the report incorporated into the CIP. A. Rugg said we have to be knowledgeable about it to educate people about what is going to happen in MHT area. Councilor DiMarco said if the option is for the TIF we can show the voters that we considered all the alternatives, have the facts to back it up in the report. Vice Chairman Farmer said this would lead up to a joint meeting with the PB in June.

Goal #6 - The Council will work with Town Staff and the Conservation Commission to prepare a new "Strategic Plan" to augment the existing Open Space Task Force Report. The subject report should coincide with the completion of the CIP Committees work on the CIP and be submitted to the Council no later than September 30, 2008. Vice Chairman Farmer explained that a comment was that we continue with the \$1M/year for the next several years. Voters have turned down the Open Space bond last time it was presented and it was not on the warrant this year. Last year in the CIP process they put it out to 2011. Re-engage the Conservation Comm. and have a broad strategic discussion on how to go forward. If we wait until 2011, people should be aware of it. A. Rugg said it is time to rethink where our goals are now.

Vice Chairman Farmer said we need some kind of report to put it all together. He said that Chairman Bove had heard from former Councilor and Budget Committee Member Tom Dolan who asked to talk to Council with his input on a strategic business

development plan at the next meeting. A. Rugg said the goals have to be flexible.

Reid Paige Clark said his goal is to get more people involved in Town. He wanted to know if he could talk to the Londonderry Taxpayers Association to see if they would OK a joint meeting with School Board. Councilor DiMarco said meeting with School Board important, he also would like to see more people involved in town activities.

### **NEW BUSINESS**

**Ordinance 2008-04 – Relative to Rezoning of Tax Map 7, Lots 132-1 through 132-20** first reading by Councilor DiMarco, second reading scheduled for 4/21/08. **Motion by Councilor DiMarco. Second Councilor Wagner.** Open for discussion. Councilor Brown said he is aware of the project and likes what he has seen so far, in agreement with the PB's decision at this point. He asked Town Manager if Staff could stipulate how many areas of the POD this particular project would be out of compliance. **Council's vote 4-0-0.**

**Order #2008-10 – Relative to the Expendable Maintenance Trust Fund for Various Purposes.** Councilor Brown read the first reading, second reading and public hearing waived. **Councilor Brown made a motion to adopt the Order. Second Councilor DiMarco.** Open for discussion. Town Manager Caron explained this Order is to purchase assistive listening devices at a total cost of \$1,920.88, it is required by US Dept. of Justice; re-wiring of pump house at Continental Park at a cost of \$940.00 and replacing the furnace at North Fire Station at a cost of \$2,950.00. Councilor Brown asked when the furnace failed, he responded invoice is dated 1/23/08. **Council's vote 3-0-0 (Councilor Wagner absent).**

**Resolution #2008-06 – Relative to the Creation of an Energy Efficiency Task Force.** Councilor DiMarco read the first reading, second not required. **Councilor DiMarco made a motion to adopt the Resolution, accept the Charge and appoint 18 volunteers to the Ad Hoc Committee. Second Councilor Brown** Open for discussion. Town Manager Caron stated the committee consists of students and various citizens in Town. Councilor Brown asked if it is separate from school and library, Town Manager Caron said the committee recognizes the energy efficiency gains at the School District, and will look to them as one resource. Councilor DiMarco asked if they will report back to us. Town Manager Caron responded they will report to Environmental Baseline Committee who in turn will report back to the Council. **Council's vote 4-0-0.**

### **APPROVAL OF MINUTES**

**Minutes of the Council's March 15 Organizational Meeting, March 17, March 31 2008 Public Meetings and Non Public Meeting.**

**Councilor Wagner made a motion to approve the March 15, 2008 Public Organizational Meeting Minutes. Second Councilor DiMarco Council's vote 4-0-0.**

**Councilor Brown made a motion to approve the March 17 Public Meeting Minutes. Second Councilor Wagner. Council's vote 4-0-0.**

**Councilor Brown made a motion to approve the March 31, 2008 Public Meeting and Non-Public Meeting Minutes. Second Councilor DiMarco. Council's vote 4-0-0.**

### **OTHER BUSINESS**

Liaison Reports – Vice Chairman Brown said he talked to Chairs and told them of his liaison appointments.

Councilor DiMarco will attend MHT on 4/10. Has not been in contact with Traffic Safety Committee or Elderly, unable to attend the upcoming Heritage meeting. Meeting about town forest cutting is scheduled for 4/10 at 6:00PM.

Councilor Wagner met on 3/27/08 with Old Home Day Committee they are doing tie die tee shirts. Planning Board welcomed Penske Trucking to town. On 4/9/08 they will discuss mini Master Plan and the zoning ordinance about storage containers on individual properties. PB is working in conjunction with the Heritage Commission on guidelines for the preservation of stone walls. Warm Homes having a fund raiser on 5/2 for Cinco de Mayo being held at the Lions Hall, tickets are \$25 per person. Lancer Band having an auction for their trip to China on 4/12/08 starting at 6:00 PM. Building Inspector/Health Officer Jim Smith retired on 3/28, and received a clock from Council.

Vice Chairman Farmer said the Londonderry Arts Council meets this Wednesday. CIP meetings will be coming up.

Andrew Michaud, one of the Scouts in attendance from Troup 426 proposed an idea regarding trash receptacles at fast food restaurants. He suggested having pull down handles on the receptacles to prevent the spread of diseases. He said he had approached Wendy's about it. Vice Chairman Farmer told him that Town's oversight is limited in requiring this, however the health officer can review any requirement we can have on businesses. Andrew said there are receptacles that have a hole in the top so you can just drop garbage into it.

Town Manager's Report – Town Manager Caron reported that he has scheduled a public hearing on 4/21 to review the plans to construct a firearms range. Chief Ryan approached the Planning Board about it; the Planning Board suggested that the Town Council hold a hearing. Finance Dept. earned a Certificate Of Excellence in Financial Reporting once again and congratulated members of the Finance and Administration Department.

He then distributed copies of the draft conditions for Dudek's junk yard. Major changes include standardizing language on screening with state law.. Mr. Dudek no longer interested in opening at 7:00 AM for transporting crushed vehicles, and wants to open at 8:00 AM on Saturdays. He stated that he would like to review this and schedule for the 4/21 agenda. Councilor Wagner asked for clarification on crushing days, Town Manager Caron stated he can crush any day. Item #8 previously written to the effect that if there



was any kind of violation license was subject to revocation. The language was revised to state: "failure to comply with these conditions at the time periods provided for implementing said conditions shall be subject to provisions of RSA 676: 17 which is the \$275/day and \$550.00 for subsequent violations. It may be considered by the Town Council to determine license renewal per RSA 236: 122 II", which is the nuisance statute. . Vice Chairman Farmer said he talked to Chairman Bove about having a meeting with the Code Enforcement Officer to review current policies and procedures, look at what we specifically might want to modify/change. Councilor Wagner announced she was riding with F. Holdsworth this week to get a better understanding of what he does. Councilor DiMarco said he is interested as well.

Town Manager Caron said he has spoken to Assessor Karen Marchant and she notified him that the Town's equalization ratio is 99.3% which means that assessments on average are right at market value. The co-efficient of dispersion (COD) is 7.2 which is excellent according to DRA.

Town received deeds to 6 properties for non payment of taxes. It is a lengthy process under state law of notifying owners and allowing repayment periods. Most property owners in that situation approach the Town to redeem their properties. Tax collections remain strong, with approximately 12 people have contacted him to work out arrangements for time payments. That activity is about the same as last year. Vice Chairman Farmer asked for summary chart of the above mentioned properties so they can look at it quarterly and share with the Budget Committee.

Board/Committee Appointments/Reappointments/Resignations

Appointment of Russ Lagueux to the vacated position of Ed David from the Londonderry Housing & Redevelopment Authority. Term to expire 12/2013.  
**Councilor Wagner made a motion to appoint Russell Lagueux. Second Councilor DiMarco. Council's vote 4-0-0.**

**ADJOURNMENT**

**Councilor Wagner made a motion at 8:30 PM to go into a non-public session pursuant to RSA 91-A: 3 II (A). Second Councilor DiMarco. Aye, Councilor Wagner; Aye, Councilor DiMarco; Aye, Vice Chairman Farmer; Aye, Councilor Brown.**

Notes and Tapes by:  
04/07/08

Margo Lapietro

Date:

Minutes Typed by:  
09/08

Margo Lapietro

Date: 04/

Approved:

Town Council

Date: