

**TOWN COUNCIL
AGENDA
January 3, 2011**

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry. Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. *All regular meetings will be adjourned by 10:00pm unless otherwise notified.*

7:00 PM

I. CALL TO ORDER

II. PUBLIC COMMENT

A.

III. PUBLIC HEARING

A. Ordinance #2010-06 – Relative to an Amendment to the Town Zoning Ordinance to Clarify the Number of Temporary Signs Permitted on a Lot and Clarify Requirements for the MUC Sub-District

B. FY12 Town Budget

IV. OLD BUSINESS

A.

V. NEW BUSINESS

A. Order #2011-01 – Relative to the Expenditure of Maintenance Trust Funds for Various Projects.

VI. APPROVAL OF MINUTES

A. Minutes of Council's Public Meeting of 12/20/10.

VII. OTHER BUSINESS

A. Liaison Reports

B. Town Manager Report

C. Board/Committee Appointments/Reappointments

a.

b.

VIII. ADJOURNMENT

IX. MEETING SCHEDULE:

- A. Town Council Meeting/Bond Hearing – January 17, 2011, Moose Hill Council Chambers, 7:00 PM
- B. Town Council Final Budget Public Hearing – February 3, 2011, Moose Hill Council Chambers, 7:00 PM
- C. Town Council Meeting – February 7, 2011, Moose Hill Council Chambers, 7:00 PM
- D. Town Council Meeting – February 14, 2011, Moose Hill Council Chambers, 7:00 PM

**SUPPORTING DOCUMENTATION
COUNCIL MEETING OF JANUARY 3, 2011**

I. CALL TO ORDER

II. PUBLIC COMMENT

A.

III. PUBLIC HEARING –

A. Ordinance #2010-06 – Relative to an Amendment to the Town Zoning Ordinance to Clarify the Number of Temporary Signs Permitted on a Lot and Clarify Requirements for the MUC Sub-District – Attached is the Ordinance as requested by the Planning Board; staff will be in attendance to answer any questions.

B. FY12 Town Budget – The first public hearing on the draft FY12 Budget is scheduled for this evening. Please see attached memo outlining budget adjustments (I also expect to email an update on the dispatch merger study over the weekend). The budget calendar anticipates a Bond Hearing scheduled during the Council’s January 17 meeting; accordingly, the Council needs to determine whether to consider presenting a Road Reconstruction Bond to the voters at the Annual Town Meeting.

The budget calendar also plans for a final public hearing on February 3, which requires the Council to approve its final proposed budget at the January 17 meeting.

IV. OLD BUSINESS –

V. NEW BUSINESS –

A. Order #2011-01 – Relative to the Expenditure of Maintenance Trust Funds for Various Projects - Attached is an Order authorizing the expenditure of Expendable Maintenance Trust Funds for various projects at Leach Library, Central Fire Station and Town Hall.

VI. APPROVAL OF MINUTES – Minutes of the Council’s Public Meeting of 12/20/10.

VII. OTHER BUSINESS

D. Liaison Reports –

E. Town Manager Report –

F. Board/Committee Appointments/Reappointments -

a.

VIII. ADJOURNMENT –

MEETING SCHEDULE:

- E. Town Council Meeting/Bond Hearing – January 17, 2011, Moose Hill Council Chambers, 7:00 PM
- F. Town Council Final Budget Public Hearing – February 3, 2011, Moose Hill Council Chambers, 7:00 PM
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- H. Town Council Meeting – February 14, 2011, Moose Hill Council Chambers, 7:00 PM

**FOLLOW-UP FROM COUNCIL'S
December 20, 2010 MEETING**

ISSUE	ACTION	RESPONSIBILITY
CART	Schedule subject meeting to discuss Rockingham County Nutrition <i>(To be scheduled at CART's request)</i>	Dave/Margo
	Determine number of CART rides to Elliott <i>(In process)</i>	Lee M.

**FOLLOW-UP FROM COUNCIL'S
December 6, 2010 MEETING**

ISSUE	ACTION	RESPONSIBILITY
LFD	Determine reliance upon mutual aid caused by MHT and Elliott EMS calls <i>(Chief researching – data will be presented at the 1/3/11 Budget Hearing)</i>	Kevin

**FOLLOW-UP FROM COUNCIL'S
October 4, 2010 MEETING**

ISSUE	ACTION	RESPONSIBILITY
HB1267	Review new statute to determine impact/ Applicability to Town <i>(In process)</i>	Dave/Bill

Introduced: 12/20/10
Public Hearing: 01/03/11
Adopted: 01/03/11

ORDINANCE 2010-06
AN AMENDMENT TO THE ZONING ORDINANCE
TO CLARIFY THE NUMBER OF TEMPORARY
SIGNS PERMITTED ON A LOT AND CLARIFY
REQUIREMENTS FOR THE MUC SUB-DISTRICT

WHEREAS the Building Division within the Community Development Department identified an area of the Zoning Ordinance requiring clarification regarding temporary signs; and

WHEREAS Planning Division staff also identified an oversight in the development and adoption of the MUC sub-district which requires that the MUC sub-district be added to the Sign section of the ordinance;

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

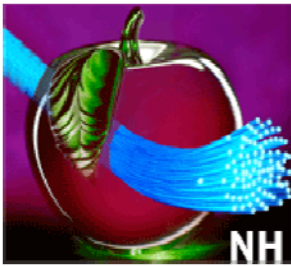
NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that Sections 3.11 of the Town Zoning Ordinance be amended, specifically subsections 6.3.8 and 6.4.3 to indicate that one temporary sign is permitted per lot.

Paul DiMarco, Chairman
Londonderry Town Council

A TRUE COPY ATTEST:

Marguerite Seymour - Town Clerk
x/xx/xx

Town Seal



Londonderry
Business is good. Life is better.

TOWN OF LONDONDERRY
Community Development
Planning & Economic Development Division

Timothy J. Thompson, AICP, Town Planner
268B Mammoth Road
Londonderry, New Hampshire 03053
Phone: (603) 432-1100, x103 Fax: (603) 432-1128
e-mail: tthompson@londonderrynh.org

To: Town Council
CC: Building Division

From: Timothy J. Thompson, AICP

Date: December 9, 2010

Subject: Zoning Amendments (Signs) Recommendation from the Planning Board

On December 8, 2010, the Planning Board held a public hearing relative to the Zoning Ordinance.

The Planning Board, by a unanimous vote, recommends the approval of the attached amendments to the ordinance.

Please feel free to contact me if you have any questions, and please advise me on when the public hearing will be held by the Council so that I can be present (if needed) to present the ordinance.

Town of Londonderry, New Hampshire

LEGAL NOTICE OF PUBLIC HEARING ON ZONING ORDINANCE

A public hearing will be held at the Moose Hill Council Chambers, 268B Mammoth Road on the 8th day of December, 2010, at 7:00 PM on proposed amendments to the Londonderry Zoning Ordinance.

The proposed amendments were prepared by the Building & Planning Divisions of the Community Development Department to clarify the number of temporary signs permitted on a lot and to clarify the signage requirements for the MUC sub-district (which was inadvertently omitted when the MUC District was created earlier in the year).

The proposed changes are summarized as follows:

- Amend Section 3.11 (Signs) as follows:
 - Amend Section 3.11.6.3.8 to indicate one temporary sign is permitted per lot.
 - Amend Section 3.11.6.4.3 to indicate the MUC subdistrict is included for signage requirements of this section.

Copies of the full text of the proposed amendments are available at the Planning Division, Second Floor of the Town Hall & on the Town Website www.londonderrynh.org (Click on Boards & Commissions, then Planning Board)



Timothy J. Thompson, AICP
Town Planner

3.11.6.3.8 Temporary, Residential, Commercial and Industrial Signs - Banners, posters, pennants, "A" frame, sandwich board, and portable signs shall not be used on a permanent basis. The location and date of display of these signs shall be recorded with the Building Inspector. ~~Only one (1) temporary sign~~ will be permitted at the opening of a new business or reopening of an existing business under new management or special sales in a Residential, Commercial, or Industrial district on ~~no more than two~~ occasions per calendar year for a total period not to exceed thirty (30) consecutive days ~~for each occasion, as approved by permit from the~~ Building Inspector.

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3.11.6.4.3 Within the Commercial I, II, ~~III & MUC sub-districts~~, signs are permitted as follows:

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**TOWN OF LONDONDERRY
NOTICE OF PUBLIC HEARING
FY12 PROPOSED TOWN BUDGET**

Notice is hereby given that the Londonderry Town Council will receive public input on the proposed FY12 Town Budget on Monday, January 3, 2011 beginning at 7:00 PM in the Moose Hill Conference Room, Town Hall, 268B Mammoth Road, Londonderry, N. H.

The budget under consideration includes:

	Current	Proposed
General Operating Budget	FY 11	FY 12
Town Council	\$ 12,739	\$ 12,104
Town Manager	379,194	379,160
Moderator	300	300
Budget Committee	50	1
Conservation Comm	3,476	3,300
Town Clerk	500,655	463,637
Supervisors –Checklist	17,039	17,314
Finance & Administration	604,745	601,338
Assessing	391,830	362,475
IT	336,660	312,275
Legal	110,000	104,500
Zoning	41,271	40,777
General Government	447,676	418,249
Cemetery	34,710	32,974
Insurance	225,440	234,006
Planning & E.D.	474,564	435,446
Police Dept.	6,853,207	7,205,197
Fire Dept.	5,624,253	5,156,819
Building Dept.	269,508	395,996
Public Works Dept.	3,260,101	3,135,841
Solid Waste	1,844,556	1,899,790
General Assistance	200,480	169,680
Family Mediation	27,834	-
Recreation	143,815	128,549
Library	1,304,304	1,271,082
Senior Affairs	54,085	53,668
Debt Service	2,820,751	2,863,397
Total – Operating Budget	\$25,983,243	\$25,697,875

Special Revenue Funds		
Sewer Division	\$ 2,690,526	\$ 2,684,758
Cable Division	376,753	301,491
Police Outside Details	447,183	465,315
Expendable Maintenance Trust	200,000	200,000
Capital Reserve Funds	325,000	325,000
Master Plan Non-Capital Reserve		50,000

Londonderry Town Council

TO: Town Council
Budget Committee

FROM: Dave Caron, Town Manager

RE: FY12 Budget

DATE: December 28, 2010

The Town Council is scheduled to take public comment Monday night at the first hearing on the proposed FY12 Budget. The proposed General Fund (operating) budget is presented at \$25,697,875, which is \$285,368 less than the approved FY11 General Fund budget. The Council should also take public comment on the Special Revenue Funds (Cable, Sewer and Police Details), Expendable Maintenance Trust, Capital Reserve Funds and the Master Plan Non-Capital Reserve Fund.

There a couple of adjustments recommended for Council consideration. First, the Town has been notified that the Highway Block Grant as administered by NHDOT projects an increase of \$17,036 in FY12 grant funds, to \$606,632. This adjustment does not impact the proposed General Fund budget, but does reduce the budget's reliance upon property taxes by \$17,036.

The second adjustment impacts the General Fund and specifically the Recreation Division budget. As briefly discussed at the Council's December 6 meeting, there was an error transcribing the recreation budget into the General Fund budget. The recreation budget should be \$136,624, and adjustment of \$8,075, which brings the recommended General Fund budget to \$25,705,950.

The final adjustment impacts the Sewer Division Special Revenue Fund. Staff has been presenting economic development updates to the Council on a monthly basis throughout the year, including efforts to secure outside funding for the Pettengill Road project. The Town currently has an application pending with the US Economic Development Administration for a 50/50 matching grant to fund the sewer extension portion of the project. If successful, the Town would receive 50% of the project cost.

The Town's 50% share would be funded through its Sewer Special Revenue Fund; the \$1.895M would be withdrawn from the Fund's Undesignated Fund Balance. The original financing plan for Pettengill projected a large bond which would pay for both sewer and road improvements, with the sewer portion offset to a great degree by sewer impact fees. Should the Town be successful with this application, then ultimately I envision a smaller bond to address the roadwork. Sewer impact fees assessed upon future development would be used to replenish the Sewer SRF.

The Sewer SRF for FY12 should include the Town's 50% share, therefore the appropriation should be increased to \$4,579,758; this action is not anticipated to impact sewer rates.

I am anticipating receipt of information from the Dispatch Committee late this week, after which I will send a memo to the Council and Budget Committee over the weekend.

ORDER #2011-01

An Order Relative to

EXPENDITURE OF MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 01/03/2011

Adopted: 01/03/2011

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

WHEREAS expenditures have been made for various projects, specifically:

- 1) Roof, HVAC, electrical and miscellaneous repairs at Leach Library at a cost of \$4,586.66.
- 2) Electrical and diesel pump repairs at Central Fire at a cost of \$635.00
- 3) Fire alarm system repairs at Town Hall at a cost of \$759.96.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$5,981.62 for the aforementioned repairs and improvements.

Paul DiMarco, Chairman
Town Council

Marguerite Seymour
Town Clerk

***A TRUE COPY ATTEST:
01/03/2011***

TOWN COUNCIL MEETING
December 20, 2010

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

PRESENT: Town Council: Chairman Paul DiMarco: Councilors: Mike Brown, John Farrell, Tom Dolan; Town Manager Dave Caron; Assistant Town Manager - Finance Director, Sue Hickey; Executive Assistant, Margo Lapietro. Absent: Vice Chairperson Sean O’Keefe

CALL TO ORDER

Chairman DiMarco opened the meeting at 7:00 PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country.

NEW BUSINESS

None

PUBLIC COMMENT

Presentation by Lee Maloney, Executive Director of CART- Lee Maloney explained that CART is a public transportation system that is a recipient of Section 5307 urbanized federal formula funding that is available to the general public providing transportation to: seniors, disabled, individuals regardless of mobility or age above 16 years, and families with children. She proceeded to explain the benefits, the current service area, the zoned based service areas and the out of region destinations. L. Maloney explained the funding sources which are: Donations & Interest, \$625,000; Federal Aid, \$299,064; State Aid, \$2,675; Municipal Funding, \$166,465; and Farebox, \$34,745. She proceeded to break down the funding per town and said that Londonderry’s’ FY11 subsidy was \$27,515. She explained the trips provided for Londonderry and the purpose of the trips to include employment, medical, personal, shopping, social, trips home, and educational. She also provided statistics for the average miles per trip by community and compared Londonderry trips to the state wide system. She stated the senior population has gone up 25% in Londonderry. Because of this they are working on a pilot program dubbed the “Sun Shuttle” with the Londonderry Seniors to provide no cost transportation along Rte. 102 for shopping and along with Rockingham Nutrition to provide access to nutrition sites. Councilor Farrell questioned what constituted a trip, L. Maloney responded it is one way. Councilor Dolan asked what is the percentage of trips from Londonderry she said 20%. Councilor Brown thanked her for the presentation and asked if any communities have dropped out of the program. L. Maloney said that Plaistow and Sandown dropped out but Sandown has elected to continue with the program after dropping out of it. Councilor Brown asked if they track medical destinations particularly the medical facilities in Londonderry, she said yes will provide that information. Councilor Brown asked the Town Manager where this item was located in the budget book; he responded it is under General Government and is in the FY12 budget. Councilor Dolan questioned this item being brought up at a Town Meeting for a 3 year commitment. Town Manager Caron responded that the 3 year commitment ends in FY11. Bob Ramsay, 26 Elwood

47 Road said he is one of the two representatives from Londonderry on the CART Board. He said
48 that during the two ice/snow emergencies the town experienced, CART was helping out picking
49 up people and bringing them to shelters. The Senior Center does not have a van anymore which
50 makes them even more dependent of the services provided by CART. He said a lot of the
51 seniors support and utilize the service. This program does a lot for the town and we should keep
52 it. L. Maloney said she would like the opportunity to come back with the Rockingham Nutrition
53 on the “Sun Shuttle” concept for Rte. 102.
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55 **Interview of Leitha Reilly Candidate for Planning Board** – Councilor Farrell asked Leitha
56 Reilly of 18 Lantern Lane about her background and she proceeded to explain her educational
57 and business background in the banking/consulting industry. He asked her what her interest in
58 the Planning Board is. She said it is an exciting time to be in Londonderry, she said the Planning
59 Board has to balance change while keeping things the same. There are a number of exciting
60 business opportunities in Londonderry. Councilor Dolan thanked her for stepping forward to
61 volunteer and asked if she can handle the time limit involved, she responded yes. He asked her if
62 she saw any conflict of interest in dealing with decisions about development, she responded no.
63 Councilor Brown asked her why she came to Londonderry, she said this was one of the desired
64 areas she was looking at, liked the town and has lived here for three years. Councilor Brown
65 asked her what did she like about living in Londonderry she responded most of her time has been
66 spent with school related activities and the town is beautiful. He asked how she personally will
67 be able to balance what she likes about Londonderry with development that could impact those
68 things. L. Reilly responded that she hopes the community comes to the Planning Board to get an
69 idea and ask questions. She said she would listen to get viewpoints from all sides. Councilor
70 Brown said it is good to see graduates from the Leadership Londonderry class come forward and
71 volunteer. Chairman DiMarco said he knows her personally and thanked her for volunteering.
72

73 **Interview of Pauline Caron Candidate for Heritage Commission** - Pauline Caron, 369
74 Mammoth Rd. said she was an alternate in 2009 and did not seek re-appointment in 2010 due to
75 health reasons. Councilor DiMarco asked her if there were any conflicts she said no. She
76 explained she has been a resident in town for 46 years, and has seen a lot of changes which is
77 why she would like to go back on the Heritage Commission. She said we have to have a balance
78 and there are some things that should not be changed, there are some things that can be changed
79 because they call it progress.
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81 Councilor Dolan said Reeds Ferry Sheds has moved to Rte. 102 near Comcast. He read an
82 excerpt from a newspaper about their moving into Londonderry. The newspaper acknowledged
83 the business owners complimenting the Planning Board and town staff for their help in relocating
84 into town. He welcomed them to town.
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89 **PUBLIC HEARING**

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93 **OLD BUSINESS**

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NEW BUSINESS

Ordinance #2010-06 – Relative to an Amendment to the Town Zoning Ordinance to Clarify the Number of Temporary Signs Permitted on a Lot and Clarify Requirements for the MUC Sub-District - Councilor Farrell made a motion to move to the second reading and public hearing on January 3, 2011, second Councilor Brown. Council’s vote was 4-0-0.

Order #2010-20 – Relative to the Expenditure of Reclamation Trust Funds for Drop-Off Center Improvements – Councilor Farrell and made a motion to adopt, second Councilor Dolan. Councilor Dolan asked the Town Manager to explain the Order. Town Manager Caron said this fund is mostly for motor vehicle waste dealing with batteries and tires, as there is no charge to drop off these items at the center. There has been a surcharge on motor vehicle registration fees approved by the voters in 2003 to fund this. The entire project will cost about \$400K and has been vetted through the CIP process. Funds may also be used for the recycling of other wastes. Councilor Brown said this order is \$2,850 for tree clearing. The Public Works (PW) Director has given a presentation to the Solid Waste Advisory Committee and it is a substantial project. It will be a significant improvement to the facility which is long overdue. He suggested that the PW Director should come in and explain the project to Council in the future. Council’s vote was 4-0-0.

APPROVAL OF MINUTES

Minutes of Council’s Public Meeting of 12/06/10. Councilor Farrell made a motion to accept, second Councilor Dolan. Council’s vote was 4-0-0.

OTHER BUSIENSS

Liaison Reports – Councilor Farrell attended a Planning Board meeting with Woodmont Orchards. They are working on a comprehensive Master Plan and will be back on 1/12/11. He said people are starting to show more interest in what is being discussed; he has asked them to come to the Planning Board meetings. The School Board is working on their budgets. Elderly Affairs has not met in a month. Chairman DiMarco and Councilor Dolan reported they had no meetings. Councilor Brown attended a SWAC meeting last week; they had the presentation from DPW on the improvements at the Drop-Off Center. They are looking at forming the anti-litter committee; they also had a discussion for next years’ Beautify Londonderry program.

Town Manager Report – Town Manager Caron said the first public meeting for the budget is scheduled for 1/3/11. The North/West Fire Station interior work is being completed and he anticipated staff will be moving into the facility by a month’s time. Town Offices close early on 12/30/10 at noon and will be closed all day 12/31/10 so the public needs to be aware, particularly if they need to register their cars prior to 12/31/10. Councilor Brown asked who provided the digital sign on Mammoth Road announcing the 1/3/11 budget meeting. Town Manager Caron

143 responded Continental Paving provided it free as a community service, coordinated by Janusz
144 Czyzowski. The Council thanked them for their generosity.

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146 **Board/Committee Appointments/Reappointments**

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- 148 A. Resignation of Cole Melendy as an Alternate Member to the Planning Board.
149 **Councilor Farrell made a motion to accept, second Councilor Dolan. Council's vote**
150 **was 4-0-0.**
- 151 B. Re-appoint of Robert McDonald to Londonderry Housing & Redevelopment Authority,
152 term to expire 12/31/15.
153 **Councilor Farrell made a motion to accept, second Councilor Dolan with discussion.**
154 Councilor Dolan said he did not realize they were five year appointments, Town Manager
155 Caron confirmed that was correct. **Council's vote was 4-0-0.**
- 156 C. Appointment of Leitha Reilly as an Alternate to the Planning Board, term to expire
157 12/31/11. Councilor Farrell pointed out that this is only a year appointment because it
158 was filling a vacant term. Chairman DiMarco said he would abstain from voting because
159 he knows the Reilly family personally. **Councilor Brown made a motion to accept,**
160 **second Councilor Dolan. Council's vote was 3-0-1, with Chairman DiMarco**
161 **abstaining.**
- 162 D. Re-appointment of Deb Lievens and Deb Paul as Alternates to the Southern New
163 Hampshire Planning Commission, terms to expire 12/31/11. **Councilor Farrell made a**
164 **motion to accept, second Councilor Dolan. Council's vote was 4-0-0.**
- 165 E. Appointment of Pauline Caron as an Alternate to the Heritage Commission, term to
166 expire 12/31/12. **Councilor Farrell made a motion to accept, second Councilor Dolan.**
167 **Council's vote was 4-0-0.**

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169 Clark Reed asked Councilor Brown when the anti-littering committee was being formed through
170 SWAC. Councilor Brown said it is being formed the early part of next year.

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172 **Councilor Farrell made a motion to adjourn at 8:54 PM, second, Councilor Brown.**
173 **Council's vote was 4-0-0.**

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176 **Notes and Tapes by: Margo Lapietro Date: 12/20/10**

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178 **Minutes Typed by: Margo Lapietro Date: 12/21/10**

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180 **Approved: Town Council Date: 01/ /11**