

**TOWN COUNCIL
AGENDA
April 18, 2011**

The Town Council meeting and Budget Public Hearing 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. Senior Affairs Housing Project
- B. Boards/Committees/Commission Updates
 - 1) Conservation Commission – Deb Lievens
 - 2) Londonderry Arts Council – Elaine Farmer

III. PUBLIC HEARING

- A. Resolution #2011-04 –Relative to the Discontinuance of a Portion of Scobie Pond Road (continued from April 4).
- B.

IV. OLD BUSINESS

V. NEW BUSINESS

- A. FY12 Goals and Objectives
- B. Resolution #2011-06 – Relative to Renaming North Perimeter Road, South Perimeter Road, and East Perimeter Road.
- C. Staffing Levels – Town Clerk/Tax Collector’s Office
- D. Order #2011-07 – Relative to Expenditures from the Reclamation Trust Fund

VI. APPROVAL OF MINUTES

- A. Minutes of Council’s Public Meeting of 04/04/11

VII. OTHER BUSINESS:

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

VIII. ADJOURNMENT

IX. MEETING SCHEDULE:

- A. Town Council Meeting – May 2, 2011, Moose Hill Council Chambers, 7:00 PM
- B. Town Council Meeting – May 16, 2011, Moose Hill Council Chambers, 7:00 PM
- C. Town Council Meeting – June 6, 2011, Moose Hill Council Chambers, 7:00 PM
- D. Town Council Meeting – June 20, 2011, Moose Hill Council Chambers, 7:00 PM

SUPPORTING DOCUMENTATION COUNCIL MEETING OF APRIL 18, 2011

I. CALL TO ORDER

II. PUBLIC COMMENT

- A. Senior Citizen Housing Project – Senior Affairs Director Sara Landry, representatives from Southern New Hampshire Housing Services (Phil Grandmaison and Bill Hart) and members of the Elder Affairs Committee will update the Council on efforts to construct an affordable senior housing complex in Londonderry. SNHS reports that funding looks favorable to begin the application process with HUD.

On July 13, 2009, the Town Council passed Resolution #2009-12 which reserved a piece of town-owned land on Sanborn Road to construct affordable elderly housing; the Council also tentatively lent support to a CDBG application to assist with project financing (although it was predicated on a first come, first serve basis with a competing project proposed for Stonehenge Road).

On November 1, 2010, the Council received a lengthy update on the project, which culminated in further encouragement to continue the process, resulting in this evening's status update.

Attached is a letter of support for the Council's consideration.

- B. Board/Committee/Commission Updates – Pursuant to Section 9.5 of the Town Charter, the Council is required to meet at least annually with the Chairperson to review significant actions and planned activities. Scheduled for this meeting includes:
- 1) Conservation Commission, Deb Lievens - Chair
 - 2) Londonderry Arts Council, Elaine Farmer – Chair

III. PUBLIC HEARING

- A. Resolution #2011-04 – Relative to the Discontinuance of a Portion of Scobie Pond Road – This public hearing is a continuation of the hearing which began on April 4; the Town Council received a request to discontinue a portion of Scobie Pond Road which has been subject to gates and bars since a vote at the 1932 Town

Meeting. Representatives of the owners, Jones and Beach Engineering, were requested by the Council on April 4 to meet with abutters who expressed concerns about the abandonment and bring back suggestions to address those concerns. The applicant now requests that a 400 foot section of roadway be abandoned, and grant an easement to PSNH to access its powerlines.

IV. OLD BUSINESS

A.

V. NEW BUSINESS

A. FY12 Goals and Objectives – Sean requested that Councilors present up to five goals and objectives for review and discussion by the Town Council. Attached is a status report on the FY11 goals and suggestions received thus far for FY12 goals.

B. Resolution #2011-06 – Relative to Renaming North Perimeter Road, South Perimeter Road and East Perimeter Road - The Town Council is requested to schedule a public hearing for Monday, May 2, 2011 to receive input on the recommendations from the Street Naming Task Force for renaming roads in the vicinity of Manchester-Boston Regional Airport.

C. Staffing Level – Town Clerk/Tax Collector’s Office – Town Clerk-Tax Collector Meg Seymour will present a request to fill a staff vacancy to be created by the impending retirement of Deputy Town Clerk-Tax Collector Jane Hicks. Information attached.

D. Order #2011-07 – Relative to the Expenditure of Reclamation Trust Funds - Attached is a Resolution authorizing payment of expenses incurred improving the Drop-Off Center under an agreement approved by the Council at its March 7, 2011 meeting.

VI. APPROVAL OF MINUTES – Minutes of the Council’s Public Meeting of 4/04/11.

VII. OTHER BUSINESS

A. Liaison Reports –

B. Town Manager Report –

C. Board/Committee Appointments/Reappointments -

VIII. ADJOURNMENT –

MEETING SCHEDULE:

- E. Town Council Meeting – May 2, 2011, Moose Hill Council Chambers, 7:00 PM
- F. Town Council Meeting – May 16, 2011, Moose Hill Council Chambers, 7:00 PM
- G. Town Council Meeting – June 6, 2011, Moose Hill Council Chambers, 7:00 PM
- H. Town Council Meeting – June 20, 2011, Moose Hill Council Chambers, 7:00 PM

**FOLLOW-UP FROM COUNCIL'S
April 4, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Road Discontinuance	Applicant to address abutter concerns <i>(Continued to 4/18/11)</i>	Applicant

**FOLLOW-UP FROM COUNCIL'S
March 21, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Deliberative Session	Council need to select date between June 4 & 11 (inclusive – not 6/10/12) <i>(In process)</i>	Council
Cable Fees	Reschedule first read to 6/6; hearing on 6/20 <i>(Scheduled)</i>	Dave
Home Security	Public video on website <i>(In process)</i>	Dottie

**FOLLOW-UP FROM COUNCIL'S
March 7, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
State Reps	Invite state representative to discuss state budget <i>(In process)</i>	Dave

RESOLUTION 2011-04

A Resolution Relative to the
***DISCONTINUANCE OF HIGHWAY
(Portion of Scobie Pond Road)***

First Reading: 03/21/11
Second Reading/Public Hearing: 04/04/11
Continued Public Hearing: 04/18/11
Adopted: xx/xx/xx

WHEREAS the Town Council, in accordance with RSA 231:43 has received a petition to completely discontinue and relinquish all public interest in a portion of Class VI highway known as Scobie Pond Road between Woods Avenue and Brewster Road convey by quitclaim deed without covenants, whatever interest the Town may have, if any, in Scobie Pond Road to the abutters with each abutter being given that portion of Scobie Pond Road abutting their property to the center-line of Scobie Pond Road; and

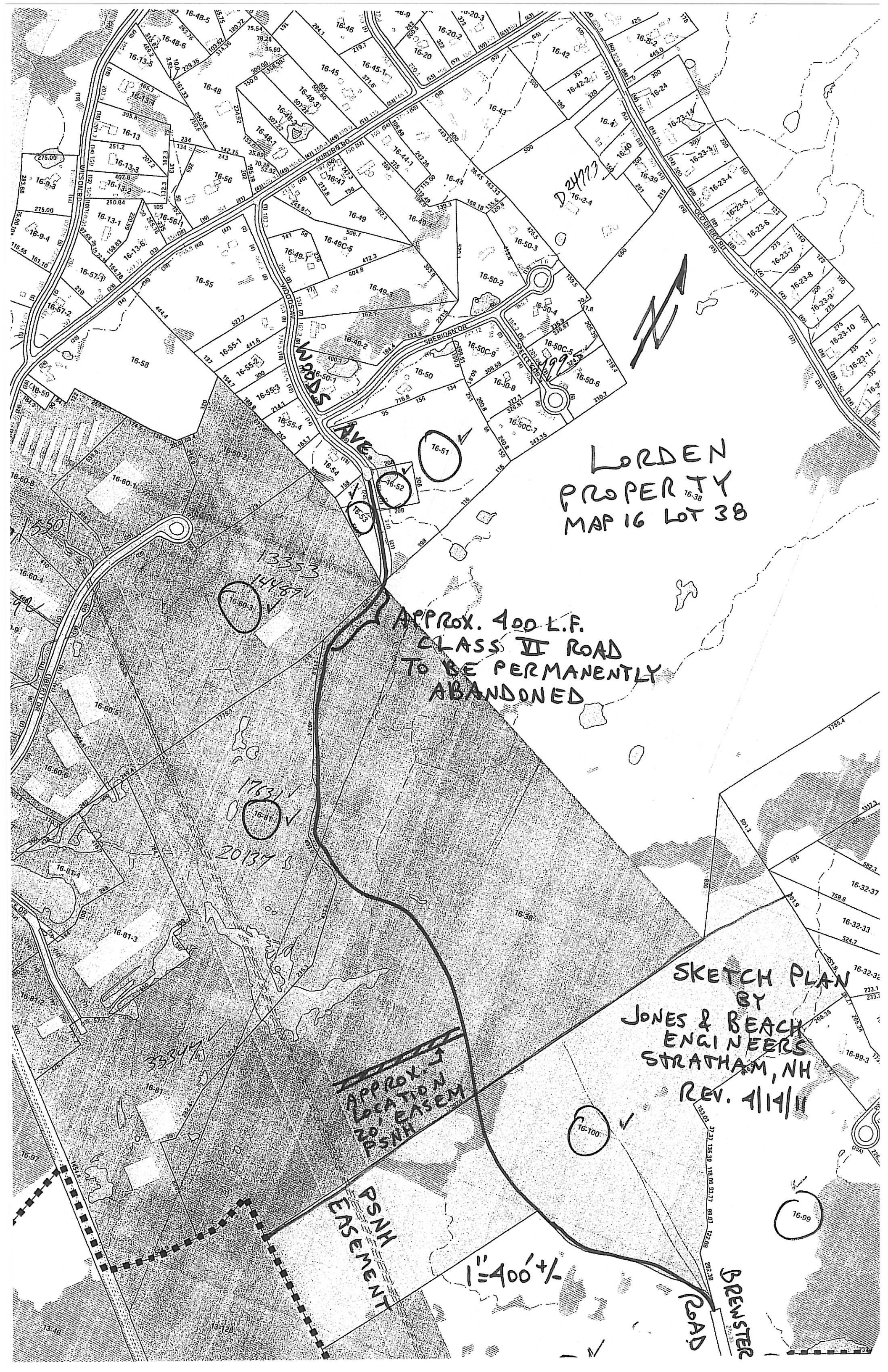
WHEREAS the matter of discontinuing a highway under RSA 231:43 is within the authority of the Town Council; and

WHEREAS the aforementioned highway was discontinued subject to gates and bars by voters at the 1932 Town Meeting,

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the discontinuance of a portion of Scobie Pond Road as shown on the map entitled "Approximate Location Class VI Road to be Abandoned (Tax Map 16, Lots 38, 52, 53, 60-3, 81, 98, 99, 100), prepared by Jones & Beach Engineering, Inc., Stratham, NH, dated March 2, 2011, is hereby approved and that the Town convey by quitclaim deed without covenants, whatever interest the Town may have, if any, in Scobie Pond Road to the abutters with each abutter being given that portion of Scobie Pond Road abutting their property to the center-line of Scobie Pond Road; subject to the condition that the Trustees of the Kenneth A. Lorden Trust shall indemnify and hold harmless the Town of Londonderry from any claims arising from the Town Council's decision to discontinue said portion of Scobie Pond Road. The Trustees may, in its sole and absolute discretion, withdraw this Petition, even if granted by the Town of Londonderry, in the event an abutter seeks damages under RSA 213:48, in which case the Trustees shall pay any legal fees incurred by the Town of Londonderry up to the date the Trustees gives notice of the Trustee's withdrawal of the Petition.

Sean O'Keefe, Chairman
Town Council

(TOWN SEAL)



LORDEN
PROPERTY
MAP 16 LOT 38

APPROX. 400 L.F.
CLASS VI ROAD
TO BE PERMANENTLY
ABANDONED

SKETCH PLAN
BY
JONES & BEACH
ENGINEERS
STRATHAM, NH
REV. 4/14/11

APPROX. LOCATION
OF PSNH EASEMENT

PSNH
EASEMENT

1"=400' +/-

BREWSTER
ROAD

13553
14489

17631
20134

33394

2473

199

**Town Council
 FY 12 Goals and
 Objectives
 Draft - April 18, 2011**

**Chairman
 Goal O'Keefe** **Vice
 Chairman
 Green** **Councilor
 Dolan** **Councilor
 Farrell** **Councilor
 Freda**

1		Woodmont - guide planning through process	Assure that the Town's public safety budget/staffing levels meet public expectations/needs	Re-establish the Economic Development Committee	
2		Look into combining some processes between school and town	Review the Post Incident Analysis once completed for the Hemlock Street fire and consider its findings and recommendations for incorporation into the FY12 work plan and FY 13 budget.	Explore all opportunities regarding additional revenue sources	
3		Talk about providing goal measurements to economic development departments			
4					
5					

RESOLUTION 2011-06

A Resolution Relative to Renaming North Perimeter Road, South Perimeter Road and East Perimeter Road

First Reading: 4/18/11
Second Reading/Public Hearing: 5/02/11
Adopted: X/XX/XX

- WHEREAS** The Town of Londonderry is enabled by NH RSA 231:133 to name public highways; and
- WHEREAS** The Town Council established a Street Naming System Task Force to enhance public safety by reviewing and correct addresses which are non-compliant with NH 9-1-1 addressing standards; and
- WHEREAS** North Perimeter Road, South Perimeter Road and East Perimeter Road have been identified as non-compliant; and
- WHEREAS** The Task Force, in cooperation and consultation with property owners recommend the following alternate street names.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that North Perimeter Road be renamed Perimeter Road, South Perimeter Road be renamed Commerce Avenue and East Perimeter Road be renamed Navigator Road, to become effective on July 1, 2011. Properties will be renumbered according to the Town Addressing policy.

Sean O'Keefe, Chairman
Town Council

(TOWN SEAL)

Marguerite A. Seymour
Town Clerk/Tax Collector

A TRUE COPY ATTEST:
xx/xx/xx

TOWN CLERK/TAX COLLECTOR

Subject	1999		FY09/10	Increase	
Renewals	33,340		36,000	2660	
Mail-ins	3775		4093(1733 residents use e-reg)	318	extra work printing, tracking, separate deposits
Drop off center	1397		4290	2893	Data entry was 11,393 not 4290 which equals a 9,996 increase in entries.
Vital Records	304		619	317	50% increase (only inc. of 68 from '99 to '07) ('07 to '10 inc. of 249)
Police receipts	294		967	693	Customers/entries this doesn't count New World
Sewer	300 bills		1400	1100	Balance, print, mail, collect
Tax bills	8750		9658	908	Balance, print, mail, collect
Dog License			3870		Over 200 still not licensed Issuing of Civil Forfeitures 1000, this takes approximately two weeks to complete. Plus now we have to track payments. Also need to track for court cases. We also continually update dog information received by the veterinarians on a daily basis.

Photocopies	1203		3000+		This does not include the additional copies we make for other departments that process payment through the "Central Processing" procedures. It also does not include low to moderate copies of tax bills, Town & State election copies required by State Law, to name a few.
-------------	------	--	-------	--	--

The above does not include processes that are completed in New World for Police and for Building Permits. Please keep in mind we close a window each time a rental car company, Corporation (i.e. Coca Cola, Continental Paving, Frito Lay etc.), leasing companies, etc. need vehicles processed.

Absentee ballots will be at a very high volume with it being a Presidential Primary beginning January 2012. They are very time consuming and are required by State statute to be entered in the State system. This becomes the primary duty for the PT Clerk during election season. Other Clerks also process as this becomes the priority especially during a Presidential Election.

Comparing Staff between ourselves to other communities: Merrimack/Derry/Litchfield/Bedford/Salem

LITCHFIELD

Town Clerk/Tax Collector FT, Deputy Town Clerk/Tax Collector FT, 1-32PT clerk (10-6 Mon. T-F 7:30-3pm total hours 38)
11,000 Reg. – tax bills 3300 – no sewer bills.

2 FT Employees and 1 PT Employee

DERRY

Derry has a Town Clerk FT, Deputy Town Clerk PT-35 hours – Dogs, Vitals & Elections only

Derry also has a Tax Collector FT and a Deputy Tax Collector FT, 4FT Clerks – Cars, Taxes, Sewer (11,300 tax bills, 5,000 sewer bills and 39,000 vehicles).

Total 7 FT Employees and 1 PT Employee.

MERRIMACK

Town Clerk/Tax Collector FT, Deputy Town Clerk/Tax Collector FT, 3 FT

Clerks and 1-24 hour PT Clerk

The TC/TC and the Deputy TC/TC only work a window during tax season, when they are short staffed or to cover vacations. They work in their offices to complete the “other” work required. Their part time person works 24 hours. **Their office is not a “central processing office”**. They also open ½ hour late each day to allow for proper closing out procedures which is required by the MA Agreement and do not have staggered close outs. Sewer Bills are sent Semi-annually with tax bills. Commercial sewer is billed on a quarterly basis with two cycles.

Total 5 FT Employees and 1 PT Employee

SALEM

Tax Collector FT, PT Deputy Tax Collector – taxes and sewer bills (12,000 tax bills, 9,000 quarterly sewer bills however they break that down to 3,000 per month.

Town Clerk FT, Deputy Town Clerk FT, 2 FT Clerks, and 1 PT Clerk – Cars, Elections, etc. NOTE: **They are NOT a Municipal Agent and do not process any State Work for Vehicle Registrations.** (35,000 vehicles)

5 FT Employees and 2 PT Employees

BEDFORD

Town Clerk FT (35-40hour work week), Deputy Town Clerk PT-35 hrs only processes vital records

Tax Collector/Chief Finance Director FT, Deputy Tax Collector FT, 3 Clerks FT – 25,000 reg., 9,000 tax bills, 875 sewer bills. Central Processing but Permits (i.e. Building Permits) are processed through the Finance Office.

6 FT Employees and 1 PT Employee

LONDONDERRY

Londonderry has TC/TC FT, a Deputy TC/TC FT, 3 full time employees (2 FT beginning 7/1/2011) and one 20 hour employee. We are central processing and process all payments for all departments, 36,000 Reg. and we have many large Fleets which we have to close a window to process, 9900 tax bills, 1400 sewer bills

4 FT Employees (beginning 7/1/2011) and 1 PT (20) Employee

Cross Training. – State Law does dictate who can and can not collect and process payments in the TC/TC office. It takes approximately 6 months working a window full time to be able to understand and process of vehicle registrations alone. This does not include the other duties and responsibilities required.

We will need to look closer at our offices opening late in the mornings to allow for close out procedures should we move to streamline processing all payments at all windows.

This will now require all clerks to balance 3-5 systems per day where they are currently balancing 1-2 systems. This means no resident would be allowed to process anything after 4:30pm or before 9:00am. However I recommend that the office opens to the public at 9:00am as there are State Statues that require us to be open till 5:00pm during filing periods for State offices and Town Elections along with collection of absentee ballots. This way we would not have additional overtime. Staff would still be required to be here at 8:30am so that they can close out there previous days work and do other task prior to opening. We will also have to consider no longer giving quotes over the phone as they become very time consuming except for businesses as they need to get a check ahead.

Other duties include, Phone calls (cover operator line, town clerk line, tax collector line – average 75 to 100 calls per day) lien procedure (560 properties liened – certified), Signing of Police Warrants, Barrington Notices (1178), Timber Tax, Current Use, Gravel Tax.

Town	# of Supervisors	Full Time	Part Time	# of Reg.	# of Prop. Tax Bills	Sewer Bills	Central Processing	Joint Department	Municipal Agent
Litchfield	2	2	1-32 hrs	11,000	3,300	No	No	Yes	Yes
Derry	4	7	1-35 hrs	39,000	11,300	5,000	Yes	No	Yes
Merrimack	2	5	1-24 hrs	30,000	10,500	4500 SEMI	No	Yes	Yes
Salem	4	5	2-20 hrs	35,000	12,000	9000 (3000 per month)	Yes	No	No
Bedford	4	6	1-35 hrs	25,000	9,000	875	Yes/No	No	Yes
Londonderry	2	4	1-20 hrs	36,000	9,900	1,400	Yes	Yes	Yes

ORDER #2011-07

An Order Relative to
**EXPENDITURE OF RECLAMATION TRUST FUNDS
FOR DROP-OFF CENTER IMPROVEMENTS**

Reading: 04/18/2011

Adopted: 04/18/2011

WHEREAS in 2003 voters established a Reclamation Trust Fund to fund the disposal of motor vehicle waste, and recycling and reclamation of other wastes; and

WHEREAS improvements are necessary to the Drop-Off Center to allow for the proper recycling and reclamation of wastes; and

WHEREAS in 2011 the Town Council authorized a contract for improvements to the Drop-Off Center;

NOW THEREFORE BE IT ORDERED by the Town Council that the Town Treasurer is hereby ordered to expend \$64,039.88 from the Reclamation Trust Fund for concrete, site work and engineering expenses.

Sean O'Keefe, Chairman
Town Council

Marguerite Seymour
Town Clerk

A TRUE COPY ATTEST:
04/18/2011

TOWN COUNCIL MEETING
April 04, 2011

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

PRESENT: Town Council: Chairman Sean O’Keefe: Vice Chairman Joe Green; Councilors: John Farrell, Tom Dolan, Tom Freda; Town Manager Dave Caron; Executive Assistant Margo Lapietro.

CALL TO ORDER

Chairman O’Keefe 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.

PUBLIC COMMENT

Chairman O’Keefe announced the schedule and location for mosquito spraying. If a land owner did not want their property sprayed he gave them the contact information which is also on the website. Bob Ramsay talked about ruts created by logging skidders that are filled with water and asked if they would be targeted. Town Manager Caron said he would look into it.

National Public Safety Telecommunications Week – Londonderry Police Capt. Bill Hart said that next week is a National Public Safety Telecommunications Week. He talked about a call that dispatcher Bob Jones received involving a suicide attempt that was called in by a 14 year old. Bob Jones as the first responder handled the call in a calming, professional way and the end result was good. Chief Hart said the dispatchers receive calls of this stressful nature all the time. He said he had a taped recording of the call and invited the Councilors to listen to it. He thanked the Councilors for their support. The Chief proceeded to presented awards to: Bob Jones, Barbara Jones, Cindy Tuck, Maria Schacht, Jason Pinault, and Cindy McCann the Dispatch Communications Supervisor who is retiring this November.

Councilor Farrell said he recently observed our people going to Litchfield, and seeing the Hudson ambulance there. He said he didn’t understand it so asked about it. He found out we send out 2 paramedics on our ambulances. When we call for mutual aid we seem to call Derry first because they also have 2 paramedics on an ambulance. We had to go to Litchfield to assist Hudson because they didn’t have paramedics on duty like we do; they don’t staff the way we do. We have the same level of service as Derry with trained paramedics. He said it is good to know our community is trained in advanced life support.

Victims’ Rights Week - Chief Hart said next week is also National Victims Rights Week. On 4/12/11 the Governor and Attorney General Delaney will hold a press conference to officially announce it and also a memorial service will be conducted later that day. He commented that one of the important aspects of the Londonderry Police Department is the advocacy of victims.

46 **Board/Committee/Commission Updates**

47
48 Traffic Safety Committee – Chairman Bob Ramsay spoke about the origins, the responsibilities
49 and the membership of the committee. He said they are the liaison for the townspeople to come
50 to the committee to air their grievances. In order to receive some of the grants for the Police and
51 Fire Departments the committee has to approve the grants. Councilor Farrell asked how a person
52 would bring a problem to the attention of the committee and B. Ramsay explained the process.
53

54 Planning Board – Chairman Art Rugg said the activity this year is a reflection of the economy, it
55 had decreased activity. The upcoming year will be busy; there have been additions to the
56 industrial/commercial capacity. The Capital Improvement Program is working well and is a
57 streamlined process. Workforce Housing has been worked on for the past 2 years and he
58 explained what has transpired. Single family housing has declined over the past few years. The
59 Economic Development website has been re-worked making it easier to use for developers. The
60 design review and regulatory process has been streamlined by the Planning Board. The North
61 West Small Area Master Plan has been implemented. He talked about the area around Exit 5 in
62 the Performance Overlay District, and the proposed 159 residential units off of Old Derry Rd.
63 consisting of 211 acres of which 102 will be left as open space. He talked about working with
64 the land owners in the area by the airport which is a mix of industrial and commercial use known
65 as the “Gateway Business District”. Mixing both residential and commercial in the Planned Unit
66 Development was discussed. He also mentioned the Woodmont Commons development which
67 is a major impact to the town. He said they are looking into input from the townspeople.
68 Growth Management was also accomplished and discussed. Open for discussion. Councilor
69 Dolan asked if the developer of Woodmont Commons is breaking ground in 2011 as they
70 indicated in the beginning – A. Rugg responded that was a far off target. They have to do the
71 Master Plan before anything can be done. The designs that we have seen are what they are
72 proposing it is not what the Planning Board is looking at; it is a lot of speculation. Councilor
73 Dolan asked about the two primary land owners at the Gateway concept; what is their eagerness
74 or willingness to begin that development as the Access Road nears completion. A. Rugg
75 responded both landowners are very supportive, once the road is open their land will be more
76 valuable. Councilor Farrell said he had the opportunity in February to have a conversation with
77 Gov. Lynch and he is behind the Pettengill Road project. He said the Impact Fees update has
78 been worked on by staff and the Planning Board. The Planning Board is starting the Master Plan
79 process and will have more meetings. Councilor Freda said he and Councilor Green attended
80 meetings held on Saturdays at Woodmont and asked about the possibility of them being taped.
81 T. Thompson stated that he had asked the Cable Director and they were looking into it.
82 Councilor Dolan said he met with Sen. Ayotte and asked her about the Pettengill Rd. project and
83 the availability of federal help for road work. She said she was not in favor of any earmarks; she
84 was following the project very closely and was impressed with what Sen. Carson was doing at
85 the state level. Andre Garron, Community Development Director said he and the Town Manager
86 have met with Congressman Guinta who is interested in this project as well and submitted a
87 letter of recommendation for our application that we have for Economic Development
88 Administration funds for the sewer portion of the Pettengill Rd. project. He clarified that there
89 are 4 primary property owners in the Pettengill Rd. area. They are the FAA, the King Family,
90 Nash/Tamposi and the airport. They comprise the 838 acres and have been very supportive of
91 the project in the past 11 years. There is also a lot of interest in business groups with that area.
92 He stressed that getting funding for Pettengill Rd is vital.
93

94 Heritage/Historic Commission – Chairman Rugg explained there are 5 pieces of property in town
95 that are in the Historic District: the Town Common, Town Woodlot at the Town Forrest, the
96 Historical Society properties which include the Morrison House Museum, Grange #44, and 2
97 Litchfield Rd. He explained the zoning process that is involved with any changes being made to
98 those properties. He talked about the work done this year on the Town Common and the fact
99 that they are involved a great deal with the design review process generated from the Planning
100 Board. He explained they are a certified local government and can apply for grants. They are
101 trying to update their property list and mentioned it would be a good Eagle Scout project and
102 proceeded to explain what the attributes are to preserve a historical piece of property. They are
103 also working on legislation for historic properties. The entire Council thanked Art Rugg for his
104 many dedicated years to the town.

105
106 Town Planner Tim Thompson informed the public that April is Autism Awareness Month. He
107 explained that the Joint Loss Management Committee is organizing an “Apple Blossom Walk for
108 Autism on 5/1/11 and encouraged people to participate in it.

109
110 **PUBLIC HEARING**

111
112 **Councilor Farrell made a motion to open the Public Hearing, second Councilor Green.**
113 **Council’s vote was 5-0-0.**

114
115 **Resolution #2011-04 – Relative to the Discontinuance of a Portion of Scobie Pond Road**

116 **Councilor Green made a motion to accept, second Councilor Freda.** Applicant Jonathan
117 Ring and Attorney Anne Crotty from Jones & Beach Engineering as well as Dave Losi from
118 Chinburg Builders were in attendance. J. Ring explained the section of the road was
119 discontinued subject to gates and bars at the Town Meeting in 1932. They are petitioning the
120 Town to abandon all public rights and completely discontinue the remaining Class 6 portion of
121 the road between the end of Woods Avenue as it exists today and Brewster Road at the south
122 side. Most of the road crosses the Lorden property and indicated the location on a map. Anne
123 Crotty said this road has not been used for public access since 1932. Tim Thompson, Town
124 Planner said this road was discovered during the design review process, it does not appear on any
125 maps for many years; it was discontinued since 1932 and no one is using the road for access at
126 this time. Councilor Dolan asked if any abutters have concerns. J. Ring said not that he has
127 heard but there might be some in attendance tonight. Councilor Green asked J. Ring if they had
128 contacted the abutters, and he responded not directly, no. The Town Manager interjected that all
129 the abutters were notified by certified mail. John Wegler, 74 Page Rd. said he owns land next to
130 it and the road runs through it and it is the only access he has to that road. J. Ring said he was
131 proposing the entire road but it was his understanding that he would still retain his private access
132 into his property. The public rights for the public to pass through would be discontinued. J.
133 Wagler said he would prefer to keep it public right now. J. Wegler asked what was the purpose
134 of closing it; J. Ring responded it is not being used at that end. Councilor Farrell said he and J.
135 Ring should have a conversation to work it out before this Resolution should be considered.
136 Eugenia Snyder a transmission real estate agent from PSNH said they use that road to access the
137 transmission line corridor primarily to avoid the wetlands. They would have some concern about
138 how they will be able to access the area. A. Crotty said under the statute all existing utilities
139 rights remain. E. Snyder responded that their utility rights are for the corridor not specifically
140 for the access road. They own the lot directly under Mr. Wegler and they come up Brewster Rd.
141 into the land in question. Chairman O’Keefe said Councilor Farrell was correct they should

142 come back to us after they discuss it. Jim Wallack, 30 Brewster Rd. said Brewster Rd. was the
143 oldest continuously used dirt road in the country. He talked about the wildlife in that area and
144 said there has been some logging done over the past few years. Town Manager Caron suggested
145 that Council continue the public hearing to 4/18/11. Councilor Green said it important to know
146 the result of the meeting with the abutters. Councilor Farrell said that is outside of our purview;
147 the procedure is they come to an agreement and come back to Council. **Councilor Farrell made
148 a motion to continue the public meeting to 4/18/11, second Councilor Dolan. Council's vote
149 was 5-0-0.**

151 **Ordinance #2011-02 – Relative to an Amendment to the Zoning Ordinance to Reflect**
152 **Updated Traffic Impact Fee Methodology/Corridor Study and to Establish New Rates.**

153 **Councilor Freda made a motion to adopt, second Councilor Green.** Town Planner, Tim
154 Thompson said the last time the impact fees on this section of Rt. 28 were updated was 2/01.
155 The development traffic studies and cost of corridor improvements have increased since '01. He
156 said he is amending the impact fee and methodology and that section of the zoning ordinance
157 that references it. They are utilizing those updated corridor improvement studies from Stantec
158 and NHDOT to simplify our impact fee calculations and to account for the expected cost
159 improvements escalation in our impact fee structure. He proceeded to review the section of the
160 Ordinance being updated. The area is made up of about 600 acres of which 400 acres are
161 developable. He used the 2011 year for base trips and reviewed the Travel Demand Forecast and
162 talked about the peak hour traffic up to 2021. They have calculated that there would be about 4K
163 new PM peak hour trips generated by these areas. 45% of that traffic is the volume that there is
164 today, 16% is the anticipated background growth that would appear naturally and 39% would be
165 generated for the estimated future traffic. The estimated cost to the corridor for improvements
166 would be about \$19.9M. The Planning Board recommended a 3.5% fee escalation for each year
167 past 2011 so we don't find ourselves where we are 10 years behind again. He reviewed the
168 corridor improvements costs that escalate to 2015. He reviewed the Impact Fee/Improvements
169 Fee and talked about implementing the fee. He reviewed the proposed incremental
170 implementation of 50%, 75% and 100%. Councilor Dolan asked how this fee compares to
171 other communities. T. Thompson responded it is very difficult to do a comparison. Community
172 Development Director Andre Garron said this methodology has been around for quite some time
173 and is the same in most communities. Councilor Dolan asked how we compare in impact fees
174 with other communities, would it tip the scales with someone debating coming into our town. A.
175 Garron said we are comparable, if the developer makes improvements to the corridors that are
176 consistent with our plans with offsite improvements we will not charge them an impact fee, they
177 will get credits. Councilor Dolan recommended if we hear comments about Londonderry we
178 should hear the feedback. T. Thompson stated that the studies he has read reflect the fact that
179 impact fees are not a priority item with developers or with people who are looking to relocate a
180 business. Councilor Freda asked when they collect the impact fee. T. Thompson responded it is
181 determined at the Planning Board level when the Traffic Study is reviewed and approved by the
182 Planning Board. When the builder gets a building permit they are required to submit a form that
183 calculates all the impact fees. At that point the Building Department and Community
184 Development Department will assess the fees at that time; they are due and payable prior to the
185 issuance of a Certificate of Occupancy. Councilor Green spoke about the 3 suggested plans for
186 implementing the fees and questioned why alternative plan #3 was not chosen. A. Garron
187 responded alternative #2 was chosen because it was less aggressive implementing the scale.
188 Councilor Green said he preferred alternate plan #3 because it would be more aggressive if we
189 needed the money up front. Mary Soares, Planning Board member said the board chose

190 alternative #2 because we have not raised our fees in 10 years and we are trying to make up for
191 something that has not happened. The market right now is to pay the 100% right away. We are
192 playing catch up so do it in a reasonable way which is offered by alternative #2. Councilor
193 Green said if it is too aggressive we will lose business. M. Soares responded a developer would
194 look at it as an incentive. Other towns are already at 100% so we are not. T. Thompson said he
195 is proposing how we implement the impact fee assessment, right now we have two different
196 ways we do it and it is very intricate. This update can simplify things with the new
197 methodology. M. Soares said if the impact fee does not cover the cost of roads we have to make
198 up the difference. Councilor Dolan asked if there was feedback from the public, T. Thompson
199 responded none. Councilor Farrell said if the developer does not pay the Town would have to
200 pay for the improvements. The roads do get built this is the best negotiating tool the Planning
201 Board has with the developer. If we don't do something we will lose money. Art Rugg,
202 Planning Board Chair said this Ordinance was all developed in-house by staff and he
203 congratulated them for their work because it didn't get outsourced and cost the taxpayer money.
204 Chairman O'Keefe said he agreed with Mary we are playing catch-up, the developer should help
205 fix the area because they are adding to the traffic. **Council's vote was 5-0-0.**

206
207 **Councilor Farrell made a motion to close the Public Hearing, second Councilor Dolan.**
208 **Council's vote was 5-0-0.**

209
210 **OLD BUSINESS**

211 None

212
213 **NEW BUSINESS**

214
215 **Order - #2011-05 – Relative to the Expenditure of Maintenance Trust Funds for Various**
216 **Projects – Councilor Freda made a motion to adopt, second Councilor Green.** Councilor
217 Dolan asked the Town Manager when the bill for the repair of the library roof will come, he
218 responded in the summer. Councilor Green asked if the roof warranty was looked at yet. Town
219 Manager Caron said they will investigate it; the probability of collecting does not look good due
220 to the age of the roof. He said he is not planning on receiving any money so we are setting aside
221 funds in the trust fund to pay for the work. **Council's vote was 5-0-0.**

222
223 **APPROVAL OF MINUTES**

224
225 **Councilor Farrell made a motion to approve the Public Meeting Minutes of 03/21/11,**
226 **second Councilor Freda. Council's vote was 5-0-0.**

227
228 **OTHER BUSINESS**

229
230 **Liaison Reports –** Chairman O'Keefe who met with the Traffic Safety Committee tonight,
231 which had a discussion about parking signs at the new Market Basket.

232
233 **Town Manager Report –** Town Manager Caron said there is an Open House at the new
234 North/West Fire Station on 4/16/11 from 1:00 – 3:00PM. The Senior Affairs Committee has
235 appeared in front of Council in the past regarding building affordable senior housing on Sanborn
236 Rd. which is town owned land. It was a former junk yard and the area has been remediated.
237 Sarah Landry the Senior Affairs Director was notified that the funding for the project is looking

238 quite favorable at this point. They want to come back to the Council about the land transfer and
239 support for a Community Development Block Grant. They will come in on 4/18/11 to talk about
240 the beginning of that process including obtaining a letter of support from the town to HUD for
241 that project. We talked about updating the Municipal Code most of the Chapters from Title I
242 were sent to Council for review. Councilor Freda raised the issue of what our rules of
243 procedures are. Within Title I there is currently a requirement that we use Roberts Rules of
244 Order. Our Town Counsel advised us not to do that because there are some many different
245 variations. Town Manager Caron said he is envisioning something similar to the Ethics Code,
246 which is essentially a compilation of current practice and the requirements in either the
247 Municipal Code or Town Charter. Once Council reviews this in conjunction with the Municipal
248 Code you can adopt the rules of procedure and every year the new Council will review it to
249 either re-adopt or change. Title III is the Zoning Ordinance and since the Planning Board does
250 that on an ongoing basis and it is then approved by the Council he does not see any need of
251 working on that section. Town Manager Caron said he hoped to have Title I at the first meeting
252 in May; it is lengthy and Council can determine if they want a public meeting on the entire title
253 or in segments. Councilor Dolan asked if we have a demolition schedule for the old N/W fire
254 station. Town Manager Caron responded we did find some asbestos and the bid was awarded to
255 the 2nd lowest bidder. Due to the fact that the bid did not include the removal of asbestos he said
256 he will have to go back and re-negotiate with the bidder. All of that will be done by the end of
257 this month or the beginning of May which will give us enough time to remediate the soils
258 underneath to receive reimbursement from the state. We have enough time for the June deadline
259 for NHDES reimbursement.

260

261 **Board/Committee Appointments/Reappointments –**

262

None

263

264

ADJOURNMENT

265

266 **Councilor Freda made a motion to adjourn at 8:45 P.M., second, Councilor Green.**

267

Council's vote was 5-0-0.

268

269

270

Notes and Tapes by:

Margo Lapietro

Date: 04/04/11

271

272

Minutes Typed by:

Margo Lapietro

Date: 04/6/11

273

274

Approved;

Town Council

Date: 04/ /11