

**TOWN COUNCIL  
AGENDA  
May 2, 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. Board/Committee/Commission Updates
- 1) Lon. Housing & Redevelopment Authority – Paul Donehue
  - 2) Recreation Commission – Art Psaledas

III. PUBLIC HEARING

- A. Resolution #2011-06 – Relative to Renaming North Perimeter Road, South Perimeter Road, and East Perimeter Road.

IV. OLD BUSINESS

- A. FY12 Goals and Objectives

V. NEW BUSINESS

- A. Resolution #2011-07 – Relative to an Inter-Municipal Agreement with the Town of Derry to provide Fire/EMS Dispatch Services
- B. Ordinance #2011-03 – Relative to Amendments to the Municipal Code.
- C. Staffing levels – Community Development and Senior Affairs
- D. Economic Development Update

VI. APPROVAL OF MINUTES

- A. Minutes of Council's Public Meeting of 04/18/11

VII. OTHER BUSINESS:

- A. Liaison Reports

- B. Town Manager Report
- C. Board/Committee Appointments/Reappointments
  - 1) Resignation of Nancy Irwin from the Elder Affairs Committee, term expiration 12/31/12.
  - 2) Appointment of Deb Nowicki to the Demolition Delay Committee, Ad Hoc position

VIII. NON-PUBLIC SESSION RSA 91-A:3 II (b&c)

- 1. Hardship Abatement
- 2. Personnel

IX. ADJOURNMENT

MEETING SCHEDULE:

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

## **SUPPORTING DOCUMENTATION COUNCIL MEETING OF MAY 2, 2011**

I. CALL TO ORDER

II. PUBLIC COMMENT

- A. 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:
- 1) Londonderry Housing and Redevelopment Authority – Paul Donehue - Chair
  - 2) Recreation Commission, Art Psaedas, Director

III. PUBLIC HEARING

- A. Resolution #2011-06 – Relative to Renaming North Perimeter Road, South Perimeter Road and East Perimeter Road - The public hearing is to receive input on the recommendations from the Street Naming Task Force for renaming roads in the vicinity of Manchester-Boston Regional Airport. Staff will be in attendance to answer any questions.

IV. OLD BUSINESS

- A. FY12 Goals and Objectives – Attached is a revised summary of the draft goals submitted by Councilors. The goals have been included into one of four main objectives. It is also recommended that several objectives (e.g. monthly economic development update) from FY11 be continued into FY 12, as they compliment the Council's proposed goals and/or represent on-going projects.

V. NEW BUSINESS

- A. Resolution #2011-07 – Relative to an Inter-Municipal Agreement with the Town of Derry to provide Fire/EMS Dispatch Services – Attached is the Resolution, memo and a proposed Agreement with the Town of Derry to regionalize fire/EMS dispatch services. If approved by the Council, staff is targeting a July 1 cutover date.

- B. Ordinance #2011-03 – Relative to Amendments to the Municipal Code – Attached is an Ordinance which recommends amendments to most Chapters in Title I of the Town Municipal Code. A summary of changes is attached, as well as marked-up versions of each of the Chapters. This project was initiated during the FY11 goals process, and is also required under Section 3.10 of the Town Charter. A public hearing is required and can be scheduled for May 16, 2010.
  
  - C. Staffing Levels – Community Development and Senior Affairs
    - 1) Community Development Director Andre Garron will be requesting authorization to fill the vacancy of Assistant Building Official created by the retirement of John Gilcreast.
    - 2) Senior Affairs Director Sara Landry has accepted a position with the Town of Pelham. I am seeking authorization to fill the position in its current format (34 hours per week).
  
  - D. Economic Development Update – Andre will present his monthly update to the Council.
- VI. APPROVAL OF MINUTES – Minutes of the Council’s Public Meeting of 4/18/11.
- VII. OTHER BUSINESS
- A. Liaison Reports –
  
  - B. Town Manager Report – Is the Council considering a summer meeting schedule for July and August?
  
  - C. Board/Committee Appointments/Reappointments -
- VIII. NON-PUBLIC SESSION – RSA 91-A:3 II (b&c) – Personnel matter and hardship abatements.
- IX. ADJOURNMENT –

MEETING SCHEDULE:

- D. Town Council Meeting – May 16, 2011, Moose Hill Council Chambers, 7:00 PM
- E. Town Council Meeting – June 6, 2011, Moose Hill Council Chambers, 7:00 PM

F. Town Council Meeting – June 20, 2011, Moose Hill  
Council Chambers, 7:00 PM

**FOLLOW-UP FROM COUNCIL'S  
April 18, 2011 MEETING**

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ISSUE	ACTION	RESPONSIBILITY
Road Discontinuance	Applicant to finalize all documents <i>(Continued to 5/16/11)</i>	Applicant
Senior Housing	PILOT with SNHS <i>(In process)</i>	Dave
FY12 Goals	Format goals for Council review <i>(On 5/2/11 Agenda)</i>	Dave

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

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ISSUE	ACTION	RESPONSIBILITY
Deliberative Session	Council need to select date between June 4 & 11 (inclusive – not 6/10/12) <i>(In process)</i>	Council

# RESOLUTION 2011-06

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

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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 )

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Marguerite A. Seymour  
Town Clerk/Tax Collector

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

***Town Council***  
***FY 12 GOALS AND OBJECTIVES***

OBJECTIVE #1 – Provide a cost effective government to achieve greatest value at lowest cost.

- Goal #1 - Prepare a FY13 Town Budget in accordance with Town Charter revisions approved at the 2011 Town Meeting.
- Goal #2 - Conduct a review of town office services to determine their appropriateness and cost effectiveness with the assistance of quantitative tools such as benchmarking.
- Goal #3 - Continue the review of all town regulations and policies in accordance with the decennial Charter requirement to re-codify ordinances operations to eliminate unnecessary and outdated policies and laws;
- Goal #3 - Study the feasibility of combining the Library and Cable Divisions to be funded with cable franchise fees and property tax support.
- Goal #4 - Assure that the Town’s public safety budget/staffing levels meet public expectations/needs, including appropriate emergency response analyses.
- Goal #5 - Continue to re-evaluate the feasibility of shared services between the Town and the School District.
- Goal #6 - Review and develop a policy recommendation for voters regarding the use and allocation of Land Use Change Tax revenues.
- Goal #7 - Explore all opportunities to enhance non-property tax revenues.

OBJECTIVE #2 - To accelerate economic development efforts to drive tax revenue, thereby reducing tax burdens while preserving Londonderry’s quality of life.

- Goal #1 - Continue monthly economic development updates with a focus on input received from businesses relocating to Londonderry and “users” of the planning and development processes.
- Goal #2 - Expand the monthly updates to include a status report on the Woodmont Commons project.
- Goal #3 - Develop goal measurements for economic development recruitment efforts.
- Goal #4 - Re-establish the Economic Development Committee for the purpose of supporting economic growth and prosperity in Londonderry.



OBJECTIVE #3 - Enhance communications with the community.

Goal #1 - Work with the Planning Board to insure that a system is in place to maximize communications and participation in the multi-year planning and development of Woodmont Commons.

Goal #2 - Frequently update the web pages of all Committees, Commissions and Board to insure that the public has current information on services, activities, offerings and responsibilities.

OBJECTIVE #4 - Develop policy guidance for the Conservation Commission regarding acquisition of conservation land in order to meet the Council's expectations when acquisition proposals are presented to the Council in accordance with RSA 36-A:4.

**Town Council**  
**FY 11 GOALS AND OBJECTIVES**  
**March 24, 2011 Status**

OBJECTIVE #1 – Provide a cost effective government to achieve greatest value at lowest cost.

- Goal #1 - Develop a FY12 Town Budget which results in a level funded tax rate (0% increase).
- a. Review of anticipated default costs
  - b. Met with Dept Head and Unions to discuss challenges with meeting budget directive
  - c. Established initial directive reducing FY12 Budget by 5% to meet tax rate goal.
  - d. Further reductions required to offset increased health and retirement costs, and stagnant revenues
  - e. With Town Meeting adoption of FY12 budget, goal met.
- Goal #2 - Conduct a review of town operations to eliminate unnecessary and outdated policies and laws; quantify costs associated with those policies and laws.
- a. Municipal Code distributed to Department Heads
  - b. Provide instructions/deadline for Code review/applicability to respective departments.
  - c. Request identification of other requirements/services that appear to be ineffective, time consuming and/or replicate work of others
  - d. Process requires comprehensive review of Municipal Code, which is underway; anticipate presenting Title I to Council in April/May, 2011.
- Goal #3 - Better understand town expenditures and revenue sources by analyzing all vendors which are compensated in excess of \$15,000 per year; review and understand major revenue sources, including their structure and stability over a multi-year period.
- a. Report delivered to the Council in May, 2010.
- Goal #4 - Continue to annually review the organizational structure, with the goal of reducing/streamlining personnel costs.
- a. On-going effort
  - b. Reviewed vacant payroll position; position reduced to part-time.
  - c. Recommended consolidation of dispatch services and cable division staffing levels, neither of which were included in FY12 budget.
  - d. A number of other positions were reduced to PT or eliminated in the FY12 budget.

- e. Staffing levels continuously reviewed with goal of maintaining realistic staffing levels to provided statutory/requested service levels.

- Goal #5 - Restructure IT services agreement by seeking proposals for a multi-year term.
  - a. Consulting agreement bid; new vendor on site with anticipated three year savings of \$75,000.00.

**OBJECTIVE #2** - To accelerate economic development efforts to drive tax revenue, thereby reducing tax burdens while preserving Londonderry's quality of life.

- Goal #1 - Reorient monthly economic development updates by focusing on input received from businesses relocating to Londonderry and "users" of the planning and development processes.
  - a. Community Development Director continues to report out on economic development activities and inviting local business representatives to share their perspective on the land use review/approval process and the general business climate in Londonderry.
- Goal #2 - Reorient staff portion of monthly update to focus upon accomplishments and/or project milestones reached during the previous period.
  - a. See Goal #1, above.
- Goal #3 - Develop a "Capture Team" approach to attract and deliver new businesses to the community.
  - a. The Community Development Director has assembled a team to work with new and interested economic development prospects, consisting of the Director; Town Manager; Director, DPW; Planning Board Chair.
- Goal #4 - Consider providing some "advantage scoring mechanisms" for Londonderry businesses wishing to do business with the Town; award work to local firms and businesses when competitive proposals result in otherwise equal scoring or evaluation.
  - a. On-going, currently considered when reviewing bids and other proposals.
  - b. Research completed with information received on similar policies in use by other localities throughout the country.
  - c. To be presented to Council for formal policy directive in conjunction with Municipal Code review (Title VI).
- Goal #5 - Continually upgrade, expand and refresh the economic development marketing website.

- a. Community Development continues to incorporate new features which provides additional information to business and industry searching for expansion opportunities, such as:
  1. **News & Events** section reflects the latest economic development “happenings” to date;
  2. **Facts and Figure** section reflects the latest stats on Londonderry and other pertinent data and reports (i.e. new population estimates, new tax rate, Target Industry Study, Community Profile, etc...)
  3. Staff is in the process of **creating** a new “Site finder” link that will give prospects solid up to date information on available “for sale” and “for lease” land and buildings in Londonderry.

- Goal #6 - Complete a funding package to construct the Pettengill Road project.
- a. Community Development staff has applied for TIGER II and EDA grants to fund between 50-100% of project with non-local tax dollars.
  - b. TIGER II application not funded; EDA grant was resubmitted in March with additional information
  - c. Continuing conversations with State regarding potential resources, including legislation which would establish a State Infrastructure Bank.
  - d. Met recently with Congressman Guinta and Senator Ayotte regarding this project.

**OBJECTIVE #3** - Continue the agenda management process implemented in FY10 whereby agenda items are scheduled and managed in an efficient and straightforward manner. Non-critical items which do not require public participation shall be scheduled appropriately to avoid overburdening the meeting agenda, and to allow completion of town business within a reasonable time.

- a. On-going, achieving objective in most instances, with variances occurring during discussions of items of heightened public interest (e.g. SAFER Grant, Budget process).

**OBJECTIVE #4** - Empower a Committee to review the 2006 Open Space Task Force Report for the purpose of reviewing and assessing whether the goals and objectives outlined in that report are in line with current community goals and the Town’s financial position.

- a. Mike Speltz appeared before the Council at the July 15<sup>th</sup> meeting to initiate discussions on the issue, with a more detailed discussion held on August 2, 2010.
- b. Council approved Task Force Charge; Committee populated.
- c. Interim report released March 3, 2011

**OBJECTIVE #5** - With the Community Development Department, develop a timeline for updating the Town Master Plan and determine the appropriate time to plan and sponsor a community engagement process to increase citizen input into the community planning process.

- a. **April-May**
  - a. Confirm Master Plan content, expectations and development process with Planning Board
  - b. Create a steering committee
- b. **June-Aug.**
  - a. Steering Committee & staff develop bid specs
  - b. Confirm spec with Planning Board
  - c. Advertise
- c. **August – Sept.**
  - a. Interview and recommend to PB prospective consultant
  - b. Planning Board confirm selection
  - c. Town Manager sign contract
- d. **October 2011- December 2012**
  - a. Development of the Master Plan
  - b. Master Plan acceptance

**TASK #1** -

Identify the cost to residents desiring to upgrade their current 65 gallon waste container with a 96 gallon container; investigate the cost to provide additional disposal options during the holiday season; develop a timeline and cost for expanding hours/services at the Drop-Off Center.

- a. Info on the 96 gallon container, holiday pickup and town wide bulk pickup presented at the July 15, 2010 Council Meeting.
- b. DPW managing improvements to the Drop-Off Center which would allow for consideration of expanded hours.

# RESOLUTION 2011-07

Relative to an  
***INTERMUNICIPAL AGREEMENT WITH THE TOWN OF DERRY TO  
PROVIDE FIRE AND EMERGENCY MEDICAL DISPATCH  
SERVICES TO THE TOWN OF LONDONDERRY***

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First Reading: 05/02/11  
Adopted: 05/02/11

***WHEREAS*** voters at recent Town Meetings and the Town Council have expressed interest in identifying operating efficiencies within town government; and

***WHEREAS*** the Town Manager was encouraged to seek out opportunities for consolidating services within and outside of town government; and

***WHEREAS*** the Town of Derry maintains a fire and emergency medical dispatch center which provides services to several area communities; and

***WHEREAS*** the Town of Derry is positioned to assume this responsibility for the Town of Londonderry for the mutual financial advantage of both communities while retaining a high level of professional service;

***NOW THEREFORE BE IT RESOLVED*** by the Londonderry Town Council that the Town Manager is hereby authorized to execute a Contract for Fire and Emergency Medical Dispatch Services Between the Town of Derry and the Town of Londonderry, contingent upon approval of the Derry Town Council and the Attorney General's Office pursuant to RSA 53-A.

\_\_\_\_\_  
Sean O'Keefe, Chairman  
Town Council

( TOWN SEAL )

\_\_\_\_\_  
Marguerite Seymour - Town Clerk/Tax Collector

***A TRUE COPY ATTEST:***  
***05/02/11***

TO: Town Council  
FROM: Dave Caron, Town Manager  
RE: Fire/EMS Dispatch Services  
DATE: May 2, 2011

Attached is an Inter-Municipal Agreement with the Town of Derry to provide Fire/EMS Dispatch Services, which is recommended to be adopted by the Town Council on May 2. If adopted, it is envisioned that Derry Fire will begin dispatching for Londonderry on or about July 1, 2011. The proposed Agreement has been reviewed by Town Counsel; pursuant to RSA 53-A:3 V, the Agreement shall be submitted to the Attorney General's Office, which has 30 days to notify the parties of any contract provisions not in compliance with state statute.

Presentation of this proposal aligns with a current Council goal to annually review the organizational structure, with the goal of reducing/streamlining personnel costs, which is under Council Objective #1: To provide a cost effective government to achieve greatest value at lowest cost.

The Derry Fire Department Communications Center currently dispatches for a number of southern New Hampshire communities including Derry, Auburn, Windham, Chester and Hampstead. The Dispatch Center, located within the Derry Central Fire Station on East Broadway, is the primary notification and dispatching resource for the Southeastern New Hampshire Hazardous Materials Mutual Aid District and also the primary contact for the Border Area Mutual Aid District, an organization comprised of approximately 20 cities and towns along the southern New Hampshire and northern Massachusetts border.

The Agreement requires Derry Fire to hire two additional full-time telecommunications operators in order to staff two telecommunicators around the clock. Participating in a regional dispatch center is a proven business model; many communities in New Hampshire rely upon regional centers for emergency communications. However, participation would result in a change in how the Department interacts with the public.

Central Fire will no longer have a support position in the building on a 24/7 basis. Consequently, the Town will need to transition to a system currently in use at both North and South Fire Stations, where visitors speak with the Dispatch Center via a phone line available at each station. The Chief's Executive Assistant would need to become more involved with the issuance of permits and other support tasks. And similar with other outsourcing agreements, it may require more coordination between the Department Head and the service provider, as the resources providing the service are not within the day-to-day supervision of the Town.

The plans to improve security at Central Station such as key pad door locks and automatic door openers in the apparatus bay will need to be accelerated and installed, to be funded through the Expendable Maintenance Trust.

The Council will recall that a similar consolidation proposal was discussed during the FY12 budget process, specifically to merge police and fire dispatch services. A Committee established by the Police Chief concluded that implementation costs far exceeded anticipated cost savings. The Council directed me to continue to explore similar opportunities in alignment with the aforementioned goal.

Listed below are the financial terms of the five year agreement:

<b>FY</b>	<b>Operating Costs</b>	<b>Capital Reserve</b>	<b>Start-up Costs</b>	<b>Total</b>
12	\$ 235,000	\$ 0	\$ 110,800	\$ 345,800
13	\$ 246,750	\$ 5,000	\$ 0	\$ 251,750
14	\$ 259,088	\$ 5,000	\$ 0	\$ 264,088
15	\$ 272,042	\$ 5,000	\$ 0	\$ 277,042
16	\$ 285,644	\$ 5,000	\$ 0	\$ 290,644

Operating costs, which will become Derry's responsibility under the Agreement, are anticipated to include:

Additional FT Staffing w/Benefits (2 positions w/benefits)	\$ 140,000
Overtime due to ET/WC/Disability/Training/Work Schedule	\$ 74,080
Training	\$ 5,000
Uniforms	\$ 1,000
Share of Utilities/Facility Maintenance/etc	\$ 14,920
	\$ 235,000



Initial Start-Up Costs are listed as follows:

Upgrade 3 <sup>rd</sup> Call Taking Position	\$ 35,785
Relocate Zetron Station Alerting	\$ 13,415
Motorola P2P link	\$ 53,000
Update Dispatch Redundancy w/MIPS5000	\$ 6,500
Phone System Reconfiguration	\$ 2,000
	\$110,800

The cost of the Agreement as measured against existing appropriations:

<b>FY12 Appropriation <sup>1</sup></b>	<b>Outsourcing Costs</b>	<b>Balance <sup>2</sup></b>
\$ 378,555	\$ 345,800	\$ 32,755
\$ 378,555	\$ 251,750	\$ 126,805
\$ 378,555	\$ 264,088	\$ 114,467
\$ 378,555	\$ 277,042	\$ 101,513
\$ 378,555	\$ 290,644	\$ 87,911

Notes:

- 1) The baseline used is the FY12 Appropriation, which will increase annually should the Town continue to provide this service in-house. Should the Agreement be approved, the Town would raise the amount included in the contract, plus mobile radio maintenance expenses identified in Note #2.
- 2) The Fire Department would need to fund for the replacement and repair of existing radio equipment from this balance. The Fire Department's FY12 budget request for these expenses, including maintenance of the Dispatch Center, is \$26,000.00.

**CONTRACT FOR FIRE AND EMERGENCY MEDICAL  
DISPATCH SERVICES BETWEEN THE TOWN OF  
DERRY AND THE TOWN OF LONDONDERRY**

THIS AGREEMENT is entered into this \_\_\_\_ day of May, 2011, by and between the Town of Londonderry, with a mailing address of 268B Mammoth Road, Londonderry, NH 03053, and the Town of Derry, with a mailing address of 14 Manning Street, Derry, NH 03038.

**RECITALS**

A. The Town of Londonderry and the Town of Derry each separately provide to their citizens fire and emergency medical services, and each operates a separate dispatch service for its fire and emergency medical services (hereinafter “Emergency Dispatch”).

B. The Town of Londonderry and the Town of Derry desire to join together to provide emergency dispatch services.

C. RSA Chapter 53-A permits towns to enter into Agreements to the mutual advantage of two or more communities, when the communities will be best served by such mutual cooperation.

NOW, THEREFORE, in consideration of the mutual covenants and Agreements hereinafter set forth, the Town of Londonderry and the Town of Derry hereby agree to join together in providing emergency dispatch services subject to the following terms and conditions:

**1. TERM.**

1.1 The term of this Agreement shall be for five years, beginning on July 1, 2011, and terminating on June 30, 2016, subject to earlier termination in accordance herewith.

**2. SCOPE OF SERVICES.**

2.1 The Town of Derry shall provide full-time, 24-hour emergency dispatch services, seven days each week, to the Town of Londonderry, and shall apply all necessary due diligence and control to ensure that said services are provided in accordance with State of New Hampshire guidelines and professional methods and standards.

2.2 The Town of Derry shall furnish all equipment as may be needed to provide emergency dispatch services, except as otherwise provided in this Agreement. As equipment needs to be replaced, or use necessitates additional equipment, the cost of same shall be the responsibility of the Town of Derry.

2.3 The Town of Derry shall provide at least two trained fire/EMS dispatchers for the reception and transmittal of all emergency calls at all times.

2.4 The Town of Derry shall provide contingency services and planning in the event that there is a disruption of services at the Town of Derry Fire Alarm/Communications Center, in order to ensure that there will be no interruption in continuous service.

2.5 The Town of Derry shall maintain sole responsibility for the recruitment, employment, and supervision of employees.

2.6 **TOWN OF LONDONDERRY RESPONSIBILITIES.** The Town of Londonderry shall be responsible for the following:

- 2.6.1 The Town of Londonderry shall provide to the Town of Derry all current data that is used by the Londonderry Fire Dispatch Center for the purposes of dispatching fire and emergency medical services in the Town of Londonderry; and shall further monthly update the same on a medium acceptable to Derry, including, but not limited:
  - 2.6.2 All available Red NMX data;
  - 2.6.3 All streets and appropriate mapping format for integration into Red NMX;
  - 2.6.4 All appropriate grids/response districts;
  - 2.6.5 All occupancy information to include any emergency contact information for each unit;
  - 2.6.6 All pre-plan information;
  - 2.6.7 All water supply information, such as hydrants, cisterns, ponds, lakes, and streams;
  - 2.6.8 Run cards for each response district;
  - 2.6.9 Run cards for automatic and mutual aid response requests;
  - 2.6.10 Any information specific to specialized responses in the Town of Londonderry, including, but not limited to calls with respect to the Manchester Airport and hazmat;
  - 2.6.11 Updated copy of policies and procedures;
  - 2.6.12 SOG's SOP's and other relevant documents for review, reflecting any changes which may be required;
  - 2.6.13 Radio terminology/usage guidelines to adopt the Town of Derry's dispatch style.

- 2.6.14 Provide all radio frequency usage, as well as radio and technology infrastructure.
- 2.6.15 Notify all occupancies that have radio box fire alarm units that are currently monitored by the Town of Londonderry, and all future occupancies that install these units, that the Town of Derry shall monitor those units, and pursuant to the Town of Derry ordinances the occupancies shall be assessed an annual fee of \$300 per unit.
- 2.6.16 Loan to the Town of Derry for the life of the contract a MIPS 5,000 Radio Console, along with any relevant hardware, software, and displays. Maintenance and upkeep will be the responsibility of the Town of Derry. Replacement and major upgrades shall be the responsible of the Town of Londonderry.
- 2.6.17 Loan to the Town of Derry for the life of the contract a Zetron FSA Alerting Computer, along with any relevant hardware, software, and displays. Maintenance and upkeep will be the responsibility of the Town of Derry. Replacement and major upgrades shall be the responsible of the Town of Londonderry.
- 2.6.18 Secure permission for the CAD vendor, and deliver a fully paid license to Derry from Alpine Software, to access Town of Londonderry data electronically and merge it with the Town of Derry Fire Department Dispatch Red NMX database.
- 2.6.19 Participate in and provide assistance to a transition team assigning a Town of Londonderry fire department employee that comprehends the technical

aspects of the transition and an administrative person that has administrative authority during the transition.

2.7 The Town of Londonderry reserves the right to maintain a dispatch center, owned by the Town of Londonderry, for which it is solely responsible, and the costs shall be the responsibility of the Town of Londonderry.

**3 COMPENSATION.**

3.1 The annual cost of this contract to the Town of Londonderry shall be as specified each year below:

Fiscal Year (July 1-June 30) <u>Total</u>	Dispatch Contract <u>Costs</u>	Capital Reserve <u>Costs</u>	Initial Startup <u>Costs</u>
7/1/11-6/30/12 345,800	235,000	0	110,800
7/1/12-6/30/13 251,750	246,750	5,000	0
7/1/13-6/30/14 264,088	259,088	5,000	0
7/1/14-6/30/15 277,042	272,042	5,000	0
7/1/15-6/30/16 290,644	285,644	5,000	0

3.2 The Town of Derry shall submit an invoice to the Town of Londonderry at least 30 days prior to the payment due date. The annual payment due date shall be due on or before June 30 for the assigned annual payment, subject to the Town of Derry submitting an invoice to the Town of Londonderry in a timely fashion.

3.3 All payments shall be sent to: Town of Derry, Tax Collector, P. O. Box 405,  
Derry, NH 03038-0405.

3.4 The initial startup cost to be underwritten by the Town of Londonderry shall  
be \$110,800, which shall include:

3.4.2 Upgrading 3<sup>rd</sup> Call Taking Position

3.4.3 Relocate Zetron Fire Station Alerting

3.4.4 Motorola P2P link

3.4.5 Upgrade Derry Dispatch Redundancy Equipment W/MIPS5000

3.4.6 Phone System Reconfiguration

Any equipment supplied by the Town of Londonderry shall remain the property  
of the Town of Londonderry and be considered on a long term loan for the life of  
the contract, and any subsequent contracts. As the equipment becomes in need of  
service, it will be the responsibility of the Town of Derry to maintain the  
equipment. If the equipment becomes unserviceable or requires major upgrades,  
it shall be replaced or upgraded by the Town of Londonderry.

#### **4. RENEGOTIATION AND RENEWAL.**

4.1 The Town of Derry has the right to open negotiations with respect to adjusting  
the annual fee stated in Section 3.1. The Town of Derry must notify the Town  
of Londonderry, in writing, no later than August 1 of each year, if it wishes to  
exercise this right. The fee may be negotiated if material increases or  
decreases in the Town of Londonderry's population require reallocating  
dispatcher services, adding additional dispatchers, or if the cost of dispatchers or  
dispatching increases significantly due to new, unforeseen circumstances or

mandates beyond the control of either Town. The annual fee is subject to approval of both the Town of Londonderry and the Town of Derry, but must be approved no later than September 30. If either town fails to reach an Agreement by September 30 with respect to an adjusted annual fee, then the Agreement may be terminated as of July 1 of the following year, without further action of either party.

4.2 Either party reserves the right to terminate this Agreement for material breach of the conditions contained in the Agreement, after sending written notice to the other. For the purposes of this provision, all terms hereof are deemed to be material. Once notified, the party shall have fifteen (15) calendar days to cure such material breach. If the breach is of such a nature that it may take more than fifteen (15) days to cure, then the party shall commence to cure the breach within fifteen (15) days and pursue a cure diligently and to completion. If the party has not cured or commenced to cure such material breach within fifteen (15) calendar days, then the non-breaching party may, upon sending a second written notice, terminate this Agreement, which termination shall be effective 120 calendar days thereafter, and any fees due to the Town of Derry shall be prorated to the effective date of the termination. If a breach is not cured or not capable of cure within fifteen (15) days, and not cured within forty-five (45) days, then the non-breaching party may send a second written notice to the breaching party terminating this Agreement, which termination shall be effective 120 days thereafter, and any fees due the Town of Derry shall be prorated to the effective date of termination.



- 4.3 Either party may terminate this Agreement, after sending written notice to the other, for the sole convenience of the party desiring to terminate the agreement. The termination shall be effective 365 calendar days from the party's written notice to the other that it wishes to terminate the Agreement.
- 4.4 The parties shall have the right to renew this Agreement for such additional periods and upon such additional terms as the parties may agree. Negotiations for such renewal may occur at any time, but shall be concluded no later than January 1 of the last year of this Agreement.

**5. ADMINISTRATION.**

- 5.1 The Town of Londonderry and the Town of Derry shall form a dispatch committee, comprised of the fire chief of each community, or his or her designee, and may include similar representation from other communities which receive dispatch services from the Town of Derry. The committee shall have the responsibility for recommending to the Town of Derry dispatch methods, procedures, information, records, and equipment necessary for providing the dispatch services covered under this Agreement. The committee shall meet at least semi-annually at a mutually agreeable time, and from time to time as necessary.
- 5.2 The Town of Londonderry, acting through the Town of Londonderry fire chief, shall address all personnel and/or operational concerns to the chief of the Town of Derry fire department. The Town of Derry, through the Town of Derry fire chief, or his or her designee, shall address all personnel and/or operational concerns to the chief of the Town of Londonderry fire department.

5.3 The Town of Derry Fire Chief shall have the responsibility for managing and operating and shall have complete control over the emergency dispatch services and personnel.

**6. BOOKS AND RECORDS.**

The Town of Derry shall maintain records, books or other documents relative to any matter involving its performance of this Agreement or demand for compensation from the Town of Londonderry for a period of not less than three years from the date of official payment for equipment and services performed under this contract.

**7. INSURANCE AND INDEMNIFICATION.**

- 7.1 Each party shall secure and maintain Liability Coverage, for the duration of this Contract.
- 7.2 Each party shall maintain the workers' compensation insurance required by New Hampshire law.
- 7.3 Each party shall be responsible for securing insurance with respect to its conduct and shall provide to the other Certificates of Insurance, showing proof of coverage for Public Entity Liability and Automobile Liability.

**8. NOTICES.**

All correspondence and notices shall be sent to:

Fire Chief  
Town of Derry  
14 Manning St.  
Derry, NH 03038

Fire Chief  
Town of Londonderry  
280 Mammoth Rd.  
Londonderry, NH 03053

**9. ASSIGNMENT.**

The Town of Derry shall not assign this contract or any portion thereof without the express written consent of the Town of Londonderry.

**10. GOVERNING LAW.**

This Agreement, including any supplements hereto, shall be governed and construed as a New Hampshire contract under the laws of the State of New Hampshire and shall be subject solely to the jurisdiction of the courts located within the State of New Hampshire, and specific venue shall be in the Rockingham County Superior Court.

**11. REVIEW, APPROVAL AND FILING.**

This Agreement shall be submitted to the attorney general for review and approval and shall be filed with the town clerks of the Town of Derry and the Town of Londonderry prior to taking effect.

**12. MISCELLANEOUS.**

This Agreement supersedes all prior negotiations, representations, understandings or contracts, either written or oral, and may not be modified or amended, except by a written instrument, executed by both parties.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the date first written above.

TOWN OF LONDONDERRY

---

David R. Caron, Town Manager  
Duly Authorized

TOWN OF DERRY

---

John Anderson, Town Administrator  
Duly Authorized

Introduced: 5/02/11  
Second Read/Public Hearing: 5/16/11  
Adopted: x/xx/xx

**ORDINANCE 2011-03**  
***AN AMENDMENT TO THE MUNICIPAL CODE,***  
***TITLE I, CHAPTERS II-XXIII and XXV-XXVI***

---

***WHEREAS*** the Section 3.10 of the Town Charter requires a decennial revision or codification of the ordinances of the Town; and,

***WHEREAS*** the Town Council established an FY11 Goal to review all town regulations and procedures in an effort to eliminate inefficient processes or regulations; and,

***WHEREAS*** most of the current Chapters in Title I have been reviewed for recommended edits;

***NOW THEREFORE BE IT ORDAINED*** by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title I – General Code, Chapters II-XXIII and XXV-XXVI, is hereby amended pursuant to the attached summary.

Sean O’Keefe - Chairman  
Town Council

---

Meg Seymour  
Town Clerk

(TOWN SEAL)

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

<b><i>Recommended Revisions to the Municipal Code – Title I General Code</i></b>		
<b><i>Chapter</i></b>	<b><i>Title</i></b>	<b><i>Recommended Revisions</i></b>
I	Town Charter	No changes recommended; changes must be approved by the voters at a Town Meeting
II	Ordinances	Aligns with Town Charter by requiring second read and public hearing prior to adoption; eliminates use of Legislative Committee
III	Town Seal	No changes recommended (NCR)
IV	Town Motto/Song	NCR
V	Town Council Meetings	Eliminates specific location of meetings; clarifies process for meetings scheduled on a holiday; requires Council to establish rules for its proceedings; requires petition signatories to be registered voters
VI	Fiscal Year	Aligns with Town Charter by removing procedure that the Town Manager’s budget is adopted absent Town Council or Town Meeting action; aligns with Town Charter confirming that the Capital Improvements Program is a Planning Board responsibility.
VII	Public Hearings	Standardizes hearing notice requirement at seven days, with no waiver provision.
VIII	Removal of Municipal Officials	Rewrites Chapter to recognize limited authority to remove municipal officials pursuant to state law.
IX	Execution of Official Documents	NCR
X	Indemnification	Aligns language with RSA 31:105 & 106.
XI	Municipal Tax Liens	Minor textual changes (MTC)
XII	Street Acceptance	Significant changes to align with Subdivision Regulations
XIII	Naming of Streets/Renumbering	Total rewrite as adopted by the Council under Ordinance 2008-08
XIV	...Structures with the Town’s Right of Way...	Significant changes recommended by the Department of Public Works
XV	Loitering	NCR
XVI	Littering and Public Cleanliness	Enforcement authority transferred to the Police Department; penalties align with RSA 676:17.
XVII	Driveway Permits/Construction	Review authority transferred from Building Inspector to Department of Public Works; design and construction criteria assigned to DPW; penalties align with RSA 676:17.
XVIII	... Work Conducted within Town Right of Way	Significant re-write; minor changes only.
XIX	Yard Sales	Minor changes and elimination of permit procedure; OR Recommendation to repeal Chapter.
XX	Solicitation/Sale on Public Property	Permission transferred to Town Manager’s Office.
XXI	Fireworks	Statutory references, authority and penalties updated.
XXII	Town Common	Clarification that supervision rests with Town Manager with input from elected and appointed committees.
XXIII	Parks/Recreation Areas	MTC and statutory penalties.
XXIV	Cable Television	UNDER REVIEW
XXV	Prepayment of Taxes	NCR
XXVI	Prohibited Activities on Town Property	NCR

## Chapter II - ORDINANCES

### SECTION I AUTHORITY

All by laws passed by the Town Council shall be called *Ordinances*.

### SECTION II PRESENTATION

- A. All ordinances shall be presented at Town Council meetings pursuant to the provisions of the Town Charter - Article 3, Section 3.7, and Article 7.
- B. Any ordinance, when presented, shall be read a first time in its entirety, except a general revision or by unanimous vote of the Council.
- C. Any ordinance may be revised or amended after its first reading ~~and may be sent to the Legislative Committee of the Town Council for its recommendation.~~
- D. ~~The Legislative Committee shall issue its recommendation at the next regular Council meeting.~~
- E. Before its passage, the ordinance must be read a second time, but may be read by title only.

### SECTION III METHODOLOGY

- ~~A.~~ ~~An ordinance may be passed at the meeting at which it is presented for its first reading if all Council members present and voting approve it for first and final reading unanimously. In such a case, no recommendation from the Legislative Committee shall be necessary.~~
- ~~B~~**A.** Lacking such approval, *No* ordinance may be passed until the next meeting of the Council after the first reading, *and after a duly noticed public hearing*.
- ~~E~~**B.** An ordinance may be amended after the second reading *and public hearing*.
- ~~D~~**C.** Ordinances may be introduced or passed at both regular and special Town Council Meetings.

## Chapter II - ORDINANCES (Cont'd)

### SECTION IV REVISIONS/PUBLICATION

- A. *Notices of all proposed* ordinances of the Town Council and such Resolutions as the Town Council may direct shall be published in one or more newspapers of general circulation in the Town as the Town Manager may designate.
- B. This section shall not apply to a general revision of any Title of this Code.



## Chapter III - TOWN SEAL

### SECTION I TOWN SEAL DESCRIPTION

The seal of the Town of Londonderry shall be circular in form, shall bear the likeness of a crest consisting of a cross (gold), between crossed palms (gold), displayed affrente on a cornucopia (gold), displayed facing sinister; mounted on a torse (gold and azure); affixed to a mantle (gold and azure); to an esquire's closed tilting helm turned to dexter in profile over a shield; consisting of a charge oak branch with acorns, brown at center point; on an ordinary gyronny of eight (gold and azure); supported between two eagles rising, (white), profiled and facing dexter margin and sinister margin; with dexter eagle grasping a shaft of arrows, (sable) and sinister eagle grasping a gavel, (brown). Motto: in Latin: Fides, Justitia, Veritas, on a banner (gold). Inscribed about the circumference (gold) of the seal shall be the inscription, "Londonderry, New Hampshire - Incorporated 1722".

### SECTION II TOWN SEAL LIKENESS

The whole shall be arranged according to the impression of said seal hereunto annexed.



~~End of Chapter~~

**Chapter IV - TOWN MOTTO/SONG**

**SECTION I TOWN MOTTO**

The official Town Motto shall be, "Faith, Justice, Truth".

**SECTION II TOWN SONG**

The official Town Song shall be "Londonderry New Hampshire", as passed by 1977 Town Meeting Warrant Article #32 and as written (words and music) by Anne B. Currier of Londonderry. (Copies available).

## Chapter V - TOWN COUNCIL MEETINGS

### SECTION I INAUGURAL MEETING

- A. The first meeting of the incoming Town Council shall be held on the first Monday after the Annual Town Meeting in March, or as the Council may designate.
- B. Officers of the Town Council shall be nominated and voted upon at the inaugural meeting.

### SECTION II REGULAR MEETINGS/SUMMER SCHEDULE

- A. *Pursuant to Section 3.6 of the Town* the regular meetings of the Town Council shall be held on *the first and third* each Monday of the month *at a time and location as determined by the Council.* ~~in the Northgate Management Conference Room of the Londonderry Square Condominium complex, Suite 105 (“designated meeting room”) at seven thirty (7:30 PM) in the evening (“designated meeting time”).~~
- B. A “Summer Schedule” may be determined by the Council whereby the Council shall meet *at times and locations as determined by the Council.* ~~every other Monday during the Spring and Summer months (May through October)~~
- C. Meeting hours of any regularly scheduled or “Summer Schedule” meeting shall be the designated meeting time or as voted by the Council as the need may arise.
- C. Changes to the designated meeting time or designated meeting room shall be posted in at least two public places of the Town with a minimum of twenty four hours’ notice.

### ~~SECTION III HOLIDAYS~~

- ~~A. Any regularly scheduled meeting which would occur on a legal holiday, if held as scheduled, shall be in the designated meeting room at the designated meeting time.~~
- ~~B. The Council may reschedule such meetings to another date, but such meeting shall be held in the designated meeting room at the designated meeting time and receive a minimum twenty four hours’ notice posted in two public places of the Town.~~

#### **SECTION IV SPECIAL /EMERGENCY MEETINGS**

- A. *Pursuant to Section 3.6 of the Town Charter,* a special or emergency meeting of the Town Council may be called by the Town Manager, Chairman of the Council, or a majority of the Council in the absence or refusal of the Town Manager or Chairman of the Council.
- B. Notice of such meeting shall be given to, left at the abode of, or sent by messenger to each Council member so that the receipt of such notice shall enable a Council member to be present if he/she is at his/her usual place of abode.

#### **SECTION V RULES OF ORDER**

The Council *shall establish rules for its own proceedings not inconsistent with the Town Charter.* ~~meetings shall be held in accordance with Robert's Rules of Order.~~

#### **SECTION VI MINUTES OF MEETINGS**

- A. *Minutes of all meetings* ~~The Executive Secretary shall be recorded and transcribed the minutes of all meetings~~ in accordance with RSA 91-A.
- B. The Town Clerk shall maintain an original copy of the minutes of all meetings of the Council pursuant to New Hampshire Statute.

#### **SECTION VII RIGHT TO KNOW**

All proceedings of the Town Council shall be *conducted* ~~public except those which may be held privately~~ in accordance with RSA 91-A, the "Right to Know Law".

#### **SECTION VIII WORKSHOP SESSIONS**

- A. The Council may hold *Workshop Sessions* at times other than the regularly scheduled meetings for the purpose of receiving information or deliberating with regard to Town business.

#### **Chapter V - TOWN COUNCIL MEETINGS (Cont'd)**

#### **SECTION VIII WORKSHOP SESSIONS (Cont'd)**

- B. Workshop Sessions shall be *conducted* ~~public meetings except when called as an Executive Session~~ pursuant to RSA 91-A.
- C. In general, discussion at a Workshop Session shall be limited to the Town Manager and Town Council, and those other parties from whom

information is being sought.

- D. A Workshop Session may be called by the Town Manager, the Council Chairman or a majority of the members of the Town Council in the absence or refusal of the Town Manager or Chairman of the Council.

## **SECTION IX AGENDA**

- A. The agenda for all meetings of the Town Council shall be under the control of the Town Manager with regard to the content, format and order in which business is addressed with preliminary approval of the Council Chairman.
- B. An item may be placed upon the agenda for discussion by the Town Manager or any member of the Town Council. Other Department Heads and municipal officials shall submit any proposed agenda items to the Town Manager for approval prior to such items being listed on the agenda.
- C. Any citizen of the Town may place an item upon the agenda for discussion by the Town Council by presenting such item to the Town Manager by petition containing the signatures of no less than twenty five (25) *registered voters* citizens of the Town, ~~18 years of age or older~~.
- D. The Town Council may, in its discretion, allow the discussion of items by methods other than those prescribed herein.

**~~End of Chapter~~**

## Chapter VI - FISCAL YEAR

### SECTION I STATUTORY AUTHORITY

- A. In accordance with RSA 31:94-*a* as amended ~~and other special legislation currently pending before the Legislature of the State of New Hampshire~~, the Town of Londonderry does hereby establish a fiscal year commencing on the first day of July and terminating on the last day of June for all accounting purposes.
- B. In the event of any conflict between this ordinance or provision of the Londonderry Town Charter, that provision holding the Town to the higher standard shall be controlling.

### SECTION II BUDGET DEVELOPMENT/REVIEW *(Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy)*

- A. No later than one hundred (100) days prior to the Annual Town Meeting as designated by NH Statute, the Town Manager shall submit his proposed budget to the Town Council for its review.
1. The budget shall include a complete financial plan of all Town funds and activities for the ensuing fiscal year, including the estimated effect of the proposed budget on the tax rate, and shall be by line item.
  2. The message of the Town Manager shall explain the budget for all Town agencies both in fiscal terms and in terms of work program. It shall outline the proposed financial policies of the town for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current fiscal year in financial policies, expenditures and revenues together with reasons for such changes, summarize the Town's debt position and include such other material as the Town Manager deems desirable or as the Council may reasonably require.
- B. The Town Manager shall recommend to the Council a proposed schedule for the review of the twelve month budget of the ensuing fiscal year. The Council shall adopt such schedule for budget review, public hearing and adoption.
- C. A preliminary adoption of the proposed annual budget, with or without amendments, shall be made no later than (60) days prior to any annual or special Town Meeting.

## Chapter VI - FISCAL YEAR (Cont'd)

### SECTION II

#### BUDGET DEVELOPMENT/REVIEW

(Cont'd)(*Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy*)

- D. Notice of public hearing, together with the summary of the budget as preliminarily adopted, shall be published at least one week in advance of any public hearing in one or more newspapers of general circulation in the Town stating:
1. The times and places where copies of the proposed budget are available for inspection by the public; and
  2. The date, time and place of such public hearing on said proposed budget will be held by the Council.

### SECTION III

#### BUDGET ADOPTION (*Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy*)

- A. The Town Council shall, no later than fifty (50) days prior to any annual or special Town meeting, shall take final action on the proposed budget.
- B. ~~If the Council fails to take action, such budget shall, without any action by the Council, become the proposed budget for the year and be made available for the purposes specified. Preliminary amendments to the budget made before the second public hearing shall become part of the proposed budget for the year.~~
- C.B** The Council may recess and reconvene its budget deliberations as it may deem necessary, but in no event shall such deliberations continue beyond February 15 of any given fiscal year (Note: RSA 32:5 requires that no public hearing on a budget may be held later than 25 days before Town Meeting). ~~In the event that said deliberations do continue beyond that date without final action adopting a budget, then the budget proposed by the Town Manager shall become effective.~~
- D. The Town Council shall present the proposed budget to Town Meeting.

### SECTION IV

#### SUPPLEMENTAL APPROPRIATIONS (*Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy*)

No appropriations shall be made for any purpose not included in the annual budget as adopted, unless to apply for, accept and expend funds in accordance

with RSA 31:95-b, or from Impact Fees, Capital Reserve Funds, or other Trust Funds where the Town Council has been designated as agents to expend.

**Chapter VI - FISCAL YEAR (Cont'd)**

**SECTION V CAPITAL IMPROVEMENT PROGRAM**  
*(Incorporated into Title VI - Town Policy, Chapter XVII - Financial Management Policy 7/14/03)*

- A. *The Capital Improvements Program Committee* ~~The Town Manager~~ shall prepare and submit annually to the *Planning Board* ~~Town Council~~ a five-year Capital Improvement Program prior to, or at the same time as, the proposed annual budget.
- B. The preparation methodology and contents of the Capital Improvement Program shall be pursuant to Article 5, Section 5.5 of the Londonderry Town Charter.
- C. Public Hearing - The *Planning Board* ~~Town Council~~ shall publish in one or more newspapers of general circulation in the Town the general summary of the Capital Improvement Program and a notice stating:
1. The times and places where copies of the CIP are available for inspection by the public; and
  2. The date, time and place, not less than two weeks after such publication, when a public hearing on said program will be held by the *Planning Board* ~~Town Council~~
- D. The Capital Improvement Program shall be revised and extended each year.

*~~End of Chapter~~*



## Chapter VII - PUBLIC HEARINGS

### SECTION I STATUTORY AUTHORITY

This ordinance shall control procedures used by the Londonderry Town Council or any political subdivision of the Town for the holding of public hearings, except where such procedures are otherwise established by separate ordinance or Statute.

### SECTION II NOTICE

- A. Notice of all public hearings shall be posted by the Town Clerk or secretary of the appropriate political subdivision no less than ~~ten (10)~~ *seven (7)* days prior to the date of said hearing, exclusive of the date of posting and the date of the hearing.
- B. Said hearing shall be publicized in a newspaper of general circulation within the Town of Londonderry no less than seven (7) days prior to said hearing.
- C. ~~The notice requirements may be dispensed within extraordinary circumstances upon a two-thirds vote of the Town Council or other body holding said hearing unless otherwise prohibited by Statute.~~

~~End of Chapter~~

## Chapter VIII - REMOVAL OF MUNICIPAL OFFICIALS

### SECTION I STATUTORY AUTHORITY

A. *New Hampshire state law does not grant broad statutory authority to Towns for the removal of municipal officials. Accordingly, the removal of municipal officials is applicable to those officials whose removal is specifically contemplated by state law.* ~~Unless otherwise provided for by ordinance or Statute, this Chapter shall control the removal of a municipal official of the Town of Londonderry from their position and shall be pursuant to Article 7, Section 7.6 of the Londonderry Town Charter.~~

### SECTION II DEFINITION

A. The term “*Municipal Official*” shall mean an elected or appointed individual, including, but not limited to, the members of the Town Council, Zoning Board of Adjustment, Planning Board, Conservation Commission, Historic District Commission, but shall not refer to the full- or part-time employees of the Town and its departments whose discipline and dismissal are covered by the Town Charter and Personnel Plan. The term shall also be construed to mean the members of all other boards, committees and commissions which are political subdivisions of the Town.

### SECTION III ~~MOTION FOR~~ REMOVAL *PROCEDURE* ~~BY THE COUNCIL~~

A. ~~Removal shall be for just cause and by majority vote of the City Council~~ *those officials listed below who have been duly elected or appointed by the local Appointing Authority, and for whom a removal procedure has been set forth in New Hampshire State Statute:*

- a. *Local Land Use Board members pursuant to RSA 673:13*
- b. *Town Clerk pursuant to RSA 41:16-c*
- c. *Elected Town Treasurer pursuant to RSA 41:26-d*
- d. *Tax Collector pursuant to RSA 41:40.*

B. *The New Hampshire Superior Court shall retain jurisdiction over any removal proceedings instituted under a conflict of interest ordinance adopted pursuant to RSA 31:39-a.* ~~Any member of the Council may move the removal of a municipal official. Upon such motion being seconded, the Council shall take no other action except to schedule a hearing with regard to said motion.~~

1. ~~Said hearing shall be public or private at the request of the individual involved.~~

2. ~~At the hearing, the Council shall take testimony as may be appropriate from interested parties and from the municipal~~

~~official whose removal has been requested.~~

3. ~~The hearing may be recessed as justice or convenience may require and upon its conclusion, the Council shall vote in regard to the motion for removal.~~

C. *The New Hampshire Superior Court shall retain jurisdiction for the dismissal of any local official for violation of oath of office by divulging confidential information. The manner of removal shall be in the form of a petition to said court.* ~~Neither the Town Manager nor any member of the Council shall vote on the question of their own removal.~~

#### **SECTION IV PETITION FOR REMOVAL BY CITIZENS**

A. Removal of any individual elected official shall be pursuant to the provisions of the Londonderry Town Charter, Section 7.6.

B. ~~The Town Manager shall not have a veto over the question of the removal of any municipal official.~~

*~~End of Chapter~~*

## **Chapter IX - EXECUTION OF OFFICIAL DOCUMENTS**

### **SECTION I DEEDS AND CONVEYANCES**

- A. All deeds of any type and conveyances of real property where the Town Council of Londonderry is the grantor shall be in statutory form, approved by the Town's Attorney and executed by the Town Manager upon the consent of the Town Council.
- B. No seals or formalities shall be required other than those necessary by State Law.

### **SECTION II CONTRACTS AND OTHER DOCUMENTS**

- A. All other official documents to which the Town is a party, such as contracts, leases, grant applications and/or contracts, or other similar documents, shall be executed by the Town Manager or such other Town official as the Town Council may designate in granting their approval for the Town to become a party to such a document.

**~~End of Chapter~~**

## Chapter X - INDEMNIFICATION OF OFFICERS AND EMPLOYEES

### SECTION I DEFINITION

- A. The term, “*officer*” shall include any elected or appointed official of the Town of Londonderry.
- B. The term, “*employee*” shall include all employees of the Town, whether employed on a full time or part time basis.

### SECTION II INDEMNIFICATION

- A. Any officer or employee who is held liable for the payment of any claims or damages, by way of judgment or settlement, shall be entitled to full indemnification by the Town where the acts resulting in such liability arose in the course of the individual’s capacity as a municipal officer or employee. *The Town shall indemnify and save harmless for loss or damage any person employed by it and any member or officer of its governing board, administrative staff or agencies from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office.*
- B. ~~The sole exception to this indemnification shall be in the event that said liability was incurred in the commission of a criminal act.~~ *The Town shall indemnify and save harmless any person employed by it and any member or officer of its governing board, administrative staff, or agencies from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office.*

### SECTION III DEFENSE

- A. In the event that any such claim, suit or other action is brought against a municipal officer or employee, the administration of the Town shall arrange for the appropriate defense of that action at no cost to the

official or employee; such defense being coordinated with any carrier or provider of applicable municipal insurance.

**SECTION IV            EFFECT OF REPEAL OF ORDINANCE**

- A.    This Chapter shall apply to all claims brought or formalized prior or during the effective period of this ordinance and such indemnification shall continue in full force and effect until the repeal of this ordinance, if ever.
  
- B.    The repeal of this ordinance shall not affect the indemnification of any claims brought or formalized prior to the date of repeal.

**~~End of Chapter~~**

## **Chapter XI - MUNICIPAL TAX LIENS**

### **SECTION I STATUTORY AUTHORITY**

- A. The provisions of RSA 80:58—80:87 and as amended by the State Legislature are hereby adopted.

### **SECTION II PROCEDURE AND ADMINISTRATIVE WAIVER**

- A. Only the Town of Londonderry shall be allowed to acquire tax liens for the enforcement of real estate taxes assessed within the Town.
- B. No private party shall be allowed to purchase municipal tax liens at the annual tax sale for the enforcement of municipal real estate taxes.
- C. Redemption of tax liens shall be at the behest of the majority of the Council and shall be to the owner of the property of record before tax lien. Payment for redemption shall include, by State Law, the property taxes owed and all applicable interest charges, penalties and fees.
- D. Administrative waiver of tax liens, interest charges and fees of less than One Hundred Dollars (\$100) shall be made by the Town Manager with notification to the Town Council of such waiver.

**~~End of Chapter~~**

## Chapter XII - STREET ACCEPTANCE

### SECTION I

#### ~~DEMONSTRATION OF NEED~~ **NEW STREETS APPROVED AS PART OF SUBDIVISION OR SITE PLAN APPROVAL FROM THE PLANNING BOARD**

- A. ~~No proposed street, or part thereof, shall be accepted by the Town until there has been submitted to the Town Council a report by the Planning Board and the Director of Public Works that there is a public need for such street and that said street shall conform in harmonious relationship to the future development of the Town.~~ *The Planning Board shall grant final approval to the subdivision or site plan which establishes the proposed street or streets, in accordance with either the Subdivision Regulations, or the Site Plan Regulations. Streets shall be designed and constructed to meet the minimum requirements pursuant to the Subdivision Regulations and Site Plan Regulations, as applicable.*
- B. *The requirements of the Subdivision Regulations must be met in order for the Council to consider acceptance of any streets under this Section.*

### SECTION II

#### ~~GENERAL REQUIREMENTS~~ **REQUESTS FOR TOWN ACCEPTANCE OF PRIVATE STREETS**

- A. Applications by the owner or his authorized representative for the acceptance of a *private* street by the Town shall be made in writing to the ~~Planning Board~~ *Town Council*, along with a plan of the street, *detailing any improvements necessary to comply with the construction and design standards required in the Subdivision Regulations. A copy of the application and supporting documents shall be forwarded to the Department of Public Works & Engineering and the Planning Board for their review and comment.*
- B. ~~The plan of the street shall be such as to meet the minimum requirements pursuant to the Town of Londonderry "Subdivision Regulations, Section 5 and Town of Londonderry "Site Plan Regulations", Section 4, and shall be approved by the Director of Public Works.~~ *Upon receipt of the request, the Department of Public Works & Engineering shall review the request and make recommendations to the Town Council.*
- C. *In accordance with RSA 231:28, if the street does not conform to construction standards and requirements of the Subdivision Regulations, the Town Council may require that all costs and construction of improvements to the street, meeting the Town's construction standards, be the responsibility of the applicant.*



### **SECTION III — IMPROVEMENTS**

- A. ~~No street shall be accepted by the Town Council until the person or persons requesting the acceptance pay the total cost of the initial improvement of grading and graveling the street to a cross section and grade approved by the Director of Public Works.~~
- B. ~~A guarantee to reimburse the Town for such costs within such time as the Council shall limit and post a corporate bond certified by the Treasurer as valid and enforceable by the Town in an amount and with surety satisfactory to the Town Council shall be duly recorded and on file with the Town.~~

### **SECTION ~~IV~~ III CONFLICT WITH OTHER REGULATIONS**

- A. Where the requirements for the acceptance of a street impose greater or more stringent restrictions in some other section of the Town's ordinances, codes or State Laws, then the most stringent restrictions shall apply.
- B. The requirements are in addition to, not in lieu of, existing planning and subdivision regulations.

### **SECTION IV FORMAL ACCEPTANCE**

- A. ~~Upon approval of the proposed street by the Planning Board, the Town Council may formally accept said street on behalf of the Town.~~  
*For streets constructed in accordance with Section I, the Town Council may accept the street by Resolution with input from the Department of Public Works & Engineering.*
- B. *For streets to be accepted in accordance with Section II, the Town Council may accept the street by Ordinance, following a public hearing, with input from the Department of Public Works & Engineering.*

~~End of Chapter~~

***Chapter XIII – NAMING OF STREETS/NUMBERING*** ~~Introduced:~~  
~~05XX/XX05/08XX~~

~~Second Read/Public Hrg.: XX05/19XX/08XX~~

~~Adopted: XX05/19XX/08XX~~

**~~ORDINANCE 200811-08XX~~**

**~~AN AMENDMENT TO THE MUNICIPAL CODE~~**

**~~Title III – Land Use Regulations, Chapter VI-Street Numbering  
Ordinance~~**

**~~WHEREAS~~** ~~the Town Council wish to provide a means for expedient emergency response by Fire, Police, Rescue and other emergency service; and,~~

**~~WHEREAS~~** ~~the Town Council wish to provide property owners with a convenient and systematic means of identifying property which will serve as a mail delivery address and assist in the proper delivery of utility and other services; and,~~

**~~WHEREAS~~** ~~the standards set forth in this system are made for the purpose of promoting the public health, safety and general welfare by providing the means for permanent and orderly identification of all structures within the Town.~~

**~~NOW THEREFORE, BE IT RESOLVED~~**, that the Town Council of the Town of Londonderry hereby adopts the provisions of RSA 231:133-a, “Address Numbers on Streets and Highways”, establishing a procedure (attached) for administration and enforcement of a uniform addressing system for residential, multi-family and non-residential structures within the Town of Londonderry, New Hampshire.

~~\_\_\_\_\_~~  
~~\_\_\_\_\_ Marty BoveSean O’Keefe \_\_\_\_\_ Chairman~~  
~~\_\_\_\_\_ Town Council~~

~~\_\_\_\_\_~~  
~~\_\_\_\_\_ Meg Seymour \_\_\_\_\_ (TOWN SEAL)~~  
~~Town Clerk~~

**~~A TRUE COPY ATTEST:~~**

~~x/xx/x8~~



## ***~~STREET NAMING ORDINANCE~~***

### ***SECTION I NAMING SYSTEM*** ***aming System:***

- A. For purposes of establishing names, a street shall be considered any access, whether public or private, which services three or more primary buildings or vacant lots.*
- B. Street names shall conform to the recommendations in the Street Naming section of the NH 9-1-1 Addressing Standards Guide, current edition.*
- C. Where unique names are required to properly assign addresses to individual properties or sections of a street, private driveways may be assigned a name. This will become their legal description.*
- D. Names for new streets shall be assigned during the DRC (Design Review Committee) process and shall be placed on the plan prior to approval.*
- E. Where new names are required to correct streets that are non-compliant with NH 9-1-1 recommendations, the Council shall assign names in accordance with NH RSA 231:133 Street Names and Markers.*

## ***~~STREET NUMBERING ORDINANCE~~***

### ***SECTION II NUMBERING SYSTEM*** ***I. Numbering System:***

- ~~A.~~ *For purposes of establishing street numbers, a street shall be considered any access, whether public or private, which services two or more primary buildings or vacant lots.*
- ~~B.~~ *A. All streets or ways shall be numbered, with odd numbers assigned to the left side from their starting point, and even numbers assigned to the right side from their starting point **or as needed to facilitate orderly numbering.***
- ~~C.~~ *B. Numbers shall be assigned to a street for every one hundred fifty foot (150<sup>2</sup>) interval of frontage on streets or ways, as measured from the starting point of each street. Exceptions can be made for ~~small acreage~~ lots where frontage ~~exceeds~~ **is less than** 150 feet **and/or where frontage exceeds 150 feet.***
- ~~D.~~ *C. Numbers shall be assigned as nearly as possible in a direction radiating from the East to West and South to North.*
- ~~E.~~ *D. Dead end streets or ways shall be numbered from their entrance.*

- ~~F.E.~~ Where lot sizes are such that more than one number may apply to the lot, numbers shall be assigned based on the location of the structure within the total lots range.
- ~~G.F.~~ Buildings on a corner lot shall be assigned a number during site plan or subdivision review, *with emphasis given to the placement of the front door*.
- ~~H.G.~~ Commercial and industrial structures situated on one lot, (i.e., shopping centers, malls, or other commercial structures) shall be assigned one street number. Units shall be internally numbered according to a logical pattern approved by Assessor's Office and the Emergency 911 Coordinator. Detached units shall be assigned letters, (i.e., A, B, C).
- ~~I.H.~~ Multiple *permanent dwelling units* ~~homes, mobile homes, or other permanent units~~ situated on the same lot ~~that sharing~~ a common driveway ~~and~~ shall be assigned the same number followed by a letter. (Example: 354A, 354B)
- ~~J.I.~~ Duplexes shall be assigned one street number followed by a letter designation of "A" for left and "B" for right. (Example: 225A, 225B)
- ~~K.J.~~ Mobile homes - units within parks shall be numbered with a typical street number.
- ~~L.K.~~ Multi-family dwellings including condominium complexes shall be assigned a typical number whenever possible.

~~j~~

~~k.~~ **SECTION III ADMINISTRATION** ~~Administration:~~

- ~~E.A.~~ This ~~numbering~~ system shall be administered by the Town Assessor in coordination with the E-911 Coordinator.
- ~~F.B.~~ Street numbers for new structures shall be assigned during the DRC (Design Review Committee) process and shall be placed on the plan prior to approval.
- ~~G.C.~~ The ~~Fire~~ *Building* Inspector shall verify that assigned numbers are displayed in a manner consistent with this policy prior to issuing a Certificate of Occupancy (CO) permit *or any other permit requiring an inspection* ~~for new structures.~~
- D. The Building Inspector shall issue notices of non-compliance for any structure failing to comply with any section of this ordinance that is brought to their attention.*

~~l.~~ **SECTION IV NUMBERING REQUIREMENTS** ~~Numbering Requirements:~~

- a.A. All structures, whether residential, or non-residential, shall be required to display the assigned street number in the manner described in this system.
- b.B. All numbers shall be displayed in Arabic Form. (Example: 0, 1, 2, 3, 4, 5, 6, 7, 8, 9).
- c.C. Mailbox numbers shall be a minimum of three inches (3") high and two and one half inches (2 ½") wide, of reflecting material and contrasting colors.
- d.D. Numbers on *single and two-family* residential structures shall be a minimum of ~~three~~four inches (34") high and a color which contrasts with the structure.
- e.E. Numbers on non-residential structures shall be a minimum of eight inches (8") high and a color which contrasts with the structure, ~~placed for high visibility.~~

f. **SECTION V NUMBER LOCATION**

m. **Number Location:**

1.A. Structures Visible from the Street:

1. Where a structure is visible from the street and the *front door faces the street*, numbers are legible from the roadway, the number shall be affixed near the front door of the structure.

*Where a structure is visible from the street and the front door does not face the street, the number shall be placed in a location that provides the highest visibility.*

B. Structures Not Visible from the Street:

1. Where a structure is not visible from the street or is otherwise situated so as to make a number display ineffective, the number shall be displayed at the access entrance.

2. Numbers shall be displayed in combination with property or business signs. Where signs are perpendicular to the street, numbers shall be displayed on both sides of the sign.

2.C. Mailboxes:

Numbers meeting the height and width requirement may be placed on both sides of mailbox. *If* mailboxes are clustered or on the opposite side of the road from the structure, the street number shall be placed on the front of the mailbox.

D. *Manufactured Homes in Parks*

*Numbers on manufactured homes in parks shall be posted no lower than 8' from the ground and no less than 6" below the fascia board on the side of the home facing the street.*

**3.E. Unauthorized Building Numbers Prohibited:**

No person shall affix, allow to be affixed, or remain on a building in the Town of Londonderry, New Hampshire, any different number from the one designated by the system, with the exception of dates affixed for historical purposes. Dates affixed for historical purposes shall be of a different design and placed far enough away from the street number so as not to be confused with the street number.

**~~n.~~SECTION VI APPEAL PROCESS Appeal Process:**

~~÷~~The Planning Board is hereby designated as the body to conduct public hearings on the assignation or alteration of numbers, as permitted pursuant to RSA 231:133-a.

**Chapter XIV - AWNINGS, SHADES, SHRUBBERY & SHADE TREES**  
**LANDSCAPING & STRUCTURES WITHIN THE TOWN'S RIGHT OF WAY OR EASEMENT**

**SECTION I AUTHORITY**

- A. Pursuant to RSA 231:158 the *Director of Public Works and Engineering* Public Works Director shall have the *authority* duty to remove any obstructions *within the Town's Right of Way or Easement* to pedestrian or vehicular traffic as deemed necessary.

**SECTION II PLACEMENT PROCEDURE**

- A. *Location of* Landscaping, and screening *and structures* shall be in accordance with *the* Town of Londonderry "*Subdivision, Site Plan and Zoning Regulations*"; Section 4, and Town of Londonderry Zoning Regulations as amended from time to time.

- B. No person shall place or establish any awning (*temporary or permanent*), *sign*, shade, shrubbery, or tree, *landscaping or any other items within or over any part of the Town's Right of Way or Easement* within the Town of Londonderry.

*Mail and newspaper boxes are the only items that are allowed within the Town's Right of Way at the owner's risk. The Town does not repair or replace mailboxes damaged during snow removal operations before their property on or over any part of any public way within the Town of Londonderry in any manner as to inconvenience or impede pedestrian or vehicular traffic.*

- C. Any awning or shade projecting over any part of any public way shall be composed of cloth and safely fixed and supported by appropriate metal rods or railings so as to in no way impede pedestrian or vehicular traffic and so that the lowest part of said awning or shade shall be at least seven feet (7') in height above the public way.

- ~~C.D.~~ No branch or branches of any tree or shrubbery shall be permitted to extend over any *Town's Right of Way or Easement* public way unless the same is situated so as not to impede pedestrian or vehicular traffic *sight* or visibility, *maintenance*, and further, not to interfere with any structures placed *within the Town's Right of Way or Easement* in the public way by a public utility.

**SECTION III PENALTY**

- A. In addition to the penalties prescribed elsewhere in the Town of



Londonderry Municipal Code, any person in violation of this ordinance shall bear the cost of removal of such obstructions as described above.

**~~End of Chapter~~**

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## **Chapter XV - LOITERING AND BLOCKAGE OF PUBLIC WAYS**

### **SECTION I            AUTHORITY**

- A.                            This ordinance shall be enforceable pursuant to RSA 644:2 and as amended from time to time.

### **SECTION II            PROCEDURE**

- A.                            No person shall block or cause to be blocked any public sidewalk, street, or other public way, in accordance with the Londonderry Traffic Code, Section 7; nor shall any group of persons assemble in such a manner as to impede or block the orderly progress of pedestrian or vehicular traffic within the Town of Londonderry.
- B.                            No person shall sit, stand or loiter in or about any street, sidewalk, municipal land or building or any other public place in the Town of Londonderry after having been requested by any owner, tenant or custodian thereof, or by any police officer, to depart there from.
- C.                            No person shall sit, stand or loiter in or about the doors, windows or entrance to any store, shop, office, house, public hall, theater or other public building in the Town of Londonderry, except the owners or tenants thereof after having been requested by any owner, tenant or custodian thereof, or by any police officer, to depart there from.

*~~End of Chapter~~*

## Chapter XVI - LITTERING AND PUBLIC CLEANLINESS

### SECTION I AUTHORITY

- A. Pursuant to RSA 676:17 and the Londonderry Zoning Ordinance, Section XXIII, the Building Inspector shall enforce the placement of signs.
- B. The provisions of RSA 163-B - Litter Control Law, and RSA 265, Rules of the Road, as from time to time may be amended, shall hereby apply
- C. The provisions of Municipal Code, Title IV, Public Health, Safety & Welfare, Chapter V, Streets and Sanitation, Solid Waste/Recycling shall also apply.
- D. ~~The Code Enforcement Officer shall inspect all complaints of violations.~~ *In accordance with RSA 163-B:6, the municipal law enforcement agency (Police Department) is empowered to enforce this chapter and the statutory provisions referenced herein.*

### SECTION II DEFINITIONS

- A. "Litter" - shall mean all rubbish, refuse, garbage, yard waste, trash, debris, dead animals or other discarded materials of every kind and description.

### SECTION III UNLAWFUL ACTIVITIES

- A. No person shall post in any public place within the Town of Londonderry any printed handbills, circulars, or advertisements of any kind without the express permission of the owner of the property upon which such material is posted, nor shall any person place graffiti on any public or private property of any kind.
- B. No person shall place, throw or deposit upon any public way within the Town, or upon any sidewalk therein or in any other public place, any litter.
- C. No person shall spit upon the floor of any public conveyance, shop, store, hall, church, school house, or other public building in the Town of Londonderry or upon the steps of any said conveyance or building ~~or upon the sidewalk of any public street or any public way or other public place within the Town of Londonderry.~~
- D. No person or corporation shall operate any activity or business within the Town of Londonderry in such a manner as to allow the escape of litter onto any public sidewalk, street, or into any other public place.
- E. It shall be unlawful for any person, firm or corporation, its agents or servants to transport on the highways of the Town of Londonderry in any vehicles or conveyance, owned or controlled by them, any litter, unless such litter is protected by adequate covering to prevent its being blown from the vehicle or conveyance.

F. No person shall injure, disfigure, destroy or remove any receptacle for litter placed by the Town upon any public street or place, or put therein any substance for which such receptacle was not designed or intended.

## Chapter XVI - LITTERING AND PUBLIC CLEANLINESS

### SECTION III

### UNLAWFUL ACTIVITIES (Cont'd)

G. Upon notice, illegally placed refuse, garbage, rubbish, yard waste, bulky waste, construction or demolition debris shall be removed by the owner or person having control of the property next to the town street where it appears, not later than forty eight (48) hours of posting. Failure to remove the illegal refuse will cause the Town to privately contract with a removal service and charge the expense to the property owner. Removal expenses shall be in addition to any fines as set under Section IV.

### SECTION IV

### PENALTIES

A. Any person found in violation of this Chapter *or the provisions of RSA 163-B:3*, shall be guilty of a misdemeanor, ~~shall be fined as follows:~~ *and subject to penalties as provided in RSA 676:17.*

- ~~1. First Offense - \$100~~
- ~~2. Second Offense - \$250~~
- ~~3. Third Offense - \$750~~
- ~~4. Fourth Offense \$1,000~~

~~End of Chapter~~

## Chapter XVII- DRIVEWAY PERMITS/~~CONSTRUCTION~~ PLACEMENT

### SECTION I AUTHORITY

- A. The *Director of Building/Health Inspector*, Public Works *and Engineering* ~~Director~~ and Planning Board shall be authorized to review plans, issue permits and grant final acceptance of driveways.
- B. ~~Specifications and procedures shall be in keeping with the national BOCA Code.~~ *The Director of Public Works and Engineering is hereby empowered to promulgate whatever forms and/or regulations he deems are necessary to enforce this ordinance.*

### SECTION II PERMITTING

- A. No owner of any land adjoining any *Town's public Right of wWay (ROW)* in the Town of Londonderry desiring to construct any driveway, or repair any portion of such driveway which lies within the limits of such *ROW* ~~public way~~, giving access to their land shall perform such construction or repair without first obtaining a written permit from the *Department of Public Works and Engineering*. ~~Building Inspector.~~
- B. Said permit shall be applied for upon such form as may be designated by the *Department of Public Works and Engineering* ~~Building Inspector~~ and for such fee as may be set from time to time by the Town Council.
- C. Prior to granting any permit applied for, the *Department of Public Works and Engineering* ~~Building Inspector~~ may take into consideration traffic volume, traffic pattern and the particular characteristics of the area for which the permit is applied.
- D. All construction and/or repairs shall be performed in accordance with the regulations and specifications promulgated by the *Department of Public Works and Engineering* ~~Building Inspector~~.
- E. No person shall engage in the customary use of a certain portion of privately owned land for access to *or from* any *Town's public Right of Wway or easement* in the Town of Londonderry unless the provisions of this ordinance have been complied with.

### SECTION III ~~CONSTRUCTION~~ PLACEMENT

A. ~~The Public Works director is hereby empowered to promulgate whatever forms and/or regulations he deems are necessary to enforce this ordinance.~~ *The construction shall be in accordance with the specifications and procedures as outlined in the Town of Londonderry Subdivision and Site Plan Regulations and the Department of Public Works and Engineering regulations regarding driveway placement and permit to conduct work within the Town's Right of Way (ROW) or easements.*

~~B. All applications to disturb said pavement must state the time and date of that digging, trenching or any such disturbance will take place, as well as the exact location of such disturbance.~~

~~C. Material used to fill trenches or disturbances shall be approved by the Director or his authorized representative.~~

## ~~Chapter XVII - DRIVEWAY PERMITS/PLACEMENT~~

### ~~SECTION III - PLACEMENT (Cont'd)~~

~~D. No person shall displace, break or in any manner disturb the pavement or ground in any highway or street or sidewalk in the town of Londonderry, erect any staging or place or deposit any dirt, stone, gravel, concrete, brick, timber or other building materials thereon without first obtaining a written permit from the Director of Public Works.~~

~~E. The method of filling such trenches or disturbances will be by placing fill material in layers and thoroughly compacting each successive layer to within twelve inches (12") of the adjacent existing road surface, or by other means as approved by the Director. Following this procedure, nine inches (9") of crushed gravel shall be compacted above the fill material. Thereafter, two inches (2") of hot bituminous concrete will be compacted in place with a one half inch (1/2") crown along the center line of the trench.~~

~~F. Within a period of not more than twelve (12) months, the entire road surface shall be grader patched and then topped with a minimum of one inch (1") of three eighths of an inch (3/8") of hot bituminous concrete. This repair shall apply to the entire length of the excavated roadway or sidewalk.~~

~~G. In the event that hot bituminous concrete is not available, two inches (2") of cold patch will be compacted in place. However, immediately upon the availability of hot bituminous concrete, the applicant will replace the cold patch with the hot bituminous concrete.~~

~~H. Any future disturbance of the traveled surface along trench lines, or other~~

~~excavations due to settlement or other causes attributed to the construction or other work by the applicant so deemed by the Director, shall be corrected as necessary with six (6) months after notification by the Director.~~

**SECTION IV                      PENALTY**

- I.     ***Any person found in violation of this Chapter, shall be guilty of a misdemeanor, and subject to penalties as provided in RSA 676:17.***

~~Any violation of this ordinance shall be considered a continuing violation. Any violator shall be fined the sum of no less than FIVE HUNDRED DOLLARS (\$500) and not more than ONE THOUSAND DOLLARS (\$1,000) for each day of such continuing violation.~~

~~End of Chapter~~

**Chapter XVIII — *DISTURBANCE AND/OR WORK CONDUCTED WITHIN THE TOWN'S RIGHT OF WAY OR EASEMENT* INJURY TO PUBLIC HIGHWAYS OR TOWN PROPERTY**

**SECTION I AUTHORITY**

- A. The *Director of Public Works and Engineering* Director shall be authorized to review and recommend all construction, repairs, erection of *traffic control or temporary construction* signs, or other work or actions necessary to *conduct work or correct any disturbance* cure any injuries to the *Town's Right of Way or Easement* public ways of the Town of Londonderry.

**SECTION II PROCEDURE**

- A. No person shall displace, break or otherwise remove the pavement or ground in any *part of the Town's Right of Way or Easement* highway or public way of the Town of Londonderry, erect any staging, place or deposit any *loam* dirt, stone, gravel, concrete, brick, timber or other materials thereon without first obtaining a written permit from the *Department of Public Works and Engineering* Director.
- B. No person shall erect, place or raise any signs, billboards or other obstruction on or within *the Town's Right of Way* any highway within the Town of Londonderry, or erect, raise, place or affix any sign billboard or other advertisement on any lands or the buildings of the Town without first obtaining appropriate permission and authority from the Town Council and such approvals as may be necessary from the Zoning Board of Adjustment.
- C. —C.— All construction, repairs, erection of *traffic control or temporary construction* signs, or other work or action permitted under the provisions of this ordinance shall be *conducted* done under the supervision of the Public Works Director in *accordance* accord with *the rules/regulations* materials and specifications as may be required by *the Department of Public Works and Engineering* him.



**SECTION III      PENALTY**

- A.D.** Any person violating any of the provisions of this ordinance shall be liable to the Town for all damages to such *Right of Way or Easement* ~~highway, land or buildings~~ of the Town and for all expense incurred by the Town in removing any unauthorized construction, obstruction, sign or other material from *Town's Right of Way or Easement* ~~any highway, land or building in the Town~~; and correcting or repairing any defects or damage to ~~any highway, land or building of the Town~~ caused by such violation in addition to the penalties prescribed elsewhere in the Londonderry Municipal Code.

*~~End of Chapter~~*

Londonderry Municipal Code Title I – General Code  
Chapter XIX YARD SALES/FLEA MARKETS  
Repeal Recommendation

Although the Yard Sale Ordinance has been in effect for some time, there has been minimal enforcement of these regulations due to staff workload and manpower availability. With residential yard sales occurring primarily on weekend days, the availability of authorized personnel to monitor these activities is rather limited. Any traffic interruption that may occur should be monitored by the Londonderry PD in accordance with applicable right-of-way public safety provisions.

The more common infraction associated with yard sale activities is the posting of signage, which are also subject to the same regulatory provisions for signs in the Zoning Ordinance.

As a means of regulating yard sales, provisions for the issuance of a yard sale permit was established by Section III of this Chapter. This section provides for the collection of a fee for this permit, although no set fee has been determined by the Town Council.

The process for administering yard sale permits would exceed what any reasonable fee for such a permit could adequately compensate. Property owners who are unaware that a permit is required for a yard sale will proceed inadvertently in violation of the ordinance. Any enforcement action involving yard sales oftentimes occurs after the fact anyway, which is a situation that is not likely to be corrected by the requirement for a permit.

Therefore, it is recommended that the permit provisions of this Chapter be repealed.

## Chapter XIX - YARD SALES/FLEA MARKETS

### SECTION I DEFINITION

- A. A “yard sale” or “flea market”, for purposes of this ordinance shall be deemed to be the sale of used items offered to the public in an indoor or outdoor display on property normally used for purposes other than such sales, such as residences, vacant lots, commercial properties or other similar areas.
- B. Included are activities generally referred to as “barn sales”, “garage sales” or other similar activities.

### SECTION II STANDARDS FOR PERMITTED SALES

- A. In full recognition of the standards imposed by the Zoning Ordinance of the Town of Londonderry, certain casual uses of property within the Residential, AR-I and R-II districts which are not compatible with the overall intent as it applies to the conduct of business within those districts, the Town shall therefore allow
1. Casual sales of household and personal items of the resident/owner at his/her place of domicile in said districts, providing:
    - a. Any such sale is limited for a total period of twelve (12) hours on two (2) successive days. ~~During any one (1) week annually~~
    - b. A resident/owner may ~~apply for~~ **conduct** only two (2) similar casual sales ~~permits~~ at the same premises ~~for a period of~~ **during any** twelve (12) months **period** ~~from the date of the first permit.~~
  2. Rummage sales and similar fund raising efforts conducted by non profit corporations registered with the NH Secretary of State, or other organizations:
    - a. Organizations generally considered in this context are churches, church-related organization, local and national service clubs and recognized service oriented organizations.
  3. Casual sales of automobiles, trailers, boats and similar items of personal property:
    - a. Such personal property must be personally owned by the resident owner or be of immediate family ownership, as evidenced by a title or registration
    - b. A continuous offer for sale of different such items shall be inconsistent with the intent of casual sale and will not be permitted
    - c. Agents, dealers, brokers and salesmen are specifically excluded from carrying out casual sales in their business capacity under these regulations

- d. Only one (1) unregistered vehicle may be on the premises and offered for such casual sale at one time. (Laws related to unregistered vehicles, junk yards, licensed dealers, etc., shall apply to all instances.)
- e. ~~The conditions of the Permit Section shall apply~~

**Chapter XIX - YARD SALES/FLEA MARKETS (Cont'd)**

**~~SECTION III~~ PERMIT PROCEDURES**

~~The fee for handling and filing, if any, shall be determined and established by the Town Council~~

- A. ~~The permit is non-renewable and non-transferrable to another person or address~~
- B. ~~The permit shall be issued by the office of the Building Inspector upon the payment of the fee, if any, and evidence of conditions satisfied.~~

**SECTION VI III SIGNS**

- A. No sign advertising any yard sale, flea market or other similar activity as controlled by this ordinance shall be posted more than twelve hours prior to the commencement of the sale and all signs shall be removed no more than two hours after its termination.
- B. Signs for display to advertise the specific sale are limited to two (2) single faced or one (1) two-faced sign and shall be of reasonable size and in good taste. The size and locations of signs are to be part of the application and must be acceptable to the Building Inspector.
- B. No signs shall be posted on any property, *or within the Town or State right-of-way*, including utility poles, without the permission of the owner thereof and shall be in compliance with the Londonderry Zoning Ordinance.
- C. It shall be the responsibility of the person or persons operating the yard sale, flea market or other similar activity to comply with this provision.

**SECTION VI IV NOTIFICATION TO POLICE DEPARTMENT**

- A. Any person wishing to operate a yard sale, flea market or other similar activity within the Town of Londonderry shall notify the Londonderry Police Department no less than twenty four (24) hours prior to the commencement of the sale of the location and proposed time and dates of the sale.
- B. Any person operating such a sale and any person attending same shall comply with all requests and requirements of either the Town of

Londonderry Police Department or its individual officers with regard to the flow of traffic and parking of vehicles in connection with such sale.

**SECTION ~~VII~~ V APPEALS**

- A. Functions not herein defined, organizations not detailed and conditions or stipulations felt excessive may be appealed to the Town Council

**SECTION ~~VIII~~ VI VIOLATION**

- A. Any resident/owner who violates the provisions of this ordinance shall be guilty of violation and subject to a fine not exceeding One Hundred (\$100) dollars.
- B. Every day that a violation continues after the resident/owner has received notice of the existence of the condition that constitutes a violation of this ordinance shall be deemed a separate offense.

**~~End of Chapter~~**

## Chapter XX - SOLICITATIONS/SALES ON PUBLIC PROPERTY

### SECTION I PROVISION

- A. Except as provided herein, no person or organization shall engage in solicitations or sales of any items or services on municipally-owned property within the Town of Londonderry.

### SECTION II PERMITS

- A. Permits may be obtained from the *Town Manager's Office* ~~Police Department~~ for solicitations and sales in designated areas within the Town's parks or other land dedicated to recreational uses within the Town of Londonderry.
- B. *The Town does not have jurisdiction over such activities on property owned by the* ~~Concessions, sales and solicitations may also be allowed upon property devoted to the Londonderry School District. Requests for said activities on school property shall be directed to the Office of Superintendent of Schools.— upon such terms and conditions as may be allowed by the Londonderry School Board. No permit shall be necessary from the Police Department for such activities as may be approved by the Londonderry School Board.~~
- C. Such application shall be upon such forms as the *Town Manager* ~~Police Department~~ may deem appropriate with applicable fees set by the Town Council.

~~End of Chapter~~

## CHAPTER XXI - SALE, POSSESSION AND DISPLAY OF FIREWORKS

### SECTION I PURPOSE

A. To manage the sale, possession and display of fireworks within the community with the aim of maintaining environmental quality while preserving the peace.

### SECTION II DEFINITIONS

A. "Fireworks" means ~~Class B special fireworks as defined in 49 CFR section 173.88(d) packaged and unpackaged, Class C common fireworks as defined in 37 49 CFR section 55.11 173.100(e) packaged and unpackaged,~~ and "permissible fireworks" as defined in RSA 160-B:1-V-b. "Fireworks" shall not include novelty items as defined in RSA 160-B:1-V-c.

B. "Display" means the use, exploding, activation, ignition, discharge, firing or any other activity which is intended to cause or which causes a firework to do what it was manufactured to do.

C. "Sale" or "Sell" means to sell, give or transfer to another, with or without consideration.

D. "Retail" means the sale to any consumer or person not engaged in the business of making sales of fireworks.

E. "Wholesale" means engaging in the business of making sales to any other person engaged in the business of making sales of fireworks. Wholesale shall not include any making of sales to consumers or persons not engaged in the business of making sales of fireworks. To constitute a wholesale sale, a sale must be for a minimum amount of \$1,000. This minimum may be increased by the Commissioner by rule adopted pursuant to RSA 541-A.

### SECTION III PERMITS AND FEES

A. Pursuant to 1993 Town Meeting Vote of Article No.7, the sale, possession and display of fireworks is authorized pursuant to the provisions of RSA 160-B, subject to all the provisions therein.

**CHAPTER XXI - SALE, POSSESSION AND DISPLAY OF FIREWORKS**  
(Cont'd)

**SECTION III PERMITS AND FEES (Cont'd)**

B. Permits shall be issued to the extent authorized under RSA 160-B:6 and 160-B:7.

C. Fees shall be as follows:

1. Fees will be in accordance with the fee schedule adopted by the Town Council  
~~Fireworks and Permissible Fireworks~~ .....\$1,000
2. Possession and display of Fireworks .....\$100

**SECTION IV PENALTIES FOR OFFENSE**

A person or persons, firm or corporation convicted of violating any provisions of this Ordinance shall be **subject to the penalties as set forth in RSA 160-B.** ~~guilty of a violation which is punishable as follows:~~

1. ~~For a first conviction, a fine of twenty five dollars (\$25.00)~~
2. ~~For a second conviction, a fine of fifty dollars (\$50.00)~~
3. ~~For a third and all subsequent convictions, a fine of not less than two hundred fifty dollars (\$250.00), but not more than five hundred dollars (\$500.00).~~

*~~End of Chapter~~*



**CHAPTER XXII - LONDONDERRY TOWN COMMON**

**SECTION I SUPERVISION**

- A. The Londonderry Town Common shall be under the supervision of the Town Manager *with advice and recommendations from the* Historic District Commission, Conservation Commission and Town Council.
- B. The Town Manager shall make such rules and regulations for use and care as he/she may deem appropriate, subject to the approval of the Town Council.

**SECTION II AUTHORIZATION FOR USE**

- A. The Town Manager, as authorized by the Town Charter, shall coordinate the use of the Town Common by the public and other such public entities who may request such use in writing.
- B. Authorization by the Town Manager for the use of the Town Common shall contain the provisos of care, clean up, and notification for safety reasons to the Londonderry Fire and Police Departments of the date and time of its use.
- C. No fees shall be charged for the use of the Town Common; however, liability for damages or clean up to the Town Common shall be borne by the person or public entity responsible and shall be billed accordingly.

*~~End of Chapter~~*

## CHAPTER XXIII - PARKS/RECREATION AREAS

### SECTION I - AUTHORITY

- A. The enabling legislation is RSA 35-B. This section may also be referred to as the “park code”.
- B. The Recreation ~~Department~~ *Division* has authority over ~~public squares and parks, park drives, parkways, boulevards,~~ play and recreation grounds and facilities. It adopts rules as specified in Section III. Failure to comply with any such rule or regulation shall be deemed to be a violation of this Chapter.

### SECTION II - DEFINITIONS

The terms herein used, unless clearly contrary to or inconsistent with the context in which used, shall be construed as follows:

- A. “Recreation *Division* ~~Department~~” means the *Division* ~~Department~~ of the Town as established by the Charter and the Administrative Code of the Town of Londonderry.
- B. Park means and includes all Town parks, ~~public squares, park drives, parkways, boulevards, golf courses, skatepark, museums, zoos, pools, bathing beaches~~ and play and recreation grounds under the jurisdiction of the Recreation *Division* ~~Department~~.
- C. “Person” is any person, firm, partnership, association, corporation, company or organization of any kind.
- D. ~~Wherever consistent with the context of this Chapter, words in the present, past, or future tenses shall be construed to be interchangeable with each other and words in the singular number shall be construed to be interchangeable with words in the plural.~~

### SECTION III - GOVERNANCE

- A. ~~The Recreation Department and/or Recreation Commission shall, pursuant to the provisions of RSA 35-B:1,~~ *recommend that the Town Council* acquire land within its jurisdiction by gift, purchase or lease, for a public recreation and park area and may prepare, equip, and maintain said land for said purpose.
- B. Other than as set forth in this Chapter, the Recreation ~~Department and/or Recreation~~ Commission shall recommend such rules as deemed necessary for the use, care and maintenance of all parks to the Town Council for approval.

## CHAPTER XXIII - PARKS/RECREATION AREAS (Cont'd)

### SECTION IV - PROHIBITIONS

- A. It is unlawful in any manner to tease, annoy, disturb, molest, catch, injure or kill, or to throw any stone or missile of any kind at, or strike with any stick or weapon, any animal, bird, fowl, or fish; or to feed any fowl, except at areas designated by the Recreation *Division* Department, in any park.
- B. It is unlawful to practice or play golf, baseball, archery, hockey, tennis, or other games of like character except at places set apart for such purposes by the Recreation Department. It is unlawful to throw or propel any missile or other object where such activity may be hazardous to others.
- C. It is unlawful to throw any refuse, litter, broken glass, crockery, nails, shrubbery, trimmings, junk, or advertising matter in any park or to deposit any such material therein, except in designated receptacles.
- D. It is unlawful to engage in, conduct, or hold any trials or competitions for speed, endurance, or hill climbing involving any vehicle, boat, aircraft, or animal in any park, except by permission of the Recreation *Division* Department.
- E. Upon acceptance of this Chapter, all parks and playgrounds in the Town of Londonderry shall be closed to the public from 10:00 PM until 7:00 AM, unless such public is attending a Recreation Program sponsored by or authorized by the Town, or by express, written consent of the Recreation *Division* Department or Town Manager.
- F. Use of off road vehicles of any kind, including but not limited to snowmobiles, three and four wheeled OHVs, or other such motorized vehicles is prohibited at all parks unless such activity is authorized by the Recreation *Division* Department for a specific event.
- G. Use of bicycles or other wheeled vehicles other than skateboards shall be prohibited from ~~the Skateboard Park~~ and all basketball and tennis courts of the community.
- H. The use and/or consumption of tobacco products, or drugs are absolutely prohibited for all park grounds at all times. No person shall consume or possess any alcoholic liquor or beverages, as defined by RSA 175:1, in any park recreation or rest area within the Town limits, except when express, written consent shall be given by the Town Manager.
- I. The use of profanity in any form, verbal or sign is discouraged.
- J. It is unlawful for the owners or caretakers of any animal brought to any park to allow the animal to foul the premises. Owners shall promptly remove any such material immediately and place it in the nearest receptacle.
- K. It is unlawful for the owner or caretaker of any dog to allow said dog onto Nelson Field (including the premises leased to LAFA) and Continental Park, when children are present or organized activities are

scheduled.

CHAPTER XXIII -

PARKS/RECREATION AREAS (Cont'd)

SECTION IV - PROHIBITIONS (Cont'd)

L. No person shall sit or stand upon the back or stand upon the seat of any municipally owned bench. No person shall continue to sit or stand, or lounge in the area immediately adjacent to any municipally owned bench after having been requested to move on by any police officer, and at no time after such a request is made, return and sit or stand or lounge in the area immediately adjacent to any municipally owned bench.

M. No bicycle, scooter or skateboard shall be left unattended on any sidewalk in any park of the Town in any way that impedes or endangers pedestrians.

SECTION V - VIOLATIONS

A. Anyone concerned in the violation of this Chapter, whether directly committing the act or omitting to do the thing constituting the offense, or who aids or abets the same, whether present or absent, and anyone who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such offense is and shall be principal under the terms of the Chapter and shall be proceeded against and prosecuted as such.

B. In the event that any law enforcement officer of the Town of Londonderry observes any minor child operating a bicycle, scooter, skateboard or roller skates in violation of this Chapter, the law enforcement officer may confiscate the bicycle, scooter, skateboard, or roller skates operated by said minor child and shall return the bicycle, scooter, skateboard or roller skates only to the said minor's parents or guardian.

C. The law enforcement officer shall be authorized to confiscate a bicycle, scooter, skateboard, or roller skates under the provisions of this Chapter where or not he/she issues a citation for violations of this Chapter.

SECTION VI - PENALTY

A. Any person found in violation of this Chapter, shall be guilty of a misdemeanor, **and subject to penalties as provided in RSA 676:17.**

~~B. Except as otherwise specifically provided, violation of or failure to comply with the provisions of this Chapter subjects the offender to a fine according to the schedule below:~~

- ~~1. First Offense \$50~~
- ~~2. Second Offense \$100~~
- ~~3. Third Offense \$200~~
- ~~4. Fourth Offense \$500~~

B. Any person found guilty of damage to any part of a recreational facility, including the defacement of any building or equipment by the placement

of graffiti, shall be required to clean off the graffiti by approved means, or make full restitution of the damaged facility or equipment.

*~~ End of Chapter ~~*

## **Chapter XXV - PREPAYMENT OF TAXES**

### **SECTION I            STATUTORY AUTHORITY**

- A.     The provisions of RSA 80:52-a, and as amended by the State Legislature, are hereby adopted.

### **SECTION II            PROCEDURE AND ADMINISTRATIVE WAIVER**

- A. Only the Town of Londonderry shall be allowed to accept the prepayment of taxes assessed within the Town
- B. Any person, firm or corporation owning taxable property may, at any time before notice of the amount of taxes assessed against said property has been received, make payments on account of such taxes as will be due.
- C. The Finance Director shall receive such payments and give a receipt therefore and credit the amounts paid toward the amount of taxes eventually assessed against said property.
- D. The Tax Collector shall give such bond in the form and amount with the commissioner of revenue administration shall require and the Tax Collector shall pay over all sums so received to the Town Treasurer under the provisions of RSA 41:35.
- E. No taxpayer shall be allowed to prepay taxes more than two (2) years in advance of the due date of the taxes.
- F. No interest shall accrue to the taxpayer on any prepayment, nor shall any interest be paid to the taxpayer on any prepayment which is later subject to rebate or refund

~ End of Chapter ~

**Chapter XXVI – PROHIBITED ACTIVITIES ON TOWN PROPERTIES**

**SECTION I PROVISION**

- A. In addition to activities which are prohibited by other local, state or federal rules, regulations, laws, statutes or ordinance, no person shall engage in the following activities on municipally-owned property within the Town of Londonderry.

**SECTION II PROHIBITED ACTIVITIES**

- A. Smoking, meaning having in one's possession a lighted cigarette, cigar, or pipe, or any device designed to produce the effect of smoking, shall not be permitted within 20 feet of any entry point to any municipally-owned property. (*Amended – Ord. 2006-12, 11/20/06*)
  - i. Entry point is defined as an exterior door to a building, and for other facilities/properties is an area where the public is required to enter in a specific area due to the presence of manmade improvements such as fencing, or where natural topography or features create a similar effect as fencing.
  - ii. This ordinance shall be effective upon passage by the Town Council and erection of signage alerting the public to the prohibited activity in said designated areas.
  - iii. These regulations shall be in addition to the regulations promulgated by the Indoor Smoking Act (RSA 155:64-77).

**SECTION III PENALTIES**

- A. Any person who violates any of the provisions of this title shall be guilty of a misdemeanor; and shall be subject to a penalty of \$275 for the first offense and \$550 for subsequent offenses.

*~~End of Chapter~~*

**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Building, Health & Zoning Division**

**Assistant Building Inspector Position**

The Assistant Building Inspector (ABI) serves an essential role in a support capacity to the Senior Building Inspector (SBI), and fulfills the management responsibilities in the absence of this division supervisor. The individual in this position performs similar duties as the Senior Building Inspector by conducting permit plan review and associated field inspections, while sharing the workload of performing field construction inspections throughout the year. The position also serves as the Deputy Health Officer with all the associated duties and responsibilities. Additionally, the Assistant Building Inspector provides support for customer service by assisting the general public visiting the building division and fielding phone inquiries that would otherwise require the division supervisor's attention on matters of code interpretation and zoning application. Although directly supervised by the Senior Building Inspector, the Assistant Building Inspector is expected to perform his duties independently with the same level of knowledge and responsibility.

If the decision to downsize the Building Division results in the elimination of the ABI position or even a reduction in work hours, the workload of the division supervisor would essentially double. All necessary inspections, all permit plan reviews, and customer service inquiries will require more attention by the Senior Building Inspector. Currently, the turnover time for review of residential permits alone is about two weeks with **both** inspectors sharing the permit and plan review duties. Attention to detail and quality of work will be sacrificed by the need to keep up with the workload. Inadequate time given to properly review codes and ordinances could leave critical issues overlooked and compromise the ability of this department to effectively provide for the safety of the public, compounded by the increased liability to the Town of Londonderry as a result.

The elimination of the Code Enforcement Officer position two years ago has resulted in those duties reverting to the Senior Building Inspector. The workload involved with the investigation of complaints and enforcement of violations is oftentimes shared by the Assistant Building Inspector.

A draft proposal in response to the Council's efficiency directive includes a plan to move a number of overlapping inspection duties from the Fire Department to the Building Division. This move will increase the workload for division staff.

With the recent retirement of the ABI, any consideration for reducing the hours of this position would drastically hamper the ability of the division to effectively manage the workload. All duties are presently being handled solely by the SBI. Although presently there is a limited amount of construction activity, the level of zoning and health enforcement continues unchanged.



The Planning & Economic Development division has several large scale developments that are either approved, in the review or in the concept stage. Examples of some of the projects are as follows:

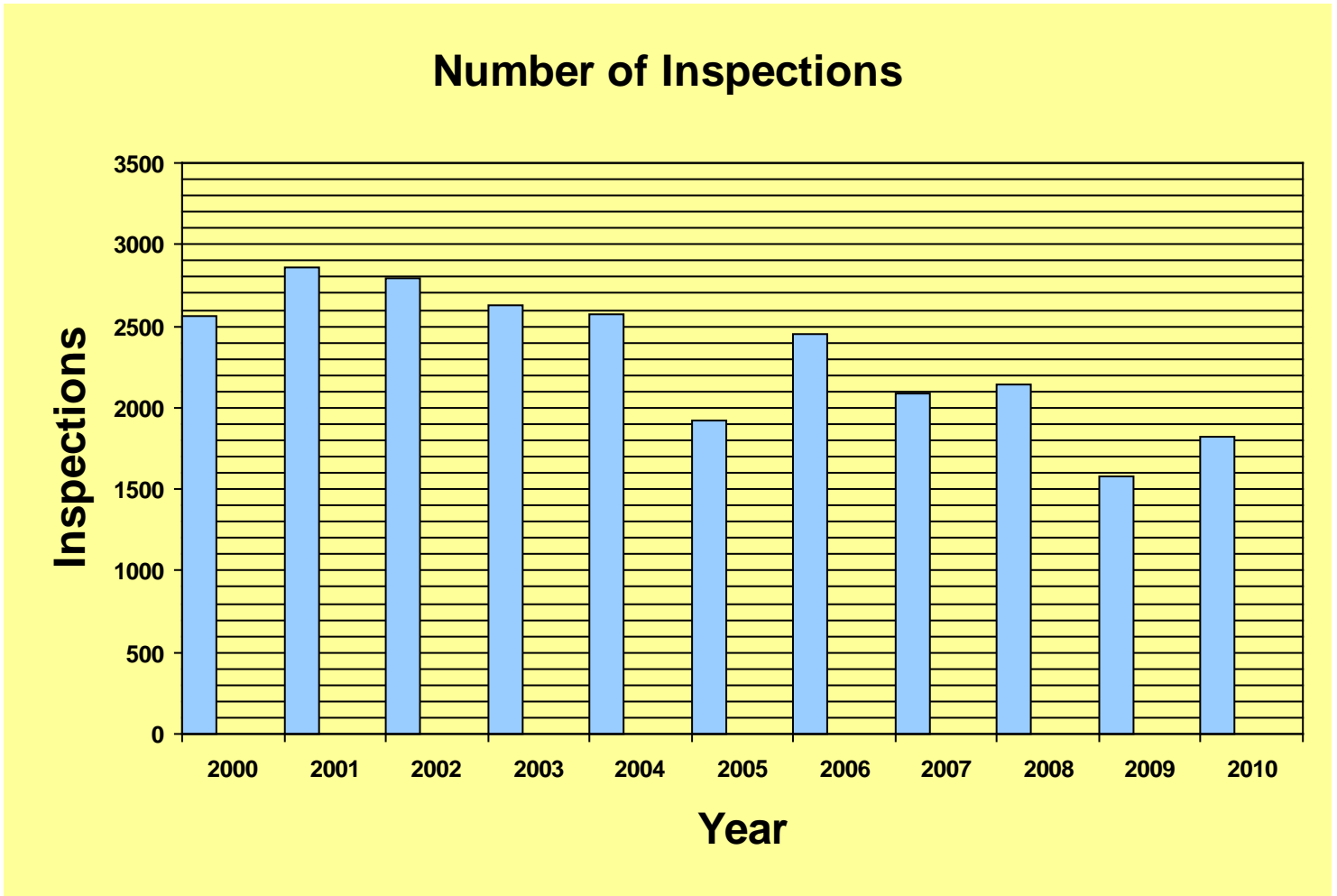
1. Lorden-Eric Chinburg- 135 Residential lots
2. Mill Pond Phase II- 16 Lots
3. Elliot Medical Facility-Phases 4 & 5- 60,000 SF
4. Market Basket- 107,000 SF
5. Pettengill Road Area- 1,000 Acres Mixed Use Industrial Development
6. Woodmont Common- 629 Acres- Mixed Use Development
7. Jack's Bridge Road- 400+ Acre Industrial Development

The Planning & Economic Development division is starting to see signs that the economy is starting to inch forward. In addition to the few examples listed above, Stonyfield Yogurt has expanded by 62,000 SF, Elliot Medical Facility recently held its grand opening of phase 3 of an 88,700 SF project, Bosch Thermotechnology is adding a second floor office addition and Trimmers Landscaping is finishing up a 17,000 SF building off of Aviation Drive. The demand for inspection services warrants two inspectors now; it will only increase in the months to come. I think that it is imperative that Londonderry maintain the current level of staffing in the building division so it can adequately address the impending demand and advance Londonderry's economic development efforts by providing timely service to our business community.

A review of the permit and inspection activity for the past year reflects an increase in numbers over the previous year, as shown in **Exhibit A**. An overview of permit revenue is shown in **Exhibit B**.

### Exhibit A – Inspection Activity

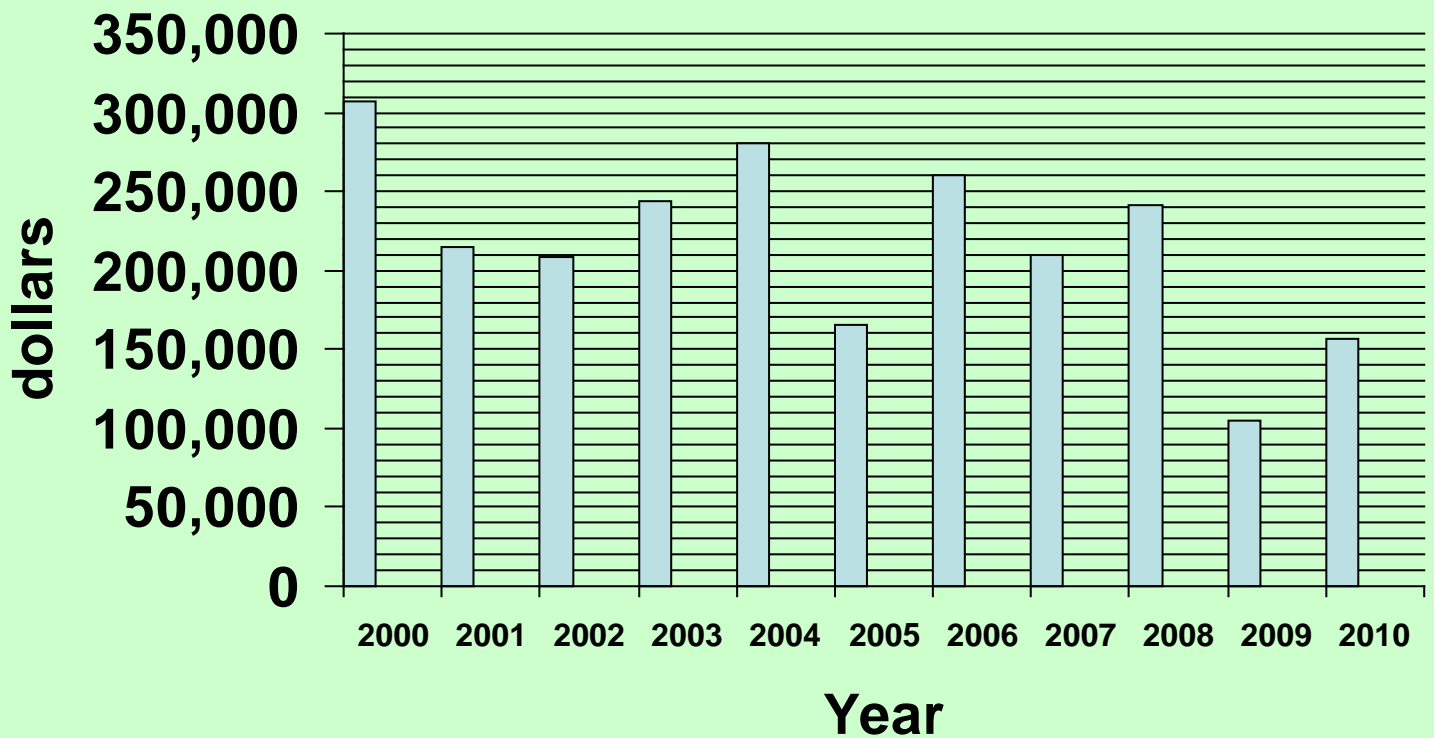
This graph is a representation of the permit activity over the last ten years. 2010 shows an increase in activity compared to 2009.



## Exhibit B – Permit Revenue

This graph is a representation of the revenue trend of permit fees over the last ten years. Although figures show an inconsistent fluctuation from year to year, there is a visible downward trend in the amount of fees collected. Noteworthy, is the increase in permit revenue in 2010 vs. 2009, which could be representative of another upward trend in activity.

### Fees Collected



Town	Population	Chief Building Inspector	Assistant Building Inspector	Code Enforcement	Fire Marshal/Prevention Officer	Fire Safety Inspector	Fire Health Safety Inspector	Admin Assistant	Total:
Concord	42 695	1	5	1		2		2	11
Derry	33 109	1	1			2		0.5	4.5
Dover	29 987	1	1.625			1	0.625	1	5.25
Rochester	29 752	1	3		1	1		2	8
Salem	28 776	1	2	1	1	1		1	7
Merrimack	25 494	1	1	1	1	1	1	1	7
Hudson	24 467	1	2		1	1		1	6
<b>Londonderry</b>	<b>24 129</b>	<b>1</b>			<b>1</b>			<b>1</b>	<b>3</b>
Bedford	21 203	1	1	1		1		1	5
Portsmouth	20 779	1	3	1		1		1	7
Goffstown	17 651	1		1		1		1	4
<b>Totals:</b>		<b>11</b>	<b>19.6</b>	<b>6</b>	<b>5</b>	<b>12</b>	<b>1.625</b>	<b>12.5</b>	<b>6.16</b>

Fire Safety Inspector acts as the Fire Marshal

\* 2 Admin. Aides

Ave./Town/city

TO: Town Council

FROM: Dave Caron, Town Manager

RE: Senior Affairs Director

DATE: May 2, 2011

Pursuant to Council Resolution #2007-33, I am requesting authorization to fill the position of Senior Affairs Director, which will soon be vacated by the resignation of Sara Landry. The Director is responsible for operation of the seniors programs in Londonderry and is the sole town employee assigned to that function, although Sara has been successful obtaining grants to fund part-time assistance. The operating budget less personnel costs is a lean \$8,889.00.

Sara was hired in 2002 and managed to consolidate two separate organizations into a cohesive group operating out of the Mayflower Grange on Mammoth Road. I've attached a copy of Sara's FY12 budget presentation, which gives the best possible presentation on the Program's activities and offerings.

The position is presently authorized at 34 hours per week (\$20.70 - \$22.32/hr.); it is recommended that the Town seek a replacement at the same authorization level. The Director has developed a close, collaborative relationship with the Londonderry Senior Citizens Inc., an organization which has underwritten many programs and physical improvements to the Grange. The next Director will have to maintain that critical relationship to effectively achieve program goals and objectives.

# Senior Affairs Budget FY2012



## Senior Affairs Budget Presentation FY 2012

### Average yearly- cost per senior

Senior Affairs Budget \$54,451 (FY11) / 3500 (projected senior population) = **\$15.56**

Senior Affairs Budget (w/ 5% reduction) \$51,751/3500 = **\$14.79**

The cost to the tax payer per senior is minuscule compared what the tax payer pays in taxes, to other segments of our town's population.

### Town of Londonderry- cost per student to attend:

Average yearly cost for	Elementary School Child	\$11,898.98
	Middle School Child	\$10,169.56
	High School Child	\$10,730.64
	<b>Average for Londonderry</b>	<b>\$11,058.70</b>
	State Average	\$11,746.00

The 2000 Census had the senior population of Londonderry at 2,932 seniors or 12.6% of our town's population.

I believe when the new 2010 Census figures are released Londonderry will see an increase in its total senior population. The 2000 Census indicated that there were 3,702 individuals aged 45-55- those individuals are now 10 years older and will be included in the over 55 group. Potentially that could make the number of 55+ aged individual living in Londonderry close to 6,634 or 28.5% of the total population.

This aging of our community is NOT expected to slow down, as the aged group of those individuals aged 35-44 years was almost 5,000 during the 2000 census. (see Table DP-1. Profile of General Demographic Characteristics: 2000)

### *Tax impact- to maintain current funding*

- *\$2,700.00 / 9997 = .27 per year per tax paying household*
- *\$2,700.00/24,975(population per 2000 census) = approximately .11 per person living in Londonderry.*

Program Budget line of \$7,100 will be reduced to \$4,400.

In order to maintain current programming- the seniors would have to increase fundraising via increased fees and events.

LSCI has annual fundraising events. Over the past several years, our seniors have worked hard to raised money and purchased the following items: renovations of electrical, flooring, paint on the stage, a new TV and entertainment center, a new commercial grade stove, new refrigerator and freezer, renovation to created a new meeting room, and divider curtain, picnic tables, a new storage shed, new tables, etc.... just to name a few!

This year, LSCI has purchased the following items totaling **\$3,532.87**:

- New stage curtain
- Hot Dog Steamer
- Popcorn machine
- Kitchen small appliances
- 2 Card tables
- PA system
- Maintenance and repair
- Recreational Supplies

In addition, This Senior Affairs program received donations from LSCI in the amount of **\$4,688.86**. This funding helped to subsidize the Senior Holiday dinner, the St. Patrick's Day event, the snack table, paper and cleaning products.

LSCI matches and exceeds the town's contribution to the Senior Affairs Program Budget. Many of the LSCI members are "at" or "below" the federal poverty level, so asking them to contribute more is NOT acceptable.

Volunteer hours of approximately 54 hours per week x \$7 per hour= \$378 per week x 52 weeks= **\$19656 saved** in staff money if the Town had to that activities position.

Volunteers run Bingo 2 x per week, Chair Dancing-2 x per week, Senior Fitness class, the computer lab, assist with serving meals-set up and clean-up, and run language classes 2 per week, provide-Wednesday receptionist services, etc.....

**Under our current program budget - seniors have access to:**

Senior Center hours- Monday-Friday: 8 am to 2 pm

Hot meals- 3 days per week

Social Service information and referral, as needed and an onsite Director. Classes such as: Bone Builders, Senior Fitness, Chair Exercise, Tai Chi, Yoga, Art Classes, Creative Writing, Spanish, French, Knitting groups, Mah Jongg and various game classes and clubs, Bingo, One on One Computer Classes, Line Dancing, Monthly Breakfasts, various Speakers from the community-such as Doctors, Lawyers, Nurses, Physical Therapists, Fire Department personnel, AARP safe Driving; Health and Wellness clinics and



screenings, Foot Clinics, Blood Pressure Clinics, Flu Shot Clinic, Diabetes Support Group, Osteoporosis screenings, etc.. Medicare and Medicare D assistance and property tax relief filing assistance. In addition, the Center offers many monthly special programs such as low cost Parties (Holiday- St. Patrick's Day, LSCI lunches, etc.) Brown Bag Lunches, Special speakers and programs, just to name a few!

This program is needed with the raising number of seniors in our community. The Baby boomers are aging and the senior set is the largest growing segment of our community, state and country!

The senior center is a vital program. It provides support and socialization opportunities for our seniors. In addition to the Senior Center, Senior Affairs department provide information and referral services to our town's residents. I often receive calls from family caregivers looking for equipment, services, and support. I already have to turn away outreach calls, as I do not have enough staff/resources. I have had to move programs off site and many programs have capped out and seniors have been turned away (yoga, tai chi, bone builders and certain lunches have waiting lists) because we are not able to increase current programs. Both the building and staff are maxed out. The senior affairs department has been working closely with the EAC to develop and advocate for low income housing for seniors. Educating the public in regards to the seniors needs is also a responsibility of our senior affairs department.

The Senior Affairs Dept is responsible to maintain working relationships with over 30 various Health and Human service organizations, they include but are not limited to:

- RNMO
- RVNA
- RSVP
- The Elliot Health care
- Parkland Medical
- CART
- YMCA of Great Manchester/Londonderry
- The NH Association of Senior Centers
- Servicelink
- Londonderry Fire Department
- AARP –safe drivers program
- Community Care Givers of Greater Derry,
- Beautify Londonderry
- Girl Scouts troop
- The Londonderry Woman's Club
- Etc.....

Since 2007 the Senior Affairs Department has had a budget reduction of \$3,000, over a 5% decrease already. In the past 3 years, I have worked hard and I have grown this program- out of necessity- due to the increase in the senior population and those in need.

A one year 5% cut would be devastating to an already **overly lean** and already **underfunded** program. I am begging you to please level fund the Senior Affairs.

Senior Affairs Directors Recommendations:

Continue to grow the programs at the Senior Center in order to meet the needs of this increasing population. To meet the growing needs of this population, it is my recommendation that the town invest in this program and population by having a full time Director. In addition to this I foresee the need for a part-time Outreach Coordinator.

Short Term Goals:

- Parking is a current challenge that the seniors face weekly at the Center, I would like to be able to use parking spaces vacated by the North Fire Department after their move to the new station. For future consideration, it would be desirable to utilize the entire space (building removed and a new parking lot created) as additional parking.
- The bathrooms need to be increased and improved. The current lavatories are poorly constructed, extremely cold in the winter and warm in the summer, and too small.

Long Term Goals:

- To expand the current Senior Center in accordance with the plan that was forwarded to the CIP Committee. This expansion is necessary. There are currently 4 senior programs taking place off site at the YMCA of Londonderry, due to lack of appropriate space.

TOWN OF LONDONDERRY  
SARA LANDRY  
DIRECTOR OF SENIOR  
AFFAIRS  
132-7501

VOLUME 1, ISSUE 1

OCTOBER 2010

# The Londonderry Senior Center

## IMPORTANT DATES AND PRO- GRAMS TO KNOW:

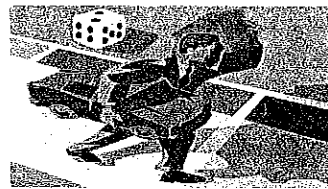
- RVNA Blood pressure clinic 11am on Tuesday Oct. 5th.
- Oct. 7th- The Estate Game- at 11:45am
- Flu Shot Clinic- Monday Oct. 11th from 10am— 2pm.
- RVNA Foot clinic- Thursday Oct. 14th, by appointment only
- Oct. 15th- LSCI Holiday Fair set up.
- LSCI Holiday Fair on Saturday Oct. 16th from 9am to 3pm!
- Crafters with a Cause Tuesday Oct. 19th at 1pm
- Yard Sale Yankee Swap with Karen- Wednesday Oct. 20th at 10:30 am!
- RVNA Diabetes support Group- Friday, Oct. 22nd!
- First Aid and CPR for your Pet- Monday Oct. 25th at 9:30am
- Celebrate October Birthdays Tuesday October 26th at noon.
- Oct. 29th Monthly Senior Breakfast at 9:30 am
- Roundtable discussion with the Senior Center Director date changed to Friday Oct. 29th at noon

## The Estate Game— Do you want to play?

Thursday October 7<sup>th</sup> at 11:45 am. Sign up is must!! It is free to play!

This interactive board game can provide you with these valuable benefits: Preserve your wealth for your enjoyment and that of your family. Stay in control of your assets. You and your family will be better protected with your customized, self-designed estate plan, rather than one the Government creates for you. Plan ahead for long-term

care and care for aging parents. Protect the value



This fun and interactive game will teach you all about wills, POA, trusts, etc!

of your business, your employees and your family's income stream. No commitment is required. Just attend, learn, laugh

and enjoy the game.

Meet the Experts while you play! You'll enjoy getting to know our engaging, talented and lively team of legal experts. Attorneys Deborah Danger and Jenny Milana will share important facts about Estate Planning. Confidentiality is guaranteed!

**This is NOT a sale pitch!! Come and learn!!!!!!**

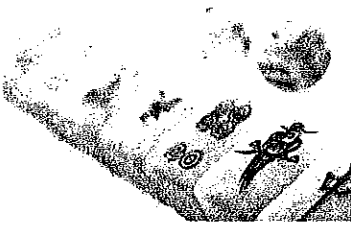
## The Pen Pal Program is BACK!!!

Are you interested in becoming a pen pal to a Londonderry 3<sup>rd</sup> grader? They need you!!!! There are currently 19 openings for this program. We will be pairing up with a 3<sup>rd</sup> grade class from the Matthew

Thornton Elementary school here in Londonderry. *I need anyone who is interested to sign up with Elaine as soon as possible.* If we do not get enough senior pen pals we will not be able to participate!!! I am

anticipating that you will write a letter approximately every other month. If you have any questions, please see Sara Landry for more information.

# Beginner Mah Jongg— 5 week program



**Monday's at noon— class begins November 1st!** If you have been waiting for more Mah Jongg classes, your wait is OVER!!! Mah

**Mah Jongg** is a fun tile game, come and learn how to play! Jongg classes will take place beginning in November. This session will be five weeks long. Classes take place from 12pm to 2pm. Sign up is required. Classes are \$25.00 per person for members of

LSCI and \$40 per person for non members of LSCI. To sign-up, stop by the Londonderry Senior Center. Payment is due at the first class. For more information contact Elaine Peters at 432-8554. Limited space is available to sign up early. An intermediate class may be added if there is enough interest. Class prices would be the same as the beginner class.

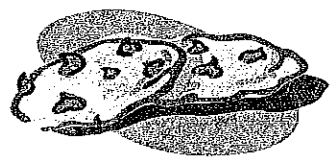
# Crafters Give Back

A new Senior Center Community Service group!

On Tuesday October 19<sup>th</sup>, the Crafters Give back group will hold its second meeting. They

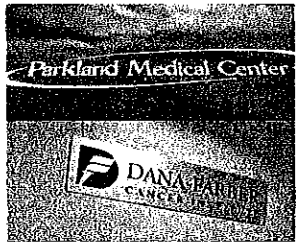
are hard at work, planning a wonderful project to be distributed in January 2011. This group meets on a monthly basis. If you are interested in learning more about some volun-

teer options and ways in which you can plug in to help us, join us on Oct. 19<sup>th</sup> at 1pm.



*"Our seniors want to give back to those who have given so much to our community"*

# Knitters Update!



We met with Kristi Weeks, RN from Dana Farber, and she introduced us to the staff and support service and gave us a tour of the Infusion Rooms where the treatments take place. They appreciated all the time and work that went into these blankets and will be looking forward for more in the future. At this time they do not need hats but will be in the future months.

I have been giving the hats to Parkland, who appreciate them because they have not received hats in the past. 10 more were given on Monday, Sept 20th. Thank you to Sue Rizzo, Jane Grube, Linda Kneeland, Betty DeMelo, Muriel Mikulewicz, and Marie Pollock -Respectfully Submitted by Elaine Peters

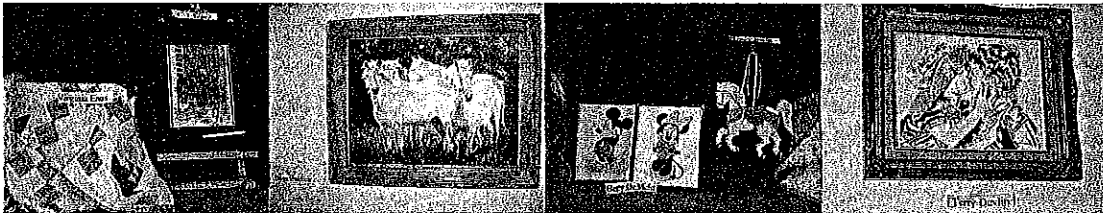
# Senior Center Art Show— HUGE Success!

The Senior Art Show which took place - Tuesday September 21<sup>st</sup> to Friday September 24<sup>th</sup> was a big success. Thank you to the

following members who shared their talents with us: Renate Carlson, Dottie Connors, Virginia Enos, Betty DeMelo, Terry Devlin, Dawn Hut-

chins, Nancy Irwin, Ernie Lanctot, Carol Jean Lopez, Sylvia Mace, Louise Madrid, Ann Marie Terra and Sandy Weston.

*"So many talented seniors visit our Center— We are truly blessed"*



## Yard Sale— Yankee Swap!

Wednesday October 20th at 10:30 am- join us for a lot of fun as we hold the annual Yard Sale Yankee Swap. Bring in your gently used yard sale item, as Karen would say, "something you might want to buy or sell at a yard sale". Wrap it up and join the fun. Karen Monchamp, our Fitness Instructor, hosts this annual

event and it is done in a light hearted and joyful way. Senior Fitness will begin at 9:30 am on this morning so that we may have extra time for the swap. The Rockingham congregate meal scheduled for this day will be served at 11:45am. If you plan on staying for the lunch after the swap, please make sure you sign up one week in advance!

We look forward to seeing you at this fun event! Any questions regarding this program, you can see either Karen Monchamp or Sara Landry at the Senior Center!



**The Londonderry Senior Center**

**Main Hall Phone Number: 432-8554**

**Sara Landry Director of Senior Affairs**

**Office Phone Number: 432-7509**

**OCTOBER 2010**  
**THE LONDONDERRY SENIOR CENTER**  
**SPECIAL EVENTS CALENDAR**

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 11 am Blood Pressure Clinic	6 NO fitness class today!	7 11:45 am The Estate Game	8	9
10	11 10 am to 1 pm RVNA Flu Shot Clinic	12 10 am Jim Miller Finan- cial planner	13	14 RVNA Foot Clinic- Ap- pointment only!	15 9 am Holiday Fair Set up	16 LSCI's 7th Annual Holiday Fair
17	18	19 1 pm Crafters with a Cause	20 10:30 Yard Sale Yankee Swap	21	22 10 am Diabetes Sup- port Group	23
24	25 9:30 am First Aid and CPR for your pet	26 Noon- Octo- ber Birthday Cake!	27	28	29 9:30 am Monthly Breakfast  Noon- Direc- tors roundta- ble	30/31



## First Aid and CPR for your Pet Monday October 25th at 9:30 am



Join us on Monday October 25th at 9:30 for an informative program on pet first aid and CPR, Healthy Pets NH is owned and operated by April Begosh. April is a lifelong pet owner whose pets have included dogs, cats, rabbits, hamsters, birds, turtles, and even snakes. For the past 15 years, April has owned and operated a private Massage Therapy practice in Concord, NH. She has been committed to providing her clients with the highest quality care and knowledge in holistic health practices. In addition to being a licensed Massage Therapist, she also holds certificates in Fitness and Nutrition. In 2008, April decided that she wanted to be able to provide the same quality care to her animal companions as she does for her human clients. She started taking classes in pet health and nutrition and in March of 2009 she became certified to teach Pet CPR, First Aid and Care by Pet Tech, Inc. Pet Tech is the first International Training Center for Pet CPR, First Aid and Care. Pet Tech Instructors worldwide promote caring, conscientious, responsible, and loving pet ownership. Pet Tech and their Instructors are committed to the safety, health and well-being of our pets, our friends, our companions. April has committed herself to carrying out the Pet Tech mission which is: "Improving the quality of pets lives, one pet owner at a time". Sign up is required and this program is free. There will be workbooks on sale for \$10.00 per book. This book will be used during the program and it is suggested that you purchase one. You must preorder this book. See Elaine or Sara for more information.

We are on the web at  
[www.londonderrynh.org](http://www.londonderrynh.org)

## YMCA—LSCI Senior Programs:

### Microsoft Word Office 2007

**Level I:** Learn to create, edit and save documents, format characters and paragraphs, create headers and footers, move and copy text and use built in help features, proofing tools and printing options. Four week class. Oct 7–Oct 28.

Day Time Thu 9:00–10:00 am:  
LSCI Member \$20 LSCI Non-Member \$40

**Level II:** Learn to use tables, insert and format graphics, format columns to create newsletters, save a document as a web page and customize

Word features. Four week class. Nov 4–Dec 9. (no class on Nov 11 and Nov 25)

Day Time Thu 9:00–10:00 am  
LSCI Member \$20 LSCI Non-Member \$40

### Art Classes-FALL II

**Topiary Art**—Learn the art of Topiary, creating shapes such as animals and trees out of wire, moss and plants. We will train our plants to grow around the shape we create. No experience is necessary for this class. This six week class will run from Nov 1–Dec 6. Day Time Mon 7:00-9:00 am LSCI

Member \$45 LSCI Non-Member \$65

### **Acrylic and Watercolor**

**Painting**—Explore the technique of watercolor and acrylic paint. Learning different techniques of each medium will peak your interest for more! This is a six week class starting Nov 5–Dec 3.

Day Time Fri 9:30-11:30 pm  
LSCI Member \$45 LSCI Non-Member \$65.

**For More information and/or to register for these programs contact the YMCA at 437-9622**

October 2010

**"Let us all continue to care and share and please do not forget to hug another senior today."**

**Gladys Frederick  
Administrator and Treasurer**

# Londonderry Senior Citizens, Inc News Corner

## LSCI Bake Sale Fundraiser Results:

**LSCI raised \$606.15 at its second annual September Bake Sale at Mack's Apples.**

We were successful because of the following 39 individuals who baked goods or made a donation and 10 individuals who volunteered the day before and the day of the event. They were:

### Baked Goods and Monetary Donations:

- Anne Marie Black
- Valerie Cabezas
- Barbara Censabella
- Shirley Cloutier
- Carole Connolly
- Dottie Connors
- Helen Conti
- Berry DeMelo
- Renee Despres
- Tina Emerson
- Virginia Enos
- Jane Fagnant

- Mary Falvey
- Gladys Frederick
- Nancy Gagnon
- Betty Gero
- Sophie Goritski
- Rita Griffin
- Gunta Hasting
- Susan Haussler
- David Howard
- Nancy Irwin
- Carol Jablonowski
- Peg Johnson
- Tina Lanctot
- Sara Landry
- Bonnie Leshin
- Mary Lynch
- Louise Madrid
- Doris Pierce
- Elaine Rabinovitz
- Bonnie Ritvo
- Sue Rizzo
- Helen Scribner
- Charlotte Silva
- Theresa Swain
- Marie Vigliotti

- Pat Wood
- Jan Woodard

Volunteers who helped package the baked goods on Friday and serviced the tables at Mack's Apples on Saturday were:

- Barbara Censabella
- Tina Emerson
- Virginia Enos
- Gladys Frederick
- Carol Jablonowski
- Tina Lanctot
- Sara Landry
- Bonnie Ritvo
- Jan Woodard
- Pat Woods



Our LSCI Senior volunteers hard at work!

## Membership:

Theresa Swain, Leader of the Membership Committee, reported that as of September 27<sup>th</sup> we passed the "400" mark on our membership. There are currently 406 members on the 2010 – 2011 membership roles. In just 4 months, 353 members have renewed and 53 new members have joined LSCI.

## Sunshine Committee:

Monthly reminder - Please call Mary Ellis, Sunshine Committee Leader, at 434-4983, if you hear that any of our seniors are incapacitated



# LSCI's Seventh Annual Holiday Fair—Saturday October 16th

**Where:**

**Londonderry Senior Center**

**Time: 9:00 am – 3:00 pm**

Don't forget to tell your family, friends and neighbors about our Holiday Fair.

The Holiday Fair volunteer sign up is located at the Receptionist Desk. We will need your help in setting up the hall on Friday before the Fair as well as volunteering at one of the work stations at different time slots the day of the Fair.

We will again rent tables for \$20.00 or

space for \$15.00 to anyone who wishes to display their goods. Call Jan (432-7360) to reserve.

Donations of baked goods will be appreciated not later than Friday, October 15<sup>th</sup>.

Our luncheon menu will be corn chowder served with corn bread or crackers, hot dogs (with toppings of chili, cheese, mustard, relish, ketchup and onions), soda, water and chips.

Coffee and pastry will be served beginning at 9:00 am and will continue throughout the day.

LSCI will again have a Raffle table

consisting of Theme Baskets, hand-made Afghans, and other prizes. Tickets will be on sale on/about October 1<sup>st</sup>. Cost of the tickets is \$1.00 each and 6 tickets for \$5.00.

The drawing for all prizes will be conducted at the Senior Center at 3:00 pm the day of the Holiday Fair. The Raffle Prizes are listed below with each donor's name.

**A separate raffle will also be drawn for a beautiful colorful handmade king size quilt from Jeanne Panciocco. The pattern is "Pin Wheel".**

---

## Holiday Fair Raffle Table Prizes

**#1- Wine Rack**

Donated by:

Carol Jablonowski

**#2 – Red Hat Basket**

Donated by:

Jan Woodard, Virginia Enos & Helen Conti

**#3 – Jewelry Basket**

Donated by:

Marie Vigliotti

**#4 – Thanksgiving Basket with \$25 Certificate**

Donated by:

Helen Conti

**#5 – Dunkin Donut Basket with \$10 Certificate**

Donated by:

Theresa Swain & Gladys Frederick

**#6 – Pampered Pooch Basket**

Donated by:

Bonnie Ritvo

**#7 – Handmade Beige Afghan**

Donated by:

Gertrude Jalbert

**#8 – Wine Basket**

Donated by:

Carole Connolly

**#9 – Febreze Deodorizer Console**

Donated by:

Theresa Swain & Gladys Frederick

**#10 – An Evening in Tuscany**

Donated by:

Coldwell Banker

**#11 – GT Express Grill**

Donated by:

Betty Gero

**#12 – Sunday Breakfast Starter**

Donated by:

Renee Depres

**#13 – Wildlife & Good Life Basket**

Donated by:

Bonnie Leshin

**#14 – Movie Nights with two \$10.00 Certificates**

Donated by:

Sue Rizzo

**#15 – Christmas Basket with \$25.00 Certificate**

Donated by:

Tina Emerson

**#16 – CD Player with \$50.00 Certificate**

Donated by:

Virginia Enos

**#17 – Chocolate Basket**

Donated by:

Jan Woodard

**#18 – Tote with Travel Games**

Donated by:

Virginia Enos

**#19 – Handmade Teel & Cream Afghan**

Donated by:

Kelly Connolly

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**TOWN COUNCIL MEETING**  
**April 18, 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: 01 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**

Town Clerk/Tax Collector Meg Seymour reminded everyone that April is dog registration month.

Chuck DeRossi, 52 Old Derry Rd. asked about the zoning change for Scobie Pond Road involving a large size cluster housing development for 128 units. He said a decision was made by the ZBA to use wells not public wells at the location as originally proposed. He explained that the water table is low in that area. The information given at the Planning Board meeting was that the development would have public water but when this was presented to the Town Council there was no mention of public water. He asked the Council to decline the zoning change. Councilor Farrell said when the plan was presented to Council it was based on public water and sewer. He said he asked the Town Manager to contact Town Counsel and he is waiting for a response. Councilor Freda said the Planning Board had a concern over the water table issue which resulted in the Planning Department getting an expert opinion as to whether or not the development will support the water and will it give an effect on the abutters. He said to the best of his recollection, Tim Thompson said that the proposed plan as it is now even without town water and sewer, the 50 homes could be permitted under the old zoning. DeRossi said the trust has been broken at this point and we should send a message to other developers that they can’t come in and say one thing and do another thing. Andre Garron said the Planning Board asked for an independent hydrologist study for their opinion of the water table. Tonight’s agenda item is for the discontinuance of the road; it is not a zoning change. Chairman O’Keefe said what was told and what was voted on was very different than what they are presenting now to the Planning Board. Town Manager Caron said the zoning change approved by the Council was contingent on the Planning Board approving a plan which was reasonably similar to the one which was reviewed conceptually by the Board last spring. He sent that Resolution to the town attorney along with the original conception plan; the new plan and the minutes of the Council meeting and is under review by counsel. Chairman O’Keefe said he believed it included town sewage and water not wells. Councilor Dolan suggested the Town Manager give copies of the meeting minutes to Councilors to refresh their memories. Councilor Freda asked the Town Manager if we can proceed with the Resolution tonight? Town Manager Caron responded the Council may proceed; it is a separate issue involving a road abandonment of 400 ft of the

47 discontinuance of a road, and does not impact zoning. C. DeRossi said that according to Town  
48 Planer Tim Thompson the first 50 homes won't be affected by the proposed re-zoning.  
49 Councilor Dolan stated we have to be cautious to not contaminate the issue here tonight with the  
50 water issue. There is a provision in the Charter to delay an issue by one meeting, we can still  
51 proceed with just the road issue and allow the Town Manager and Town Attorney time to  
52 research the issue. Councilor O'Keefe stated that one thing does not have anything to do with  
53 the other. Chairman O'Keefe said this will be brought back up in the public hearing section of  
54 tonight's meeting.

55  
56 Senior Affairs Housing Project – Sarah Landry, Senior Center Director; Phil Grandmaison, SNH  
57 Housing Services and Rob Schaffer from David White Architects, Goffstown, NH were in  
58 attendance. P. Grandmaison said they have submitted the application to the HUD 202 program  
59 which is due no later than May 1, 2011. It is for 60 one bedroom apartments for low income  
60 seniors 62 and older. They are all rental units with a maximum income for a single person of  
61 approximately \$27-\$28K; for couples it is approximately \$30 – \$31K maximum annual income  
62 on a first come first served basis. Probably 85-90% of the occupants will have previously  
63 resided in the host community. He said their attorney is working on an option agreement to be  
64 submitted to the Town Manager to demonstrate site control. They also submitted a draft letter of  
65 support for the application to Council for their signatures. They will make a payment in lieu of  
66 taxes per Chapter 72 the "PILOT Law". That payment is either 30% of gross rents or the non  
67 school portion of the tax bill, whichever is less. He stated they will never ask the town for  
68 money to operate the senior residences. He said they will effectively pay \$15K per unit for land  
69 acquisition with the understanding that the town will apply for a Community Development Block  
70 Grant should their application be successful. This will be used along with their contributions to  
71 provide utilities to the site. Councilor Dolan asked if he had met with the Town Manager to  
72 work out some type of agreement for the PILOT to make it something we can invoice from an  
73 accounting standpoint. He said he wanted to have it as a receivable for our revenues. Town  
74 Manager Caron said traditionally it's been the town portion of the tax rate multiplied by the  
75 actual assessed evaluation; that is how communities throughout the state handle the payment of  
76 taxes. Councilor Dolan said he wants an accountable source of revenue we can count on, he  
77 wants an agreement in place, P. Grandmaison agreed. Town Manager Caron suggested Council  
78 voice support for the continuing development of the project and authorize him to begin  
79 negotiations with SNH Housing Services regarding the transfer of the land, recognizing it will  
80 come back to Council for final approval. **Council Farrell so moved, second Councilor Green.**  
81 Councilor Dolan asked Councilor Farrell to **include in the motion to "Authorize the Town**  
82 **Manager to enter into an agreement for the PILOT"**. **Councilor Farrell amended his**  
83 **motion to add the above wording, Councilor Green amended his second. Council's vote**  
84 **was 5-0-0.**

85

86 **Boards/Committees/Commission Updates**

87

88 Elder Affairs Committee Update – Stacy Thrall the Chair of the Committee presented her update.  
89 The Senior Housing is of importance as expressed tonight. She reported that the expansion of  
90 the Senior Center is beginning with the demolition of the old N/W Fire Station. It will be used  
91 for much needed parking spaces at the center. She said her group also supported and advocated  
92 for the ALERT Community Fall Prevention Program. They worked with the fire department on  
93 that project. They also supported Disaster Preparedness for seniors and their pets which is still  
94 ongoing. Councilor Farrell said the Londonderry Fire Department is making provisions for

95 kennels per Chief MacCaffrie. S. Thrall said they hope to develop an elder services guide, tax  
96 exemption for seniors are being looked at. She said they will be looking for new committee  
97 members this year. They have a goal to keep abreast of elder legislation at the state level. The  
98 Councilors thanked her for the update.  
99

100 Conservation Commission – Deb Lievens, Chair of the Conservation Commission was in  
101 attendance. She explained that the Commission reviews all dredge and fill applications for  
102 NHDES Wetlands bureau, which have been down this year. They work on the Design Review  
103 Process with the Planning Board and process all the Conditional Use Permits for the  
104 Conservation Overlay District. They are working on a draft forest plan which should be  
105 completed this year resulting in a selective cut in Musquash. They have been working with the  
106 Londonderry Trailways and they have a new map completed by John Vogl. She said signage is  
107 also being worked on and there have been a number of Eagle Scout projects that have been  
108 working on that project. She explained that there have been a lot of volunteer hours invested into  
109 this. They have recently been approached by Fish & Wildlife to create a habitat for cottontails at  
110 the Musquash. They are working on the beginnings of a DES grant project on a large wetland on  
111 the east side of the Sunnycrest property to upgrade that wetland. The management of properties  
112 was discussed. In addition, they are working on updating their website and expanding their  
113 community outreach. She explained they will be closing on the Merrill easement this summer.  
114 Councilor Farrell told D. Lievens that he has asked about the dollars that go into the  
115 Conservation Fund and explained his main concern is town safety. He said that we have revenue  
116 issues and he wanted to explain directly to her why he was looking into their funding. Councilor  
117 Dolan is the liaison and said the work they do is hard and fun; they do a good job. Councilor  
118 Freda said listing the town owned properties on the website is a good idea, but he also suggested  
119 telling people what they can and cannot do on those properties. Councilors Green and O’Keefe  
120 thanked her and her committee for all the work they do. Chairman O’Keefe said we are  
121 struggling with budgets right now and we have to consider everything. Chuck DeRossi  
122 suggested taking the old Auburn Rd. site and using it for walking trails and questioned why can’t  
123 we do it? Town Manager Caron explained it is a superfund site, it has been remediated but most  
124 of the land is off limits to the general public until the monitoring period ends, which is quite  
125 some time in the future. There is a small section which runs parallel to Old Derry Rd that is  
126 usable which is not subject to that restriction.  
127

128 Londonderry Arts Council – Elaine Farmer, Chair of the Londonderry Arts Council and Steven  
129 Lee, the Vice Chair was in attendance. E. Farmer talked about the upcoming artist exhibits at  
130 Mack’s Apple Orchards. Art on the Common is planned in September. She talked about hosting  
131 art exhibits in the Library. Steve Lee talked about the concerts and explained this is their 9<sup>th</sup>  
132 year. He explained they do a lot of fundraising work for the program. He said they were  
133 involved in the improvements to the bandstand and this year they were going to hopefully  
134 address the lighting issues. Council thanked them for their hard work. E. Farmer said they are  
135 always looking for new members.  
136

### **PUBLIC HEARING**

137  
138  
139 **Councilor Farrell made a motion to open the public meeting, second Councilor Freda.**  
140 **Council’s vote was 5-0-0.**  
141

142 **Resolution #2011-04 – Relative to the Discontinuance of a Portion of Scobie Pond Road**  
143 **(continued from April 4, 2011 meeting).** Chairman O’Keefe explained this was a continuation  
144 from the April 4, 2011 meeting and asked if an agreement had been reached with an abutter and  
145 with PSNH. Jonathan Ring from Beach and Jones Engineering and Anne Crotty the attorney for  
146 Chinberg Builders were in attendance. J. Ring said he has a waiver and release from Mr.  
147 Weigler, of 74 Page Rd. supporting the discontinuance of a portion of Scobie Pond Road, (copy  
148 attached). He said he had discussion with PSNH to provide a 20 ft. access easement. They have  
149 reduced their request to abandon the entire road to only 400 feet of road on the NW side to  
150 Woods Ave. The rest of the road will remain a Class VI road. Eugenie Snyder from PSNH is  
151 in agreement with this as long as she had the easement; they are waiting for the draft relief to be  
152 signed. She said if she has the easement she is satisfied that they can get in to do their work.  
153 That section of Brewster Rd. will not be discontinued. Chairman O’Keefe asked if there was  
154 anyone in the public that objected to what was presented, no one responded. Town Manager  
155 Caron clarified that Attorney Bart Mayer has completed additional work on the Resolution and  
156 there are two changes: the conveyance would be a deed without conveyance and the second  
157 change allows the Trustees to withdraw their petition anytime if they are challenged regarding  
158 the right of way because under the law if abutters feel aggrieved they can petition for damages.  
159 The Trustees will be responsible for town legal fees up until the time they request this Resolution  
160 be abandoned. Councilor Dolan asked for clarification on what the delay is for PSNH. J. Ring  
161 said they are waiting for a legal grantor from PSNH to sign the release but E. Snyder is agreeable  
162 to that release if they would provide the easement. Technically they don’t have the legal right to  
163 go on the property. In exchange for the legal right they will agree to the closing of the road.  
164 Councilor Green said he requested that all documentation be in line for this meeting today and  
165 that has not happened so he will not support the Resolution today. Anne Crotty said when they  
166 originally came here they were discontinuing the whole road, so when you are abandoning the  
167 whole road all the abutters have a right to object, since we are down to 400ft. PSNH and the  
168 Weiglers do not have a legal argument against the abandonment because they have access to the  
169 property. Under the statute if your property is becoming landlocked because of the  
170 discontinuance then you have a right to say that you can’t get to the property because it is  
171 landlocked. Now that we are down to 400ft. PSNH and the Weiglers do not have any rights  
172 under this statute. Councilor Freda clarified that they are only asking for the 400ft to be  
173 discontinued not the entire road, A. Crotty said just the 400ft. Town Manager Caron said if  
174 approved we will ask the surveyors for the exact measurements to attach to the Resolution to  
175 keep the records in the town clerk’s office. Councilor O’Keefe asked the Town Manager if we  
176 needed a PSNH sign-off. He said he will have to check with our Legal Counsel. His  
177 presumption is that PSNH has access from one end and not the other; he is presuming they are  
178 OK because they will have access to their right of way. Councilor Dolan said the actual  
179 Resolution itself in its current form isn’t correct it needs to be adjusted. He suggested getting the  
180 final plan, have our attorney check with PSNH to see that it is OK and have a new Resolution to  
181 support the 400ft. supported by a drawing. He said he is uncomfortable that we don’t have a  
182 survey of what exactly the piece is, the drawing needs to be updated, we need acceptance with  
183 PSNH. We need an administrative clean up continue the public hearing so everything is  
184 finalized. Councilor Green said he is having trouble with the word “portion” it is not specific  
185 and he wants written documentation from PSNH. Councilor Freda asked A. Crotty if this  
186 Resolution was approved tonight wouldn’t it have to be recorded at the Registry of Deeds, she  
187 responded no. Councilor Freda asked how she was going to put on the record that PSNH has the  
188 location, rights of abandonment, rights of way or access. A. Crotty responded she would have to  
189 draft an easement to PSNH. Councilor Freda said he would like to see the metes and bounds

190 described in addition to the drawing. J Ring said that would be done. Councilor Green said all  
191 that should be prepared and ready before the next meeting. He asked if the agreement with  
192 PSNH will be done and J. Ring said they will continue to communicate with PSNH and get the  
193 waiver and release. **Councilor Dolan made a motion to continue the public hearing until the**  
194 **5/16/11 meeting, second Councilor Freda. Council's vote was 5-0-0.**

195  
196 **Councilor Dolan made a motion to close the Public Hearing, second Councilor Freda.**  
197 **Council's vote was 5-0-0.**

198  
199 Jonathan Ring asked to address the water issue brought up earlier in the meeting by Mr. DeRossi.  
200 He reviewed his records to verify if Manchester Water Works (MWW) or wells were listed on  
201 the plans distributed to the Planning Board. They went to the Planning Board on 5/12/10 for a  
202 preliminary hearing to discuss the conservation subdivision. At that time they had 159 lots and  
203 indicated that they were talking to MWW and looking for municipal sewer. On 6/9/10 they had  
204 a Planning Board meeting to discuss the rezoning because the Lordon property had split zoning.  
205 He explained they were exploring changing it all to an AR I zone. He said at that meeting they  
206 indicated they were looking at municipal sewer and reduced it to 132 lots and were still waiting  
207 for MWW to confirm the pressure issue. At the 7/15/10 Town Council meeting regarding the  
208 rezoning the plan that was issued at that meeting on Note #1 it stated that they had municipal  
209 sewer and on-site wells. In the middle of June MWW said it could only guarantee pressure to  
210 elevation 390' and some lots are above that. They decided in the middle or end of June not to go  
211 with MWW but with on-site wells. Councilor Farrell clarified that in June you were still talking  
212 about MWW and sewer to the Planning Board, J. Ring confirmed that was correct. Then the  
213 same plan was presented to the Council meeting on 7/15/10, J. Ring confirmed that was correct.  
214 Councilor Farrell said his perception at that meeting was that they were still discussing town  
215 water and sewer at that time, he said the Town Manager will check the minutes and with the  
216 town attorney. Chuck DeRossi, 53 Old Derry Rd said if the full understanding was that they  
217 were having wells, he would have said something at the meeting about his problem with silt. To  
218 the best of his knowledge they verbally said water and sewer was municipal. The question arose  
219 what date the Council meeting was held and it was listed as 7/15/10, Conservation Commission  
220 meeting was 5/25/10, 5/12/10 was the preliminary Planning Board meeting, 6/19/10 was the date  
221 listed as reviewed. Councilor O'Keefe said they are building very close to a Superfund site why  
222 would you drill wells there. As a citizen he has concerns about that. J. Ring explained they are  
223 having a hydro geologist developing a report; they are higher in elevation of the superfund, and  
224 their water is flowing towards the superfund. MWW can't supply water pressure due to the  
225 elevation of the site. Eric Chinburg, Chinburg Builders said they haven't tried to hide anything;  
226 it is not in his make-up to say that they want to do city water and sewer and then knowing they  
227 are then going to go to wells. He explained they hoped they could do city water but when it  
228 became a physical impossibility they talked to the Planner in the June timeframe. Councilor  
229 Dolan said he reviewed the Town Council minutes of 7/15/10 and they do not indicate that we  
230 captured any discussion of municipal water.

231  
232 **OLD BUSINESS**

233 None

234  
235  
236  
237

**NEW BUSINESS**

FY12 Goals and Objectives -

Chairman O’Keefe said the Woodmont development is the single largest proposed development this Council will see. He suggested having an on-going forum for residents to come to Council to express their concerns/suggestions. They could work with Councilor Freda and staff to make sure as the elected body that we are involved in the process. Councilor Freda asked the Town Manager if the Master Plan can override the zoning rules that are in effect on a parcel of land. The Planning Board will allow the zoning to change. Town Manager Caron responded under that the Planned Unit Development (PUD) has a list of allowable uses; if a use is not listed then the applicant has to come back for a zoning change to the Town Council through the Planning Board. Discussion ensued about how the PUD came about and how it works. Councilor Freda asked Community Development Director Andre Garron if he saw any unallowable uses of the PUD in the Woodmont development, he responded no. Councilor Dolan suggested the Council have a meeting to understand our various authorities and to be clear on land use board authority. Councilor Green asked the Town Manager why the zoning changes for Woodmont was taken away from Council and given to the Planning Board. Councilor Farrell said it was given away. Town Manager Caron clarified that process for zoning changes is that the Planning Board will make a recommendation to the Town Council to amend the zoning ordinance for whatever it might be. Every zoning amendment that comes to Council for final approval has a list of criteria that the Planning Board has to operate within and which the developers/property owners have to meet. The PUD operates in the same fashion however the authority given to the Planning Board is much wider in scope. The zoning amendment was the PUD ordinance. It is proper planning for the town to look at a large track of land and allow the Planning Board and the property owner/developer to complete Master Plan in order to develop a comprehensive strategy to develop those large pieces of land. The Town Council did review an allowable list of criteria and uses. Councilor Green said we have a governing body that is elected and they are supposed to be in charge of zoning. The point is that you have a parcel over 100 acres that can have the zoning completely changed; the underlying zoning is still there. He said people are coming to him questioning why the Council is not in charge of the zoning. Councilor Dolan said we are in charge of zoning, we created the PUD, that is the way Town Council created it. He stated that people can come to the Town Council with ideas and their concerns which we can bring to the Planning Board. He stated that the PUD gives the Planning Board a strong arm of authority. A lengthy discussion ensued about the authority of the PUD and the Planning Board. Chairman O’Keefe said when the decision was made it was due to the size and scope; it made sense that the Planning Board would have the ability to deal with the developer. The Council is still not giving up their authority. Councilor Green said he is just concerned about the non-conformance of it. Councilor Dolan asked the Town Manager to work with the town attorney and have a refresher on what are the various authorities among the land use boards and the Town Council. Councilor Freda said he would like to see a narrative of each sub-section of the Woodmont development. It should be on the web site so people can look at it. Andre Garron said the Woodmont development is comparable with the Pettengill Rd. area but it has more diversity. He said his office has been communicating the same thing to the developer. Councilor Freda responded the applicant might be making the changes but no one can see them; they need to be identified.

Councilor Dolan’s goals were to ensure that the Town’s public safety budget/staffing levels met public expectations/needs and to review the post incident analysis report completed for the

286 Hemlock St. fire. Councilor Dolan said his personal assessment and the feedback from town  
287 meeting was that the FY12 budget might have cut too deeply into public safety. He wants to  
288 make sure from a budgetary standpoint our safety needs are met. He said he wants the Council  
289 to go into detail on the post incident analysis report to see if we need changes and reinforce the  
290 correct things that were done. Councilor O’Keefe asked Captain Darren O’Brian from the  
291 Londonderry Fire Department if they have any feedback about the grant for 4 more firefighters;  
292 he said he has heard nothing yet. Councilor Farrell asked Captain O’Brian if he was OK with  
293 Councilor Dolan’s proposal to review the incident report in detail, he responded he was OK with  
294 that. Captain O’Brian said it meant a lot to the firefighters’ that Councilor Dolan visited Central  
295 Fire Station. He also thanked Councilor Farrell for visiting the fire scene.

296  
297 Councilor Green talked about combining town and school duties. He stated that the police and  
298 fire are two areas we have to stay away from with budget cuts. He is suggesting providing goal  
299 measurements to the Economic Development Departments.

300  
301 Councilor O’Keefe said this year we might approach the budget process differently.

302  
303 Councilor Farrell said we need to focus on driving revenue. He suggested re-establishing the  
304 Economic Development Committee. Councilor Green asked Community Development Director  
305 Andre Garron how he will continue to work on that. He said the idea he had last year of either  
306 reestablishing the Economic Development Committee or an advisory committee was to get more  
307 help. Councilor Green asked what we can do to help. Councilor Freda asked A. Garron if he  
308 will have the same people that were on it before or a smaller group. A. Garron responded five  
309 people are more than he has now. Councilor Green asked for something to be drawn up about  
310 having this committee.

311  
312 Town Manager Caron said individually Councilors have submitted 13 goals which comprise 6  
313 distinct groups:

- 314  
315 Revenue Enhancement/Land Use Change Tax Policy  
316 Woodmont Development  
317 Economic Development  
318 Service Delivery  
319 Communication Regarding the Website  
320 Open Space Policy Direction

321  
322 He suggested refining the goals into these categories, with sub-goals for review at the 5/2/11  
323 meeting; the Council concurred.

324  
325 Staffing Levels – Town Clerk/Tax Collector’s Office – Town Clerk/Tax Collector Meg Seymour  
326 was in attendance. She explained all the duties that are completed in her office and asked the  
327 Council to maintain her 4.5 staffing level. Her department is losing a full time position per the  
328 FY12 budget and has received a retirement notice from Jane Hicks, Deputy TC/TC. She  
329 reviewed staffing levels in surrounding communities along with their duties. Town Manager  
330 Caron recommended filling the position. Councilor Green stated that based on the criteria  
331 provided to the Councilors it appears her office is understaffed with the amount of work that they  
332 do. **Councilor Farrell made a motion to replace the Deputy TC-TC position, second**



333 **Councilor Green. Council's vote was 5-0-0.** Council sent out their best wishes to Jane Hicks  
334 for her 27 years of service to the community.  
335

336 **Resolution #2011-06 – Relative to Renaming North Perimeter Road, South Perimeter**  
337 **Road, and East Perimeter Road.** Councilor Green read the first reading, with a Public  
338 Hearing scheduled for 5/2/11, made a motion to adopt, second by Councilor Dolan.  
339 Council's vote was 5-0-0.  
340

341  
342 **Order #2011-07 – Relative to Expenditures from the Reclamation Trust Fund - Councilor**  
343 **Freda made a motion to adopt, second by Councilor Dolan. Council's vote was 5-0-0.**  
344

345 **APPROVAL OF MINUTES**  
346

347 Councilor Farrell made a motion to approve the Public Meeting Minutes of 04/04/11,  
348 second by Councilor Dolan. Council's vote was 5-0-0.  
349

350 **OTHER BUSINESS**  
351

352 Liaison Reports – Councilor Dolan said he attended the Conservation Commission meeting and  
353 distributed a copy of what the proposed signs for the Musquash area would look like and also the  
354 maps to the Councilors. Councilor Farrell attended the Elder Affairs Committee which was  
355 reported earlier in the meeting, and the Old Home Day meeting. He is on the fireworks  
356 committee.  
357

358 Town Manager Report – Town Manager Caron had nothing additional to report.  
359

360  
361 Board/Committee Appointments/Reappointments – None  
362

363 Councilor Dolan made a motion to enter into a Non Public Meeting according to RSA 91-  
364 A: 3 (a) at 9:48 PM. Aye Councilor Dolan, Aye Councilor Farrell, Aye Councilor O'Keefe,  
365 Aye Councilor Freda, Aye Councilor Green. The Council discussed a personnel matter in  
366 Non-Public Session. John Farrell motioned to exit Non-Public Session at 10:18 PM,  
367 seconded by Joe Green, motion carried, 5-0. John Farrell motioned to adjourn at 10:18  
368 PM, seconded by Tom Dolan, motion carried, 5-0.  
369

370  
371 Notes and Tapes by: Margo Lapietro Date: 04/18/11  
372

373 Minutes Typed by: Margo Lapietro Date: 04/20/11  
374

375 Approved; Town Council Date: 04/ /11  
376  
377

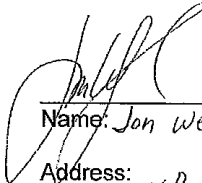
**SUPPORT OF PETITION  
FOR DISCONTINUANCE OF SCOBIE POND ROAD  
WAIVER AND RELEASE**

The below-listed citizen and/or taxpayer hereby supports the petition of Thomas E. Lorden, Trustee of the Kenneth A. Lorden Trust, to discontinue and relinquish all public interest in a portion of the highway (approximately 400 linear feet as depicted on the plan attached) known as Scobie Pond Road between Woods Avenue and Brewster Road pursuant to NH RSA 231:43.

The undersigned waives any claims for damages with respect to the discontinuance.

Further, the undersigned waives and releases any private easement rights it may have in the portion of Scobie Pond Road to be permanently abandoned.

Date: April 15, 2011

  
\_\_\_\_\_  
Name: Jon Weigler  
Address: 74 Page Rd  
\_\_\_\_\_  
Londonderry NH 03053