

**TOWN COUNCIL
AGENDA
October 17, 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.*

6:00 PM NON-PUBLIC SESSION (RSA 91-A:3 II(A))

7:00 PM I. CALL TO ORDER

 II. PUBLIC COMMENT

 A. Art Rugg, Planning Board – PUD Update

 III. PUBLIC HEARING

 A.

 IV. OLD BUSINESS

 A. Hemlock Road Incident Follow-up

 V. NEW BUSINESS

 A. Ordinance #2011-10 – Relative to Revisions to the
 Municipal Code, Title VI, Chapter VI, Purchasing
 Policy

 B. Resolution 2011-16 – Relative to a Memorandum of
 Agreement – Conservation Land Acquisitions

 C. Resolution 2011-17 – Relative to A Lot Line
 Adjustment at 85/87 Pillsbury Road

 VI. APPROVAL OF MINUTES

 A. Minutes of Council’s Public Meeting of 9/26/11

 VII. OTHER BUSINESS:

 A. Liaison Reports

 B. Town Manager Report

 C. Board/Committee Appointments/Reappointments

1. Appointment to the Londonderry Arts Council, Ad Hoc positions: Full Members, Susan Hanna, Jason Williams and Karen Giguere as an Alternate
2. Re-Appoint Susan Haussler from an Alternate on the Elder Affairs Committee to a Full Member, term to expire 12/31/12.

VIII. ADJOURNMENT

IX. MEETING SCHEDULE:

- A. Town Council Meeting – November 7, 2011, Moose Hill Council Chambers, 7:00 PM
- B. Town Council/Budget Workshop – November 19, 2011, Moose Hill Council Chambers, 7:00 PM
- C. Town Council Meeting – November 21, 2011, Moose Hill Council Chambers, 7:00 PM
- D. Town Council/Budget Workshop – November 28, 2011, Moose Hill Council Chambers, 7:00 PM
- E. Town Council/Budget Workshop – December 1, 2011, Moose Hill Council Chambers, 7:00 PM
- F. Town Council Meeting – December 5, 2011, Moose Hill Council Chambers, 7:00 PM

SUPPORTING DOCUMENTATION COUNCIL MEETING OF OCTOBER 17, 2011

Please note that the Council is scheduled to meet in Non-Public Session at 6:00 PM for a personnel matter.

- I. CALL TO ORDER
- II. PUBLIC COMMENT
 - A. Art Rugg, Chair, Planning Board – The Council previously requested Art’s input into any suggested changes to the PUD process; Art will discuss the Woodmont process to date and timeline for review of the project.
- III. PUBLIC HEARING
 - A. None Schedule
- IV. OLD BUSINESS
 - A. Hemlock Road Incident Follow-Up – The Council requested additional information on a number of items regarding the Town’s fire prevention/suppression capabilities. The attached memo is intended to provide an overview of those issues and provides a baseline for any measures the Council wishes to consider further.
- V. NEW BUSINESS
 - A. Ordinance #2011-10 – Relative to Revisions to the Municipal Code, Title VI, Chapter VI, Purchasing Policy - The attached ordinance extends the provisions of the Town’s Purchasing Policy to volunteers (Board, Committee and Commission members) who are in a position to expend or recommend the expenditure of public funds. A public hearing is required and can be scheduled for November 7, 2011.
 - B. Resolution #2011-16 – Relative to a Memorandum of Agreement – Conservation Land Acquisitions – In order to maintain the public’s confidence in the efficient expenditure of public funds for conservation land acquisitions, the Council and Conservation Commission have agreed on the attached procedure.

- C. Resolution #2011-17 – Relative to a Lot Line Adjustment at 85/87 Pillsbury Road - Attached is a resolution authorizing the Town Manager to sign documents which signal the Town’s concurrence to allow Richard and Debra Higgins to complete a lot line adjustment contemplated in the conservation easement previously acquired by the Town.

- VI. APPROVAL OF MINUTES – Minutes of the Council’s Public Meeting of 9/26/11.

- VII. OTHER BUSINESS -
 - A. Liaison Reports –
 - B. Town Manager Report –
 - C. Board/Committee Appointments/Reappointments -
 - 1. Appointment to the Londonderry Arts Council, Ad Hoc positions: Full Members, Susan Hanna, Jason Williams and Karen Giguere as an Alternate
 - 2. Re-Appoint Susan Haussler from an Alternate on the Elder Affairs Committee to a Full Member, term to expire 12/31/12.

- VIII. ADJOURNMENT –

- IX. MEETING SCHEDULE:
 - G. Town Council Meeting – November 7, 2011, Moose Hill Council Chambers, 7:00 PM
 - H. Town Council/Budget Workshop – November 19, 2011, Moose Hill Council Chambers, 7:00 PM
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 - L. Town Council Meeting – December 5, 2011, Moose Hill Council Chambers, 7:00 PM

**FOLLOW-UP FROM COUNCIL'S
September 26, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Fire Department	a. Construct FY13 with 4 add'l. FF <i>(Included in preliminary FY13 budget)</i>	Dave
	b. Estimate cost to extend hydrants <i>(On 10/17/11 Agenda)</i>	Janusz/John
	c. Study feasibility of volunteer force <i>(On 10/17/11 Agenda)</i>	Dave
Dispatch Comm	Organize initial meeting <i>(Meeting held on October 3)</i>	Dave

**FOLLOW-UP FROM COUNCIL'S
September 19, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Target Shooting	Determine liability and enforcement for hearing <i>Tabled pending additional information on:</i> a. <i>Attempt to locate suitable location using GIS</i> b. <i>Consider noise pollution</i> c. <i>Establish any connection to increased insurance rates</i> <i>(In process)</i>	Dave/Bill/GIS
Street Naming	Study transferring process back to PB <i>(In process)</i>	Dave

**FOLLOW-UP FROM COUNCIL'S
September 12, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Merrill Easement	Per landowner request, continued to 11/07 <i>(On 11/07/11 agenda)</i>	Dave

TO: Town Council
FROM: Dave Caron, Town Manager
RE: Hemlock Incident Report Follow-Up
DATE: October 12, 2011
CC: Chief MacCaffrie

The Town Council received a presentation from the Fire Department on September 26, 2011 regarding the Hemlock Street Fire and Incident Report. Following the presentation, the Council considered a number of issues related to fire prevention/suppression in Londonderry, including:

- 1) Staffing
- 2) Equipment
- 3) Hydrant Protection

Staffing – After discussion, the Council directed me to include in my proposed FY13 budget the addition of four full-time firefighters to the staff, raising the targeted on-duty level to 11 per shift. Finance has calculated this cost at \$327,000 for FY13.

In order to meet the Council's goal of staffing 11 emergency responders on shift, the Town will also have to fully fund overtime expenses. Currently, Londonderry employs 40 first responders, with 10 employees on each of the four shifts. Therefore, any vacancies caused by sick, vacation, training or injury must be covered by overtime. Past budget directives have resulted in less than full funding for overtime, occasionally resulting in a complement of 8 or 9 responders on duty per shift. Chief MacCaffrie is updating a cost analysis of the funds necessary to fully fund the Department's overtime needs, however, it is estimated to be upwards of \$190,000.00.

A second component of staffing was raised at the meeting which included a concept of utilizing volunteers to work shifts at the Fire Department in order to increase the number of personnel available. This concept, in today's environment, would be extremely difficult to implement.

Years ago, many fire departments were staffed either fully or predominantly by volunteer staff, who would respond to calls from wherever they happened to be at that particular time. There are a number of factors which now make this system impractical:

- a) Employment – More and more residents are called further away from home to find work. The previous volunteer system was feasible when many residents worked in the same community in which they resided, and were able to respond immediately to emergencies.
- b) Personal economics – Even for those residents who do work in town, local, national and global pressures on their employers makes it more and more difficult to grant

those employees unscheduled time off to respond. Self-employed volunteers find it equally difficult to accommodate these unscheduled, unpaid breaks from their livelihood.

- c) Fire Department's Mission – The Fire Department's mission has expanded from merely responding to fires to include emergency medical services, hazmat clean-up, extrications and other rescues, which significantly increases the calls for service.
- d) Training – Accompanying the Department's expanded mission are vastly greater training requirements, which again takes more of the volunteers' time away from their families and other activities.

In total, these constraints on a volunteer's time and earning potential effectively prohibits the establishment and maintenance of a volunteer force of a size and capability necessary to adequately support the Fire Department's mission on a regular and consistent basis.

There are some areas of the country which have traditionally maintained a strong volunteer force; in fact, many communities were serviced by volunteer-only forces until fairly recently. I reached out to three of my colleagues who have managed communities in Pennsylvania, which historically has had a very strong volunteer fire service in all but the metropolitan cities. The fire service in Pennsylvania was the social center of many communities, where generations of families volunteered for the fire service. However, similar pressures upon volunteer forces which we face in New Hampshire as noted above have also impacted the volunteer contingents in Pennsylvania. Many of those communities have begun the process to hire career personnel who will drive the equipment to the scene, hopefully to be met by volunteers; I am told that many departments will be completing a transition to all career personnel in the foreseeable future.

Equipment – A portion of the discussion focused on the need for the Department to purchase and maintain a tanker truck, which is designed to carry much more water than typically found on an engine. A placeholder in the amount of \$350,000 has been included in Year 6 of the proposed Capital Improvements Program to allow further discussion regarding the prioritization and timing of this potential expense.

Hydrant Protection – Lastly, a request was made to understand the impact of extending pressurized water service throughout the community. Staff received information from the three water companies already serving portions of the community in order to develop an "Order of Magnitude", which is a very rough cost estimate without factoring unique circumstances (which in this instance would include such costs as additional booster pump stations, storage tanks, difficult construction conditions, etc...). Staff has platted this information on town maps and generated the following:

- a) Number of road miles currently without service is 114.
- b) Extension of lines into the Pennichuck Water Works service area (generally south of NH28) would cost \$104,000,000;
- c) Extension of lines into the Manchester Water Works service area (generally north of NH28) would cost \$14,000,000;
- d) Extension of lines into the Derry Water service area (streets easterly of Hovey Road

- to the town line) would cost \$1,800,000;
- e) Total approximate infrastructure investment is \$120M.
- f) Hydrant rental expenses would increase from the current budgeted amount of \$406,000 to \$1,122,095 with hydrant placements every 1,000 feet;

To place these numbers in perspective:

- a) The Town's current outstanding debt service is approximately \$20M;
- b) The Town's debt limit for non water and sewer projects is approximately \$99M, with \$79M available;
- c) The Town's debt limit for water works is about \$300M;
- d) The first year's debt service if service was extended to all properties would be roughly \$10.8M (20 year note @ 4.0%);
- e) Per linear foot of frontage, an assessment of approximately \$9.00 would be required annually, or \$1,350 for a home with 150 feet of frontage (plus any hook-up and operational charges assessed by the water company).

Please note that these numbers provide an Order of Magnitude only, but do point out the significant commitment of such an undertaking and its financial impact upon both the town and its property owners.

ORDINANCE #2011-10

Relative to

REVISION TO THE MUNICIPAL CODE, TITLE VI, CHAPTER VI

Introduced: 10/17/11

Second Read/Public Hearing: 11/07/11

Adopted: xx/xx/xx

WHEREAS the Town Council continues to review all town ordinances;
and,

WHEREAS the Council requires transparency in all transactions which
utilize public funds; and,

WHEREAS acquisitions under the Town's Purchasing Policy should
clearly extend to all employees and volunteers involved
with the expenditure of town funds;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of
Londonderry that the Municipal Code of the Town of Londonderry, Title VI – Town
Policy, Chapter VI – Purchasing Policy is hereby amended as attached.

Sean O'Keefe - Chairman
Town Council

Meg Seymour

Town Clerk

(TOWN
SEAL)

A TRUE COPY ATTEST:
xx/xx/xx

SECTION X

ETHICS IN PUBLIC PURCHASING

- A. **General** – *Pursuant to Section 6.2 of the Town Charter*, Public employment *and voluntary service on any town board or commission* is a public trust. Town employees *and volunteer officials* must discharge their duties impartially so as to assure fair competitive access to Town purchasing by responsible contractors. Any attempt to realize personal gain through public employment *or voluntary service* by conduct inconsistent with the proper discharge of a Town employee's duties *or volunteer's service* is a breach of public trust. Any effort to influence any Town employee *or volunteer* to breach the standards of ethical conduct is also a breach of ethical standards.
- B. **Conflict of Interest** - It is a breach of ethical standards for any employee *or volunteer* to participate directly or indirectly in any purchase activity when the employee *or volunteer* knows that:
1. The employee *or volunteer* or any member of the employee's *or volunteer's* immediate family has financial interest pertaining to the purchase; or
 2. A business or organization in which the employee, *volunteer* or any member of the employee's *or volunteer's* immediate family, has a financial interest pertaining to the purchase: or
 3. Any other person, business, or organization with whom the employee, *volunteer* or any member of the employee's *or volunteer's* immediate family is negotiating or has an arrangement concerning prospective employment is involved in the purchase.
 4. Upon discovery of an actual or potential conflict of interest, an employee *or volunteer* shall notify their department head *or board or committee chair (or in the event they are a department head or board or committee, the Purchasing Agent)* and withdraw from further participation in the transaction involved.

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION X ETHICS IN PUBLIC PURCHASING (Cont'd.)

C. Specific Actions Prohibited:

1. Gratuities. It shall be a breach of ethical standards for any person to offer, give or agree to give any employee, former employee, *volunteer or former volunteer* or for any employee, former employee *volunteer or former volunteer* to solicit, demand, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision influencing the content of any specification, procurement standard or contract award. Prohibited actions include:
2. Kickbacks. It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor to the prime contractor or any person associated therewith, as an inducement for the award of a subcontract or order.
3. Contingent Fees. It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a town purchase award upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.
4. Contemporary Employment. Except as may otherwise be permitted by town Ordinance it shall be a breach of ethical standards for any employee *or volunteer* who is participating directly or indirectly in the purchasing process to become or be, while such an employee, the employee of any person or business contracting with the town.
5. Misuse of Confidential Information. It shall be a breach of ethical standards for any employee, former employee, *volunteer or former volunteer* to knowingly to use information of a confidential nature for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

D. Supplemental Remedies. In addition to existing remedies which may be promulgated in the town administrative code or other official policy, an employee *or volunteer* who knowingly breaches ethical standards during a public purchasing transaction may be subject to any one or more of the following (in accordance with relevant provisions of any applicable collective bargaining agreement):

1. oral or written warnings or reprimands;
2. suspension with or without pay for specified periods of time; and
3. termination of employment.
4. *suspension and or removal from the volunteer position.*

RESOLUTION 2011-16

An order relative to

A Memorandum of Understanding - Conservation Land Acquisitions

Reading: 10/17/11
Adopted: 10/17/11

WHEREAS Town voters have invested in the acquisition of conservation land to preserve the character and aesthetics of the community; and,

WHEREAS the Town Council and Conservation Commission agree that the process by which land is acquired should be formalized to insure continued public confidence in the process; and,

WHEREAS the Council and Conservation Commission have agreed on a structure to implement this Resolution;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Chairman of the Town Council is hereby authorized to sign the attached Memorandum of Agreement with the Conservation Commission Chair to govern the conservation land acquisition process.

Sean O'Keefe, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
10/17/11

MEMORANDUM OF AGREEMENT

The Londonderry Town Council and the Londonderry Conservation Commission agree to adopt the following procedures governing the purchase of interests in land by the Town for conservation purposes. The goals of these procedures are to maximize transparency, to encourage economic advantage, and to avoid conflicts of interest in accordance with Town Purchasing Policy.

A. Site Selection Process:

1. Pursuant to RSA 36-A:4, the Conservation Commission shall retain exclusive oversight of the selection of properties for acquisition and/or protection in accordance with the Open Space Master Plan.
2. The Commission shall meet in non-public executive session when discussing potential properties for acquisition.
3. Properties selected for acquisition may be considered even though not included in the Open Space Master Plan.

B. Procedure After Site Selection Process:

1. Once a property is selected by the Conservation Commission, all negotiations with the Seller shall be conducted by a Joint Negotiations Committee.
2. The Joint Negotiations Committee shall be chaired by the Town Manager or his/her designee and also consist of Two Members of the Conservation Commission, the Town Council liaison to the Conservation Commission, and a Londonderry resident experienced in land transactions, evaluations and negotiations, to be selected jointly by the Council and Conservation Commission and appointed by the Council.
3. The Joint Negotiations Committee shall meet in non-public executive session when discussing potential offers or other acquisition issues.
4. As a preliminary matter, Sellers of any property will be invited to propose in writing a letter of intent to sell with a proposed purchase price to the Town.
5. Upon receipt of Seller's letter of intent, the Joint Negotiations Committee shall meet and conduct due diligence on the letter of intent. The Joint Negotiations Committee's due diligence shall include 1) a preliminary estimate of whether or not the Seller's terms are financially feasible given the current balance in the Conservation Fund and any other available grants and 2) whether the Joint Negotiations Committee should engage the services of an appraiser to value the property.
6. The Community Development staff shall issue a preliminary report on its projection of the development capacity of the property, which shall be shared with appraisers represented by the Buyer and/or Seller. The Committee's Appraiser shall also be required to meet with the Community Development staff to review the parcel's

development capacity, and the staff shall review the appraisal report's assumptions and conclusions prior to any review by the Joint Negotiations Committee for a final determination that the Appraiser's development and zoning assumptions comply with relevant Londonderry Ordinances.

7. If the Community Development staff verifies that the Appraiser's assumptions comply with local law, the Joint Negotiations Committee may utilize the appraisal in its discussions and as a basis of formulating a counter-offer and/or final formal Offer to Purchase (the "Offer"). After approval of the Offer by the Conservation Commission, the Joint Negotiations Committee shall forward it to the Seller.
8. The Conservation Commission shall conduct a public hearing at which the agreed price is disclosed and the conservation merits of the proposed purchase are presented. Following the hearing the Conservation Commission shall make a recommendation to the Town Council.
9. Every Offer (or counter-offer), even after acceptance by the Seller, shall be contingent on the parties' acceptance of a mutually agreeable Purchase and Sale Agreement, with the further provision that no Purchase and Sale Agreement shall be binding on the Town of Londonderry or any of its agencies or boards, unless and until the Conservation Commission recommends and the Town Council of Londonderry approves its terms by majority vote. In the case of a fee simple purchase, the Joint Negotiations Committee may elect to incorporate the terms of the Offer into the draft Purchase and Sale Agreement for review by the Conservation Commission.

C. Guidelines for Appraisal Selection:

1. The Joint Negotiations Committee shall maintain a list of licensed and certified appraisers from which it may choose to hire. It will be in the Joint Negotiations Committee's sole discretion to add or remove appraisers from the authorized list.
2. Appraisers shall be subject to an open competitive bidding process for any assignment by the Joint Negotiations Committee. The lowest qualified bidder shall be hired for each assignment.

D. General Provisions:

1. Staleness: It is understood that time is of the essence in real estate transactions and offers to purchase may not be considered for unreasonable time periods by Sellers. Accordingly, once a formal written Offer to Purchase has been authorized by the Conservation Commission to be sent to a potential Seller, Seller shall have thirty (30) days ~~to~~ from the date of the offer to accept, reject or submit a written counter-offer. Each Offer to Purchase shall have a termination time written into each offer in accord with this provision.

If a Seller accepts an offer from the Joint Negotiations Committee, the Town's Attorney shall undertake to draft a Purchase and Sale Agreement and forward same to Seller for Seller's review.

2. Any Purchase and Sale Agreement, to include, if appropriate, the terms of a proposed conservation easement, shall be conditioned on the recommendation of the Conservation Commission and on the approval of the Londonderry Town Council. If approval of the Town Council at a duly noticed meeting is granted, the Town's Attorney shall undertake to close on the property as soon as possible, in accordance with the terms stated in the Purchase and Sale Agreement.
3. As part of all public officials' duties and obligations in accordance with the Town's Conflict of Interest Ordinance and Purchasing Policy, members of the Joint Negotiations Committee, the Conservation Commission and the Town Council, prior to any participation or vote on any proposed purchase shall sign a compliance document indicating that neither they nor their immediate family have any financial interest in the transaction.
4. The Town Council and the Conservation Commission agree, having imposed these procedures on themselves, that they may jointly amend or except them at any time, but only with the mutual agreement of the majorities of both bodies.
5. Nothing in this agreement is intended to contravene existing state statutes or the Municipal Code. In the event of a conflict, the statute and/or code shall prevail.

Executed this ___ day of _____, 2011.

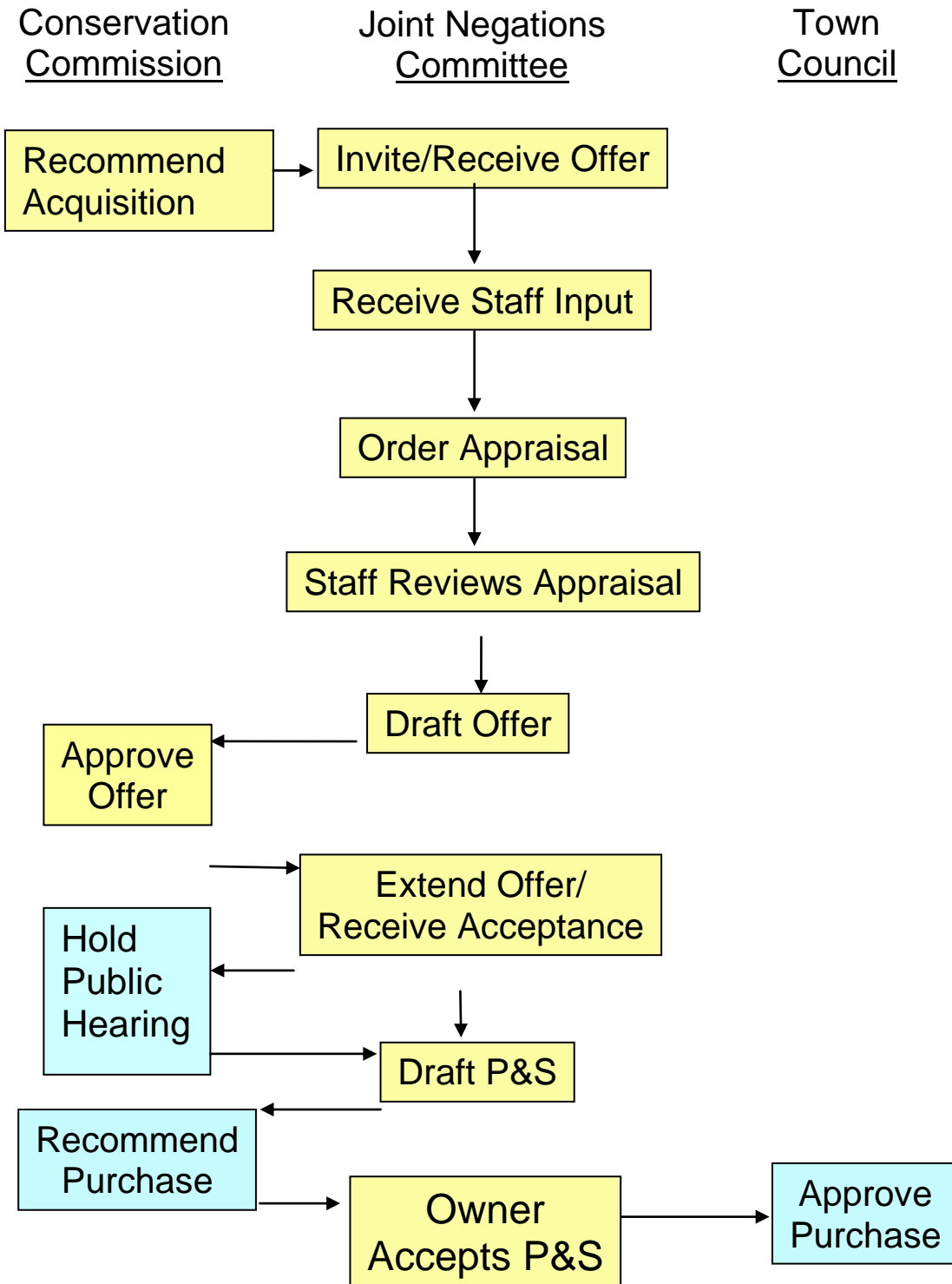
For the Londonderry Town Council:

Duly authorized

For the Londonderry Conservation Commission:

Duly authorized

Conservation Acquisition Process



 = Executive Session

 = Public Session

RESOLUTION 2011-17

An order relative to

A Lot Line Adjustment at 85/87 Pillsbury Road

Reading: 10/17/11
Adopted: 10/17/11

WHEREAS the Town secured a conservation easement on property owned by Richard and Debra Higgins located at 85/87 Pillsbury Road; and

WHEREAS the terms of the easement allowed the Higgins to complete a lot line adjustment but restricted that right to the Higgins only, and not their heirs, executors, administrators, assigns and subsequent title holders; and

WHEREAS the property is now in the name of a Trust, with Richard and Debra Higgins as Trustees; and

WHEREAS the Town's legal counsel concurs that the lot line adjustment under the present Trust ownership does not violate the restrictions included in the Conservation Easement;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Town Manager is hereby authorized to execute documents agreeing to allow the completion of the lot line adjustment at 85/87 Pillsbury Road.

Sean O'Keefe, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
10/17/11

TOWN COUNCIL MEETING
September 26, 2011

1
2 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B
3 Mammoth Road, Londonderry.
4

5 **PRESENT: Town Council: Chairman Sean O’Keefe; Vice Chairman Joe Green;**
6 **Councilors: Tom Dolan, John Farrell, Tom Freda; Town Manager, David Caron;**
7 **Executive Assistant, Margo Lapietro.**
8

9 **CALL TO ORDER**

10
11 **Chairman O’Keefe opened the meeting at 7:47 PM with the Pledge of Allegiance. This was**
12 **followed by a moment of silence for the men and women fighting for our country abroad**
13 **and at home.**
14

15 **PUBLIC COMMENT**

16
17 **Vinnie Curro**, 103 High Range said that the 11th Annual Safety Day was held last Saturday. It
18 was the first year with the Moose Hill PTA doing a ‘Touch a Truck’ fundraiser; he said they had
19 about 17 different trucks for the fund raiser. He estimated that they inspected 21 car seats that
20 day; they took 2 out of service and donated 2 to those families. The NH Free Masons processed
21 42 children through their children ID program. The Injury Prevention Center from Dartmouth-
22 Hitchcock Medical Center attended with their new Distracted Driver Simulator. They had 30
23 young adults participate and all crashed into 1 of 2 simulations they did. He thanked the
24 Councilors and the community for their support.
25

26 Chairman O’Keefe brought up an incident that he was made aware of Friday night regarding
27 ambulance coverage for a Lancer football game. John Robinson, 13 Elmwood Rd. and Nancy
28 Hendricks, 14 King John Drive were in attendance. Chairman O’Keefe said that the School
29 Board had heard at the last minute that there would not be an ambulance on the field for Friday
30 night’s football game. The School Board was lead to believe that they had to pay for coverage.
31 His first concern was that the proper notification was not given to the School Board and his
32 second concern is how to resolve this issue going forward. Londonderry Fire Chief Kevin
33 MacCaffrie said ambulance coverage has been provided it previous to the current budget; he
34 spoke with the athletic director in early August and said that they could not guarantee a dedicated
35 ambulance to be there at all times. They could provide coverage if the school would like to pay
36 for it like the police do for details. If the on-duty ambulance is not busy at the time, they could
37 put it there but would need to respond to emergencies throughout the community when called.
38 Councilor Farrell verified that coverage would be provided if an ambulance is available. J.
39 Robinson said that most schools do provide ambulance coverage. He said the first time the
40 school heard was on Friday, and they will look into the communication chain. If there is a cost
41 we as a town and school district should work it out together. Chairman O’Keefe asked J.
42 Robinson if they unable to provide an ambulance will the fire truck work out. J. Robinson said

43 they want a trained professional with professional gear available. Councilor Green said the
44 standard operating procedure is that the ambulance will be at the field if it is available.
45 Councilor Freda asked how much would the detail be for one game. The Chief responded it
46 would be \$64.00 an hour per person, with a minimum of 4 hours per person, the same as a police
47 officer. Chairman O’Keefe stated there are definitely solutions we need staff to work on the
48 solution.

49
50 **PUBLIC HEARING**

51
52 None

53
54 **OLD BUSINESS**

55
56 **Appointments to the Public Safety Dispatch Services Study Committee** – Chairman
57 O’Keefe said they compiled a list of well qualified people who came forward to volunteer. Each
58 member of Council picked one person along with 2 alternates and provided those names to him.
59 Councilor Farrell chose Linda German; Councilor Green, Steve Chasin; Councilor Freda, Ed
60 Nolan; Councilor Dolan, John Velliquette. Both Councilor Freda and Councilor Farrell chose
61 Bradley Osgood and Brendon Burns as Alternates. The Alternates will have full voting powers
62 if a regular board member does not show up. Councilor Farrell said they never interviewed or
63 met Steve Chasin and asked Councilor Green if he spoke with him and does he have any insight
64 on why he would be good for this committee. Councilor Green said based on the letter he wrote
65 he has 13 years experience in fire departments and emergency services. He has also seen some
66 success with emergency systems. Councilor Farrell said due to his not meeting the Councilors
67 they were unable to ask questions such as if there are any conflicts of interest. Chairman
68 O’Keefe said he has had some interaction with him but has not spoken to him directly. He was
69 very vocal in the beginning by sending e-mails to him and the Town Manager asking them to
70 look at things. He offers a good prospective. Councilor Farrell said other people came for
71 interviews and in the interest of fairness we haven’t spoken to him, it would be nice if he came to
72 talk to us. Councilor Freda said the process was for each Councilor to make a pick, he said he
73 didn’t know that Councilor’s picks had to be justified; he could justify his pick if necessary.
74 Councilor Farrell responded he had no problem with his pick, the volunteer came to a meeting
75 and was interviewed, we all got a chance to talk to him. Councilor Dolan said he would have
76 liked the opportunity to ask Mr. Chasin the same question he asked all the other candidates and
77 that was if he would be able to keep an open mind regardless of what direction things went and
78 he does not know the answer to that question. **Councilor Dolan, made a motion to accept the
79 nominations as read, second Councilor Farrell. Council’s vote was 5-0-0.**

80
81
82 **Hemlock Street Structure Fire Workshop** - In attendance was Chief Kevin MacCaffrie, Capt.
83 Douglas Cardwell; Capt Jim Roger, and Firefighter Bruce Hallowell. The PowerPoint
84 presentation also contained actual radio communication at the scene. Capt. Roger reviewed the
85 structure of the house, the water supply was an issue because the hydrant was located in Derry,
86 890 feet away from the house and was low on pressure. He reviewed the Fire Station locations
87 and time frame. The mutual aid stations were listed and he thanked them for their help along

88 with the Londonderry Police Department. Firefighter B. Hallowell reviewed the normal driving
89 time from mutual aid. Capt. Roger reviewed the weather conditions, the time of the call and
90 noted that all stations were at a full staff of 10. He proceeded to explain the staffing of each fire
91 station. Firefighter Hallowell reviewed the alarm response time for the first and second alarm.
92 He listed the time line from the call to time of arrival time which took eight minutes. Capt.
93 Roger said the initial call to 911 was reported as a porch fire. Capt. Roger also stated that 80%
94 of the house was involved in fire upon arrival at 4:28; the initial call came in at 4:20. The roof
95 had partially collapsed. Capt. Roger explained that the speed of a fire doubles in size every 90
96 seconds. He explained that our first two engines carried 3,000 gallons of water, the Windham
97 engine brought in 1,000 gallons. With that water they attempted a rescue of the 2 individuals
98 still in the structure but due to the collapse of the roof were unable to execute a rescue. Capt.
99 Roger explained the procedure of “Vent, Enter & Search” which was employed to locate the 2
100 individuals with thermo imaging techniques. Capt. Roger explained that the communication
101 specialist were familiar with the town and were able to direct the mutual aid responders directly
102 to the street. Councilor Farrell asked if with additional staff the result would have been any
103 different. Capt. Roger responded additional manpower would not have helped out with this fire;
104 the house was too involved upon arrival. Discussion ensued about water flow, hydrants, distance
105 from hydrants, and the amount of water in a tanker. Combustionable materials, fire alarms and
106 smoke detectors in the house were also discussed. The response time for Londonderry and
107 mutual aid was reviewed. Capt. Cardwell explained the different radio frequencies used by
108 Londonderry and the mutual aid. Waters supply time line and hydrant issues were also
109 discussed. The deficiency issues were the lack of available water on scene and lack of personnel
110 on scene to complete their tasks. Capt. Roger reviewed the National Fire Protection Association
111 (NFPA) 1710 staffing standards which would total 15 personnel for Londonderry. He explained
112 that we are 7 short and are in compliance of that standard by 56.2%. The staffing issue we have
113 of a 2 man engine company is not recognized around the country. He reviewed their internal
114 strengths. Improvements are needed in the areas of on-duty staffing; crew integrity; fire ground
115 frequencies; a tanker; more training with mutual aid; update run cards; municipal water system
116 improvements.

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118 Councilor Farrell said there are two glaring questions, tanker and personnel. Councilor Freda
119 clarified the NFPA 1710 standards for staffing required 15 firefighters – Chief MacCaffrie
120 explained we would need 15 firefighters to perform every function within the first 8 minutes.
121 Chief MacCaffrie said Londonderry arrived in about 12 minutes; mutual aid arrived in about 20
122 minutes. Capt. Cardwell explained there are different ways of evaluating staffing levels, today
123 we have 9 assigned due to budgets cuts and he said we have apparatus that we don’t staff. Capt.
124 Roger explained at the north end of town staffing will be a lieutenant and 2 firefighters; at
125 Central will be a Captain, a Lieutenant, 2 paramedics and 1 firefighter; at the south end will be a
126 lieutenant and 1 firefighter. If someone calls in sick or takes a vacation the staffing will be less.
127 Councilor Freda asked how many firefighters they have, Chief MacCaffrie responded 40.
128 Councilor Farrell asked what is the status of the SAFER grant; Chief MacCaffrie responded it
129 was unfunded. Councilor Freda asked what adding 4 firefighters would do, Chief MacCaffrie
130 and Captain Cardwell said it would give us two 3-man companies. Discussion ensued regarding
131 the federal law that requires 4 firefighters on scene before they can enter a building. Capt. Roger
132 explained they took extraordinary chances at this fire because they thought they had a rescue.

133 They had one firefighter running two pieces of fire apparatus. Chief MacCaffrie said all of
134 Londonderry's crew arrived within 8 minutes. Councilor Green asked how many communities
135 meet the NFPA 1710 requirement? Capt. Roger said the City of Nashua, Derry during most
136 times and the City of Manchester. Councilor Green asked about the possibility of having Call
137 Firefighters being used. Capt. Roger said we do have them but times have changed. We have
138 hired them for our department when we have had openings. We currently have 10 active Call
139 Firefighters and they still train once a month. Councilor Green asked if they were on duty that
140 night. Capt. Cardwell explained they are not on duty, they respond to a paging system if they
141 can. Councilor Green asked how many communities in the area have volunteer departments.
142 Capt. Roger, explained there are a few that have combination departments like Hampstead and
143 Windham. The problem these days is that we have to have the same training standards for both
144 volunteer and career, which is very time consuming. Councilor Dolan asked what was the cause
145 of the fire. Fire Marshall Brian Johnson said the State Fire Marshall said it was undetermined
146 due to the extensive damage; it could have been smoking material or electrical. Councilor Dolan
147 said there are three items of concern: staffing levels, the tanker and the fire hydrant
148 infrastructure. Capt. Roger responded 46% is covered. Councilor Dolan asked how many of the
149 residential areas are covered with hydrant protection; Fire Marshall B. Johnson said there is
150 definitely over 50% that is not covered. Councilor Dolan said we should find out what our
151 options are for hydrants. He suggested the Town Manger check with Pennichuck and
152 Manchester to find out the cost and implementation of hydrants in town. Chairman O'Keefe
153 said when he was on the Budget Committee they looked into the feasibility of that and it and was
154 a very expensive investment. He also said that even if a tanker is put in place we still have a
155 staffing level problem. Councilor Dolan asked if could use the water in a pool, Capt. Roger said
156 they could. Chairman O'Keefe asked if it would make more sense having a tanker truck right
157 now because it would be more efficient and it will allow you to be a contributor to other
158 communities, Capt. Roger replied definitely. Capt. Cardwell gave the mutual aid statistics from
159 1997 to the present which showed requests from Londonderry for mutual aid has increased.
160 Councilor Farrell said the CIP will not be finalized until October 2012, he suggested they talk to
161 Community Development Director A. Garron and put the money in that plan. Councilor Farrell
162 said the staffing of the fire department is bigger than us and he suggested the idea of asking the
163 voters if they want to increase staffing, show them the cost and what it will be on the tax rate. If
164 the residents want to add firefighters then our direction is clear. Discussion ensued. Councilor
165 Dolan came up with another idea of putting a Warrant Article out and let the Deliberative
166 Session work on it. Chairman O'Keefe said for years the town has been asked to cut, streamline,
167 hold back; the town employees have done more with less. Councilor Dolan said in the end it is
168 up to the voters. Councilor Freda said according to the 10 year staffing history in the Annual
169 Report personnel remains flat. There have not been more than 3-4 increases in staffing; the
170 Town has new businesses and a thousand more houses in the past 10 years. At some point there
171 is a breakeven point and we have hit it. Now we have apparatus that is being unmanned. We are
172 not going to have a 50% increase in 1 year in the fire department's budget so we have to do what
173 we can do in the town budget. Councilor Green said the issue is not having water; the water
174 hydrant is an issue, he asked if the firefighters had an indication of where the closest bodies of
175 water are. Chief MacCaffrie said that is all mapped out, it still requires a manned piece of
176 apparatus to draw the water out, and it is still manpower intensive. Councilor Green said he read
177 the report and there seemed there was an awful lot of time spent trying to get the hose laid and

178 communicating with the staff laying that hose to get water to the fire. He said it scares him to
179 hear that 60-70% of the residences in town don't have hydrants around them. Councilor Farrell
180 asked for a consensus to direct the Town Manager to ask the Fire Chief to add 4 personnel into
181 the budget that he presents to us so we can see what it costs. Chairman O'Keefe said the
182 hydrant option has been investigated, it is not a good option because it is extremely costly. He
183 asked the Town Manager how much it costs per hydrant. Town Manager Caron responded that
184 just the rental is \$600.00 per year in one district, but that is minimal compared to the extension
185 costs. Councilor Green said he would like to look at it again and update the research. Chairman
186 O'Keefe said what he is hearing tonight is that they need more firefighters and need to have
187 water enroute with them. Don Moskowitz, 7 Tokanel Dr. spoke to the water situation, he said it
188 looks like it took 45 minutes to get pressurized water and 23 minutes before Litchfield was on
189 scene with 2,500 gallons. He suggested purchasing 1 or more pool water trucks which have
190 about 10 thousand gallons each, maybe look at a used one. Capt. Cardwell said 25 years ago
191 they had a single tractor trailer in headquarters. Maintenance was too expensive and the amount
192 of trained drivers to drive was a problem, they had to maintain a CDL license. They preferred a
193 manufactured apparatus. Fire Marshall Johnson cautioned homeowners to make sure smoke
194 detectors work and are replaced every 10 years, change their batteries twice a year, do home fire
195 drills, and having an alarm system is wonderful. He explained that new construction has to have
196 hard wired smoke detectors with battery back-up on every level and carbon monoxide detectors
197 on all levels. At this point in the meeting the consensus was to agree to ask the Town Manager
198 to ask the Fire Chief to add 4 personnel into the budget that he presents to Council so we can see
199 what it costs us. It was also agreed that the Chief would request a tanker through the CIP process.
200 Councilor Green suggested looking into how many other communities have a combined
201 paid/volunteer department. Councilor Farrell said we are not looking for an all volunteer
202 department, finding the right volunteers when you have an airport and a major highway is a great
203 idea but he said he didn't know if it would work best but it is worth looking into. Capt. Caldwell
204 said 25 years ago they had more volunteers and had 5 permanent men on duty. What happened
205 is our call volume went up so high the volunteers didn't have the time to respond or train. We
206 are doing a lot with very little. Councilor Green said if you don't have the money in the budget
207 maybe people will volunteer to do the job. He said he is not talking about call firefighters he is
208 talking about people manning the station. Councilor Roger said the standards haven't changed,
209 we still have to have physicals, pre-polygraphs and polygraphs, train, buy equipment, it is all the
210 same process as for regular firefighters. They also will have to keep up their certification. Chief
211 Cardwell said that history has taught them that once they are trained they will leave for a paying
212 job. It costs \$4K for equipment; training is \$4-5K and that is without pay. Councilor Green
213 asked the Town Manager to investigate the use of volunteers.

NEW BUSINESS

APPROVAL OF MINUTES

219 Minutes of Council's Public Meeting of 9/19/11 – Councilor Farrell made a motion to
220 accept, second Councilor Green. Council's vote was 5-0-0.

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OTHER BUSINESS

Liaison Reports – Councilor Farrell said the Elder Affairs Committee is looking at a new piece of property located near the Triangle Mobile.

Town Manager Report - Town Manager Caron stated that there is a scheduled meeting for next week; currently there is nothing on the agenda. He asked if they wanted to meet. The consensus was to pass up next Monday night and the next meeting will be 10/17/11.

Board/Committee Appointments/Reappointments – None

Ed Nolan questioned the protocol for meetings for the Dispatch Service Study Committee and thanked the Committee for allowing him to volunteer. John Velliquette thanked Council for his nomination as well.

ADJOURNMENT

Councilor Green made a motion to adjourn at 10:38 PM, second Councilor Farrell . Council’s vote was 5-0-0.

Notes and Tapes by:	<u>Margo Lapietro</u>	Date: <u>09/26/11</u>
Minutes Typed by:	<u>Margo Lapietro</u>	Date: <u>09/29/11</u>
Approved by:	<u>CIP Committee</u>	Date: <u>10/ /11</u>