

**TOWN COUNCIL
AGENDA
September 10, 2012**

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.

7:00 PM

- I. CALL TO ORDER
- II. PUBLIC COMMENT
 - A. NH Retirement System – Sen. Sharon Carson (Tentative)
 - B. Chief Hart – Introduction of New Personnel
 - C. ENH Power – Deb Crowley
 - D. Budget Committee Interviews
- III. PUBLIC HEARING
 - A. Ordinance 2012-01 – Amendment to the Zoning Ordinance Relating to Rezoning Map 10, Lot 122, Mercury Drive at Nevins Drive
- IV. OLD BUSINESS

None
- V. NEW BUSINESS
 - A. Order #2012-15 – Expenditure of Maintenance Trust Funds for Various Projects
 - B. Inter-Municipal Agreement with City of Manchester for Sewage Treatment
 - C. Order #2012-16 – Distribution of Fire Equipment from the Capital Reserve Funds
 - D. Police Firing Range
- VI. APPROVAL OF MINUTES
 - A. Council Meeting of 8/20/12
- VII. OTHER BUSINESS:
 - A. Liaison Reports
 - B. Town Manager Report
- V111. BOARD/COMMITTEE APPOINTMENTS AND REAPPOINTMENTS

- A. Resignation of Marty Srugis from the Budget Committee, term to expire 3/12/15
- B. Appointment to the Budget Committee, term to expire 3/12/13.
- C. Resignation of Ken Henault from the Conservation Commission.
- D. Re-appoint Marge Badois from an Alternate member on the Conservation Commission to a Full member with a term expiration of 12/31/14.
- E. Re-Appointment of Susan Haussler to the Elder Affairs Committee, 3 year term to expire 12/31/15
- F. Re-Appointment of William Manning to the Recreation Commission, 3 year term to expire 12/31/15
- G. Re-Appointment of Gary Stewart to the Solid Waste and Environment Committee, 3 year term to expire 12/31/15

IX. ADJOURNMENT

X. MEETING SCHEDULE:

- A. Town Council Regular Meeting – September 17, 2012, Moose Hill Council Chambers, 7:00 PM
- B. Town Council Regular Meeting – October 01, 2012, Moose Hill Council Chambers, 7:00 PM
- C. Town Council Regular Meeting – October 15, 2012, Moose Hill Council Chambers, 7:00 PM
- D. Town Council Meeting-Budget Presentation – November 5, 2012, Moose Hill Council Chambers, 7:00PM
- E. Town Council Budget Workshop (Saturday) – November 17, 2012, Moose Hill Council Chambers, 8:00AM
- F. Town Council Budget Meeting-Budget Discussion – November 19, 2012, Moose Hill Council Chambers, 7:00PM
- G. Town Council Budget Workshop-Follow-Up Budget Hearing – November 26, Moose Hill Council Chambers, 7:00PM
- H. Town Council Budget Workshop/Bond Hearing – November 29, 2012, Moose Hill Council Chambers, 7:00PM

Introduced: 08/20/12
Second Read/Pub Hrg: 09/10/12
Adopted: 09/10/12

ORDINANCE #2012-01
AN AMENDMENT TO THE ZONING ORDINANCE
RELATING TO REZONING MAP 10, LOT 122, MERCURY
DRIVE AT NEVINS DRIVE

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

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

WHEREAS the requested rezoning will make this portion of the site consistent with the zoning of the remaining parcel;

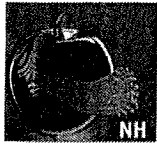
NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Town Zoning Ordinance be amended to reflect the rezoning of Map 10, Lot 122 from C-I to R-III, to become effective upon passage by the Town Council

John Farrell
Chairman - Londonderry Town Council

A TRUE COPY ATTEST:

Marguerite Seymour - Town Clerk
09/10/12

Town Seal



Londonderry
Business is good.
Life is better!

Town of Londonderry

Planning & Economic Development Department

268B Mammoth Road
Londonderry, New Hampshire 03053
Phone (603) 432-1100 x134
www.thriveinlondonderry.com
www.londonderrynh.org



To: Town Council
CC: Building Department
From: Cynthia A. May, ASLA *cm*
Date: August 8, 2012
Subject: **Rezoning Recommendation from the Planning Board
Map 10 Lot 122 (Portion)**

On July 11, 2012 the Planning Board held a public hearing relative to the Zoning Ordinance and Zoning Map.

The Planning Board, by unanimous vote, recommends to the Town Council to approve the rezoning of the portion of Tax Map 10 Lot 122 that is currently zoned C-I to R-III.

A copy of the application, staff recommendation to the Planning Board, and the Planning Board minutes are attached.

Staff will be in attendance at the public hearing to present the proposed zoning change. Please feel free to contact Andre Garron or Cynthia May if you have any questions.

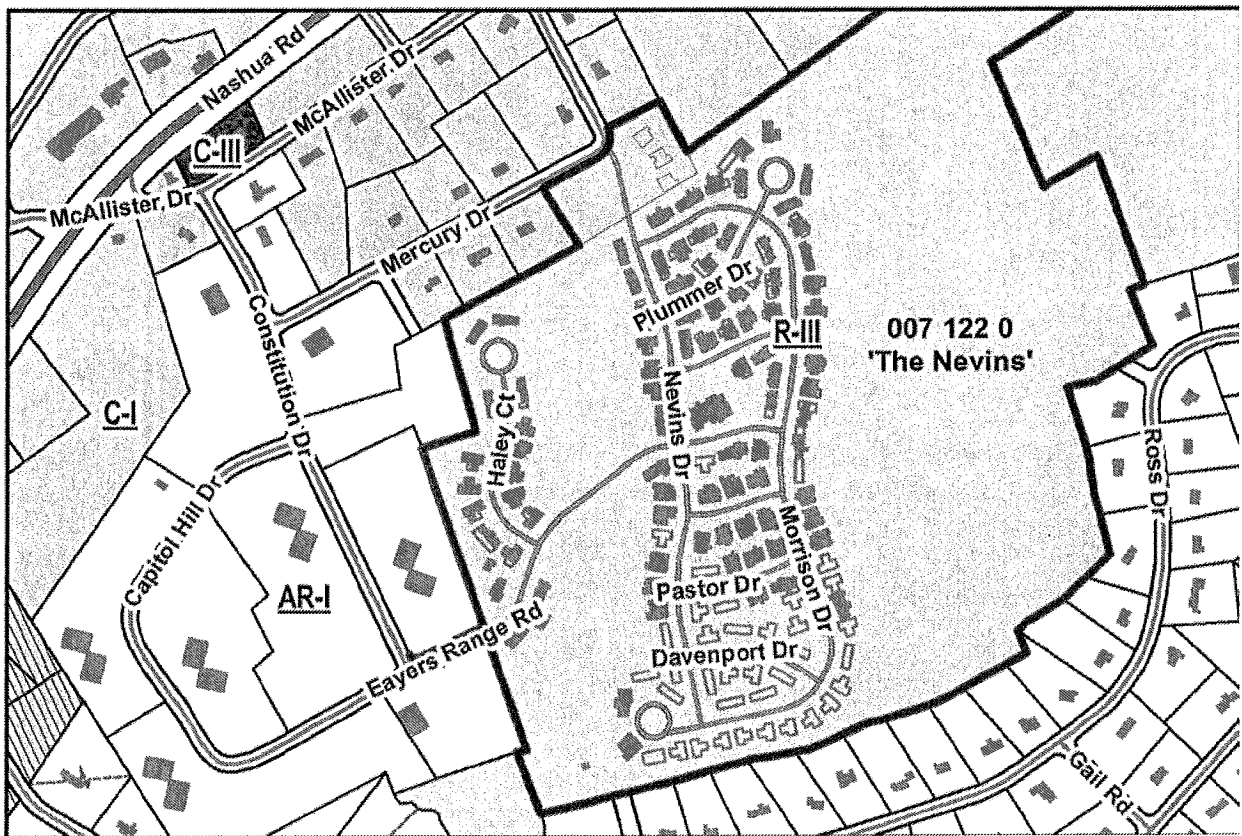
MEMORANDUM

To: Planning Board Date: July 11, 2012
From: Cynthia A. May, ASLA
Town Planner
Re: Rezoning Request: Map 7 Lot 122 (From C-I to R-III)

The Planning & Economic Development Division has reviewed the above referenced rezoning request and we offer the following comments:

Review Comments:

The applicant requests the rezoning of the above referenced lot from C-I to R-III. The parcel is located on Mercury Drive at Nevins Drive. (Please see the map and aerial image below).



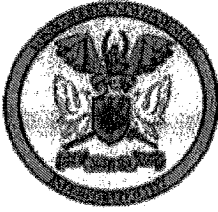


As a condition of approval for the Nevins Expansion in 2008, Lot 7-123 was merged with Lot 7-122, which is an age restricted (55+) multi-family residential development appropriately zoned R-III; however, the area of former Lot 7-123 remains zoned C-1. It's this portion of the parcel that is the subject of the current request for rezoning.

The 2004 Master Plan does not specifically address or make a recommendation to change the zoning in this location, with the future zoning map reflecting the current zoning in this area. But the proposal would be consistent with the approved land use, and the remainder of the parcel. Furthermore, in keeping with past practice of the Planning Board, rezoning this parcel to R-III would not be paving the way for a future proposal that might be considered a change of use in that location.

Staff Recommendation:

The proposed rezoning is consistent with the approved, as well as the current land use and zoning designation of the remainder of the parcel. As such, staff recommends that the Planning Board **RECOMMEND** to the Town Council that they approve rezoning the portion of Map 7 Lot 122 that is currently zoned C-I to R-III.



TOWN OF LONDONDERRY
 Community Development Department
 Planning & Economic Development Division



2688 Mammoth Road
 Londonderry, New Hampshire 03053
 Phone: (603) 432-1100, x134 Fax: (603) 432-1128

REZONING APPLICATION

Name of Applicant: John KALOUTZAKOS

Name of Lot Owner: Crest Realty Holdings 2
 (If different)

Address: 100 Andover Bypass Suite 203 North Andover MA 01845

Telephone #: 603-421-0560

Date Submitted: _____

Tax Map # _____ Lot # _____
 (Please list all if multiple lots are involved)

Current Zoning: C1

Proposed Zoning: R3

Please explain the purpose and justification for your rezoning request (attach additional sheets if necessary):

Lot # 7-123 is being merged with Lot # 7-122 at the news. Three additional houses will be built and added to the news. This request is to change the zoning of 7-123 to R3 from C1 so they merged property will have consistent zoning.

Planning Department Comments (to be filled in by Town Staff):



A. The Nevins Retirement Cooperative Association, 1 Map 7 Lot 122 – Public
2 Hearing to consider the applicant’s request to rezone a portion of the property
3 from Commercial I (C-I) to Multi-Family Residential (R-III), Zoned C-I and RIII.
4

56 John Kalantzakos of Mesiti Development stated that when former lot 7-123 was
7 merged with the larger 7-122, the C-I zoning of 7-123 was not changed. The
8 request is to rezone that portion of 7-122 to R-III to match the rest of the
9 development.

10

11 A. Rugg asked for staff input. C. May explained that a condition of approval for
12 the 2008 site plan (to expand the Nevins development onto map and lot 7-123
13 with three additional homes) was that lot 7-123 be merged with 7-122.
14 Review by staff of the 2004 Master Plan did not reveal any specific
15 recommendations or guidance about zoning in this section of town and the
16 future zoning map has not been changed since that time. Rezoning to R-III
17 would make that portion consistent with the approved land use and would
18 preclude the possibility for a future proposal that might be considered a change
19 of use in that location. She said staff recommends the Board provide the Town
20 Council with a favorable recommendation to rezone the aforementioned portion
21 to R-III.

22

23 A. Rugg asked for input from the Board. L. Reilly asked about surrounding
24 zoning. C. May explained that while C-I zoning abuts 7-122 to the west, the
25 use on those lots on Mercury Drive and McAllister Drive is residential. A.
26 Garron noted that the abutting land to the northeast is designated as open
27 space under a conservation easement. A commercial warehouse and the Home
28 Depot/The 99 Restaurant/Staples lot are to the north and west of 7-122. L.
29 Wiles confirmed that the current C-I zoning would not have prevented the
30 three residences from being built and that there would be no change in tax
31 impact on those houses if the portion is rezoned. M. Soares asked if the plan
32 to build three residences could change. J. Kalantzakos said there are no plans
33 to amend that proposal.

34

35 A. Rugg asked for input from the public.

36

37 Christine Perez, a resident in the Nevins, stated that she initiated this process
38 to create consistency and prevent C-I related uses from becoming part of the
39 Nevins development. She relayed that Nevins owners who directly abut the
40 commercial portion are in favor of having it zoned residential.

41

42 **L. El-Azem made a motion to recommend the request to rezone the**
43 **portion of 7-122 that is Commercial- I to Multi-Family Residential to**
44 **the Town Council, as recommended by staff. L. Wiles seconded the**
45 **motion.** No discussion. **Vote on the motion: 9-0-0.** The recommendation
46 will be sent to Town Council.

47

49

48 **Other Business**

50 A. Discussion on a proposed commercial kennel ordinance.

ORDER #2012-15

An Order Relative to

EXPENDITURE OF

MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 09/10/2012

Adopted: 09/10/2012

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

WHEREAS expenditures have been made for various projects on the attached list,

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$11,604.74 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

John Farrell, Chairman
Town Council

Marguerite Seymour
Town Clerk

A TRUE COPY ATTEST:
09/10/2012

Vendor	Location	Amount	Description of EMTF Expense
Longchamps	Fire Station #1	\$1,216.50	Reprogramming of the HVAC System to improve operational efficiency in an attempt to lower our monthly electric usage/charges.
American Alarm	Town Hall	\$10,388.24	Eliminate the manual locking of the three main exit doors with an automated Access Controlled System. Scope of work includes, changing of the existing door locking hardware, adding external Key Pad/Key FOB, Cabinet to house the Hardware, Software, Programming of System, and, Training. Access Control System being purchased has the capacity for future expansion in case we decided at a later date to add Access Control internally to the Town Hall.
Total 9/10/12 Order Amount		\$11,604.74	

ORDER 2012-16

An order relative to
The Distribution of Fire Equipment Capital Reserve Funds

First Reading: 09/10/12
Second Reading: Waived
Adopted: 09/10/12

WHEREAS

the Town of Londonderry, by adoption of Article No. 6, at the 2012 Deliberative Session approved funding \$150,000 for the acquisition of fire department equipment; and,

WHEREAS

the Fire Department Equipment Committee has completed its review of several manufacturers' equipment and have made a recommendation that the Town purchase various Fire Department equipment; and,

WHEREAS

the Committee further recommends that \$23,800.59 be withdrawn from the Capital Reserve Fund for Fire Department equipment;

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Treasurer is hereby directed and authorized to expend from the Capital Reserve Fund the sum of \$23,800.59 for Bergeron Protective Clothing and Industrial Protection Services.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
09/20/12

Vendor	Location	Amount	Description of Capital Reserve Expense
Bergeron Protective Clothing	Fire Station #1	\$4,058.48	2 complete "Turn-Out Suits".
Bergeron Protective Clothing	Fire Station #1	\$6,079.11	3 complete "Turn-Out Suits".
Industrial Protection Services	Fire Station #1	\$13,663.00	Power Extrication Rescue Tools
Total 9/10/12 Order Amount		\$23,800.59	

1

<p style="text-align: center;">TOWN COUNCIL MEETING August 20, 2012</p>

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

5
6 **PRESENT:** Chairman, John Farrell; Vice Chairman Tom Dolan (7:02); Councilors: Tom Freda,
7 Jim Butler (7:02); Joe Green; Acting Town Manager, LPD Chief William R. Hart; Finance
8 Director, Sue Hickey; Executive Assistant Margo Lapietro.

9
10 **Call to Order**

11
12 Chairman Farrell opened the meeting at 7:00PM with the Pledge of Allegiance. This was
13 followed by a moment of silence for the men and women fighting for our country here and
14 abroad.

15
16 **Public Comment**

17
18 **NH Retirement System** – State Rep. Ken Hawkins, and State Rep. Betsy McKinney were in
19 attendance. Chairman Farrell stated that in former meetings Councilor Freda had prepared a
20 number of analyses regarding the pension system going forward. Councilor Freda said he had a
21 spreadsheet on the history of the retirement system. He said he is concerned about the town
22 share noticeably in the Police and Fire Departments for the cost to the town for retirement. The
23 trend has moved from in FY07 the cost to the town for a police officer for retirement was 9.69%
24 of their compensation, for FY13 it is 19.95% and it has been steadily going up. It is costing
25 almost 20 – 25% of the cost of an employee for their retirement. It will be probably 50% in
26 another 5 years the way the trend is going. He asked what is being done at the state house; these
27 costs can't continue to be passed on to the towns. It is going to make it impossible to hire
28 additional personnel. K. Hawkins said our investment returns in the retirement systems have
29 dropped dramatically. The House passed a bill this year that says all new state employees
30 effective December 1, 2014 will have to go into a defined contribution. The Senate decided they
31 wanted to study it; so it went nowhere. Until the liability is caught up the rates will continue to
32 go up. The legislature decided that they would like to give additional benefits so they did a
33 medical subsidiary, 25% of the town's rate goes to that. The state used to pay 35% of the
34 employer rate, it was lowered to 25% and this year the Governor has lowered it to zero in his
35 budget. We promised too many benefits and we are not collecting enough money to pay for
36 those benefits. They raised the employee contributions by 2% to try to offset what the state was
37 paying. Councilor Freda asked if it has to pass the House again now that it didn't go anywhere;
38 K. Hawkins responded it will. He recommended talking to your Senator. Councilor Freda said
39 back in 2007 it was a better bargain to hire a public employee than a private employee; it is no
40 longer the case. Right now it costs \$1.20 for every \$1.00 in salary that we are paying. Councilor

41 Dolan said the there were instances where the investments yielded greater than the estimates and
42 the state government re-directed those monies rather than leaving it in the retirement. K.
43 Hawkins responded year ago up to 2007 or 2008 if the returns exceeded the assumed rate of
44 return by more than ½ of a percent that money went into a special account for Other Post and
45 Plan Benefits, basically COLA. Eventually they added the medical subsidiary. When you had
46 great years that money went in when you had a bad year nothing came out. \$900M went into
47 that special account; we have taken out \$350M of it and have closed that account. Councilor
48 Dolan asked if it made sense to leave the money in the account to help fund the unfunded
49 liabilities. K. Hawkins said they have changed RSA100 so if you made 40% this year nothing
50 can go out of the account. Chairman Farrell asked the Town Manager to ask Sen. Carson to
51 come to the next meeting to ask questions. Betsy McKinney said Rhode Island revamped
52 everything in their retirement system. On October 30 the court is going to rule on this case. RI
53 states that it is not a law it is a negotiated contract and by law they can change it. She said we
54 will be sued if our changes pass. K. Hawkins said we have 6 suits in the court over the past 5
55 years with all the changes the state has made. Councilor Freda suggested if changes are made
56 start with the new people coming.

57

58 Conservation Commission - Stewardship of Open Space was discussed. Chairman Farrell said
59 he talked to the Chairman of the Conservation Commission, Deb Lievens and she said she would
60 like to see some participation from the liaison and maybe one of the other Councilors to join
61 them at a meeting to get all the details on what is wanted. D. Lievens expressed concern that she
62 was not receiving the agenda and stated she didn't know they were on the agenda for tonight.
63 Councilor Freda said he sees the issue of difference from the last Open Space Report and the
64 current one, a goal of 25% for protected land was in the older report and now it is 39%. Why is
65 there a difference? D. Paul said the Open Space Master Plan was a town project; it consisted of
66 representatives from different aspects of the community along with representatives of the
67 Conservation Commission. The Conservation Commission does not regulate anything that is in
68 that report, it was accepted by Council; we are here to try implementing things that are suggested
69 in the report. Conservation Commissioner Mike Speltz said the 05 Master Plan did not set a goal
70 of 25%, the total acreage is very close to what is in the current plan. There was a minimum of
71 25% as a good goal for the town which is a minimum amount. Councilor Freda said there was a
72 25% goal in the last plan but now it is 39%. At 25% we have land that is underutilized like the
73 Ingersoll property. What are we in the acquisition business for if land is not being utilized? M.
74 Speltz clarified that the Ingersoll property is not owned by the town, it is owned by the Forest
75 Society. It is under publicized and they are going to try to change that. Chairman Farrell
76 suggested having the liaison go to the next meeting and listen to what the Commission has to
77 say. M. Speltz said we need to work with Recreation, LAFA and Trailways and look at the
78 entire portfolio of outdoor recreation land as a whole. He had a draft of a proposal and Chairman
79 Farrell suggested they discuss this at their next meeting. D. Lievens pointed out that land
80 acquisition and stewardship are two different things. Chairman Farrell said the Council
81 understands. Councilor Freda said he thought one was a guide for the other, why are we having
82 a goal in the Open Space Taskforce if we are not going to meet that goal. It was decided that
83 Councilors Dolan and Freda will go to a meeting to discuss. Council Freda said his concern is
84 that Conservation has \$13K in inventory; nobody knows what you can use it for, nobody knows
85 what the rules are. It has to be coordinated; all he is asking for is what changed in the 25% –
86 39%. D. Lievens said she understood the Council did accept the report of the Master Plan

87 Taskforce. Chairman Farrell said he thought it was held for review. Councilor Dolan said it was
88 held as an advisory document. After discussion Chairman Farrell said it was viewed as an
89 advisory document and there was no consensus or vote. D. Lievens said they are reviewing
90 stewardship in a statement of work (SOW).

91 Bob Saur, who is on the Londonderry Trailways and was on the Open Space Taskforce, updated
92 the Council on what Trailways has been doing with the landowners and the Conservation
93 Commission. They have produced over 2,500 maps over the last 18 months. The maps show
94 almost 16 miles of trails that are available for public use at the Musquash; and shows the town
95 center trails which run from the Middle School down to the Adams Pond Rd. Maps are available
96 on the town website and the Trailways website. He explained the Conservation Commission
97 funded the first printing and a private individual did pay for the second printing of the map.
98 They are looking at putting in other trails. Trailways is an all volunteer committee and they take
99 donations.

100

101 Giovanni Verani, 73 Page Road and Marguerita Verani, 74 Page Road spoke to the Council.
102 They said their property was designated as one of the 200 properties in town identified as green
103 infrastructure. The town wants to promote economic development but it didn't include
104 commercial/retail zoned properties in this green infrastructure; only residential was included. He
105 feels that they should include everything because it is a guide showing where the green
106 infrastructure is including all the commercial/industrial. He said he is concerned about their
107 properties being listed and he wants his deleted. Marguerite Verani also said she wants her
108 property deleted from the report. Chairman Farrell verified there is a plan put in place as an
109 advisory non-binding document as of today. The Verani's are asking Council to remove the
110 properties under their ownership from the Open Space Report. M. Verani confirmed that is
111 what she wants but her brother's request is if we abut industrial land and it has the same green
112 infrastructure as they do right now, include that on it as well and put it in writing. Chairman
113 Farrell said since this is an advisory document would the Council consider removing the land
114 owned by the Verani's from that document going forward. Councilor Butler responded yes.
115 Councilor Dolan said we should offer it to everyone. The consensus was to remove the Verani's
116 and anyone else who wants to be removed from the report. M. Speltz said they have to
117 distinguish the green infrastructure as it exists on the ground; that was determined by natural
118 resources. There is no adverse effect of land marketability if it is located in the green
119 infrastructure. They identified different strategies for protecting the land:

120

121 Outright purchase

122 Conservation Easement

123 Stringent use of the site plan regulations – that was the strategy for commercial/industrial.

124

125 He stated that we have an in balance between our residential tax base and our
126 commercial/industrial tax base. Chairman Farrell responded that he will ask the Acting Town
127 Manager to contact counsel, and find out what the process is on an advisory document to have
128 the Council vote on those pieces of parcel that want to be removed from the Open Space Plan
129 and have the plan revised. The consensus of Council was to go along with that. M. Speltz

130 clarified that he is talking about the Planning Board regulations when they evaluate a property.
131 Bob Saur said he was on the Open Space Taskforce Committee and he understood the direction
132 they received from Council was to exclude commercially zoned land in the town. Some lands
133 were rated very high but were not considered because they were commercial. The Committee
134 was asked to provide some information so that when property came up for protection that the
135 Council had some input on how it ranked, and why it should be protected. It was a tool they
136 could use for comparison; it was an advisory document. Councilor Dolan said it was no secret
137 various councils have been consistent about Open Space. They have been trying to target and
138 open up land for residential development. They are trying to balance commercial/industrial and
139 residential; there was no intention that it was mandatory or anybody was being forced to not be
140 able to develop their property. Chairman Farrell said the Town Manager will speak to Counsel
141 and at the next meeting come back with comment.

142

143

144 Londonderry Fire Department - Fire Chief Kevin MacCaffrie and Fire Battalion Chief Doug
145 Cardwell were in attendance to discuss Capital Purchases and Planning. Chief MacCaffrie said
146 they have a 20 year capital plan that has been funded through the town to purchase vehicles
147 using the monies in the Capital Reserve Fund. However, those monies are less and less and
148 create a gap. They propose a plan to do some short term leasing within the Capital Reserve Plan.
149 He passed out a copy of their proposed plan (copy attached). D. Cardwell explained a lot of the
150 time they present a replacement one at a time but this time they are presenting their requests four
151 at a time. The Request for Proposals was sent out for a staff vehicle – an ambulance – a pumper
152 for this year. He explained the oldest vehicle is replaced. Ambulances are replaced through the
153 Capital Reserve Fund; they are replaced very similarly to the staff vehicle. They will need a
154 pumper truck a year for the next three years. They recommend one every eighteen months to
155 spread it out coupled with a multi-year contract it will save staff time bidding it out each year.
156 The forestry unit plows snow and fights fires. There is a plan in place but there is no funding for
157 those vehicles. They are looking at combining those vehicles along with the law enforcement
158 lease package to save some money. At town meeting this year a capital reserve account was
159 established for small equipment/rescue tools/communication/breathing apparatus and protective
160 clothing. The priority is for the defibrillators, they are looking for a 6 year lease purchase.
161 Chairman Farrell said this is an idea and they need to run the numbers and have Finance look at
162 it and come back to Council. Councilor Green questioned the price of \$160K for equipment.
163 D. Cardwell explained it is the total for 9 defibrillators, purchased over a 5-6 year span.
164 Councilor Green questioned how a bidder is chosen on a bid. D. Cardwell explained the bid
165 procedure. Councilor Dolan questioned the spreadsheets. D. Cardwell explained the
166 ambulances cover 3 vehicles, the larger fire apparatus is covered on another spreadsheet; they do
167 not have a spreadsheet for the staff vehicles because they are funded through the normal budget.
168 Of the 21 vehicles they have you are looking at the 4 engines; rescue; aerial ladder and 3
169 ambulances. Councilor Dolan said it looks like a ramp in capital reserve contributions. D.
170 Cardwell said it is a 6 year window funding. Councilor Dolan said he would like to see the
171 Finance Director's analysis to ramp those funds and see how it fits into capital reserves.
172 Councilor Freda said you are proposing \$190K for the ambulance Capital Reserve Fund over 2
173 yrs – what is the difference in doing a long term. D. Cardwell said there really is no difference;
174 they are just trying to balance out everything. This year they are short \$25K for the purchase, to

175 bridge that gap they are doing a short term lease. Councilor Freda said short term lease costs
176 more. Chairman Farrell said the next steps are to work with Finance to get the numbers.

177

178 Bryan Merrill, 5 Ashley Drive said he is running for State Representative and formally
179 introduced himself as a candidate. He said he would like to meet with Council to ask them
180 questions. It was suggested that he contact Margo for contact information. Councilor Dolan
181 explained it was better to talk to them individually.

182 Anne Chiampa, Wedgewood Dr. said she had problems with the town website. She said the
183 town calendar had missing agendas. Chairman Farrell said the IT Dept. reports directly to the
184 Town Manager. A. Chiampa said when she Google's Londonderry, NH what comes up is the
185 Town Clerks Office and not the homepage of the town website. Chairman Farrell said he will
186 have the IT Dept. look at the search engines to see if the town webpage comes up. A. Chiampa
187 said the Planning Board had discussion on I-93. It is important and it was not on the agenda.
188 Chairman Farrell said the agenda is at the control of the Chairman and usually posting happens
189 about 42 hours in advance. He explained the Planning Board has a 14 day period. There
190 sometimes are late additions to the agenda. A. Chiampa said the Master Plan information is not
191 easily accessible and it is not listed long enough. We only had a 2 week comment period on a
192 survey before it was taken off. Chairman Farrell explained the Master Plan is a Planning Board
193 document and is still in draft form. Comments will always be received up to adoption of the
194 document. Councilor Dolan explained there is a Facebook link on the Master Plan page.
195 Councilor Green explained he is on the Steering Committee and he would welcome her
196 comments. The rough draft is a discussion draft, they are still taking comments.

197

198 Reed Clark, Stonehenge Road thanked everyone for their help with this years Old Home Day.

199

200 Chairman Farrell read a letter received from Leitha Reilly, Chair of the Master Plan Steering
201 Committee. She invited Council to join the Planning Board for a Master Plan Workshop being
202 held on September 12.

203

204 Chairman Farrell thanked everyone for their help on Old Home Day.

205

206 **Public Hearing**

207 None

208

209 **Old Business**

210 None

211

212 **New Business**

213 Public Works – Approval of Contract for Installation of Drainage Improvements for Auburn Rd.
214 Public Works Director Janusz Czyzowski was in attendance and announced that the lowest
215 bidder for drainage improvements at Auburn Road was Continental Paving. He recommended
216 awarding the contract to them. Councilor Dolan asked the Acting Town Manager if this was in
217 the budget – and he responded it was part of the road bond approved at the Deliberative Session.
218 Consensus was to sign the contract.

219 Funding for Salt Reduction Plan – Public Works Director Czyzowski explained this was the
220 second round of chloride reduction funding available from the state to protect the Beaver Brook
221 watershed. Londonderry and some surrounding towns worked it out with the state and the
222 federal government to purchase two additional dump trucks that had to meet state requirements.
223 He has already purchased one. The second round of funding is available now. We are
224 responsible for 20% of the trucks which will come from Capital Reserve Funds that we now
225 have. He said he needed permission from Council to apply for the grants. The consensus was to
226 apply for the funding.

227

228 Apply for Reimbursement Funding for Household Hazardous Waste Collection - Public Works
229 Director Czyzowski said every year they have a Household Hazardous Waste Collection and the
230 state provides a grant to reimburse the towns for their expenses. This year we will receive
231 \$4,293.00. The consensus was to go for the grant.

232

233 Library Monthly Finance Reporting – Acting Town Manager LPD Chief Bill Hart explained that
234 the Finance Director had come up with the idea of a monthly finance report that was user
235 friendly for all department heads. It would allow them to manage their budgets in a more timely
236 and effective manner. A draft, trial run was sent out to all departments using the July 2012
237 month ending budget to see if the process will work. The Library through the director and
238 trustees indicated that have a different process they would like to continue to use. Chairman
239 Farrell read into the meeting minutes an e-mail dated today from the Chairperson of the Trustees
240 of the Library, Pauline Caron (copy attached). Basically, they stated that the monthly report they
241 have been producing for the past 10 years provided all the information the Trustees needed. The
242 new form proposed would not. They did say that their monthly report was distributed at their
243 monthly meeting but in addition they would make their report available by sending copies to the
244 Town Manager, Town Council and the Finance Director as well as have a copy available at the
245 reference desk in the library. Chairman Farrell said essentially what is being said is that the
246 Town is going down one path with a separate set of reports. By statute the Town Council and
247 Londonderry taxpayers fund the library and the library trustees are the controlling board. He
248 said we will take a look at what they do at budget time. Open for discussion. Councilor Dolan
249 suggested posting the report on the library website. Acting Town Manager LPD Chief Hart said
250 that could be done. He stated his concern is that the town is charged with managing some
251 aspects of the library's budget. He cited the repair recently of an AC condenser at the library
252 costing \$55K. The Finance Director was able to come up with a way to fund that repair. He said
253 if the town is charged with the responsibility with managing the money they should have more
254 team play when it offers a service of the constituents who use that money. That would benefit
255 the taxpayers to manage money more effectively. He said he looks forward to working towards
256 that goal with the trustees. Councilor Green who is the Council Liaison to the library mentioned

257 that he receives their income statement every month. He questioned if he is to hand it over to
258 Council rather than having it e-mailed. Chairman Farrell responded according to the e-mail the
259 library would send it to Council if they desired. Councilor Freda asked what is the new form that
260 the library does not want to use. Acting Town Manager LPD Chief responded it is a New World
261 software program form that each department can use. It contains line items that are used in the
262 budget preparation. The Finance Director gives a basic projection for each line item based on a
263 month to month calculation. It allows the Finance Director to ask questions if budgets are
264 over/under budget. It provides accountability to department heads and finance and it encourages
265 communication to hopefully find savings to the taxpayers. Councilor Dolan said we have to
266 recognize the library trustees are a separate political body; our financial concept of operation is
267 integrated. We pay for all their payroll processing and resources management. We shouldn't
268 have the perception that the Library is a completely separate entity. If the financial system is
269 integrated which it is, it does make sense to have integrated reports. The town resources fixed
270 the AC which was the right thing to do; the reporting should be integrated financially. Chairman
271 Farrell said we can either accept the e-mail and let them go about their business and look at
272 where we stand at budget season; or we can direct the Acting Town Manager to talk to counsel to
273 speak to the Attorney General's Office and get direction on interacting with the library.
274 Councilor Dolan said he would like to ask the Acting Town Manager to express the Council's
275 disappointment with the library's lack of cooperation in this endeavor. Councilor Green asked
276 for clarification on the draft form. Finance Director Sue Hickey explained they fill in the areas
277 requested, she exports the information to an Excel spreadsheet and they get a target for the
278 month. Anything over 5% of that target amount the Finance Dept. will ask for an explanation.
279 Anything 20% under that target amount they also ask for an explanation. At the end of the year
280 they can do a summary of trends. It is a way to communicate with the department heads on a
281 monthly basis. S. Hickey stated that one department head had already filled out the draft form;
282 she asked him how long it took him. LFD Chief Kevin MacCaffrie was in the audience and said
283 it only took about 20 minutes to fill it out. Councilor Green said that he wanted to explain to the
284 trustees at their next meeting that the form is smaller than the one they provide. Councilor Freda
285 said if it takes them maybe 40 minutes to find out if they are over or under, the statement in their
286 e-mail says that it wouldn't justify the increase of 40 minutes. Councilor Butler said he is
287 seriously disappointed in the trustees. Councilor Freda said he has serious doubts about their
288 budget. If they can't understand the purpose of seeing the purposes of the variances in line items
289 he has serious doubts that they can even handle the funds they do have. Chairman Farrell re-
290 stated the two options. Councilor Freda gave a third option to invite all the trustees and the
291 library director to attend the next Council meeting and explain to us why they don't think this
292 additional information justifies increased staff time to fill out this form. Maybe we are missing
293 something here. Councilor Green suggested talking to them about being disappointed and make
294 them understand the procedure is to their benefit. Councilor Dolan asked the Finance Director if
295 this new report could replace the typing of their lengthy report; she responded yes. All they have
296 to do is answer the variances in one column. The consensus is to invite them to the 9/10/12
297 meeting to offer their explanation, and communicate the Council's disappointment. Acting
298 Town Manager LPD Chief Hart responded he can communicate that.

299

300 **Order 2012-14 – Relative to the Expenditure of Maintenance Trust Funds for Various**
301 **Projects** - Councilor Green read the first reading and made a motion to adopt, second
302 **Councilor Freda.** Open for discussion. Council's vote 5-0-0.

303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346

Resolution 2012-10 – Amendment to the Municipal Code – Title VI – Town Policy, Chapter XVIII Credit Card Policy - Councilor Dolan read the first reading and made a motion to adopt, second Councilor Green. Councilor Dolan pointed out there was a typo error on the last sentence for the Chapter which incorrectly read VI it should be XVIII and was corrected. Open for discussion. Council’s vote 5-0-0.

Ordinance 2012-01 – Amendment to the Zoning Ordinance Relating to Rezoning Map 10, lot 122, Mercury Drive at Nevins Drive - Councilor Dolan made a motion to suspend the reading of the Ordinance; he read the first reading; second reading and public meeting scheduled for 9/10/12, second Councilor Butler. Council’s vote 5-0-0.

FY14 Budget Direction - Chairman Farrell said we have seen some preliminary figures for a bottom line default budget. The consensus was a default budget. Chairman Farrell stated that they asked to get an early copy of the default budget and it was up about 3%. Council wanted to have more of a direction of line item versus bottom line budgeting which is probably the direction they are going. Councilor Green said the line item for management services has too many things in it – it has to be clear what goes into it.

APPROVAL OF MINUTES

Council meeting minutes of 7/09/12 – Councilor Dolan made a motion to accept the minutes, second Councilor Freda. Council’s vote 5-0-0.

OTHER BUSINESS

Liaison Reports – Councilor Freda said the Planning Board approved the Jacks Bridge Rd zoning.

Councilor Butler attended the ZBA; they had only 1 variance. The Heritage Commission had the Christian Fellowship Church come in and they moved their parking lot to the side.

Town Manager Report - Acting Town Manager LPD Chief William Hart reviewed a draft proposal for handling Impact Fees. Hopefully they will be able to codify every step in the process to make sure they are in full compliance with the Ordinance.

Acting Town Manager LPD Chief William Hart discussed the proposed Employee Code of Conduct Policy, Conflict of Interest. He sent it to all the collective bargaining units for their input, most have no conflicts.

Board/Committee Appointments/Reappointments

None

ADJOURNMENT

347
348
349
350
351
352
353
354
355
356
357
358
359
360

Adjourn and Enter Into Non-Public-Public: RSA91-A: 3, II (a)

The Council voted by roll call vote to go into a Non-Public Meeting: Aye Joe Green, Aye Tom Freda, Aye John Farrell, Aye Tom Dolan, Aye Jim Butler at 9:06PM.

Notes and Tapes by: Margo Lapietro Date: 08/20/12

Minutes Typed by: Margo Lapietro Date: 08/23/12

Approved by: Town Council Date:

Capital Reserve Fund/Fire Trucks

Fire Apparatus are funded thru a Capital Vehicle program. The funding to this account has been reduced in previous years and the use of short term leasing is proposed to bridge the funding shortfalls and fill the need of the Department.

The Capital Reserve schedule forecasts a pumper purchase of one every twelve (12) months for the next three (3) years. The Fire Department Apparatus Committee recommends that the schedule be stretched to a purchase every eighteen (18) months. This coupled with a multi-year/multi-unit contract will save the Town additional dollars.

A specification for a new unit has been advertised and a vendor has been chosen by the Department.

A \$515,000 two-year short term lease purchase is being proposed for this purchase in FY13.

Forestry Units

The vehicle replacement for the Forestry units has not been addressed in any of the Fire Rescue budgets. A plan is in place, but the funding has been cut in recent years for any vehicle replacement.

There is an immediate need for a replacement of a twenty-two (22) year-old vehicle. The vehicle replacement cost is forecasted not to exceed \$50,000.00 in FY13

There might be an opportunity to combine all of the staff and forestry vehicles (police and fire) into a single lease purchase to have combined savings to both departments in the future.

Fire Department Equipment

A newly established Capital Reserve account for Fire Department equipment was established at the 2012 Town Meeting. This account was established to provide replacement of emergency medical, communications and fire rescue durable goods. There are no funds in the annual Fire Rescue Budget to address the replacement of these items.

A specification for new heart monitor/defibrillators has been advertised and a vendor has been chosen by the Department.

A \$160,000 six-year lease purchase is being proposed for the purchase of heart monitor/defibrillators in FY13.

August 1, 2012

Fiscal Year	2013	2014	2015	2016	2017	2018	2019	2020	2021
Beginning Balance	\$ 99,030.49	\$ (26,359.05)	\$ 74,745.56	\$ (10,408.26)	\$ 116,310.62	\$ 16,555.28	\$ 143,678.61	\$ 34,183.79	\$ 161,571.55
Capital Reserve Contribution	\$ 75,000.00	\$ 100,000.00	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00	\$ 125,000.00
Inventory									
Medic 1					\$ 225,000.00				
Medic 2	\$ 200,000.00						\$ 235,000.00		
Medic 3			\$ 210,000.00						
Cash Outlay	\$ 200,000.00	\$ -	\$ 210,000.00	\$ -	\$ 225,000.00	\$ -	\$ 235,000.00	\$ -	\$ 245,000.00
Ending Balance	\$ (25,969.51)	\$ 73,640.95	\$ (10,254.44)	\$ 114,591.74	\$ 16,310.62	\$ 141,555.28	\$ 33,678.61	\$ 159,183.79	\$ 41,571.55

All purchases and cash outlay is scheduled for delivery July 1st of the beginning of the fiscal year.
Ambulances are replaced every six years.

CAPITAL RESERVE PROGRAM FIREFIGHTING EQUIPMENT
August 1, 2012

Fiscal Year	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Beginning Balance	\$39,000.00	\$98,962.50	\$163,884.44	\$212,525.20	\$263,925.58	\$189,221.97	\$198,150.30	(\$14,564.95)	\$41,549.08	\$59,934.81
Capital Reserve Contribution	\$155,000.00	\$160,000.00	\$165,000.00	\$170,000.00	\$175,000.00	\$180,000.00	\$185,000.00	\$190,000.00	\$195,000.00	\$200,000.00
Inventory										
Emergency medical										
Defibrillator manual (6 units)	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00	\$ 32,000.00
Defibrillator AED (8 units)	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
IV Pumps (4 units)	\$ 4,000.00			\$ 4,000.00			\$ 4,000.00			
Ambulance Cots (3 Units)			\$ 12,000.00			\$ 12,000.00			\$ 12,000.00	\$ 12,000.00
EMS Computers (4 units)		\$ 5,000.00			\$ 5,000.00			\$ 5,000.00		\$ 5,000.00
Ventilators (3 units)			\$ 15,000.00			\$ 1,500.00				\$ 1,500.00
Fire Equipment										
Fire Hose (5 units)		\$ 15,000.00		\$ 15,000.00		\$ 15,000.00		\$ 15,000.00		\$ 15,000.00
Thermal Imager (5 units)	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
Protective clothing (100 units)	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
Rescue Tools (10 units)	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
SCBA (40 units)							\$ 300,000.00			
Communications										
Digital audio recording (1 unit)				\$ 25,000.00						
Base Stations (5 units)					\$ 25,000.00			\$ 25,000.00		
Antenna Towers (3 units)									\$ 13,000.00	
Public Address Systems (3 units)				\$ 5,000.00			\$ 5,000.00			
Mobile Radios (40 units)	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
Fire Station Alerting						\$ 100,000.00			\$ 60,000.00	
Dispatch Console (2 units)										
Portable Radios (65 units)			\$ 130,000.00							
Video Security (1 unit)								\$ 12,000.00		
Cash Outlay	\$ 96,500.00	\$ 97,500.00	\$ 119,500.00	\$ 122,500.00	\$ 252,500.00	\$ 174,000.00	\$ 397,500.00	\$ 134,500.00	\$ 177,500.00	\$ 111,000.00
Ending Balance	\$97,500.00	\$161,462.50	\$209,384.44	\$260,025.20	\$186,425.58	\$195,221.97	(\$14,349.70)	\$40,935.05	\$59,049.08	\$148,934.81

All purchases and cash outlay is scheduled for delivery July 1st of the beginning of the fiscal year.

All American Investment Group, LLC

Private Investment Banking

Ron Klein
Senior Vice President
rik@allaminv.com

Email/Fax Proposal from Ron Klein

DATE: August 17, 2012
TO: Chief Doug Cardwell
FAX/EMAIL: dcardwell@londonderrynh.org

All American Investment Group, LLC (All American) is pleased to provide you with the following tax-exempt lease purchase financing proposal for the Town of Londonderry, NH.

EQUIPMENT/PROJECT:	Six (6) New Cardiac Defibrillator	One (1) New 2013 Ford SUV	One (1) New 2013 Ambulance	One (1) New 2013 Pierce Pumper
ACQUISITION COST:	\$160,000.00	\$39,000.00	\$190,000.00	\$515,000.00
LEASE TERM:	6 Years	3 Years	2 Years	2 Years
FREQUENCY OF PAYMENTS:	Annual in Advance	Annual in Advance	Annual in Advance	Annual in Advance
INTEREST RATE: *	3.99%	3.97%	3.95%	3.95%
PAYMENT AMOUNT:	\$29,341.25	\$10,700.20 @ \$15,000	\$96,839.91	\$262,487.13
FIRST PAYMENT DUE:	At Delivery	At Delivery	At Delivery	At Delivery
LEASE FACTOR: **	.183383	N/A	.509684	.509684

* This rate expires on September 16, 2012.

** To determine payment amount, simply multiply the lease factor times the amount to be financed/acquisition cost.

TERMS AND CONDITIONS:

- This proposal is subject to credit review, approval and execution of mutually acceptable lease documentation.
- Payments under the lease are subject to annual appropriations and to all authorizations required under law.
- Lessee shall have an option to purchase the equipment during the lease term, and at the end of the lease term, when all Payments due have been made by Lessee. Lessee shall own the equipment outright.
- This transaction will be designated as tax-exempt under Section 265(b)(3) of the IRS Code of 1986.
- Lessee will not issue more than \$10 million of new tax-exempt obligations during the current calendar year.
- For credit review, audited financial statements and a budget summary for the current fiscal year will be required.
- A documentation fee of \$200.00 will be charged for all transactions with an amount financed of less than \$100,000.00.
- The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Please don't hesitate to call me if you have any questions or need more information.

All American Investment Group, LLC
5 Boulders Way, Telluride, Colorado 81435
Direct Toll Free: 877-539-3500 Fax: 970-797-1979 Cell: 970-596-5353 Email: rik@allaminv.com

CONFIDENTIALITY NOTICE

This facsimile or email or email transmission and any accompanying documents contain information belonging to the sender which may be confidential and legally privileged. This information is intended only for the use of the individual or entity to whom this facsimile or email was sent as indicated above. If you are not the intended recipient, any disclosure, copying, distribution, or action taken in reliance on the contents of the information contained in this facsimile or email is strictly prohibited. If you have received this transmission in error, please call me at 1-866-830-1776 to arrange for the return of the documents to us at our expense. Thank you.

From: caron-pac@comcast.net

Date: August 20, 2012 11:14:44 AM EDT

To: John Farrell <jwfarrelljr@hotmail.com>, jfarrell <jfarrell@londonderrynh.org>

Cc: "William R. Hart" <whart@londonderrynh.org>, Sue Hickey <shickey@londonderrynh.org>, barbara ostertag-holtkamp <bostertag-holtkamp@londonderrynh.org>

Subject: Monthly reporting

Dear Mr. Farrell:

On August 17, 2012 the Leach Library Trustees held a Special meeting during which the monthly reporting request was discussed and reviewed. The Library Director has been providing a monthly Budget Performance Report to the Trustees for 10 ½ years and the Trustees have reviewed this report during its monthly public meetings. Copies have also been provided to the public attending the meetings as well as the Town Council liaison. We feel this report provides all the necessary information.

Henceforth, if you desire, we will routinely e-mail a copy to the Town Council, Acting Town Manager and Finance Director. We would be happy to answer any questions of the Town Council through the Town Council liaison at our monthly Trustee meetings. Using the proposed monthly reporting form would not provide sufficient additional information to justify increased staff time.

The Trustees concur with the Town Council's goal of increased transparency and visibility in expenditures of the taxpayers' money, and, as such, have decided to have the Director place the Library's Budget Performance Report monthly in the Reference area of the Library.

Furthermore, the Library would like to aid the Town Council in their goal of greater transparency by offering its services to file the Town's Departments monthly budget reports in the Reference section of the Library so that these reports will also be available to the general public.

In view of the Trustees decision, Barbara Ostertag-Holtkamp will not be attending the August 20, 2012 Town Council meeting.

It is requested that you read this e-mail into the record when you come to NEW BUSINESS, Item D on your agenda.

Pauline A. Caron, Chair

Leach Library Trustees