

**TOWN COUNCIL AGENDA**  
**March 04, 2013**

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. Interviews of Anne Chiampa and Al Sypek for an opening on the Planning Board
- III. PUBLIC HEARING
  - None
- IV. OLD BUSINESS
  - A. Ordinance #2013-01 – An Amendment to the Zoning Ordinance Relating to Rezoning Map 6, Lots 37 & 38, Mohawk Drive
  - B. Resolution #2013-01 – A Resolution Relative to Re-Addressing Properties on Highlander Way
- V. NEW BUSINESS
  - A. Resolution #2013-02 - Elderly Exemption Policy
  - B. Resolution #2013-03 – Disabled Persons Exemption Policy
  - C. Resolution #2013-04 - Blind Tax Exemption Policy
  - D. Order #2013-07 Distribution of Expendable Maintenance Trust Funds
  - E. Ordinance #2013-02 – Amendment to the Municipal Code Relating to the Regulation of Secondhand Dealers and Pawnbrokers
- VI. APPROVAL OF MINUTES
  - A. Town Council Meeting Minutes of 2/11/13
- VII. OTHER BUSINESS:
  - A. Liaison Reports
  - B. Town Manager Report
    - 1. ATM Analysis
    - 2. Bi-Weekly Payroll
    - 3. Credit Card/E-Registration
  - C. Board/Committee Appointments/Reappointments
    - 1. Re-Appointment of Karen Giguere as a Full Member on the Londonderry Arts Council, Ad Hoc position.

2. Appointment of Steven Sullivan as a Full member on the Londonderry Arts Council, Ad Hoc position.
3. Resignation of Stacy Thrall as a member of the Elder Affairs Committee and her appointment as the Senior Affairs Liaison to the Elder Affairs Committee

VIII ADJOURNMENT

IX. MEETING SCHEDULE:

- A. Annual Town Meeting – 3/12/13 – Londonderry High School Gym 7:00AM – 8:00PM
- B. Town Council Meeting – 3/18/13 Moose Hill Council Chambers, 7:00PM
- C. Town Council Meeting – 4/01/13 Moose Hill Council Chambers, 7:00PM
- D. Town Council Meeting – 4/15/13 Moose Hill Council Chambers, 7:00PM

Introduced: 02/11/13  
Second Read/Pub Hrg: 03/04/13  
Adopted: 03/04/13

**ORDINANCE #2013-01**  
***AN AMENDMENT TO THE ZONING ORDINANCE***  
***RELATING TO REZONING MAP 6, LOTS 37 & 38,***  
***6 & 8 MOHAWK DRIVE***

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***WHEREAS*** the Planning Board has received a request to rezone the above-referenced parcels from C-I to C-IV; 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 surrounding parcels;

***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 6, Lot 38 and 372 from C-I to C-IV, to become effective upon passage by the Town Council

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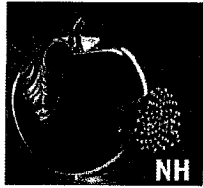
John Farrell  
Chairman - Londonderry Town Council

***A TRUE COPY ATTEST:***

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***Marguerite Seymour - Town Clerk***  
***03/04/13***

***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](http://www.thriveinlondonderry.com)  
[www.londonderrynh.org](http://www.londonderrynh.org)



**To:** Town Council  
**CC:** Building Department  
**From:** Cynthia A. May, ASLA *cam*  
**Date:** January 10, 2013  
**Subject:** **Rezoning Recommendation from the Planning Board  
Map 6 Lots 37 & 38**

On January 9, 2013, the Planning Board held a public hearing relative to the Zoning Ordinance and Zoning Map.

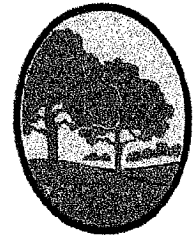
The Planning Board, by unanimous vote, recommends to the Town Council to approve rezoning Map 6 Lots 37 & 38 from the current zoning classification C-I to a new zoning classification C-IV.

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 me if you have any questions.

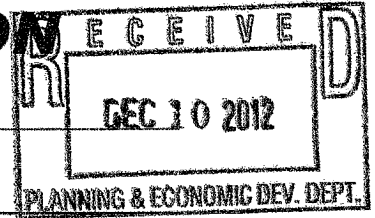


TOWN OF LONDONDERRY  
*Community Development Department*  
 Planning & Economic Development Division



268B Mammoth Road  
 Londonderry, New Hampshire 03053  
 Phone: (603) 432-1100, x134 ... Fax: (603) 432-1128

# REZONING APPLICATION



Name of Applicant: Timothy J. Winings, Mgr.

Name of Lot Owner: Asgitiski, LLC  
 (if different)

Address: 6 & 8 Mohawk Drive

Telephone #: 603-234-2492

Date Submitted: 12/10/2012

Tax Map # 6 Lot # 38 & 37  
 (Please list all if multiple lots are involved)

Current Zoning: C-1

Proposed Zoning: C-IV

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

Current economic conditions and site limitations have rendered these sites unprofitable to develop and not rentable. It is believed that the requested change of zone will allow uses that will alleviate that problem. These properties are situated in between a residential use on Granite Street and a more active commercial area along Route 102. They are 1 acre and 1/2 acre in size respectively. Therefore the change would seem to be in accordance with the purposes of the C-IV zone.

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

[Empty box for Planning Department Comments]

**PHASED CONSTRUCTION NOTES:**

**PHASE 1:**

CONSTRUCT DETENTION BASINS TO ACCOMMODATE PHASE 1 & 2 CONSTRUCTION PHASE STORMWATER MANAGEMENT  
 INSTALL SITE DRAINAGE, SDS FOR PHASE 1 AND UTILITIES FOR PHASE 1.  
 STABILIZE SOE SLOPES. (SOE SLOPES MUST BE FULLY STABILIZED BEFORE ANY STORMWATER DISCHARGE.)

PERFORM EARTHWORK OPERATIONS AND BUILDING PAD PREPARATION. ALL CUT AND FILL SLOPES SHALL BE SEEDED AND MULCHED WITHIN 72 HOURS AFTER CONSTRUCTION IS COMPLETED. TEMPORARY GRADED AREAS SHOULD BE STABILIZED WITHIN 72 HOURS. SOE SLOPES SHALL NOT BE LEFT EXPOSED DURING WINTER CONDITIONS.

INSTALLATION OF UNDERGROUND UTILITIES AND WATER QUALITY STRUCTURES SHALL BE PROTECTED FROM SEAMANT IN ACCORDANCE WITH THE APPROVED SITE PLANS. THE CONTROLS SHALL REMAIN UNTIL PERMANENT MEASURES SHALL BE IN PLACE. ALL PERMANENT STORMWATER MANAGEMENT MEASURES SHALL BE ESTABLISHED PRIOR TO DIRECTING RUNOFF INTO THEM. VEGETATION ESTABLISHED PRIOR TO DIRECTING RUNOFF INTO THEM. AS THE BUILDING IS COMPLETED, ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 72 HOURS.

PAVE DRIVEWAY AND PARKING AREAS; STRIPING & SIGNAGE - PHASE 1.  
 INSTALL SITE LANDSCAPING AND PERMANENT SEEDING OF ALL DISTURBED AREAS - PHASE 1.

CONTRACTOR SHALL NOTIFY AND COORDINATE WITH ALL AUTHORITIES RESPONSIBLE FOR INSPECTIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL REQUIRED INSPECTION SIGN-OFFS.

**PHASE 2:**

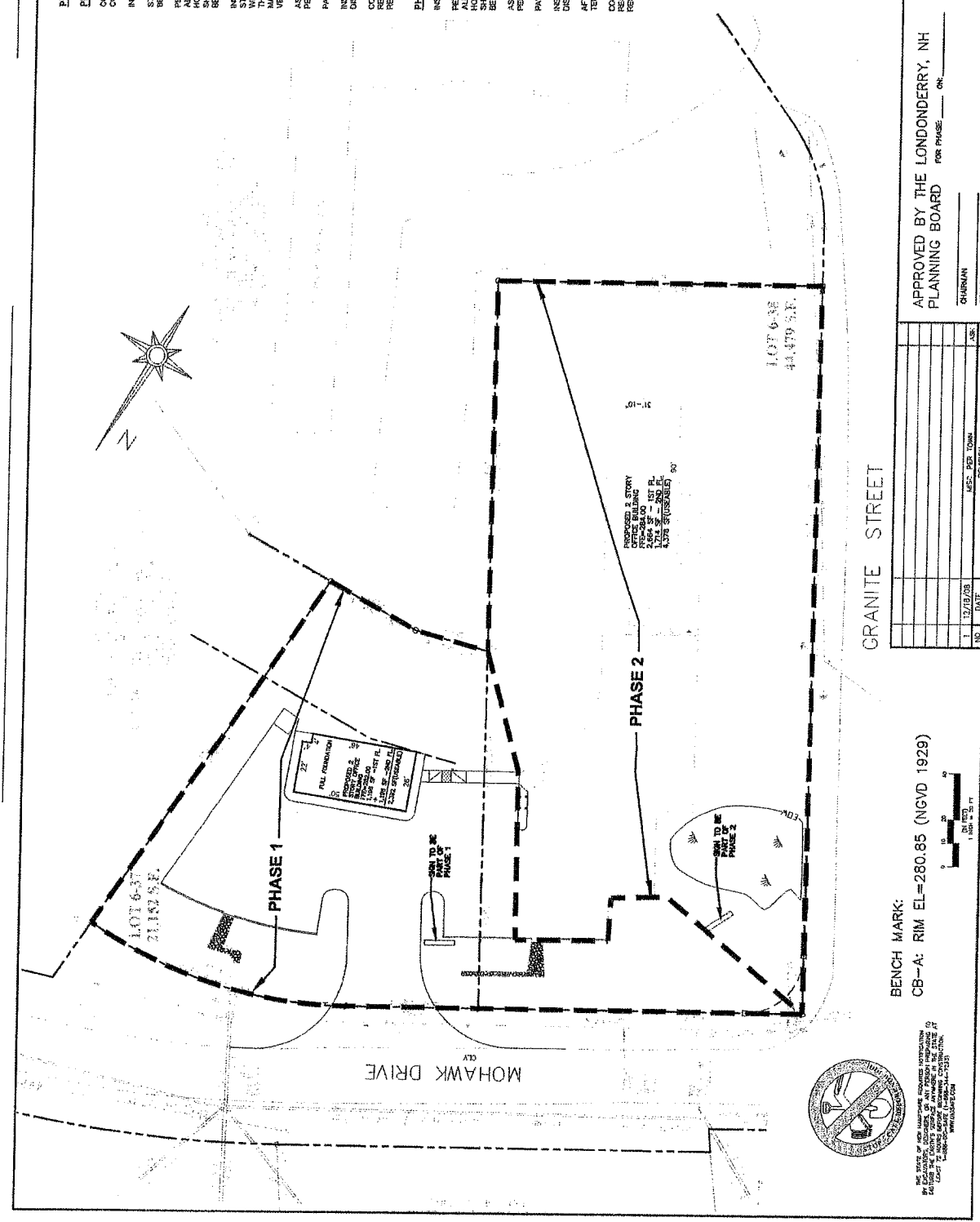
INSTALL SDS AND UTILITIES - PHASE 2.

PERFORM EARTHWORK OPERATIONS AND BUILDING PAD PREPARATION. ALL CUT AND FILL SLOPES SHALL BE SEEDED AND MULCHED WITHIN 72 HOURS AFTER BEING CONSTRUCTED. TEMPORARY GRADED AREAS SHOULD BE STABILIZED WITHIN 72 HOURS. SOE SLOPES SHALL NOT BE LEFT EXPOSED DURING WINTER CONDITIONS.

AS THE BUILDING IS COMPLETED, ALL DISTURBED AREAS SHALL BE PERMANENTLY STABILIZED WITHIN 72 HOURS.

PAVE DRIVEWAY AND PARKING AREAS; STRIPING & SIGNAGE - PHASE 2.  
 INSTALL SITE LANDSCAPING AND PERMANENT SEEDING OF ALL DISTURBED AREAS - PHASE 2.

AFTER ALL SEEDING AREAS HAVE ESTABLISHED STABLE GROWTH, ALL TEMPORARY EROSION CONTROL CAN BE REMOVED.  
 CONTRACTOR SHALL NOTIFY AND COORDINATE WITH ALL AUTHORITIES RESPONSIBLE FOR INSPECTIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN ALL REQUIRED INSPECTION SIGN-OFFS.



**CONSTRUCTION PHASING PLAN**  
 (TAX MAP 6, LOT 38 AND 37)  
 6 & 8 MOHAWK DRIVE  
 LONDONDERRY, NEW HAMPSHIRE

PREPARED FOR: ASTRIKA, LLC 15 KESTREL DRIVE, LONDONDERRY, NH 03053  
 RECORD OWNER: ASTRIKA, LLC 15 KESTREL DRIVE, LONDONDERRY, NH 03053

JUNE 2, 2023

SCALE: 1/8" = 1'-0"

**TJW ENGINEERING**  
 15 Park Court  
 Suite 202  
 Londonderry, NH 03053  
 Tel: (603) 424-1950 Fax: (603) 424-1950  
 Tel: (603) 424-1950 Fax: (603) 424-1950

SHEET 1 OF 1

APPROVED BY THE LONDONDERRY, NH  
 PLANNING BOARD FOR PHASE \_\_\_\_ ON \_\_\_\_

CHAIRMAN \_\_\_\_\_ SECRETARY \_\_\_\_\_

NO.	DATE	REVISED BY	REVISION
1	12/8/23	MEG PER TOMS	ASST.

BENCH MARK:  
 CB-A: RIM EL=280.85 (NGVD 1929)

IF YOU ARE AN OWNER OF AN ENGINEERING PROJECT AND YOU HAVE BEEN ADVISED BY THE STATE OF NEW HAMPSHIRE THAT YOUR PROJECT IS IN VIOLATION OF THE ENGINEERING ACT, YOU MAY CONTACT THE BOARD OF ENGINEERING AND SURVEYING AT THE FOLLOWING ADDRESS:  
 BOARD OF ENGINEERING AND SURVEYING  
 1000 STATE STREET, SUITE 1000  
 CONCORD, NH 03301  
 TEL: (603) 271-3333 FAX: (603) 271-3334

**MEMORANDUM**

To: Planning Board

Date: January 9, 2013

From: Cynthia A. May, ASLA  
Town Planner

Re: Rezoning Request: Map 6 Lots 37 & 38 (From C-I to C-IV)

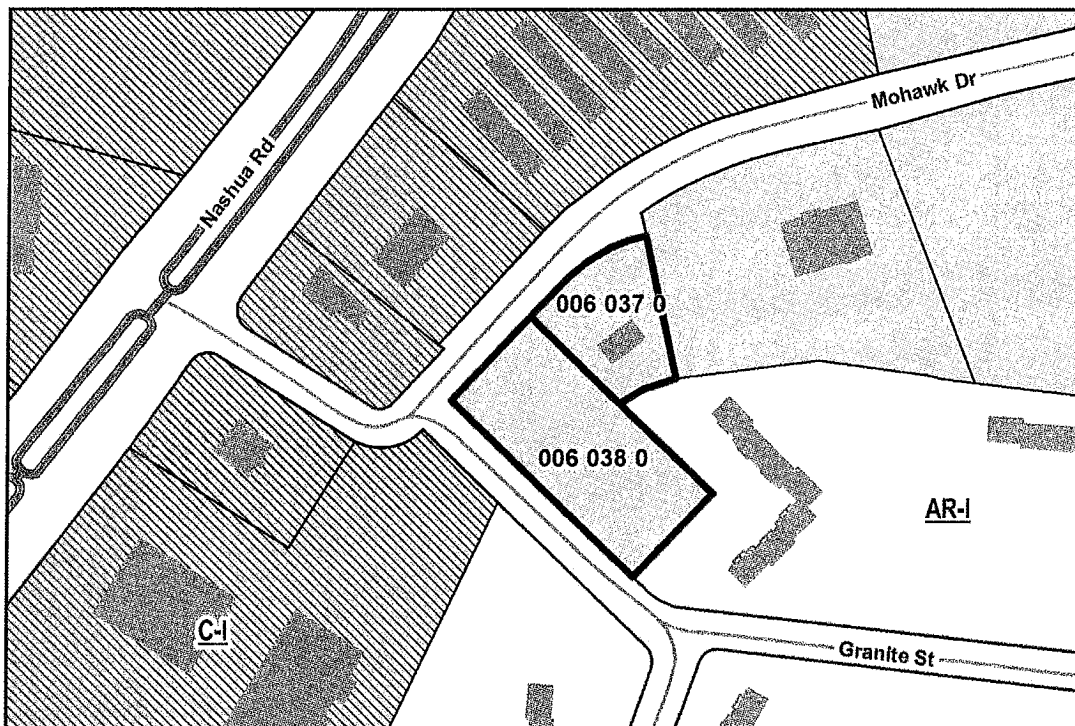
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The Planning & Economic Development Division has reviewed the above referenced rezoning request and we offer the following comments:

**Review Comments:**

The applicant requests the rezoning of the above referenced lots from C-I to C-IV. The parcels are located on Mohawk Drive at Granite Street. (Please see the map and aerial image below).

1/9/13: Public Hearings/Workshops  
Asgitiski, LLC (Owner), Timothy J. Winings, Mgr. (Applicant), Map 6, Lots 37 & 38 (8 & 6 Mohawk Drive) Public Hearing to consider the request to rezone both properties from Commercial I (C-I) to Commercial IV (C-IV), Zoned C-I.



On November 14, 2012, Tim Winings, Manager of ASGITISDI LLC and owner of TJW Survey, appeared before the Planning Board for a conceptual discussion of a proposed mixed-use development at 6 and 8 Mohawk Drive. Several years ago, the Planning Board approved a two-phase site plan, and the office building at 8 Mohawk Drive was constructed. Due to the economic downturn, Mr. Winings has been unable to secure tenants for the existing building, or find interest in the other lot. Mr. Winings requested input regarding rezoning Map 6 Lots 37 and 38 from C-I to C-IV to allow mixed residential/commercial uses. Because the lots are situated in a mixed-

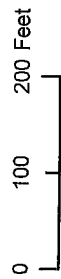
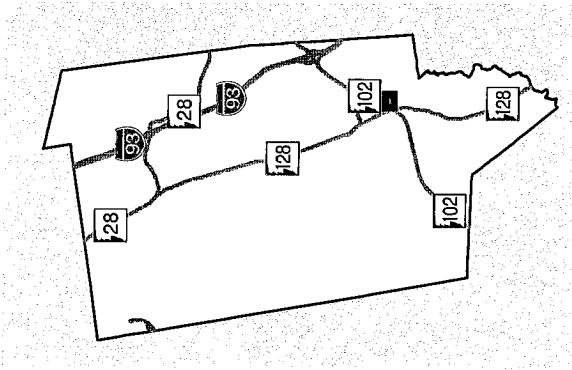
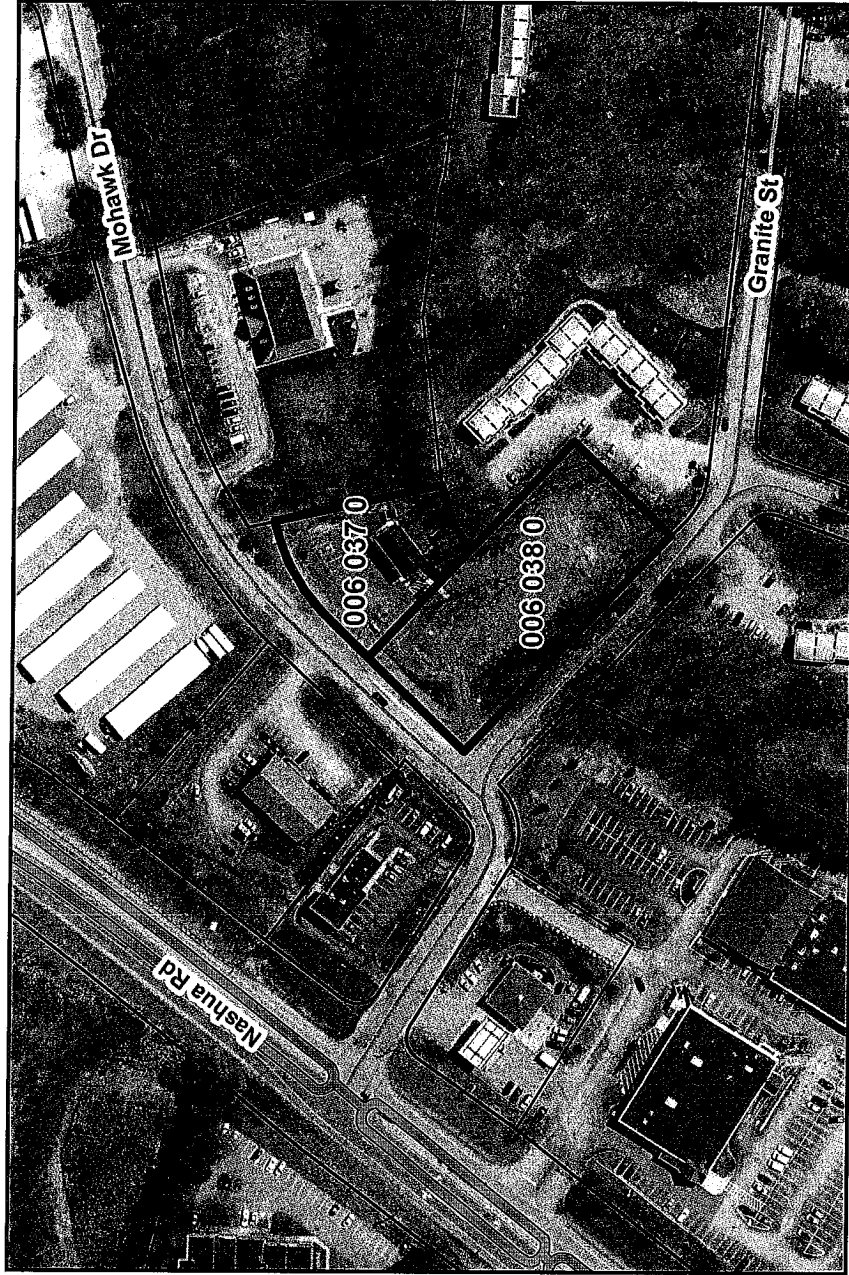
use neighborhood, Staff supported the rezoning request. The Planning Board's apparent consensus was that a rezoning could be possible.

**Staff Recommendation:**

The proposed rezoning is consistent with the context of the existing neighborhood, where the lots are surrounded by commercial and residential uses. As such, staff recommends that the Planning Board **RECOMMEND** to the Town Council that they approve rezoning Map 6 Lots 37 & 38 from the current zoning classification C-I to a new zoning classification C-IV.



11/14/12: Public Hearings/Workshops/Conceptual Discussions  
ASGITISDI LLC (Owner), Map 6 Lot 37 and 38 - Conceptual Discussion of a Proposed  
Mixed Use Development, Zoned C-1



1 they are able to present their plans for signature. They are requesting a  
2 special meeting of the Planning Board before February 6 to do so. A.  
3 Rugg asked if Board members were amenable to the idea. There were  
4 no objections.  
5

- 6 • DOT Letter – Raised Median on Route 28 at Perkins Road  
7

8 C. Davies cited a letter in the Planning Board read file from the NH  
9 Department of Transportation (DOT) to the Board dated November 6,  
10 2012, that responded to the Planning Board's "concerns with the  
11 proposal to not construct a raised median island along NH 28, and in  
12 doing so allowing left-turning traffic to exit and enter Perkins Road to  
13 and from NH 28" (see Attachment #1). While the Board had discussed  
14 traffic safety at that intersection, C. Davies thought it should be clarified  
15 to DOT that *public comments* they received did not come from the  
16 Board. A. Rugg asked staff to draft a letter clarifying the Board's  
17 comments to DOT.  
18

- 19 • Master Plan Comprehensive Update  
20

21 A. Rugg announced that the Master Plan Steering Committee (MPSC) will  
22 meet on January 23 at 6 PM. L. Reilly stated that the MPSC had  
23 intended to meet on January 3 to vote on their recommendation of  
24 acceptance to the Planning Board. That recommendation was to be  
25 made to the Board at this meeting. The final draft that was received,  
26 however, was deemed to be unacceptable due to a number of edits that  
27 had not been completed. The consultant was asked to make the  
28 necessary changes in order to present the deliverable that had been  
29 agreed upon. That has been accomplished and the MPSC are scheduled  
30 to meet on January 23 to address any outstanding issues and then vote  
31 on their recommendation. L. Reilly mentioned that the MPSC will also  
32 discuss next steps, including the dissolution of the Committee and the  
33 creation of an implementation committee.  
34

35 A. Rugg announced that the Master Plan public hearing for the final  
36 Master Plan draft will take place at the February 6, 2013 Planning Board  
37 meeting.  
38

### 39 **New Plans**

40  
41 No new plans were submitted.  
42

### 43 **Public Hearings**

44  
45 Asgitisdi, LLC (Owner), Timothy J. Winings, Mgr. (Applicant), Map 6, Lots  
46 37 & 38 (8 & 6 Mohawk Drive) - Public Hearing to consider the request to  
47 rezone both properties from Commercial I (C-I) to Commercial IV (C-IV),  
48 Zoned C-I.  
49

1 Tim Winings was present to request the rezoning of map 6, lots 37 and 38 as  
2 discussed previously during a conceptual presentation at the November 11,  
3 2012 meeting (see Attachment #2). He noted staff's recommendation memo  
4 in this evening's meeting documents (see Attachment #3), saying it gave a  
5 complete explanation of the request and the Board's positive reaction during  
6 the conceptual hearing. C. May read the recommendation memo into the  
7 record. Based on the previous conceptual presentation, the applicant's need to  
8 make his properties more economically viable, and the fact that the rezoning  
9 would allow uses consistent with uses on lots surrounding it, staff  
10 recommended that the Planning Board recommend the rezoning of map 6, lots  
11 37 and 38 from C-I to C-IV to the Town Council.  
12

13 A. Rugg asked for input from the Board. As he was absent from the November  
14 14 meeting, C. Davies verified with T. Winings that the request would enable  
15 him to repurpose the existing building on lot 37 and future building on lot 38,  
16 however T. Winings would need to return to the Board with a change of use  
17 site plan once he determines what the specific use will be. C. Davies asked if  
18 the buildings could be used solely for residential purposes, given a C-IV zoning.  
19 C. May remarked that while she could not answer that question definitively, the  
20 intent of the C-IV zoning was to allow a residential use along with a  
21 commercial one, typically with the residential use on the upper level.  
22

23 A. Rugg asked for public input. There was none.  
24

25 **M. Soares made a motion to recommend to the Town Council that Map**  
26 **7, Lots 37 & 38 be rezoned from Commercial-I to Commercial-IV. L.**  
27 **Wiles seconded. No discussion. Vote on the motion: 9-0-0.**  
28

29 A. Rugg noted that the Town Council will have two readings of the proposed  
30 amendment to the zoning ordinance, the second one being a public hearing.  
31

### 32 **Continued Plans**

33  
34 A. Pillsbury Realty Development, LLC, Map 10, Lots 15, 23, 29C-2A, 29C-2B,  
35 41, 41-1, 41-2, 42, 45, 46, 47, 48, 50, 52, 54-1, 57, 58, 59, and 62 -Public  
36 Hearing for formal review of the Woodmont Commons Planned Unit  
37 Development (PUD) Master Plan [***Continued From the December 12, 2012***  
38 ***Planning Board Meeting***]  
39

40 A. Rugg confirmed with staff that all abutters to the project were re-notified by  
41 certified mail of this public hearing. L. Wiles verified with A. Rugg that only a  
42 review of the plan would be taking place at this meeting, meaning that no  
43 voting of any approvals will take place at this time.  
44

45 A. Pollack of Gallagher, Callahan & Gartrell re-introduced Woodmont Commons  
46 development team members Steve Cecil (The Cecil Group), Rick Chellman,  
47 Tom Goodwin (Shook-Kelley), Kevin Dandrade (TEC, Inc.), Attorney John  
48 Michels, and Mike Kettenbach (Principle of Pillsbury Realty and part owner of  
49 the property). A. Rugg also introduced Town consultant Ted Brovitz of  
50 Howard/Stein-Hudson Associates, Inc. (HSH).

# RESOLUTION 2013-01

## *A RESOLUTION RELATIVE TO RE-ADDRESSING PROPERTIES ON HIGHLANDER WAY*

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First Reading: 02/11/13

Second Reading/Public Hearing: 03/04/13

Adopted: 03/04/13

***WHEREAS*** The Town of Londonderry is enabled by NH RSA 231:133 to name public and/or private highways to conform to the requirements of the enhanced 9-1-1 telecommunication system; and

***WHEREAS*** The Town Council established a Street Naming System Task Force to enhance public safety by reviewing and correcting addresses which are non-compliant with NH 9-1-1 addressing standards; and

***WHEREAS*** Properties currently addressed as Highlander Way have become inaccessible via that street given improvements to the area being carried out by the Manchester-Boston Regional Airport (owner)

***WHEREAS*** The Task Force, in cooperation and consultation with the Manchester-Boston Regional Airport recommend the following alternate street names;

***NOW THEREFORE BE IT RESOLVED*** by the Londonderry Town Council that the following name changes be enacted, to become effective 60 days following adoption of this resolution:

The private driveway providing access to buildings 2E, 2F, 2G, 2H and 2I from the beginning at Brown Ave in Manchester and terminating at 2H be formally named Elm Way.

Properties will be renumbered according to the Town Addressing policy.

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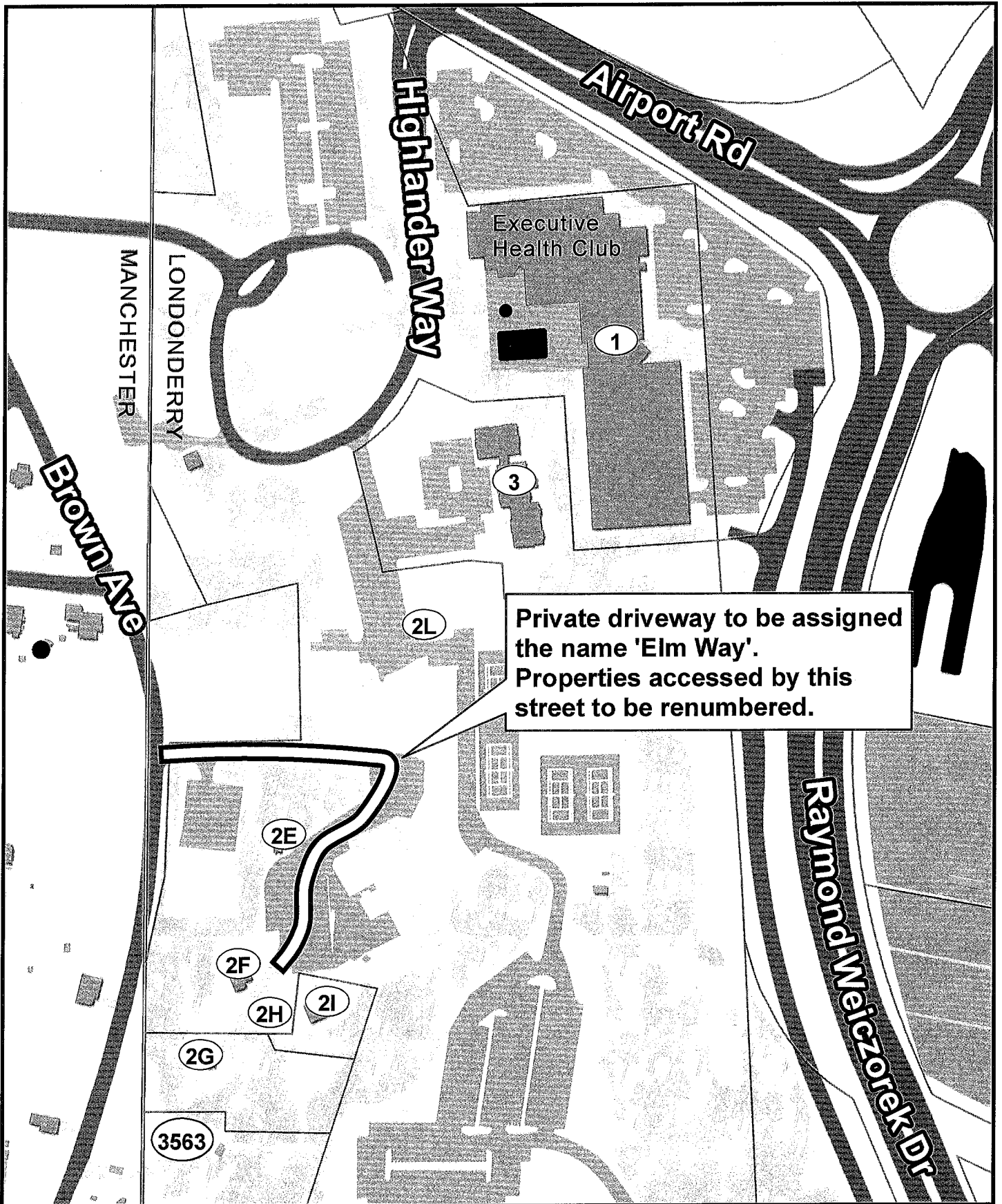
John Farrell, Chairman  
Town Council

(TOWN SEAL)

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Marguerite A. Seymour  
Town Clerk/Tax Collector

***A TRUE COPY ATTEST:***  
***03/04/13***



**Resolution 2013-01: A Resolution  
Relative to Re-Addressing Properties  
on Highlander Way**

Labels indicate existing address numbers



## RESOLUTION #2013-02

A Resolution Relative to the

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### ***ELDERLY EXEMPTION POLICY***

First Reading: 03/04/13

Hearing/Second Reading: 03/18/13

Adopted: 03/18/13

***WHEREAS*** The Londonderry Town Council, at its meeting of February 24, 1997, adopted Resolution 97-2, which enacted Chapter XII - the Elderly Exemption Policy; and

***WHEREAS*** The Town Council is desirous of reviewing exemption levels and making adjustments to insure that the eligibility criteria is appropriate for current economic conditions; and,

***WHEREAS*** The Town Council may, pursuant to the provisions of RSA 72:27-a consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances and other legislation;

***NOW THEREFORE BE IT RESOLVED*** by the Town Council of the Town of Londonderry, that the provisions of ***Title VI - Town Policy, Chapter XII - Elderly Exemption Policy*** are hereby adopted and modified as set forth herein and shall become effective April 1<sup>st</sup>, 2013 and reviewed periodically thereafter.

John Farrell - Chairman

A true copy attest:

( TOWN SEAL )

---

***Marguerite A. Seymour - Town Clerk/Tax Collector***  
***Dated: 03/18/2013***

Chapter XII - ELDERLY EXEMPTION POLICY

SECTION I PURPOSE

- A. To adopt the provisions of RSA 72:39-A and RSA 72:39-B and establish qualifications for the optional adjusted elderly exemption.

SECTION II QUALIFICATIONS *and* DEFINITIONS

- A. To qualify the person must have been a New Hampshire resident for at least five (5) years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least five (5) years.
- C. In addition, the taxpayer must have a net income of not more than ~~\$27,250~~ **\$28,272** if single or widowed, or if married, a combined net income of less than ~~\$34,650~~ **\$35,949** and own net assets not in excess of ~~\$107,000~~, **\$111,000** excluding the value of the person's residence up to two (2) acres.

SECTION III BENEFITS

- A. The elderly exemption from property tax in the Town of Londonderry based on assessed value for qualified taxpayers shall be as follows, *and shall be reviewed annually*:
- |   |                      |            |
|---|----------------------|------------|
| For a person of 65 years of age, up to 74 years | <del>\$ 80,900</del> | \$ 98,900  |
| For a person of 75 years of age, up to 79 years | <del>\$101,100</del> | \$ 123,600 |
| For a person of 80 years or older               | <del>\$134,800</del> | \$ 164,800 |
- B. *The exemption under this section shall apply only in taxable years on the residential real estate for which the exemption is claimed on April 1 in any given year.*
- C. *Whenever the selectmen or assessors refuse to grant an applicant an exemption to which he/she may be entitled under this section, said applicant may appeal the decision in accordance with RSA 72:34a.*
- D. *An exemption granted under this section shall have no effect on an applicant's eligibility for other exemptions as authorized under this chapter.*

~~End of Policy~~

# RESOLUTION #2013-03

A Resolution Relative to the

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## ***DISABLED PERSONS EXEMPTION POLICY***

First Reading: 03/04/13

Hearing/Second Reading: 03/18/13

Adopted: 03/18/13

***WHEREAS*** the Londonderry Town Council has adopted the provisions of RSA 72:37-b, on October 7, 2002, with the Exemption for the Disabled becoming effective April 1, 2003; and,

***WHEREAS*** The Town Council is desirous of reviewing exemption levels and making adjustments to insure that the eligibility criteria is appropriate for current economic conditions; and,

***WHEREAS*** the Town Council may, pursuant to the provisions of RSA 72:27-a, consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances and other legislation;

***NOW THEREFORE BE IT RESOLVED*** by the Town Council of the Town of Londonderry that *Title VI - Town Policy, Chapter XIX - Disabled Exemption Policy* is hereby revised as set forth herein, with its provisions to become effective April 1, 2013 and reviewed annually thereafter.

---

John Farrell - Chairman Town Council

A true copy attest:

---

Marguerite A. Seymour - Town Clerk/Tax Collector  
Dated: 03/18/13

( TOWN SEAL )



**Chapter XIX – DISABLED EXEMPTION POLICY**

**SECTION I PURPOSE**

- A. To adopt the provisions of RSA 72:37-b and establish qualifications for the exemption for persons with disabilities.

**SECTION II QUALIFICATIONS and DEFINITIONS**

- A. The disabled exemption from property tax in the Town of Londonderry shall apply to any person who is eligible under title II or Title XVI of the Federal Social Security Act for benefits to the disabled and is applied on a yearly basis in an amount to be shown by the Town.
- B. The exemption by be applied only to property which is occupied as the principal place of abode by the disabled person. The exemption may be applied to any land or buildings appurtenant to the residence or to manufactured housing if that is the principal place of abode.
- C. To qualify the person must have been a New Hampshire resident for at least five (5) years, own the real estate individually or jointly, or if the real estate is owned by such person’s spouse, they must have been married for at least five (5) years.
- D. The taxpayer’s net income and assets levels shall be the same as specified in the Londonderry Elder Exemption Policy, Chapter XII of Title VI of the Municipal Code.
- E. The term “residential real estate” shall mean the real estate which the person qualified for an exemption or a tax credit thereunder occupies as his principal place of abode together with any land or buildings appurtenant thereto and shall include manufactured housing if used for said purpose.

**SECTION III BENEFITS**

- A. The disabled exemption from property tax in the Town of Londonderry, based on assessed value, for qualified taxpayers shall be \$62,200. **\$98,000.**
- B. The exemption under this section shall apply only in taxable years during which the person with a disability on the residential real estate for which the exemption is claimed on April 1 in any given year.

~~ End of Policy ~~

# RESOLUTION #2013-04

A Resolution Relative to the

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## ***BLIND TAX EXEMPTION POLICY***

First Reading: 03/04/13  
Hearing/Second Reading: 03/18/13  
Adopted: 03/18/13

***WHEREAS*** the Town of Londonderry has adopted the provisions of RSA 72:37, Exemption for the Blind; and,

***WHEREAS*** the Town Council is desirous of reviewing exemption levels and making adjustments to insure that the eligibility criteria is appropriate for current economic conditions; and,

***WHEREAS*** the Town Council may, pursuant to the provisions of RSA 72:27-a, may consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances and other legislation;

***NOW THEREFORE BE IT RESOLVED*** by the Town Council of the Town of Londonderry, that the provisions of ***Title VI - Town Policy, Chapter XXIII - Tax Exemption for the Blind Policy*** are hereby adopted and modified as set forth herein and shall become effective April 1, 2013 and reviewed annually thereafter.

---

John Farrell - Chairman

A true copy attest:

---

***Marguerite A. Seymour - Town Clerk/Tax Collector***  
***Dated 03/18/13***

( TOWN SEAL )

**CHAPTER XXIII -TAX EXEMPTION FOR THE BLIND**

**SECTION I PURPOSE**

- A. To adopt the provisions of RSA 72:37 and establish qualifications for the Tax Exemption for the Blind.

**SECTION II QUALIFICATIONS and DEFINITIONS**

- A. Every inhabitant who is legally blind as determined by the blind services program, bureau of vocational rehabilitation, department of education.
- B. The term "residential real estate" shall mean the real estate which the person qualified for an exemption or a tax credit thereunder occupies as his principal place of abode together with any land or buildings appurtenant thereto and shall include manufactured housing if used for said purpose.

**SECTION III BENEFITS**

- A. The tax exemption shall be applied each tax year on the assessed value of residential real estate, for property tax purposes, the value of ~~\$15,550~~. **\$50,000**

**SECTION IV APPLICATION FOR BENEFITS**

- A. Any person applying for the exemption under this Policy shall furnish to the Assessor certification from blind services program, bureau of vocational rehabilitation, department of education.
- B. The Assessor shall accept such certification as conclusive on the question of disability unless they have specific contrary evidence and the applicant, or the applicant's representative, has had a reasonable opportunity to review and rebut that evidence. The applicant shall also be afforded a reasonable opportunity to submit additional evidence on the question of disability.
- C. Any decision to deny an application shall identify the evidence upon which the decision relied and shall be made within the time period provided by law.

*~~End of Policy~~*

**ORDER #2013-07**

An Order Relative to

***EXPENDITURE OF***

***MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS***

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Reading: 03/04/2013

Second Hearing/Public Meeting Waived

Adopted: 03/04/2013

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

***WHEREAS*** by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$6,724.42 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

***NOW THEREFORE BE IT ORDERED*** by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$6,724.42 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:***  
*03/04/13*

**Stephen R. Cotton**

**From:** Stephen R. Cotton  
**Sent:** Monday, February 25, 2013 3:21 PM  
**To:** Margo Lapietro; William Hart  
**Cc:** Sue Hickey; Stephen R. Cotton  
**Subject:** EMTF Invoices - Requesting Town Council Order for 3/4/12 Meeting

Bill/Margo, I have received a few additional invoices to be paid out of EMTF. Please proceed with this list of invoices for the Town Council Order for the 3/4/13 meeting.

**Expendable Maintenance Trust TC Order Request  
 for Town Council Meeting "3/04/13"**

<b>Description</b>	<b>Vendor</b>	<b>Amount</b>
<b>Winter walkways/fire lane maintenance</b>	Trimmers - #36664	\$ 527.50
Shoveling/Plowing/Treatment of walkways and fire lanes at TH/PPD/Library/Cable Access & Sr. Center on 2/6, 2/8, 2/9, 2/10, 2/11, 2/12, 2/17 and, 2/18/13.	Murf's Turf	\$ 755.00
	Trimmers - #36712	\$ 330.00
	Trimmers - #36713	\$ 885.00
	Trimmers - #36715	\$ 677.50
	Trimmers - #36716	\$ 500.00
	Trimmers - #36714	\$ 752.50
	Trimmers - #36765	\$ 165.00
	Trimmers - #36764	\$ 527.50
	<b>EMTF Request Amount</b>	<b>\$ 5,120.00</b>
<b>North Fire Station #1 Sign Light Repair</b>	<b>Stephens - Marquis - #15637</b>	<b>\$ 87.42</b>
Sign at entrance to Station #1, one of the flood lights was damaged, fixture replaced.		\$ 87.42
<b>Leach Library Heating Repairs</b>	<b>Commercial Solutions - #2728</b>	<b>\$ 1,022.00</b>
Repairs consisted of replacing a leaking hot water valve in one of the radiators, and, replacement of a zone valve on a different radiator.	<b>Commercial Solutions - #2730</b>	<b>\$ 495.00</b>
		<b>\$ 1,517.00</b>
<b>Total Town Council EMTF Order</b>		<b>\$ 6,724.42</b>

Thanks  
 Steve

Steve R. Cotton Sr.  
 Administrative Support Coordinator  
**Town of Londonderry**  
 603.432.1100 x119  
[srcotton@londonderryh.org](mailto:srcotton@londonderryh.org)

Introduced: 03/04/13  
Second Read/Pub Hrg: 03/18/13  
Adopted: 03/18/13

**ORDINANCE 2013-02**

***AN AMENDMENT TO THE MUNICIPAL CODE  
RELATING TO THE REGULATION OF  
SECONDHAND DEALERS AND PAWNBROKERS***

***WHEREAS*** there is a need to provide for the safety and security of town residents when transacting business in the community; and

***WHEREAS*** there is a need to regulate retail transactions of a pawn or second hand nature for the purposes of identifying stolen property unintentionally received and detection of parties intentionally transacting business in stolen property; and

***WHEREAS*** the Londonderry Town Council addressed these concerns by enacting Ordinance 2005-11, which regulates secondhand dealers and pawnbrokers; and,

***WHEREAS*** The Town continually reviews its fee and permit schedule to reflect the costs of managing these regulations; and

***WHEREAS*** RSA 41:9-a requires the Town Council to conduct a public hearing on the Establishment of Fees;

***NOW THEREFORE BE IT ORDAINED*** by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title IV – Public Health, Safety and Welfare, Chapter XII – Secondhand Dealers and Pawnbrokers, is hereby amended as attached, to adopt a fee structure.

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John Farrell  
Chairman - Londonderry Town Council

***A TRUE COPY ATTEST:***

***Town Seal***

---

Marguerite Seymour - Town Clerk  
03/18/13

**CHAPTER XII – SECONDHAND DEALERS AND PAWNBROKERS**

**SECTION I AUTHORITY**

This ordinance has been enacted on October 17, 2005, pursuant to the authority granted the Town of Londonderry by RSA 322 (Junk Dealers) and RSA 398 (Pawnbrokers and Moneylenders). The ordinance shall become effective upon its adoption.

**SECTION II FINDINGS**

The intent of this ordinance is to establish a system that fairly and impartially regulates retail transactions of a pawn or second hand nature for the purpose of:

- a. Identifying stolen property unintentionally received by the regulated parties, and
- b. Detection of regulated parties intentionally transacting business in stolen property.

**SECTION III DEFINITIONS**

Secondhand dealer shall mean any person, firm, partnership, corporation or other entity whose business is the retail buying, selling, buy-back, exchanging, dealing in or dealing with secondhand articles, including acting as an auction broker. These articles include, but are not limited to, jewelry, watches, diamonds, or other precious stones or gems, gold, silver, platinum, or other precious metals, musical instruments and associated equipment, sports equipment, cameras, furs, small collectible antiques, home and auto audio and video equipment, televisions, VCR's, DVD players, home and commercial video games, tools, computers and associated equipment, firearms, *scrap metal, vehicle parts*, auto accessories and collectibles (the "Property").

Pawnbroker shall mean any person, firm, partnership, corporation or other entity whose business deals in transactions where there is the lending of money secured by taking possession of any Property with interest charged thereon, shall be regulated according to RSA 398.

An auction broker shall mean any person, firm, partnership, corporation or other entity that takes any Property and sells it for a client through the process of bidding, keeping for themselves a portion of the profit. The term auction shall also include the bidding process that takes place through electronic media, e.g. "e-bay".

**CHAPTER XII – SECONDHAND DEALERS AND PAWNBROKERS (Cont'd.)**

**SECTION IV COMPLIANCE REQUIRED:**

- A. No person firm, partnership, corporation or other entity shall operate, conduct or engage in business as a secondhand dealer/pawnbroker/auction broker unless such person, firm, partnership, or corporation shall first obtain a license from the Town of Londonderry.
- B. Applications for new licenses and renewal licenses for a secondhand dealer/pawnbroker/auction broker shall be made in writing to the Town of Londonderry Building Department on forms provided for this purpose by the Town of Londonderry. Each license shall be issued on a location specific basis to suitable applicants. A one-time application fee of ~~fifty dollars (\$50.00)~~ **two hundred and fifty dollars (\$250.00)** shall be due upon application.
- C. Upon approval, a license shall be issued and continue in force for one year, unless sooner revoked. Said license may not be assigned or transferred and will be clearly and prominently displayed. The annual fee for such license shall be ~~twenty five dollars (\$25.00)~~ **two hundred and fifty dollars (\$250.00)**, due annually by the anniversary date of the initial license issuance. The annual fee may be amended by the Town Council from time to time.
- D. *Every secondhand dealer/pawnbroker/auction broker that purchases an item, in which a transaction record must be prepared, pursuant to the Municipal Code of the Town of Londonderry, Title IV – Public Health, Safety and Welfare, Chapter XII, Section VI, shall pay the Town of Londonderry a fee of \$1.00 per transaction, due in full thirty days (30) from receipt of invoice, for each preceding month.*

**SECTION V PURCHASING FROM MINORS**

No secondhand dealer/pawnbroker, nor any person employed by a secondhand dealer/pawnbroker/auction broker shall directly or indirectly purchase any Property from anyone under 18 years of age, knowing or having reason to believe him or her to be such, except when said minor is accompanied by a parent or legal guardian, who shall sign the transaction record in person before said dealer.



**CHAPTER XII – SECONDHAND DEALERS AND PAWNBROKERS** (*Cont'd*).

**SECTION VI – RECORDS, INSPECTIONS, RE-SALE, CHANGES, ALTERATIONS**

- A. Every secondhand dealer/pawnbroker/***auction broker***, upon the acquisition of any Property, shall prepare transaction records ~~on forms~~ ***in a format determined and*** approved by the Town, which shall include, inter alia, the full name, an identification number and address of the seller, the date of the transaction, and a full, accurate and detailed description (to include make, model and serial number) of the Property, the amount paid for each item, and the name of the employee receiving same. For items sold through an electronic auction medium, the transaction records shall also include the full name, telephone number, credit card number, the amount paid and the full address of the person or company that purchased any Property by means of the auction. ***Transaction records shall also include a photograph of the seller, the seller's identification and the articles being sold.***
- ~~B. One copy of the transaction form with all required attachments shall be delivered to the Londonderry Police Department within two business days of the end of the said dealer's business day.~~
- B. This information should be uploaded to the designated electronic reporting system within twenty-four (24) hours of the end of said secondhand dealer/ pawnbroker/ auction broker's business day.***
- ~~C. Jewelry, watches, diamonds or other precious stones or gems, gold, silver platinum or other precious metals or items by virtue of their size, shall be photocopied and the photocopy shall be attached to the transaction form~~
- C. Positive identification in the form of ***valid*** government photo identification shall be required of the seller of any Property. The type of identification used shall be noted on the dealer's records and a photocopy ***photograph*** of the identification shall be attached to the transaction form ***record***.
- D. A secondhand dealer/pawnbroker/auction broker shall retain copies of all purchase records or auction contracts for any Property obtained by him/her/it, which, together with any article listed therein, may be inspected at any time by any duly authorized police officers during regular business hours while making all reasonable efforts not to disrupt the normal course of business.

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- E. All transaction records shall be kept by said secondhand dealer/pawnbroker for a minimum of two (2) years.

**CHAPTER XII – SECONDHAND DEALERS AND PAWNBROKERS (Con't.)**

**SECTION VI – RECORDS, INSPECTIONS, RE-SALE, CHANGES, ALTERATIONS**  
*(Cont'd.)*

- F. No article shall be sold, encumbered by sales contract, made available for auction, altered in its appearance, or otherwise disposed of by a secondhand dealer for a period of ~~15~~ **21** days after its initial purchase or intake unless the secondhand dealer is granted permission in writing from the Londonderry Police Department. Such special permission shall be no less than 48 hours from the time of purchase or intake. Pawnbrokers shall retain non-perishable articles for 60 days and perishable articles for 30 days.
- G. All items purchased or pawned shall remain on the premises during the waiting period. These items will not be placed on the sales floor or made available for auction until the applicable waiting period has expired. Each item of Property shall be clearly marked indicating its sales release date.
- H. Any pawned item repurchased by the original seller shall be recorded using the same transaction records clearly marked “buyback” and will be submitted to the Londonderry Police Department within ~~48~~ **24** hours of the transaction.

**SECTION VII REMOVAL OF ARTICLES BY POLICE OFFICERS**

- A. If any police department determines that any Property is needed for evidence in a criminal investigation, said police department shall seize the article(s) pursuant to applicable criminal procedures. The secondhand dealer/pawnbroker/auction broker shall be issued a receipt for the article(s).
- B. Pursuant to RSA 595-A:6, the police department shall keep seized articles of Property under the court’s direction as long as necessary to permit the article(s) to be used as evidence. At the conclusion of all court proceedings or closure of the police investigation, the police department shall notify the original owner, the secondhand dealer/pawnbroker/auction broker and/or any person or entity who may have a lawful interest, that the Property will be released in 30 calendar days to the original owner if no other claim is placed on the Property.

**CHAPTER XII – SECONDHAND DEALERS AND PAWNBROKERS *(Cont'd.)***

**SECTION VIII VIOLATION**

- A. Any person who violates any provision of this ordinance shall be guilty of a violation and subject to the provisions of RSA 676:17 which provides for fines/civil penalties up to \$275.00 per day for the first offense and \$550.00 for subsequent offenses. Each continuing day of violation after notice shall constitute a separate offense.
- B. The Chief of Police may suspend or revoke any license issued pursuant to this ordinance for just cause.
- C. Any suspension, license revocation or permit refusal by the Chief of Police may be appealed by the licensee/applicant to the Town Council. The appeal must be made within ten business days of the revocation or permit refusal date.
- D. The provisions of this ordinance shall be severable, and if any phrase, clause, sentence or provision of these regulations shall, for any reason, be held invalid or unconstitutional, the validity of the remainder of these regulations shall not be affected thereby.

*--End of Chapter--*

To: Margo Lapietro  
Executive Assistant-Town Manager/Town Council  
268B Mammoth Rd  
Londonderry, NH 03053

From: Stacy Thrall  
Londonderry Elder Affairs Committee  
Chairperson

Subject: Letter of Resignation

Dear Margo,

I am officially resigning my position as the Chairperson of the Elder Affairs Committee effective February 19, 2013 due to my appointment as the Senior Affairs Director for the Town of Londonderry.

I am requesting to be reassigned as the Liaison to the Committee.

Respectfully submitted,

Stacy Thrall

Steven Sullivan  
13 Pleasant Drive  
Londonderry, NH 03053

January 21, 2013

Town of Londonderry  
Margo LaPeitro  
268B Mammoth Road  
Londonderry, NH 03053-3416

Re: Londonderry Arts Council Membership

Hello,

I am submitting this letter for your consideration of a position on the Londonderry Arts Council. I have been active in attending meetings and assisting with the Londonderry Arts Council activities. I feel I can be a valuable new member to the Council, as I grew up in the Londonderry school system and still maintain relationships with teachers and program directors with whom we look to collaborate. I then went on to receive my BA in Studio Art from Tulane University.

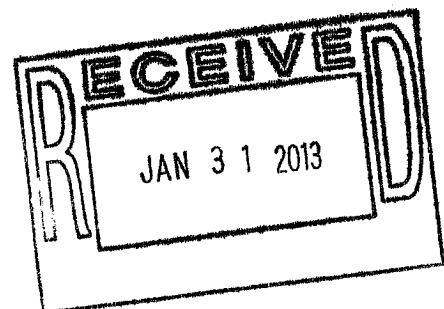
In addition to taking on this liaison role between the Council and the school system, I plan to continue the work I began this past summer, along with the newly-appointed Council President, Jason Williams, by initiating art-production events in conjunction with the Council's Concerts on the Common series. This past summer included many large-scale paintings where the community was encouraged to add their own touches while enjoying that week's musical performance. It is my wish to continue this auxiliary art series this summer, as well as possibly find other avenues where something like this would be appropriate and be a welcome addition to the program.

Thank you in advance for considering me for a position on the Council.

Sincerely,



Steven Sullivan



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<p><b>TOWN COUNCIL /BUDGET MEETING</b>  <b>February 11, 2013</b></p>
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The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry, NH.

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**PRESENT:** Chairman, John Farrell; Vice Chairman Tom Dolan; Councilors: Jim Butler; Joe Green; Tom Freda; Acting Town Manager, LPD Chief William R. Hart; Executive Assistant Margo Lapietro.

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**Call to Order**

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Chairman Farrell opened the meeting at 7:00PM with the Pledge of Allegiance by various Boy Scouts who are earning their "Citizenship in Community" badge who were in attendance. This was followed by a moment of silence for the first responders and those in service here and abroad.

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**Public Comment**

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Londonderry Housing & Redevelopment Authority (LHRA) Presentation on Pettengill Road Development Opportunities – Paul Donahue, 519 Mammoth Rd, Chairman of the LHRA reviewed the goals and objectives of the Committee. He explained that Pettengill Road has close to 1K acres of prime business development land. They did an analysis of the area and got Applied Economic Research to do a report for LHRA. Russ Thibeault, the President of Applied Economic Research in Laconia was in attendance. R. Thibeault analyzed the market conditions and financial feasibility of building a four lane roadway and sewer extensions at an estimated cost of \$12.5M in the area. He explained the area has sewer and water nearby. If developed it could provide for 10,000 to 15,000 jobs. There are a variety of funding options available. He calculated that we would break even in 5-8 years in a normal market environment if we have a major end user. As soon as we have a major end user committing to a 500,000 square foot area he predicted we would break even the first year. Once it breaks even it is tax positive in a year. He explained that there are no more tax generating investment properties located in Londonderry other than the Pettengill Road infrastructure. Councilor Dolan pointed out that a bond that would cost 30 cents per million would be a \$600-\$700 dollar reduction on a house. Chairman Farrell said he is looking for direction on how to get there. We've had a number of reports, where do we go from here. R. Thibeault relayed his experience with other settings most notably Centra Business Park and Pease. He stated that the infrastructures were built in advance and the businesses came. He said if you build it in advance, you will get your money back. He said he did the analysis, and said that maybe in 5 years we would see activity. He explained that this land is exceptional in its development. He commented that probably we did not get federal money because we didn't have "a bird in hand". Councilor Dolan talked about supporting 10K-15K jobs and asked what kind of jobs would be generated. R Thibeault responded that 10K would be industrial/warehouse 15K would be office/hotel, etc. Councilor Dolan asked what is the benefit to the state. R. Thibeault responded it was very significant at Pease. Councilor Freda said we need 60% of the voters; what is in it for them if they pay taxes for 4-5 years. Councilor Green said every time Pettengill comes up the taxpayers say there are a lot of empty buildings in

46 the airport area now. The approvals for the roads run out in June of 2014. Councilor Green  
47 asked how does building a road change everything. R. Thibeault said the land that will be  
48 opened up does not have anything comparable to it in NH. The existing buildings are relatively  
49 small which is why they are empty. Councilor Dolan said the economy is turning, the first time  
50 we could spend money based on our budget cycle would be 2014. We might miss this next  
51 upswing. How do we convince the citizens to take advantage of the rising tides? Russ Thibeault  
52 said that the timing in 2014 – 2015 is good, it will not get filled right away it is a long term  
53 investment. Open for the public. Kathy Wagner, 7 Fiddlers Ridge Rd. thanked Russ Thibeault  
54 and said she was glad that an outside consultant has confirmed that Pettengill is a great source.  
55 K. Wagner asked what was the responsibility of the developers. R. Thibeault said water is the  
56 responsibility of the builders; roads are the responsibility of developers. R. Thibeault said as  
57 soon as the road is built the assessed value will go up. K. Wagner asked R. Thibeault him what  
58 does he consider a “bird in hand”; he responded a structure of 500 sq. ft. K. Wagner asked if  
59 there was anybody in town that big. GIS Manager John Fogl said Harvey Industries was.  
60 Chairman Farrell reiterated that if we had a 500 sq. ft. building we could break even in 1 yr. K.  
61 Wagner spoke about grants, and said Londonderry has to come up with the money before the  
62 grant. She said if we do make a decision tonight, it wouldn't take 2-3 year; it would take up to 6  
63 months if the money is there. R. Thibeault commented that municipal bond rates are low now.  
64 Chairman Farrell explained with the budget hits this year, people are paying up to \$300 – \$400  
65 uptick in taxes. Councilor Dolan said when we think long term of having jobs here for young  
66 people it is very disconcerting. Councilor Freda explained we would be looking at an 18 cent  
67 increase in the tax rate. A bond would add about 30 cents to the tax rate. Why should taxpayers  
68 vote for this if they don't see it in 5-8 years? Chairman Farrell suggested that R. Thibeault get  
69 together with the LHRA and answer Councilor Freda's question. We might need an answer for  
70 the voters. R. Thibeault said if he goes through his research he will look for it. Chairman Farrell  
71 suggested R. Thibeault talk to the Chair of the Planning Board and see if he can convince him.  
72 Councilor Green said if the taxpayer understand they are paying more per year when do the  
73 charges start. Councilor Dolan stated that we have been working at this for years, we are looking  
74 for help to get it going. Councilor Butler said you have to show the taxpayers what the owners  
75 are responsible for and what Pettengill is responsible. R. Thibeault said we will have a more  
76 focused approach after talking to the Planning Board Chair.

77  
78  
79 Community Development Department Proposal - Acting Town Manager/LPD Chief William  
80 Hart explained we have had a change in leadership in the department and they are trying to  
81 figure out how to do Planning & Economic Development more effectively. Town Planner  
82 Cynthia May thanked the Council and Chief Hart for his guidance in this process. She provided  
83 a slide presentation and explained every entity has worked together and said that nothing  
84 significant has dropped off the radar. They are managing the Master Plan and reviewed their  
85 goals. C. May explained they are looking at outsourcing contracted services. She reviewed the  
86 revised titles and responsibilities in the department. Acting Town Manager/LPD Chief Hart  
87 explained that they have budgeted money for the Planning & Development Director in this  
88 budget and will use that surplus to compensate people for their additional responsibilities with  
89 pay raises in 2014 and 2015. He proceeded to review the budget. He explained the growth  
90 needs to be handled by the contracted services. He explained the advantages of contracted  
91 services means that we can expand and contract as needed. The model of contracted services  
92 will give us a flat budget going forward. Chairman Farrell asked what is the accountability piece  
93 for contracted service. Acting Town Manager/LPD Chief Hart responded in the RFQ there will

94 be targets; the deliverables will be clearly defined as par to their contract. Councilor Green said  
95 slide 10 has a larger budget going from 4 people to 3. Acting Town Manager/LPD Chief Hart  
96 explained it is flat, the only difference is the savings achieved by not filling the position and  
97 using contracted services. Acting Town Manager/LPD Chief Hart explained they will figure out  
98 how this will expand, there will be no increases next year or the year after but they are taking the  
99 extra money and applying it to contracted services. Councilor Green asked what happens to  
100 money not used. Acting Town Manager/LPD Chief Hart responded they are trying to keep it in  
101 their budget. Councilor Green suggested putting target dates under department goals. Acting  
102 Town Manager/LPD Chief Hart responded internally they do have dates. Councilor Butler  
103 asked who will be the target business for the RFQ. Acting Town Manager/LPD Hart responded  
104 they will go to other like minded service providers. Councilor Butler said some communities  
105 have done this and asked what is their success rate and how long have they done it. C. May  
106 responded some mid- west communities have done it. Some communities have thrown out the  
107 entire department but have brought back some employees. Acting Town Manager/LPD Chief  
108 Hart said it is a fairly new concept; 3-5 yrs old. We want to have performance based pay and  
109 need assistance to find it. Open for the public. Consensus was to go ahead with the RFQ.

110  
111 Anne Chiampa, 20 Wedgewood Drive asked for the status of her application for the Planning  
112 Board open position. Chairman Farrell asked the Town Manager to put her on the Agenda for  
113 the next meeting.

114  
115 Public Hearing

116 None

117  
118 Old Business

119 None

120  
121 NEW BUSINESS

122  
123 Assessor - Update on Town Exemptions - Town Assessor Karen Marchant said she was asked  
124 to provide information on the elderly/disabled exemptions. She provided a spread sheet  
125 comparing other towns with Londonderry. She explained the exemptions were last updated in  
126 2010 with a 9% increase in elderly income and disable income. Social Security raised the  
127 elderly exemptions in 2012 by 3.6% and a 1.17% raise in 2013. She explained any action taken is  
128 budget neutral but taxes will go up. Councilor Freda asked how many people we have taking  
129 these exemptions and how many were denied. K. Marchant responded we have 200 and 2 were  
130 denied. Councilor Dolan explained we had testimony at our last meeting asking for an increase  
131 in the amount of the exemption. Chairman Farrell said we have 200 people and only 1 or 2 were  
132 denied are we at the right place. K. Marchant explained we urge them to make the application  
133 because some do qualify. The stock market plays a large role in the equation; we look at their  
134 assets and their incomes. She said we are not falling behind. Councilor Freda asked if you have  
135 to meet both tests for income and assets, K. Marchant responded yes. Councilor Dolan  
136 explained all exemptions are means tested except for veterans which is state. Councilor Dolan  
137 said he is abstaining from voting on the blind exemption, and made a proposal for the other  
138 exemptions to change the single, married and asset levels. He wants to see them increased by



139 5%. Open for discussion. Councilor Green said he is more comfortable with the elderly assets  
140 going up to \$250K and asked for a discussion only. Chairman Farrell took a poll for a  
141 discussion to increase the elderly assets to \$250K. No discussion. Councilor Green asked if he  
142 could change the number? Chairman Farrell said the relative point is they have to meet all 3  
143 criteria. **Councilor Dolan made a motion to change the elderly single income exemption**  
144 **limit to \$39,600, second Councilor Butler. Vote 5-0-0. Councilor Dolan made a motion to**  
145 **change the elderly income married persons exemption to \$48,800, second by Councilor**  
146 **Butler. Councils vote 5-0-0. Councilor Green made a motion to increase the elderly asset**  
147 **limit to \$200K, no second. Councilor Green made a motion to increase the elderly asset**  
148 **limit to \$175K, no second. Councilor Dolan made a motion to increase the elderly asset**  
149 **limit by 10% which is double what we did for the income, totaling \$133,700, second**  
150 **Councilor Butler. Councils vote 5-0-0.** K. Marchant asked Council to look at the disabled  
151 exemption; it is the same as the elderly because when someone turns 65 they no longer receive a  
152 disabled exemption. They come in and apply for the elderly exemption which is the same amount  
153 off the tax bill, \$98,900. Chairman Farrell clarified if he would entertain a motion for the same  
154 limits for disabled single, disabled married and disabled asset limits as we currently have for  
155 elderly for \$39,600 for disabled single, \$48,800 for disabled married and \$133,700 for  
156 disabled asset limit. **Councilor Dolan made a motion, second Councilor Green. Councils**  
157 **vote 5-0-0.** Councilor Freda asked about the Blind exemption. K. Marchant said it has been  
158 several years since they have changed that, it is that amount right off the assessment; there are no  
159 income requirements. They need a letter from the Education Department at the State of NH  
160 stating that they are blind and that information goes to the state from their eye doctors.  
161 **Councilor Freda made a motion to increase the blind exemption to \$50K, second Councilor**  
162 **Butler. Councils vote 4-0-0, Councilor Dolan stepped down.** K. Marchant pointed out that a  
163 Resolution has to be produced with a second hearing on all of the motions.  
164

165 LFD – Ambulance Collection Process - Chief Kevin MacCaffrie, Acting Chief Darren O'Brien  
166 and Battalion Chief Fred Heinrich were in attendance. Acting Chief Darren O'Brien explained  
167 they have a slide show presentation for the ambulance billing process and the associated costs.  
168 D. O'Brien reviewed:

- 169 Call Volume
- 170 Staffing at 3 Stations
- 171 Staffing Levels
- 172 Ambulance Response Guideline
- 173 2012 Cost to Operate Ambulance-
- 174 FY 2013 Ambulance Budget-Salaries
- 175 2012 Ambulance Staffing Costs
- 176 FY 2013 Ambulance Budget – Training, General Expense
- 177 Supplies, Maintenance & Repairs Supplies, Vehicle
- 178 repairs Supplies
- 179 EMS Training
- 180 Management Services
- 181 General Expenses Supplies
- 182 Maintenance & Repairs Supplies
- 183 Vehicle Repairs Supplies
- 184 Insurance Providers 2012 Medicare Rates
- 185 Ambulance Billing Schedule
- 186 2012 comparable Billing Rates – Based on Medicare

Londonderry Collection Rate  
Londonderry Revenue Collected  
2012 Comparable Collection Rates  
Topics for Consideration

Councilor Dolan asked about a lease program for the vehicles. D. Cardwell said the fire trucks and ambulances are specialty vehicles. We are getting 9 years out of them. The current truck coming in is for a short term lease. Councilor Freda said since we are using reserve, what is the maintenance for repairs. D. Cardwell explained it is currently \$14K for brakes, windshields, tires, etc. F. Heinrich said they provide 320 hrs of EMS education yearly. The ambulance fee has not gone over \$35K. The total cost to operate the ambulance is \$322,328.52. Discussion ensued as to how the ambulance bills were paid and the billing process. Councilor Dolan suggested sending out RFP's for another firm to handle the ambulance billing. Chief MacCaffrie responded that has already been done. F. Heinrich said they have already reviewed the collection rate for Londonderry and they are in the process of comparing it with other towns. Councilor Dolan said we should consider a blind audit of Coastal, he said he does not feel we are getting our monies worth. Councilor Freda asked who collects for Derry; F. Heinrich responded he is meeting with them. D. O'Brien said our rates have not changed since 2010. Chairman Farrell asked how much have our costs gone up, Chief MacCaffrie responded about 10%. D. O'Brien stated we fall in the middle with all other towns. Councilor Dolan said our costs are \$320K. Chairman Farrell said we should be covering our costs. Chief MacCaffrie explained if we increase our costs you increase the amount of people who won't pay. Councilor Dolan said if our costs are going up each year we should increase the rates. Councilor Dolan suggested he track our costs going back to 09 and come back with the rates. He also suggested that the Chief come back to Council to discuss the findings. D. O'Brien explained they have a discussion on collections, if the bill is out at 120 days after that it goes to Finance. He suggested having a committee to look over the bills that claim hardship, if it can't be written off where do we want to go. He said they collect 30% - 50% from the collection agencies. Acting Town Manager/LPD Chief Hart was instructed to follow up on it.

Ordinance #2013-01 – An Amendment to the Zoning Ordinance Relating to Rezoning Map 6, Lots 37 & 38, Mohawk Drive – Councilor Dolan read the first reading, second reading scheduled for 3/4/13. **he made a motion to accept, second Councilor Freda. Councils vote 5-0-0.**

Order #2013-05 – Expenditure of Maintenance Trust Funds for Various Projects - Councilor Dolan read the Order and **made a motion to accept, second Councilor Freda. Councils vote 5-0-0.**

Resolution #2013-01 – A Resolution Relative to Re-Addressing Properties on Highlander Way - Councilor Dolan read the first reading, second reading on 3/4/13 and **made a motion to accept, second Councilor Butler. Councils vote 5-0-0.**

Order #2013-06 – A Resolution Relative to Suspending the Transportation Impact Fee Program for Rt. 28 and Rt. 102 – Councilor Dolan read the first reading and **made a motion to adopt, second Councilor Freda.** Councilor Green said the Planning Board asked how long the process will take to implement. Acting Town Manager, LPD Chief Hart said he doesn't know, the audit will give us guidance. **Councils vote 5-0-0.**

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**APPROVAL OF MINUTES**

**Council meeting minutes of 01/14/13** – Councilor Freda made a motion to approve, second Councilor Dolan. Council’s vote 5-0-0.

**OTHER BUSINESS**

**Liaison Reports** –

**Town Manager Report** – Acting Town Manager/LPD Chief Hart appointed Stacy Thrall as the Senior Affairs Coordinator and asked the Council for their approval. Open for discussion. Councilor Green thanked her for stepping up, he said she is a perfect pick for the position and he wished her luck. Councils vote 5-0-0.

**Board/Committee Appointments/Reappointments** – None

**ADJOURNMENT**

Councilor Dolan made a motion to adjourn at 9:54 PM. Second Councilor Freda. Council’s vote 5-0-0.

Notes and Tapes by: Margo Lapietro Date: 02/11/13

Minutes Typed by: Margo Lapietro Date: 02/20/13

Approved by: Town Council Date:

