

TOWN COUNCIL AGENDA
June 2, 2014
7:00 P.M.

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry, NH. Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. 7:00 PM

A. CALL TO ORDER

B. PUBLIC COMMENT

1. Auditorium Presentation
Presented by Tony DeFrancesco

C. PUBLIC HEARING

1. **Ordinance # 2014-02** – An Amendment to the Municipal Code Relating to the Regulation of Secondhand Dealers and Pawnbrokers
Presented by Detective Sean Doyle

D. OLD BUSINESS

E. NEW BUSINESS

1. **Ordinance #2014-03** – An Amendment to the Municiple Code, Title 1. Chapter XXVII, Civil Marriage Ceremonies.

F. APPROVAL OF MINUTES

Approval of May 19, 2014 Town Council Minutes

G. OTHER BUSINESS

1. Liaison Reports
2. Town Manager Report
3. Board/Committee Appointments/Reappointments

H. ADJOURNMENT

I. MEETING SCHEDULE

1. Town Council Meeting – **06/16/14** Moose Hill Council Chambers, 7:00PM
2. Town Council Meeting – **07/07/14** Moose Hill Council Chambers, 7:00PM
3. Town Council Meeting – **07/21/14** Moose Hill Council Chambers, 7:00PM
4. Town Council Meeting – **08/04/14** Moose Hill Council Chambers, 7:00PM

Introduced: 05/19/2014
Second Read/Pub Hrg: 06/02/2014
Adopted: xx/xx/xxxx

ORDINANCE 2014-02

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 2008-14, 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.

Tom Dolan
Town Council Chairman

A TRUE COPY ATTEST:

Town Seal

Sharon Farrell - Town Clerk
Xx/xx/xx

CHAPTER XII – SECONDHAND DEALERS AND PAWNBROKERS

SECTION I AUTHORITY

This ordinance was **originally** 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 **revised** 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.

1. Exclusions

a. **Consignment Shops.** These shops operate under the business model where owners of property retain ownership until a sale is completed or contract with the store is fulfilled. No property is bought from the public, by the business. As a result of the business model, no funds are immediately exchanged between the property owner (Seller) and the buyer. Funds are only exchanged through the Consignment Shop.

b. **Group Shops.** These shops operate under a business model where many small businesses work under one umbrella shop. No businesses operating in the shop buy property directly from the public and all sales must go through umbrella shop before funds are dispersed. As a result of the business model, no funds are immediately exchanged between the property owner (Seller) and the buyer.

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) shall be due upon application.

C. Upon approval, a license shall be issued and continue in force, unless sooner revoked. Said license may not be assigned or transferred and will be clearly and prominently displayed. The annual fee for such license **renewal** shall be twenty five dollars (\$25.00) due annually **July 1 and will remain in force for one year, unless sooner revoked**. The annual fee may be amended by the Town Council from time to time.

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

SECTION V PURCHASING FROM MINORS

No secondhand dealer/pawnbroker/auction broker, 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.

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 **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/pawner, 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 photographs of the seller/pawner, the seller/pawner's identification and the articles being sold/pawned.**

1. Secondhand dealers, who deal solely in scrap metal, vehicle parts and auto accessories, shall also be required to report the make, model, color, registration number and state of any vehicle used by the seller and include it in the transaction record.

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

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

- 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. Positive identification in the form of valid government photo identification, with an expiration date, shall be required of the seller/pawner of any property. The type of identification used shall be noted on the dealer's records and a photograph of the identification shall be attached to the transaction 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.**
- E. All transaction records shall be kept by said secondhand dealer/pawnbroker/auction broker for a minimum of two (2) years.**
- 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/auction broker for a period of 21 days after its initial purchase or intake unless the secondhand dealer/auction broker 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.**

1. Exclusions

- a. Secondhand dealers, who deal solely in scrap metal, vehicle parts and auto accessories, shall be exempt from the hold period but shall be subject to the added reporting requirements in Section VI, A, 1.**
- b. For these secondhand dealers, the 0 day hold period will be clearly listed on their license.**

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

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

- 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 **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.

Town of Londonderry

Adopted: 10/17/05

Title IV – Public Health, Safety, and Welfare* ***Revised: 4/16/14**

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--

Town of Londonderry, Town Council Meeting, May 19, 2014

First Read of Newly Proposed Amendment to Regulation of Secondhand Dealers and Pawn Brokers

Ordinance and Amendment

The Londonderry Police Department is proposing an amendment to Town Ordinance 2008-14, Town of Londonderry Municipal Code, Title IV (4), Public Health, Safety and Welfare, Chapter XII (12), relating to the regulation of Secondhand Dealers and Pawnbrokers

Over the last two (2) years, Londonderry has seen an increase in residential burglaries. We believe it is related to the rise in heroin use experienced by some of the neighboring communities. Often a rise in addictive narcotics is concomitant with a rise in burglaries. As a pro-active response to that concern the Londonderry Police Department (LPD) is seeking to amend the town ordinance regulating Second hand Dealers and Pawnbrokers. Doing so will assist police in identifying stolen property unintentionally received by regulated parties and for the detection of parties intentionally transacting in stolen property. LPD hopes to achieve this goal by partnering with our community businesses, thereby making our community safer. As planned this change will have minimal impact on the business, while protecting victims of residential burglaries and solving crimes against the people and homes of our community.

Need for the System

Over the past few years there has been steady flow of property related crime in Londonderry and surrounding communities. In the past 5 years, Londonderry has seen an average of 72 burglaries and 260 thefts per year. A large number of these incidents have driven by individuals addicted to narcotic drugs, who are looking for ways to pay for that addiction. A specific example of this is the rash of 30 burglaries we saw from July to September 2013. Although we were unable to link the suspects in all cases, we believe most were at connected to two "crews" operating out of Bedford and Manchester. Both groups were using the money received for property stolen to fund narcotic addictions.

The system does work though and each year Detectives solve or gain leads in numerous cases utilizing the system. A current example is a 2011 case being worked by Det. Dan Hurley. The case was cold with no suspects until the recent post arrest interview of a suspect, in an unrelated incident, which provided new information about the crime. Det. Hurley used the NESPIN database to locate the victim's property with the new information, corroborating the information provided and identifying additional suspects.

Current System

- currently businesses complete a transaction slip with product information and a copy of the seller's license and a copy of the items sold, if possible

- the slip is then faxed or brought to the police department and manually entered into NESPIN (New England State Police Information Network)
- system is then searched to locate stolen goods

Problems

- very time/resource consuming
- labor and materials expenses before searching begins
- time delay, only detectives have access
- because a person must manually enter items after the transaction it is labor intensive and therefore expensive.

Potential New Systems

- Business Watch International (BWI)

- currently used by Salem, NH Police
- their RAPID (Regional Automated Property Information Database) connects police department and pawn/scrap dealers
- information stored on the Maryland States Police Server
- when a seller enters the store, the store photographs seller, the item and fills out an information form on the items sold
- that information is uploaded at the end of each day and is searchable

- SalesTrack

- currently used by Lowell, MA Police
- “cloud” based storage system, with information stored on an online server controlled by PD
- works the same as BWI
- has an added victim portal, where victims can view property and notify the Detective if they see their items

- NESPIN

- the system we currently report to
- new version provides software to stores which allow direct upload
- has picture capability (we need to provide the camera)
- it is the system most used by agencies across New England
- has less “extras” than BWI and SalesTrack

Projected Outcomes of New System

- will save the Town of Londonderry time, money and resources
- increase efficiency in locating stolen property and solving cases, thereby making residents of our community safer.
- will shift the input of information to the vendors, who already complete a form for the

- Police department and eliminate duplicitous work by detectives
- will add clear pictures of the seller, seller's id and items sold, with camera
- helps with auditing the regulated businesses

Changes from Current Town Ordinance

- addition of scrap metal and vehicle parts to the definitions section
 - due to the large amount of scrap metal thefts (utility poles, residences and vehicle parts)
 - will require scrap dealers and junkyards to report
- exclusion of Consignment Shop and Group Shops
 - these businesses do not buy goods but only act as brokers
 - there is need immediate exchange of monies between the buyer and seller
 - not a viable source of "quick cash"
- license renewal due annually before July 1st
 - a change from anniversary date of license
 - change should allow for easier tracking of licenses and uniformity
- electronic reporting in lieu of paper reporting
 - more efficient and environmentally friendly
- requirement of photographs of the seller, seller's id and items
 - helps with police investigation
- requirement of scrap metal, vehicle parts and auto accessory dealers to include make, model, color, registration number and state of any vehicle used by the seller
 - in lieu of the 21 day hold period
 - will be clearly listed on their license
- upload to electronic reporting system within 24 hours
 - previously 48 when done manually and required forms being brought to the station
 - new system will be on computer and only require upload
- change item hold time from 15 days to 21 days
 - gives the police department a greater window to locate stolen property
 - is also fair to pawn/scrap dealers who work in volatile markets where the price of commodities is ever changing
 - Manchester Police and Salem Police both went to 30 days when new systems were implemented

Potential Concerns

In April of 2013 Prolerized New England LLC., a subsidiary of Schnitzer Steel Industries sued the City of Manchester, NH over their secondhand dealer ordinance and required reporting to LeadsOnline. Inc. The lawsuit challenged the requirement to report information to a third party and a per transaction fee. Judge Kenneth Brown, of the Hillsborough Superior Court, ruled in favor of Prolerized New England and the City of Manchester filed an intent to appeal.

To avoid this situation in Londonderry, LPD addressed both issues. First, all three systems we are considering allow the police department to own and control the information, not a third party, like LeadsOnline. Secondly, there will be no costs placed on the business for the system and current licensing fees, will remain the same.

Lastly, the police department heard the concerns voiced by affected businesses the first time this amendment was brought to the Council. The police department heard those concerns, researched the items in question and crafted the new amendment to reflect a compromise between the communities need to do business and the police departments need to solve crimes. The police department wants to partner with our community businesses to solve these crimes and make victims whole again.

Thank your for your time.

Respectfully,

Detective Sean P. Doyle D-15
Londonderry Police Department
Criminal Investigations Bureau

Introduced: 06/02/2014
Public Hearing: 06/16/2014
Adopted: xx/xx/2014

ORDINANCE 2014-03
AN ORDINANCE RELATIVE TO AN AMENDMENT TO THE MUNICIPAL CODE,
TITLE I, CHAPTER XXVII, CIVL MARRIAGE CEREMONIES

WHEREAS the Town of Londonderry provides civil marriage ceremonies; and

WHEREAS the Town charges a fee of fifty dollars for said services, which are necessary to offset the cost of providing said service.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Title I, Chapter XXVII of the Municipal Code is hereby amended.

Tom Dolan - Chairman
Town Council

Sharon Farrell
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
Xx/xx/2014

LONDONDERRY TOWN COUNCIL MEETING MINUTES

May 19, 2014

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

Present: Chairman Tom Dolan; Vice Chairman Jim Butler; Councilors Tom Freda, Joe Green and John Farrell; Town Manager Kevin Smith; Executive Assistant Kirby Wade

CALL TO ORDER

Chairman Dolan opened the meeting with the Pledge of Allegiance. This was followed by a moment of silence for Brentwood Police Officer Steven Arkell. Chairman Dolan stated that Officer Arkell was only 48 years old, a proud father of two teenage girls and a lacrosse coach. Chairman Dolan stated that Governor Hassan at a ceremony to honor the officer said "No matter how safe the shift seems, how slow the night has been, how small the town, each and every one of our Law Enforcement Officers take the same exact risk, each and every time she or he answers a call."

PUBLIC COMMENT

Chairman Dolan introduced Jim Adams, a candidate for Executive Council. Dolan stated that all candidates are welcome, without regard to party affiliation, to come and speak to the public at a Council meeting. Adams introduced himself and stated that is a pleasure to be able to speak. Adams stated that he is a lifelong New Hampshire resident and a Vietnam Veteran. Adams stated that he spent nine years in Washington. Adams stated that he had an opportunity to tour the Town Offices. Adams stated that the Executive Council is a difficult position because it is required to, as the Governor brings names forward, vet all of the commissioners, judges and to take care all of the contracts over \$25,000. The contracts can be up in the million dollar range. Adams stated that he has been a certified volunteer firefighter for 17 years. Adams stated that with his experience and the positions that he has held, he has the qualifications to be a candidate for the Executive Council. Adams stated that after he got out of the service in 1972 he became a letter carrier in Manchester for 10 years. He received his college degree going to night school. Adams stated that he became the first person in the history of the postal service to become the Chief of Staff for three postmaster generals in the 20 year history. Adams stated that he was a part of the Executive Committee where they reduced \$14 billion in costs to the rate payers and over a 9 year period they retired a \$13 billion dept. Adams stated that Congress decided in 2007 to have the postal service pay for its retiree's health benefits. Adams stated that that is why they are where they are today. Adams stated that he stated if he gets elected he will be working for all of the communities. One of the key elements of Executive Council is the 10 year plan highway.

Councilor Green asked Adams, if elected, what the biggest challenge is and how he will proceed to fix it. Adams stated that the biggest challenge right now is the contract for the healthcare that is coming up and the 10 year plan. Adams stated that there is a lot of development that needs to be done and there is very little revenue. Adams stated that it all needs to be dutifully done. Adams stated that the State needs to think outside the box and think big picture something along the lines of Pettigile, where both the community and the federal government along with the investors are involved. It should be a group coming forward to get the answer, you can't dictate. It has to be a cooperative effort to get these things done. Councilor Green asked Adams if he can touch upon healthcare and where he wants it to go and how he wants to embrace it. Adams stated that no one in federal government has any idea what we need as well as the people in New Hampshire does. Adams stated that he believes it has to be local decisions. Adams stated why can't have a system similar to how auto insurance works. Why can't individuals shop for what they would like to have? Adams stated that he doesn't know why the State has to have a one size fits all healthcare that usually doesn't fit anyone. Adams stated that those are things that need to be worked on.

Chairman Dolan asked Adams, with the Woodmont development in the community, which is estimated to be the largest

LONDONDERRY TOWN COUNCIL MEETING MINUTES

49 development the State has ever seen, it is clear that Londonderry will be the cornerstone of economic development in New
50 Hampshire. Dolan asked Adams what he can do to convince the other leaders in Concord of this fact. Adams stated that even
51 though the Council does not have jurisdiction over these folks, for them not to be able to see what the potential is, the facts that
52 Dolan stated speak for them. Adams stated that the opportunities are limitless out there. Adams stated that he is running
53 because he sees opportunity to do what Dolan mentioned for generations to come. Developments like that will help create a lot
54 of jobs.

55

56 Chairman Dolan thanked Mr. Adams for coming and introducing himself to Londonderry and the Council.

57

58 Martin Srugis, 17 Wimbledon Dr, stated that ever since the state began subsidizing Boston Express to Logan Airport, we have
59 lost 40% of the traffic at the airport. Srugis asked the Council what is going to be done about it. Chairman Dolan asked Town
60 Manager Smith to schedule Airport Director Mark Brewer to come in and give the Council an update on how things are going
61 at the airport.

62

63 Ken Gudude, 3 Rockingham Rd, stated that he had a few questions about the Pawn Shop Ordinance. Chairman Dolan stated
64 that there will be a first hearing, a public hearing will be scheduled and during the public hearing the audience can speak.

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66 Reed Clark, Stonehenge Rd, asked the Council, approximately when, there may be a public hearing about the area around the
67 Common. Chairman Dolan stated that Smith will be giving an update on how the Council will proceed tonight.

68

69 Fire Chief Darren O'Brien stated that he wanted to pass along some information. O'Brien stated that the week of May 18-24th
70 is National Emergency Service Recognition Week so he would like to recognize the emergency responders that, throughout
71 the State and Country, a job well done. O'Brien stated that one of the fire stations partners, Granite Ridge Energy, recently
72 gave the department a \$500 donation for what is called Cal Gasol, which is a material used to calibrate the monitoring devices
73 for technical rescue and hazardous gases. Chairman Dolan asked Town Manager Smith to do a letter of appreciation for that.
74 O'Brien stated that beginning on February 16th the department started dropping down to a staffing level of 9, from 8 PM until
75 8 AM. This was done after looking at the call statistics. Since then, on May 11th, the department had to drop down to a staffing
76 level of 9 for a 24 hour period of time. O'Brien stated that the Fire Department is doing their best to maintain their operating
77 budget and he wanted to make that known.

78

79 Vice-Chairman Butler asked if it was 9 people with boots on the ground or 8 people with boots on the ground and one
80 battalion chief. Chief O'Brien stated correct, 8 firefighters, paramedics and lieutenants and then a shift commander.

81

82 Bo Butler, President of the Londonderry Firefighters, stated he wanted to relay the new staffing level that is now running at the
83 fire department and voice his frustration. Butler stated that he read in the paper that the school is giving back a million dollars
84 and for whatever reason the fire department can't take a little of it to maintain the staffing level at 10. Butler stated that now
85 members are at an increased risk for their health and safety and he wanted the Council to be aware. Butler stated that Chief
86 O'Brien has reached out to the Union and they are going to sit down and come up with a game plan of what can be done as the
87 department is facing the tough situation that they are in.

88

89 Vice Chairman Dolan brought up target shooting in the Musquash Conservation area. Butler stated that he believes every
90 citizen has the right to bear arms. Butler emptied out a box of trash collected in the Musquash. Butler stated that he recently
91 spent time walking the area in the past week. Butler stated that the target shooting being engaged in the Musquash is not
92 responsible gun owners. Responsible gun owners are not careless. They do not leave behind shell cases and trash. Butler read
93 the letter about the trash found. (See attached) Town Manager Smith stated that he did a pole on other Town Managers in the
94 stated to see if other municipalities have local ordinance in Conservation Areas that limit target shooting but do allow hunting
95 to happen. Smith stated that both Merrimack and Bow do post. Smith stated that Town Attorney Ramsdell stated that the town
96 is allowed to post that target shooting would be prohibited but hunting be allowed in the areas with the understanding that if
97 we post such, it would have to be enforced as well, through the Policing efforts in Town. Councilor Farrell asked Police Chief
98 Hart if they can arrest anyone if they are caught in the Musquash. Chief Hart stated that at this point someone can be arrested
99 for littering. Chief Hart stated that the Council will need to provide the police with some guidelines on how to enforce it.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

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OLD BUSINESS

Chairman Dolan stated that the Manchester Airport Authority update is the Council's opportunity to nominate an individual to fill the vacancy. Chairman Dolan stated that the Council used a multi-voting technique and narrowed it down to two top candidates which are Ray Brown and Elizabeth Larocca. Councilor Farrell made a motion to nominate Elizabeth Larocca, second by Vice Chairman Butler.

Councilor Freda asked why Elizabeth Larocca versus Ray Brown? Councilor Farrell stated that it is the candidate that was put up by the Manchester Authority and they are looking for community relations person. She is the only candidate who had a community relations background. Councilor Freda stated that he believed the whole process was a waste of the Council's time.

Chair votes 3-2-0

NEW BUSINESS

Vice Chairman Butler ready **Order #2014-11**, an Order relevant to the distribution of Fire Equipment Capital Reserve Funds for 3 Panasonic Toughpads Tablets with detachable folding keyboards in the amount of \$7,767.06. Motion to approve Order #2014-11 made by Vice Chairman Butler and second by Councilor Farrell. Chief O'Brien stated that computers that the department has now are ten years old and can no longer be updated so new ones are needed. **Chair votes 5-0-0.**

Chairman Dolan introduced **Ordinance #2014-02**, an amendment to the Municipal Code relating to the regulation of secondhand dealers and pawnbrokers. Dolan stated that tonight will be the first reading and the next meeting there will be a Public Hearing when Detective Doyle will take the Council through the details of the Ordinance. Chairman Dolan read the Ordinance. Motion to approve the first reading of Ordinance #2014-02 made by Councilor Farrell and second by Councilor Freda. **Chair votes 5-0-0.**

APPROVAL OF MINUTES

Motion to approve meeting minutes from May 2014 made by Councilor Farrell and second by Vice Chairman Butler. **Chair votes 5-0-0.**

LIASON REPORTS

Councilor Green stated that he attended the Library meeting and usage is up. Also a Recreation Commission meeting. No other updates.

TOWN MANAGER REPORT

Town Manager Smith gave an update on the spending freeze. The freeze is being continued through the month of May. Smith stated that we are pretty much where we need to be both on the revenue side and expenditure side. The big items that are over expended right now are the fire department overtime, \$188,000 in red. The overall fire department budget is about 92% expended as of mid-May. At the end of May we should be at about 91.6%. The other is in the legal bills. Smith stated that the town is at about 173% over expended on that line. Smith stated that being said we are pretty close to where we are supposed to be so the freeze will be lifted on June 1.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

146 Chairman Dolan introduce the Town Manager update on the Town Forest stating that he just wants an update form Kevin and
147 does not want it to become a big discussion. We should wait for the appropriate time. Smith state the bottom line is while the
148 Master Plan is considered a legal document; it doesn't have any legal authority to force the Town to do anything. It is there to
149 be used as a guide. Smith advised the public to come and watch the Master Implementation Committee. Smith stated that all
150 possibilities need to be thought about carefully. Chairman Dolan stated that it needs to be decided as to if it will become an
151 agenda item or be a workshop.

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ADJOURNMENT

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Motion to adjourn made by Councilor Farrell and second by Councilor Green. **Chair votes 5-0-0.**

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Notes and Tapes by:

Kirby Wade

Date: 05/19/14

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Minutes Typed by:

Kirby Wade

Date: 05/25/14

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Approved by:

Town Council

Date: 06/02/14

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