

TOWN COUNCIL AGENDA
October 3, 2016
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.) Ray Breslin – 10 Year Water Plan

C. PUBLIC HEARING

- 1.) **Ordinance #2016-07** – An Ordinance Relative to a Restriction on Outside Water Use (**Cont. from 09/27/2016**)

D. OLD BUSINESS

E. NEW BUSINESS

- 1.) **Order #2016-32** – An Order Relative to the Expenditure of Maintenance Trust Fund for Various Projects
Presented by Steve Cotton
- 2.) **Order #2016-33** – The Expenditure of Roadway Maintenance Trust Funds
Presented by Janusz Czyzowski
- 3.) **Appointment of Deputy Tax Collector**

F. APPROVAL OF MINUTES

1. Approval of September 12, 2016 Town Council Minutes

G. OTHER BUSINESS

2. Liaison Reports
3. Town Manager Report
4. Board/Committee Appointments/Reappointment
 - 1.) Appointment of a Member to the Budget Committee

H. ADJOURNMENT

I. MEETING SCHEDULE

Town Council Meeting – 10/17/16 Moose Hill Council Chambers, 7:00 PM

Town Council Meeting – 11/07/16 Moose Hill Council Chambers, 7:00 PM

Town Council Meeting – 11/21/16 Moose Hill Council Chambers, 7:00 PM

Town Council Meeting – 12/05/16 Moose Hill Council Chambers, 7:00 PM

ORDINANCE 2016-07

An Ordinance Relative to a Restriction on Outside Water Use

First Reading: 09/20/16
Second Reading/Public Hearing: 09/27/16
Public Hearing Cont.: 10/03/16
Adopted: 10/03/16

WHEREAS On Friday, September 16, 2016, the New Hampshire Department of Environmental Services (“NHDES”) advised Town of Londonderry Town Manager Kevin Smith that drought conditions in the State of New Hampshire are sufficiently severe that NHDES is requesting that municipalities use their statutory authority under RSA 41:11-d to enact town-wide lawn watering bans for both private and public wells;

WHEREAS As of September 1, 2016, NHDES has classified the Town of Londonderry as a municipality suffering from “severe” or “extreme” drought conditions;

WHEREAS RSA 41:11 allows municipalities through their governing body to establish restrictions on the use of water from private wells or public water systems for residential outdoor lawn watering when a drought condition has been declared; and

WHEREAS Portions of Londonderry are already under some restrictions as put in place by the public water supply companies.

NOW THEREFORE, the Town of Londonderry ordains by the Londonderry Town Council that, in response to the severe and extreme drought conditions and the impacts therefrom facing the residents of Londonderry, effective September 27, 2016, a mandatory restriction on the watering of all residential lawns is imposed in accordance with RSA 41:11-d. Enforcement of this restriction shall be completed by any sworn officer of the Town of Londonderry Police Department, which is hereby granted the authority to initiate any enforcement action against any violator of this restriction. Any person failing to comply with the restriction shall be deemed in violation and subject to the following penalties pursuant to RSA 651:2: (1) a first violation shall result in a warning; (2) a second violation shall result in a \$250 fine; and (3) each succeeding violation shall result in a \$500 fine. Furthermore, it is encouraged that all non-residential property owners in Londonderry voluntarily abide by the same restriction.

John Farrell, Chairman
Londonderry Town Council

(TOWN SEAL)

Sherry Farrell
Town Clerk

A TRUE COPY ATTEST:
10/03/16

TOWN OF LONDONDERRY RESTRICTED WATER USE ORDINANCE

I. PURPOSE

To protect public health and safety by restricting the use of water from private wells or public water systems for residential outdoor lawn watering during a state or federally declared drought.

II. AUTHORITY

This regulation is adopted pursuant to the provisions of RSA 41:11-d, which authorizes the local governing body to establish regulations restricting the use of water from private wells.

III. APPLICABILITY

The requirements of this section shall apply immediately after the public notice period described in Section VII to all residential outdoor lawn watering within the Town of Londonderry when administrative agencies of the state or federal government have designated the region as being under a declared state or condition of drought.

IV. DEFINITIONS

A. Drought: A sustained and regionally extensive occurrence of appreciably below average natural water availability in the form of precipitation, stream flow or groundwater. The following resources are used by the Town of Londonderry to determine the declaration of a drought condition:

- i. The New Hampshire Drought Management Team as designated by the New Hampshire Drought Management Plan
- ii. State of Emergency declaration by the Governor's Office
- iii. United States Drought Monitor

B. Residential Lawn Watering: The application of water to decorative grass at a property that's primary use is to provide living accommodations for people.

V. REQUIREMENTS UNDER DROUGHT CONDITIONS

The following limits to residential lawn watering shall apply under drought conditions as determined by the Londonderry Town Council, and will be included in the public notice required under Section VII of this regulation. Such restriction shall remain in effect until terminated as provided in Section VIII.

AS OF (DATE) THE TOWN COUNCIL HEREBY IMPLIMENTS THE FOLLOWING RESIDENTIAL WATER USE RESTRICTION:

Residential lawn watering is prohibited

VII. PUBLIC NOTIFICATION OF WATER USE RESTRICTION

Notification of any intention to restrict water use and the requirements associated with Section V shall be given at least three calendar days before implementation. Notice of the regulations shall be posted in a paper of general circulation and shall be posted in at least two public places.

VIII. TERMINATION OF WATER USE RESTRICTION

Public notification and termination of water use restriction shall be given in accordance with Section VII.

IX. ENFORCEMENT

Any sworn officer of the Town of Londonderry Police Department is hereby granted the authority to initiate any enforcement action against any violation of the provisions of this Ordinance.

X. PENALTIES

Any person failing to comply with the restrictions imposed pursuant to this Ordinance shall be deemed a violation and subject to penalties pursuant to RSA 651:2:

First violation: Warning

Second violation: \$250

Third and succeeding violations: \$500

ORDER #2016-32

An Order Relative to

EXPENDITURE OF MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 10/03/2016

Adopted: 10/03/2016

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 \$42,785.52 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 \$42,785.52 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

John Farrell, Chairman
Town Council

Sharon Farrell
Town Clerk

A TRUE COPY ATTEST:
10/03/2016

**Expendable Maintenance Trust TC Order Request
for Town Council Meeting "10/03/16" (Rev.1)**

| Description | Vendor | Amount |
|---|---|---------------------|
| AHU-1 Main Blower Motor - LPD | SAM Mechanical - Quote 9152016 | \$ 5,585.00 |
| The HVAC system (installed in 2004, and warranty has expired) has a main blower motor to circulate/maintain air flow throughout the building (24 x 7). The blower motor and housing are unique to the system, similar to many other HVAC systems. Due to the long lead time (1 week or more), age of this assembly, and the 24 x 7 operation of our police facility, it is time to order a back-up blower assembly. This EMTF request is for the purchase of the blower assembly, which will be stored at LPD, readily available when needed. | | \$ 5,585.00 |
| Exterior Lighting Repair - North Fire Station | Stephens . Marquis - Invoice # 21447 | \$ 3,520.52 |
| The building sign lights, exterior lights over each front/back apparatus bay doors, and flag pole light had burnt out. Instead of repairing these fixtures, and repeating this process in another year or two, we made the switch to LED fixtures. This EMTF request is for the materials and labor to replace the defective fixtures with LED fixtures. | | \$ 3,520.52 |
| Preventative Maintenance & Repairs - Band Stand | Freeman Builders - Bid 9/14/16 | \$ 18,700.00 |
| The Band Stand is in need of much needed maintenance, we have several areas where the cinder blocks are falling apart, water pooling on the loading dock which is cracking the masonry, trim boards rotting, utility door damaged, ramp, walls, ceiling that need to be cleaned and refinished. This EMTF request is for the materials and labor to make these necessary repairs to the band stand. | | \$ 18,700.00 |
| Preventative Maintenance & Repairs - Fuel Farm Building | Freeman Builders - Bid 9/14/16 | \$ 14,980.00 |
| The Fuel Farm building located behind Central Fire houses a fuel tank/fuel pump that supports the fueling needs of LFD, LPD, Recreation, School, and Town Hall fleets. The Fuel Farm building is in need of a new roof siding, deck/railings, door repair, painting of the lower concrete section, and replacement of the flood light. This EMTF request is for the labor and materials to make these necessary repairs to the fuel farm building. | | \$ 14,980.00 |
| Total Town Council EMTF Order | | \$ 42,785.52 |

ORDER 2017-33

An Order Relative to
***THE EXPENDITURE OF
ROADWAY MAINTENANCE TRUST FUNDS***

WHEREAS voters since 2012 have approved funding for the maintenance and repair of public roadways in the town; and

WHEREAS it has been determined that sufficient funds have been appropriated by the voters to the Roadway Maintenance Trust Fund;

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend up to \$650,000.00 from the Roadway Maintenance Trust Fund for the aforementioned repairs and improvements of various Town roads.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

***A TRUE COPY ATTEST:
10/03/16***

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1
2 **September 12, 2016**
3

4 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth
5 Road, Londonderry, NH.
6

7 Present: Chairman John Farrell; Vice Chairman Tom Freda; Councilor Tom Dolan; Town Manager
8 Kevin Smith; Executive Assistant Kirby Wade; Absent; Councilors Joe Green and Jim Butler
9

10 **CALL TO ORDER**
11

12 Chairman Farrell called the Town Council special meeting to order. This was followed by a moment of
13 silence for the almost three thousand people who were killed on September 11, 2001.
14

15 **PUBLIC COMMENT**
16

17 Chairman Farrell stated that the Town Common wanted to make a public comment regarding local
18 drought concerns and non-essential water use. Chairman Farrell stated that he asked Town Manager
19 Smith to look into what towns have taken notice on restriction and what some of the different water
20 companies have been doing. Chief O'Brien presented ways to conserve water and that fire is at high
21 risk. Town Manager Smith stated that if people want to see the update, it's on the Department of
22 Environmental Services website.
23

24 **PUBLIC HEARING**
25

26 **NONE**
27

28 **OLD BUSINESS**
29

30 Town Manager Smith presented the final revised non-represented personnel and compensation policy.
31 Smith stated that he is looking for a vote of the Council to codify the latest revised changes of the
32 policy. Councilor Dolan motioned to accept the policy. Second by Vice Chairman Freda. Chair votes 3-
33 0-0.
34

35 **NEW BUSINESS**
36

37 Town Manager Smith gave an update on the FY16 budget. Smith stated that this is the unaudited report
38 from the budget year that ended June 30, 2016. [See attached]. The Town was light about \$800,000.
39 Smith stated that he would note that a bulk of that this year was led by the fire department. Smith
40 commended Chief O'Brien.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

41
42 Chairman Farrell introduced Order #2016-31, an Order relative to the withdrawal from the Fire Truck
43 Capital Reserve. Finance Director Doug Smith presented. Smith stated that this is another in the series of
44 lease contracts the Town has entered into recently under the agreement with First Niagara Bank. It's an
45 addition to the fleet. Chief O'Brien stated that this is an additional vehicle they were able to purchase.
46 Motion to approve Order #2016-31 made by Councilor Dolan and second by Vice Chairman Freda.
47 Chair votes 3-0-0.

48

49

APPROVAL OF MINUTES

50

51 Approval of the Town Council minutes from August 15, 2016 made by Vice Chairman Freda and
52 second by Councilor Dolan. Chair votes 3-0-0.

53

54

COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

55

56 Chairman Farrell introduced Jocelyn Muller, candidate for the Solid Waste and Environmental
57 Committee. Muller introduced herself to the Council and shared her interest in joining the Committee.
58 Motion to appoint Jocelyn Muller made by Councilor Dolan and second by Vice Chairman Freda. Chair
59 votes 3-0-0.

60

61 Chairman Farrell stated that the Council would like to wait until they have a full board before making a
62 decision regarding the Budget Committee member appointment.

63

64

ADJOURNMENT

65

66 Motion to adjourn made by Councilor Dolan and second by Vice Chairman Freda. Chair votes 3-0-0.

67

68 Notes and Tapes by: Kirby Wade Date: 09/12/2016

69 Minutes Typed by: Kirby Wade Date: 09/20/2016

70 Approved by: Town Council Date: 10/03/2016

TOWN OF LONDONDERRY, NEW HAMPSHIRE

Expenditures by Department
General Fund

June 30, 2016 - Unaudited - 100% of Fiscal Year

| Description | Original | Adjusted | Expenditures | Expenditures | Enc. | Available | % | Notes |
|--|------------|------------|--------------|--------------|---------|-----------|---------|-------|
| | Budget | Budget | This Period | Year To Date | | Budget | | |
| Town Council | 12,099 | 12,099 | - | 15,025 | - | (2,926) | 124.19% | |
| Town Manager | 632,140 | 630,140 | 37,230 | 487,952 | 130,000 | 12,188 | 98.07% | |
| Moderator | 300 | 300 | - | - | - | 300 | 0.00% | |
| Budget Committee | 1 | 1 | - | - | - | 1 | 0.00% | |
| Town Clerk | 422,799 | 422,799 | 83,692 | 419,395 | - | 3,404 | 99.19% | |
| Supervisors of the Checklist | 18,214 | 18,214 | 554 | 10,343 | - | 7,871 | 56.79% | |
| Finance | 647,690 | 647,690 | 69,948 | 577,714 | - | 69,976 | 89.20% | |
| Personal Health Insurance Holdings | (179,400) | (179,400) | 6,905 | (193,536) | 4,500 | 9,636 | 105.37% | |
| Assessing | 394,176 | 394,176 | 49,017 | 370,275 | - | 23,901 | 93.94% | |
| Information Technology | 375,340 | 375,340 | 104,694 | 395,000 | 17,201 | (36,861) | 109.82% | |
| Legal Expenses | 174,500 | 174,500 | 30,602 | 170,797 | - | 3,703 | 97.88% | |
| Zoning Board | 49,485 | 49,485 | (242) | 42,243 | - | 7,242 | 85.37% | |
| General Government | 506,514 | 506,514 | 96,146 | 397,984 | 23,343 | 85,187 | 83.18% | |
| Cemetery | 32,974 | 32,974 | 8,855 | 36,559 | - | (3,585) | 110.87% | |
| Insurance - Property & Liability | 244,652 | 244,652 | - | 177,579 | - | 67,073 | 72.58% | |
| Conservation Commission | 3,300 | 3,300 | 1,205 | 3,118 | - | 182 | 94.49% | |
| Police | 8,181,524 | 8,286,524 | 930,839 | 8,119,211 | 71,912 | 95,401 | 98.85% | |
| Fire | 6,747,624 | 7,010,768 | 800,902 | 6,778,288 | 34,072 | 198,408 | 97.17% | |
| Building | 329,219 | 331,219 | 34,760 | 330,509 | - | 710 | 99.79% | |
| DPW-Highway Administration | 1,978,632 | 1,978,632 | 182,442 | 1,735,520 | 91,314 | 151,798 | 92.33% | |
| DPW-Highway Operations | 1,240,882 | 1,240,882 | 635,495 | 1,399,244 | 12,409 | (170,771) | 113.76% | |
| DPW-Solid Waste-Waste Collection & Recycling | 1,942,691 | 1,942,691 | 296,330 | 1,729,915 | 65,014 | 147,762 | 92.39% | |
| Social Services | 53,864 | 53,864 | - | 44,464 | - | 9,400 | 82.55% | |
| Welfare | 121,268 | 121,268 | 9,167 | 62,053 | - | 59,215 | 51.17% | |
| Cable | 276,799 | 276,799 | 41,407 | 265,005 | - | 11,794 | 95.74% | |
| Recreation | 151,572 | 151,572 | 24,658 | 148,634 | - | 2,938 | 98.06% | |
| Library | 1,267,215 | 1,267,215 | 135,615 | 1,253,604 | - | 13,611 | 98.93% | |
| Senior Affairs | 52,787 | 52,787 | 6,006 | 53,306 | - | (519) | 100.98% | |
| Community Development | 384,333 | 384,333 | 67,605 | 366,695 | 20,000 | (2,362) | 100.61% | |
| Debt Service | 2,514,318 | 2,514,318 | - | 2,479,661 | - | 34,657 | 98.62% | |
| Capital - Land & Land Improvements | 50,000 | 50,000 | - | 49,999 | - | 1 | 100.00% | |
| Capital - Vehicles, Machinery & Equipment | - | - | - | - | - | - | - | |
| Capital - Buildings | - | - | - | - | - | - | - | |
| Capital - Other | 720,000 | 720,000 | - | 600,000 | 118,925 | 1,075 | 99.85% | |
| Transfer to Capital Projects Fund | - | - | - | - | - | - | - | |
| Transfer to Capital Reserve Fund | 295,000 | 323,000 | - | 323,000 | - | - | 100.00% | |
| Taxes Paid to County | - | 3,412,421 | - | 3,412,421 | - | - | 100.00% | |
| Taxes Paid to School District | - | 53,616,277 | 5,041,277 | 53,616,277 | - | - | 100.00% | |
| Total Expenditures | 29,642,512 | 87,067,354 | 8,695,108 | 85,678,253 | 588,689 | 800,412 | 99.08% | |

TOWN OF LONDONDERRY, NEW HAMPSHIRE

Revenue by Source
General Fund-Fiscal Year 2016

June 30, 2016 - Unaudited - 100.00% of Fiscal Year

| Description | Original | Adjusted | Revenue | Revenue | Revenue | % Recvd | Notes |
|---|------------|------------|-------------|--------------|-------------|------------|-------|
| | Budget | Budget | This Period | Year To Date | Due | | |
| Land Use Change Tax | - | - | 69,600 | 69,600 | (69,600) | #DIV/0! | |
| Yield Taxes | 3,500 | 19,500 | - | 33,687 | (14,187) | 172.75% | |
| Payment in Lieu of Taxes | 646,555 | 646,555 | - | 646,554 | 1 | 100.00% | |
| Excavation Taxes | 10,000 | 11,700 | - | 16,634 | (4,934) | 142.17% | |
| Interest & Costs on Late Property Taxes | 300,000 | 300,000 | 3,900 | 222,589 | 77,411 | 74.20% | |
| Business Licenses & Fees | 7,000 | 6,000 | 1,020 | 5,041 | 959 | 84.02% | |
| Motor Vehicle Permits | 6,250,000 | 6,300,000 | 632,945 | 7,415,143 | (1,115,143) | 117.70% | |
| Building Permits | 225,000 | 400,000 | 29,416 | 512,737 | (112,737) | 128.18% | |
| Dog Licenses | 17,000 | 16,000 | 1,543 | 14,962 | 1,038 | 93.51% | |
| Marriage Licenses | 3,500 | 4,500 | 682 | 6,790 | (2,290) | 150.89% | |
| Reclamation Fees | 16,000 | 16,000 | 1,440 | 16,287 | (287) | 101.79% | |
| Other Licenses and Permits | 1,500 | 1,500 | (49) | 926 | 574 | 61.74% | |
| Meals & Room Tax | 1,074,295 | 1,168,802 | - | 1,168,802 | (0) | 100.00% | |
| Highway Block Grant | 504,841 | 569,118 | - | 582,787 | (13,669) | 102.40% | |
| Water Pollution Grant | 44,236 | 41,569 | - | 41,569 | - | 100.00% | |
| Other State Grants | 75,000 | 8,500 | - | 51,915 | (43,415) | 610.77% | |
| Zoning Review | 30,000 | 30,000 | 3,262 | 68,061 | (38,061) | 226.87% | |
| Police Department | 38,000 | 32,000 | 2,335 | 27,581 | 4,419 | 86.19% | |
| Fire Department | 526,500 | 616,500 | (155,601) | 793,825 | (177,325) | 128.76% | |
| Public Works Department | 85,000 | 87,000 | 17,924 | 107,315 | (20,315) | 123.35% | |
| Cable Department | 325,000 | 375,000 | - | 491,340 | (116,340) | 131.02% | |
| Recreation Department | 5,000 | 5,000 | - | 7,392 | (2,392) | 147.84% | |
| Senior Affairs Department | 1,500 | 1,500 | 232 | 2,564 | (1,064) | 170.90% | |
| Interest on Investments | 10,000 | 20,000 | 5,032 | 31,944 | (11,944) | 159.72% | |
| Insurance Reimbursements | 50,000 | 50,000 | - | 3,529 | 46,471 | 7.06% | |
| Other Miscellaneous Revenue | 300,000 | 301,500 | 273,188 | 318,170 | (16,670) | 105.53% | |
| Transfers from Special Revenue Fund | 415,000 | 415,000 | 416,924 | 416,924 | (1,924) | 100.46% | |
| Transfers from Capital Reserve Fund | 384,500 | 384,500 | 87,748 | 388,604 | (4,104) | 101.07% | |
| Total Revenue | 11,348,927 | 11,827,744 | 1,391,540 | 13,463,273 | (1,635,529) | 113.83% | |