

TOWN COUNCIL AGENDA
October 17, 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

C. PUBLIC HEARING

D. OLD BUSINESS

E. NEW BUSINESS

1. **Order #2016-34** – A Order Relative to the Expenditure of Maintenance Trust Fund
Presented by Steve Cotton
2. **Order #2016-35** – An Order Relative to the Expenditure of Reclamation Trust Funds for New Purchase of Recycling Carts
Presented by Janusz Czyzowski
3. **Ordinance #2016-08** – An Ordinance Relative to a Restriction on Removing Water from Public Bodies of Water for Commercial Use
Presented by Kevin Smith

F. APPROVAL OF MINUTES

1. Approval of October 3, 2016 Town Council Minutes

G. OTHER BUSINESS

2. Liaison Reports
3. Town Manager Report
4. Board/Committee Appointments/Reappointment
 - 1.) Appointment of Senior Resources Committee Alternate Members to Full Members.

H. ADJOURNMENT

I. MEETING SCHEDULE

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

Town Council Meeting – 12/19/16 Moose Hill Council Chambers, 7:00 PM

J. BUDGET SCHEDULE

Budget Workshop – 11/05/16 Moose Hill Council Chambers, 8:00 AM

Budget Workshop – 11/07/16 Moose Hill Council Chambers, 7:00 PM

Budget Workshop – 11/14/16 Moose Hill Council Chambers, 7:00 PM

Budget Workshop – 12/05/16 Moose Hill Council Chambers, 7:00 PM

Budget Public Hearing – 12/12/16 Moose Hill Council Chambers, 7:00 PM

ORDER #2016-34

An Order Relative to

EXPENDITURE OF

MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 10/17/2016

Adopted: 10/17/2016

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 \$8,250.00 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 \$8,250.00 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:

10/17/2016

**Expendable Maintenance Trust TC Order Request
for Town Council Meeting *10/17/16***

Description	Vendor	Amount
<u>Sealcoating & Line Striping - Library & Police</u> Clean, seal all cracks, sealcoat, and line striping in the library and police parking areas. This EMTF request is for the labor/materials for these various parking lot maintenance repairs.	Property Innovation - Estimate #4271	\$ 3,750.00
		\$ 3,750.00
<u>Sealcoating & Line Striping - Central Fire</u> Clean, seal all cracks, sealcoat, and line striping for the apron in front of central fire. This EMTF request is for the labor/materials for the maintenance on the front apron in front of Central Fire.	Property Innovation - Estimate #4270	\$ 1,500.00
		\$ 1,500.00
<u>Diesel Reel - Fuel Farm</u> Install a stainless steel reel, 50' of hose, piping for the diesel fuel hose line located at the Fuel Farm behind Central Fire. This EMTF request is for the labor and materials for this diesel line enhancement.	Fuel Mgt. Sys - Estimate #	\$ 3,000.00
		\$ 3,000.00
Total Town Council EMTF Order		\$ 8,250.00

First Reading: 10/17/16
Hearing/Second Reading: Waived
Adopted: 10/17/16

ORDER 2016-35

An Order Relative to
***EXPENDITURE OF RECLAMATION TRUST FUNDS
FOR PURCHASE OF NEW RECYCLING CARTS***

WHEREAS in 2003 voters established a Reclamation Trust Fund to fund the disposal of motor vehicle waste, and recycling and reclamation of other wastes; and

WHEREAS recycling carts are required for automated curbside recycling collection;

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$9,955.48 from the Reclamation Trust Fund for recycling carts.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

***A TRUE COPY ATTEST:
10/17/16***

ORDINANCE 2016-08

An Ordinance Relative to a Restriction on Removing Water from Public Bodies of Water for Commercial Use

First Reading: 10/17/16
Second Reading/Public Hearing: 11/07/16
Adopted: 11/07/16

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; and

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

WHEREAS RSA 41:11 allows municipalities through their governing bodies 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 the Town of Londonderry previously imposed a mandatory restriction on the watering of all residential lawns; and

WHEREAS concerns have been raised about the impact on the Town of Londonderry’s public bodies of water and its other natural resources from landscaping and other businesses withdrawing water from public bodies for commercial use; 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 November 7th, 2016, a mandatory restriction on the withdrawal of water from public bodies of water for commercial use is imposed. 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 a \$250 fine; and (3) each succeeding violation shall result in a \$500 fine.

John Farrell, Chairman
Londonderry Town Council
(TOWN SEAL)

Sherry Farrell
Town Clerk

A TRUE COPY ATTEST: 11/07/16

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1
2 **October 3, 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; Councilors Jim Butler and Tom Dolan;
8 Town Manager Kevin Smith; Executive Assistant Kirby Wade; Absent; Councilor Joe Green
9

10 **CALL TO ORDER**

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12 Chairman Farrell called the Town Council special meeting to order. This was followed by a moment of
13 silence for all of our local first responders and all first responders serving us here and abroad.
14

15 **PUBLIC COMMENT**

16
17 Councilor Dolan mentioned the new restaurants in Town. It's been a community desire to expand the
18 restaurant here in Town and Dolan suggest Town Manager Smith invited the owners of these new
19 restaurants to come in and introduce themselves to the Town Council. Councilor Dolan welcomed those
20 new restaurants to town.
21

22 Chairman Farrell invited up Ray Breslin, 3 Gary Drive, to speak under Public Comment. Breslin spoke
23 about the water and sewage in town. Breslin stated that the town needs to look on a long term plan, he
24 suggested that someone from the town talk to DES about groundwater in town. Breslin asked the Council
25 if they have any control over that. Breslin stated that there should be a natural resource inventory, maybe
26 the town already does. Breslin stated it needs to be looked at closely. Chairman Farrell stated that ten
27 years ago the town did a water and air survey and study. Chairman Farrell stated that a lot of the sewage
28 plan is in the CIP plan. The Department of Public Works has a facility plan for sewage and different
29 piece of infrastructure in town. This is publically filled in his office. A lot of it is in the Master Plan,
30 which is revisited every four to five years to be updated. Chairman Farrell stated that the Town Council is
31 open to looking at any improvements they can make in the town. The facility plan for water and sewage
32 can be viewed at Town Hall. There was a consensus from the Town Council to direct the Town Manager
33 to help Breslin. Breslin asked the Council to look into what control they have over the water in town.
34

35 **NEW BUSINESS**

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37 Item #3. Chairman Farrell asked Town Manager Smith to introduce the appointment of the Deputy Tax
38 Collector. Town Manager Smith read into the record the resignation of Sherry Farrell as Deputy Tax
39 Collector and asked for a motion to appoint Diane Demers as the new Deputy Tax Collector. Motion to
40 accept Farrell's resignation made by Councilor Dolan and second by Councilor Butler. Chair votes 3-0-1.
41 Chairman Farrell obtained. Motion to approve Demers as the Deputy Tax Collector made by Councilor

LONDONDERRY TOWN COUNCIL MEETING MINUTES

42 Dolan and second by Vice Chairman Freda. Chair votes 4-0-0.

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PUBLIC HEARING

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46 Chairman Farrell introduced the continuation of Ordinance #2016-32, an Ordinance relative to a
47 restriction on outside water use. This was continued from 09/27/2016. It was opened back up to the
48 public. Councilor Dolan asked if the Attorney had the chance to look over revisions that were talked
49 about last time. Chairman Farrell stated that the town Attorney advised against them.

50

51 Stephen Lee, 10 Darrow Way, stated that he and his wife would like to voice their support for this
52 Ordinance. Lee stated that it's a common sense thing to do.

53

54 Ann Chiampa, 28 Wedgewood Drive, stated that she has public water but when she heard peoples wells
55 were running dry she was concerned about it. Chiampa showed the Council the state of Lake Massabesic
56 in Manchester which is where some of the water comes from and how low the water level is there.

57

58 Peter Curro, representing the School District, stated that it was mentioned before that the schools are
59 exempt from the Ordinance. Curro stated that the schools have cut back on the watering of athletic fields.
60 They cut back the first week in July. They have cut back over 50% of watering on the game fields.

61

62 Tom Fatur, 6 Summer Drive, stated that one of the things said last week was if there was any chance that
63 something could be added that would be an "out? If you have a hardship situation. Chairman Farrell
64 stated that the town Attorney recommended against. Nothing will be added into the Ordinance.

65

66 Deanna Mele, 8 Valley Street, asked why the Council had to wait for the State to put the Ordinance out.
67 Why can't the tow take it upon themselves to monitor the town? Chairman Farrell stated that the Council
68 has publicized that they would like residents to voluntarily stop watering their lawns. Mele stated that it
69 took too long. Chairman Farrell stated that the Council is doing it now.

70

71 Chairman Farrell stated that he has a proposed amendment. Enforcement of this Ordinance may be
72 suspended at any time by the Town Council by majority vote, finds that the drought conditions no long in
73 effect for the Town of Londonderry. Councilor Butler stated that he prefer the State to do it. Chairman
74 Farrell stated that the Council can always revisit it and amend it at another meeting. So Chairman Farrell
75 stated that the Council will move on the Ordinance as presented. Motion to approve Ordinance #2016-07
76 made by Councilor Dolan and second by Vice Chairman Freda. Chair votes 4-0-0.

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78 Motion to close Public Hearing made by Councilor Dolan and second by Vice Chairman Freda. Chair
79 votes 4-0-0.

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OLD BUSINESS

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NONE

LONDONDERRY TOWN COUNCIL MEETING MINUTES

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NEW BUSINESS (CONT.)

Chairman Farrell introduced Order #2016-32, an Order relative to the expenditure of Maintenance Trust Fund for various projects. Steve Cotton presented. This Order is for a total of \$42,785.53. Motion to approve Order #2016-32 made by Councilor Dolan and second by Vice Chairman Freda. Chair votes 4-0-0.

Chairman Farrell introduced Order #2016-33, the expenditure of Roadway Maintenance Funds presented by Janusz Czyzowski. This Oder is for a total of \$650,000 for aforementioned repairs and improvements to various Town roads. Town Manager Smith stated that 2017 listed at the top should be amended to 2016. Motion to approve Order #2016-33 made by Councilor Dolan and second by Vice Chairman Freda. Chair votes 4-0-0.

APPROVAL OF MINUTES

Approval of the Town Council minutes from September 12, 2016 made by Councilor Dolan and second by Councilor Butler. Chair votes 4-0-0.

COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

The Town Council made a motion to approve Tom Dalton, as recommended by the Budget Committee, as a member of the Budget Committee. Motion to appoint Dalton made by Councilor Butler and second by Councilor Dolan. Chair votes 4-0-0.

ADJOURNMENT

Motion to adjourn made by Councilor Dolan and second by Vice Chairman Freda. Chair votes 4-0-0.

Notes and Tapes by:	Kirby Wade	Date: 10/03/2016
Minutes Typed by:	Kirby Wade	Date: 10/06/2016
Approved by:	Town Council	Date: 10/17/2016