

TOWN COUNCIL AGENDA
October 16, 2017
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

1. **Acceptance of Unanticipated Revenues Under 31:95-b**

D. NEW BUSINESS

1. **Order#2017-25 – An Order Relative to Expired Impact Fee Refunds
Presented by Doug Smith**
2. **Order #2017-26 – A Order Relative to Transfer of Impact Fee to
General Fund
Presented by Doug Smith**
3. **Resolution #2017-11 – A Resolution Relative to the Acceptance of
Unanticipated Revenue Under RSA 31:95-b
Presented by Doug Smith**

E. OLD BUSINESS

1. **Continued Discussion on Use of Fund Balance**

F. APPROVAL OF MINUTES

1. **Approval of October 2, 2017 Town Council Minutes**

G. OTHER BUSINESS

Liaison Reports

Town Manager Report

Assistant Town Manager Report

Board/Committee Appointments/Reappointment

- 1.) Recommendation to Manchester Airport Authority
- 2.) Resignation of Margaret Harrington from the Conservation Commission

H. ADJOURNMENT

I. MEETING SCHEDULE

- Town Council Meeting – 11/06/17 Moose Hill Council Chambers, 7:00 PM
- Town Council Meeting – 11/20/17 Moose Hill Council Chambers, 7:00 PM
- Town Council Meeting – 12/04/17 Moose Hill Council Chambers, 7:00 PM
- Town Council Meeting – 12/18/17 Moose Hill Council Chambers, 7:00 PM

J. BUDGET SCHEDULE

- Budget Workshop – 11/04/17 Moose Hill Council Chambers, 8:00 AM
- Town Council Budget Workshop – 11/06/17 Moose Hill Council Chambers, 7:00 PM
- Town Council Budget Workshop (Follow-up) Moose Hill Council Chambers, 7:00 PM
- Town Council Budget Workshop and Preliminary Warrant Approval – 12/04/17 Moose Hill Council Chambers, 7:00 PM

TOWN OF LONDONDERRY

NOTICE OF PUBLIC HEARING

ACCEPTANCE OF UNANTICIPATED FUNDS UNDER RSA 31:95

The Londonderry Town Council will hold a public hearing pursuant to RSA 31:95-b, acceptance of unanticipated funds in excess of \$10,000, relative to the receipt of impact fees. The public hearing will be held on Monday, October 16, 2017 at a meeting of the Council scheduled to begin at 7:00 p.m. in the Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH. Information on the funds to be accepted is available in the Finance Office during regular business hours. The public is urged to attend.

ORDER 2017 - 25

An order relative to
Expired Impact Fee Refunds

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

WHEREAS the Town of Londonderry by adoption of Zoning Article No. 110 at the Annual Town Meeting on March 10, 1994, added Section X - Impact Fees to the Zoning Ordinance (since revised to Section 1.2 and amended by Ordinance #2013-06) which provides for the assessment, collection, and administration of Impact Fees; and

WHEREAS the Zoning Ordinance allows the Town Council to issue orders to the Town Treasurer for the expenditure and/or refund of such impact fees collected; and

WHEREAS the Ordinance further provides by Section 1.2.9 that impact fees not encumbered or legally bound to be spent for the purpose for which they were collected within a period of six (6) years from the date of the final payment of the fee be refunded; and

WHEREAS the Town has permanently suspended the impact fee program and wishes to disburse all funds remaining in the impact fee accounts; and

WHEREAS the Director of Finance recommends that expired impact fee refunds be issued in the amount of \$58,098.83 plus accrued interest of \$618.21, for a total disbursement of \$58,717.04;

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Treasurer is hereby directed to disburse \$58,717.04 as detailed on the attached spreadsheet of expired impact fees.

Tom Dolan - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
10/16/2017

ORDER 2017 - 26

An order relative to
Transfer of Impact Fee to General Fund

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

- WHEREAS** the Town of Londonderry by adoption of Zoning Article No. 110 at the Annual Town Meeting on March 10, 1994, added Section X - Impact Fees to the Zoning Ordinance (since revised to Section 1.2 and amended by Ordinance #2013-06) which provides for the assessment, collection, and administration of Impact Fees; and
- WHEREAS** the Zoning Ordinance allows the Town Council to issue orders to the Town Treasurer for the expenditure and/or refund of such impact fees collected; and
- WHEREAS** the Ordinance further provides by Section 1.2.8, C that the Town Council may order the expenditure of impact fees solely for the reimbursement of the Town or the School District for the cost of public capital improvements for which they were collected, or to recoup the cost of capital improvements made by the Town or the School District in anticipation of the needs for which the impact fees were collected; and
- WHEREAS** the Town has permanently suspended the impact fee program and wishes to disburse all funds remaining in the impact fee accounts; and
- WHEREAS** the Director of Finance recommends that unexpired impact fee in the amount of \$73,163.05 are available under the provisions referred to above;

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Treasurer is hereby directed to disburse \$73,163.05 for deposit to the Town's general fund.

Tom Dolan - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
10/16/2017

RESOLUTION 2017-11

A Resolution Relative to the
Acceptance of Unanticipated Revenue Under RSA 31:95-b

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

WHEREAS the Town of Londonderry adopted the provisions of RSA 31:95-b with the passage of warrant article 18 at their March, 1994 town meeting; and,

WHEREAS the Town Council has complied with RSA 31:95-b, III (a) relative to unanticipated moneys received in amounts greater than \$10,000; and,

WHEREAS the Town Council has ordered that funds available from fire and police impact fees, totaling \$73,163.05, shall be disbursed to the Town's general fund to offset the costs of debt service for fire and police infrastructure;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that additional funding in the amount of \$73,163.05 for the fiscal year ended June 30, 2018, is hereby accepted.

Tom Dolan - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:

10/16/17

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1
2 **October 2, 2017**
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 Tom Dolan; Vice Chairman John Farrell; Councilors Jim Butler, Ted Combes and
8 Joe Green; Town Manager Kevin Smith; Executive Assistant Kirby Brown;
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 victims and the families of the horrible events that took place in Las Vegas.
14

15 **PUBLIC COMMENT**
16

17 Town Manager Kevin Smith mentioned that the Town will be looking for a historian. Londonderry has
18 been without a Town Historian since 2010. With the Councils blessing, we would like to go through the
19 process to find a new Town Historian. The position will be posted in the paper and it will have to be
20 approved/appointed by the Town Council. The Town Council gave Smith the “ok” to go forward.
21

22 Town Manager Smith also introduced the Boston Post Cane which recently was brought back to Town
23 Hall after the oldest person in Londonderry passed. Smith stated that we are now looking for the current
24 oldest person and an advertisement will be posted in the papers.
25

26 Chief Darren O’Brien wanted to remind the public about the upcoming Londonderry Fire Department
27 Open House on Saturday, October 14th. All are welcome. Chief O’Brien stated that it will take place
28 from 12PM – 4 PM.
29

30 Vice Chrisman Farrell stated that he was quoted in the Union Leader last week about asking the Town
31 Council to consider giving one million dollars back to the voters this year. When we are setting the tax
32 rate we should look at it. A one time. Farrell asked the Town Manager to look into seeing if the Council
33 can do that. Farrell stated that we have done a nice job at rebuilding and he feels it is time to give back.
34

35 **PUBLIC HEARING**
36

37 Motion to open public hearing made by Councilor Green and second by Councilor Butler. Chair votes 5-
38 0-0. Chairman Dolan introduced Resolution #2017-09, a Resolution relative to the Veterans Tax Credit
39 Policy with the Town of Londonderry. This is for all veterans who have been honorable discharged and
40 to their surviving spouses.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

41 Tim Siekmann, 89 Hovey Rd, asked for some clarification about a spouse that is remarried and then
42 later divorced gets the credit or a spouse who gets remarried and her husband dies and she doesn't get
43 the credit. What makes the difference? Chairman Dolan stated that the State is the author of the
44 legislation.

45

46 Rick Brideau, Town Assessor, stated that you also have to have 90-days active duty to qualify.

47

48 There was no other comment from the public.

49

50 Motion to approve Resolution #2017-09 made by Councilor Green and second by Councilor Combes.
51 Chair votes 5-0-0.

52

53 Motion to close public hearing made by Councilor Green and second by Councilor Combes. Chair votes
54 5-0-0.

55

56 NEW BUSINESS

57

58 Chairman Dolan introduced Order #2017-24, an Order relative to the expenditure of Maintenance Trust
59 Fund for various projects. The Order is for \$13,200.00 for a small addition on the existing fuel building
60 behind Central Fire. Motion to approve Order #2017-24 made by Vice Chairman Farrell and second by
61 Councilor Green. Chair votes 5-0-0.

62

63 OLD BUSINESS

64

65 NONE

66

67 APPROVAL OF MINUTES

68

69 Approval of the Town Council minutes from September 18, 2017 made by Vice Chairman Farrell and
70 second by Councilor Combes. Chair votes 5-0-0.

71

72 COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

73

74 The Town Council interviewed four candidates for the open position on the Budget Committee. Term
75 good until March 2018. They interviewed Bill Mee, Duncan Campbell, Tammy Siekmann and John
76 Wilson.

77

78 The town Council appointed Duncan Campbell as the newest member of the Budget Committee. Motion
79 to appoint Duncan Campbell made by Vice Chairman Farrell and second by Councilor Green. Chair
80 votes 4-1-0.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

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NON-PUBLIC

The Council entered into non-public meeting 91-A:3, II(d). The Council returned to Moose Hill at 8:43 PM. Motion to end the non-public made by Councilor Green return to the public meeting, and to seal the minutes of the non-public session as disclosure would render the proposed action (decided upon in the non-public session) ineffective. Motion second by Councilor Combes. Chair votes 5-0-0.

ADJOURNMENT

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

Notes and Tapes by:	Kirby Wade	Date: 10/02/2017
Minutes Typed by:	Kirby Wade	Date: 10/10/2017
Approved by:	Town Council	Date: 10/16/2017