

TOWN COUNCIL AGENDA
October 15, 2018
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.) Resolution #2018-11 – A Resolution Relative to the Acceptance of Unanticipated Revenue Under RSA 31-95-b (SAFER Grant)
Presented by Doug Smith**

D. OLD BUSINESS

- 1.) Discussion regarding Town Sign Ordinance**

E. NEW BUSINESS

F. APPROVAL OF MINUTES

Approval of October 1, 2018 Town Council Minutes

G. OTHER BUSINESS

1. Liaison Reports
2. Town Manager Report
3. Assistant Town Manager Report
4. Board/Committee Appointments/Reappointment

H. ADJOURNMENT

I. MEETING SCHEDULE

1. Town Council Meeting – 11/05/18 Moose Hill Council Chambers, 7:00PM
2. Town Council Meeting – 11/19/18 Moose Hill Council Chambers, 7:00PM
3. Town Council Meeting – 12/03/18 Moose Hill Council Chambers, 7:00PM
4. Town Council Meeting – 12/17/18 Moose Hill Council Chambers, 7:00PM

RESOLUTION 2018-11

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

First Reading: 10/15/18
Second Reading: Waived
Adopted: 10/15/18

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 has been awarded a grant by the U.S. Department of Homeland Security's Emergency Management Agency in the amount of \$700,566.00, for the purpose of adding four (4) firefighters to the Town's fire department staff; and,

WHEREAS the grant will provide partial funding for the four (4) positions over the next three (3) years, giving the town the financial flexibility to minimize the budgetary impact to the town over that period; and,

WHEREAS it is anticipated that the four (4) new positions will be hired on or about February 28, 2019, and result in a gross cost of \$150,000 in FY 2019, \$112,500 of which will be supported by grant funds; and,

WHEREAS there are sufficient funds, \$37,500, in the Fire Department's FY 2019 budget to meeting the matching requirements of the grant;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that unanticipated revenue in the amount of \$112,500 for the fiscal year ended June 30, 2019, is hereby accepted.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:

10/15/18

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1 October 1, 2018

2
3 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall,
4 268B Mammoth Road, Londonderry, NH.

5
6 Present: Vice-Chairman Joe Green; Councilor Ted Combes & Tom Dolan; Town Manager
7 Kevin Smith; Assistant Town Manager Lisa Drabik; Executive Assistant Kirby Brown;
8 Absent; Chairman John Farrell

9
10 CALL TO ORDER

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12 Vice-Chairman Green called the Town Council special meeting to order and led the Pledge
13 of Allegiance. This was followed by a moment of silence for those who serve us both here
14 and abroad and our Police Department.

15
16 PUBLIC COMMENT

17
18 Dennis Martin, 189 Pillsbury Rd, Londonderry, NH, stated that he is here to discuss a
19 sign issue. Martin stated that he is the organizer for the Blues Festival here in
20 Londonderry. He had lawn signs made up to help promote his event. Martin stated that he
21 had put up signs the two previous years and had no issue. This year there is a new
22 member in the building department who, according to the bylaw, went out and took some
23 of them down based on the area where they were placed. Martin asked the Council if the
24 Ordinance in place can be amended so he can place his signs at those other areas. Martin
25 stated that he is up to three hundred people attending the festival now. Vice Chairman
26 green asked Town Manager Smith if we could discuss the idea of amending the bylaw
27 with the Town Attorney. Smith stated that any sign like this one that is places in the
28 Town's right-of-way based on the Ordinance is going to be pulled. It is not legal to be
29 there. Smith asked the Council what kind of fix they are looking for. Vice Chairman
30 Green said one that will allow him to put out his signs thirty days prior to the event.
31 Smith stated that the reason we enforce the Ordinance is being we get complains from
32 people about overload of signs. Smith stated that it needs to be a balance of allowing a
33 non-profit to advertise for an event while enforcing the Ordinance at the same time.
34 Smith stated that we can work on making an amendment to give some flexibility for
35 events like this where there could be a thirty-day grace period and we can limit it to non-
36 profits as opposed to for-profit events going on in town. Vice Chairman Green stated to
37 Martin that we will let him know when it will be on the agenda.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

38 Kevin Smith read a statement from Chairman Farrell into the record (see attached).
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PUBLIC HEARING

41
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43 NONE
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OLD BUSINESS

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47 NONE
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NEW BUSINESS

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51 Vice Chairman Green introduced Order #2018-18, the expenditure of Maintenance Trust
52 Fund for various projects, presented by Steve Cotton. This Order is in the amount of
53 \$19,428.89. Motion to approve Order #2018-18 made by Councilor Dolan and second by
54 Councilor Butler. Chair votes 4-0-0.
55

56 Mike Speltz, 18 Sugar Plum Lane, with the Conservation Commission, presented the
57 Council with a PowerPoint (see attached) about the Gilcreast Rd Conservation Area and
58 the Brownfield Environmental Assessment Grant. Speltz stated that this property is the old
59 ugly apple orchard on Gilcreast Rd. Speltz informed the Council how they could be
60 awarded the money and what it would be used for. Speltz asked for the Councils approval
61 before sending in the application for the Grant. The Council gave the okay for Speltz to
62 move forward with his application.
63

APPROVAL OF MINUTES

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66 Motion to Approve Town Council minutes from September 10, 2018 made by Councilor
67 Combes and second by Councilor Dolan. Chair votes 4-0-0.
68

APPOINTMENTS/RE-APPOINTMENTS

69
70
71 NONE
72

LONDONDERRY TOWN COUNCIL MEETING MINUTES

73

OTHER

74

75 Assistant Town manager Lisa Drabik gave an updated regarding the Pool Study
76 Committee.

77

ADJOURNMENT

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79 Motion to adjourn made by Councilor Dolan and second by Councilor Butler. Chair votes
80 4-0-0.

81

82 Notes and Tapes by: Kirby Brown Date: 10/01/2018

83 Minutes Typed by: Kirby Brown Date: 10/04/2018

84 Approved by: Town Council Date: 10/15/2018

STATEMENT REGARDING FORMER SAU SPACE ON TOWN LAND

On August 30, the Town Council requested that the Londonderry School Board join it in taking steps to allow the town to renovate and put to productive use the building on town land formerly occupied by the school district as its administrative offices. Last Friday, the School Board Chair and the school superintendent met with the Town Council Chair and me to discuss the possibility of working together on this goal.

Some of you may know that the voters at the annual town meeting and school district meetings in 1984 approved warrant articles that allowed the school district to construct space on the town-owned land for the purpose of use as the district's administrative offices. After the voters gave their approval by passing the warrant articles, the town and the school district made an agreement whereby the school district could use the space as its administrative offices until the school district's and the town's voters voted to rescind the warrant articles.

With the school district deciding to vacate the building for health and space reasons, and signing a 10-year lease for its administrative offices to be located at Kitty Hawk Landing, the town would like to take over the space, undertake any renovations that are necessary, and use the premises for something that will benefit the people of the town. As a result, the Town Council has asked the school district to place an article on the next school warrant to rescind the 1984 warrant article that allowed the space to be used as the school district's administrative offices. The Town Council intends to place a similar article on the next town warrant for that purpose. The Town Council also let the school district know that, to the extent the district needs the space it currently uses as storage on the premises, the town will continue to allow it to use the space or the town will provide similar space to the school district.

On Friday, the School Board Chair told us that the School Board will discuss the proposal and get back to us. We hope that the School Board will move quickly on our request so both the school district and the town have time to have a proper warrant article drafted and considered by our respective voters.

Brownfield Environmental Assessment Grant

Background on Map 7, Lot 118 (the “Orchard Lot”)

- August 2001 Boston North sells to Pease Development (the “Nevins”)
- Early October 2002 EPA advised the orchard lot was contaminated with arsenic: “walking trails should be prohibited...allowed to overgrow”
- 26 October 2002 Special Town Meeting voted to “buy down” the Nevins: avoid 236 apartments
- In September 2003 the Town purchased a conservation easement over the Orchard Lot for \$1,230,000



Relationship to Tinkham Superfund Site

- VOCs discovered in 1978
- Town water 1983
- Planning/ legal 1983-1988
- Active remediation 1994-2003
- DES grants Groundwater Mgmt Zone March 2003



Current Conditions

- Apple trees are overgrown with bittersweet; thick understory; appearance is unattractive
- Conservation Commission monitors property: one violation; active use by wildlife



Brownfields Assessments

- NH DES manages a Brownfields Program to assist municipalities in assessing potentially contaminated sites
- Goal is to restore sites to better uses
- Program is funded by EPA grants to states
- DES awards funding to municipalities as funds become available
- DES reviewed a draft application and encouraged the Town to request funding to assess the Orchard Lot

NHDES-S-02-008



ASSESSMENT APPLICATION
Brownfields Program



CERCLA 128(a)

Next Steps

- Town Council authorizes Town Manager to apply
- NH DES notifies Town when funding is available
- Town Council accepts grant
- Town contracts for environmental assessment
- Further actions/improvements based on assessment results
- Orchard owner has expressed interest in assisting in restoration, if it is safe for workers