

TOWN COUNCIL MEETING
September 18, 2006

Town Councilors went into a Non Public Session pursuant to RSA 91-A:3 II (c) at 6:30 PM

The Council Meeting of August 21, 2006 was called to order at 7:10 PM in the Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH.

PRESENT: TOWN COUNCIL; Chairman, Brian Farmer; Vice Chairman Joe Paradis; Councilors Mark Oswald, Tom Dolan, Marty Bove; Town Manager David Caron; and Margo Lapietro, Executive Assistant.

CALL TO ORDER

Chairman Farmer opened the meeting at 7:10 P.M. with the Pledge of Allegiance led by the Londonderry Flames Softball Team. This was followed by a moment of silence for the men and women in the service and for those who have given their lives for this country. Chairman Farmer presented the Team with a plaque commemorating its 3rd. place finish in the national U12 softball tournament. He also announced that he was going to designate an area in Town Hall to display future team plaques.

PUBLIC COMMENT

Town Assessor - Karen Marchant presented the 2006 Town Assessment Update, which was completed in conformance with RSA 75:8. She stated that assessments are required to be established between 90-110% of market value for 2006. She listed the Assessment Review Guidelines, Valuation Statistics, Residential Sales, Condo Sales, and Non-residential Sales from 4/1/05 to present. She also reviewed the 05 Tax and estimated 06 Tax. K. Marchant explained in detail the process for applying for an abatement. The amount of money the Town has in reserve for abatements is \$300K per year.

K. Marchant said she received questions regarding the abatement appraisal process, and stated they will make individual inspections of properties requesting abatements. Town Manager Caron stated the Council directed staff several times to comply with State law, and explained that an estimated 2006 tax rate \$18.27/thousand is the best estimate; however the State determines the tax rate. If the Town had not completed any adjustments of its assessments the tax rate would have increased approximately 5%. Town and County tax rate increases are flat for this year and the school rate went up about 7%, overall. Town does not establish the market; simply reports on the market activity based upon information received. Should the Town not comply, the State can order the Town to complete a Town-wide revaluation and that is costly at approximately \$740K. Discussion ensued about deadlines for abatements, criteria used for assessing,

how often reassessments are done, how the current sales market affects reassessments, and if there is any effect on veteran benefits.. Town Manager explained the causes of abatement, if the property is disproportionately assessed with other properties. The test for inaccurate assessing is if there is a measuring error or you are paying more than your proportion share of your taxes compared to everyone else in the community. Brian questioned what criteria are used. Karen stated prior sales, physical characteristics, such as bathrooms, bedrooms, etc... Marty asked Karen to review how often re-assessments done (5 yrs). Mike Brown, 5 Carousel Ct. questioned comparable sales data. Town Assessor Marchant stated sales used were from 1/05 – 4/06. M. Brown said sales were on the rise, now sales are down. Current property price less than the 2005 assessment. Not an accurate market, valued unrealistically. Question time frame used. Karen than shared data which showed town assessment to be in the 95% range of market value for July sales. The Town looks at sales every year and adjust values accordingly. Councilor Oswald stated most realtors when doing an analysis won't look more than 60 days back on the market, due to fluctuations in market, interest rates, seasons, etc...

Tom public comment @ Juvenile Diabetes Walk 10/1 at Greely Park Nashua, 5K starts at 10:00 AM. Contact him at Town Hall.

Yearly Updates from Boards/Committees/Commissions

Traffic Safety Advisory Committee – Bob Ramsey – provided an overview of the committee, formed in 1993 as Traffic Study Committee. In 1994 they investigated how Town performed under uniform traffic devices, updated 5/2000. If problems come up the Committee hears from citizens about roads, signs, parking. Advisory committee for TC. Working on remaining collector roads in town to see if 30 MPH is required.

Solid Waste Advisory – Paul Margolin said they are currently reviewing draft of home page. Oversee solid waste, waste diversion programs, educate public on solid waste. Weekly curbside recycling program (initiated in 1988 first in state) motor oil disposal at LFD, hazardous waste 2x yr, drop-off ctr. Produce Buried Treasure Recycling Guide, produce recycling newsletter 2x yr, offer educational presentation in public schools. Have Beautify Londonderry program, 5 weekends in spring, coordinated by Carolyn O'Connor, Admin Support Specialist. Recently had Liberty Elm Trees planted throughout Town. Developing short videos for cable TV. Hope to do some drop-off center improvements. Developing strategies to decrease waste in Town, expand recycling in Town. Talked about erecting welcome signs in conjunction with Heritage Commission. Meet 2nd Thurs every month, Counselor Bove stated the Committee has openings for 2 Alternates.

Londonderry Arts Council-Steve Lee -. Changed name recently. Second year for “Concerts on Common”, had good attendance, sessions now on local cable. High School Math Club raised money selling refreshments. Second year for “Art on the Common” increased from 30 last year to 45 this year. Members worked on bandstand, plantings donated by Shady Hill Nurseries. The council is involve in plans for a future auditorium with the school. For 2007 plan to continue concerts and arts, bandstand renovations and auditorium. Would like to have in budget for next year, a sound system to be used at the

common. Project cost would be \$2,700, will work with Dottie Grove on it. Doing fund raisers to put pavers in front, roofing in back. Meet 1st. Tuesday of month, working on website. Chairman Farmer requested he come back to next TC meeting to review approving releasing funds out of cable access funds. Chairman Farmer instructed Town Manager Caron to prepare a resolution by 10/2 and try to have sound system installed before Veterans Day.

Capital Improvement Plan – John Farrell stated the members meet six times a year and listed who the committee members as established by Town Charter.. All meetings concluded. It is an advisory sub-committee of Planning Board. Re-wrote the rules re-organized the committee and the way they went about their business. Has 6 yr plan of what community, department heads and the Town is looking for. Success with Open Space, have 525 less kids in schools, saved money by not having to build another school at @ \$12M. Worked with Tim & Sue and came up with a formula, saving @ \$700 per household because of Open Space. Recommending \$1M for next 6 yrs. Roads- \$1M yr. projected plan combined w/state @ total of \$1.8M for next year. North Fire Station coming up next year. Unless project is over \$1M don't score, no presentation on it required. Have a six year plan to understand and stabilize taxes going forward. Councilor Dolan thanked the committee for work on Open Space. CIP not currently being used by Library suggested offering them a position on CIP Committee Chairman Farmer stated that would require a Charter change. J. Farrell stated they did show interest. Chairman Farmer instructed Town Manager to do a draft of language and present to town voters. Councilor Oswald questioned if the Library Trustees wanted to participate in process or did they have a wish list they wanted to present to the CIP committee. J. Farrell said they approached him @ process. Councilor Farmer asked Town Manager Caron if the TC get the spreadsheet used for the savings with the Open Space program. Councilor Dolan asked when the recommendation goes to the Planning Board; J. Farrell responded first draft done to Planning Board last week. CIP Committee will make the recommendation by vote to the Town Council, will work with Staff to present plan.

Art Rugg, 11 Pine Hollow Dr. member of International Exchange Committee. Traveling to Russia this Wednesday. Requests permission to act as official representatives of the Town. **Councilor Dolan made a motion to authorize Chrm. of the International Exchange Commission Julie Liese and her husband to act as official representatives of Londonderry in our sister city in Vologda, Russia. Second Councilor Oswald.** Chairman Farmer instructed Town Manager Caron to draft a letter for trip. Councilor Dolan asked A. Rugg to bring slides at meeting on 10/16. 1997 was the last time the Russians came here. He spoke about the fundraising efforts being done by the Russians.

OLD BUSINESS

ORDINANCE 2006-10 - Relative to an Amendment to the Municipal Code Relating to Sewer Rental Charges – Councilor Bove read second reading, **made a motion to have a public hearing on 10/2. Second by Councilor Oswald for Public Hearing on 10/2.** Town Manager Caron cautioned the Council that a lot of decisions need to be looked at, repairs funding, number of policy options, extended debt services.

Derry/Manchester customers currently pay different costs. Suggest one unified rate for all users, operating costs difficult to segregate. Rates have not been adjusted since 1996, wanted to see flow from Granite Ridge because they are a big influence. Staff needs direction from Town Council. Town Advertising and posting public meeting with Granite Ridge and other large users present. He proceeded to review the rates. Staff does not recommend drawing from sewer fund balance to pay debt service. Town appears to be competitive with neighboring communities. Janusz Czyzowski explained the rates in more detail and warned the Council that Manchester Water Works looking for \$50M update wastewater plant between yrs 2008-2013, will cost us more, Councilor Dolan thought the debt service should be built into the rate structure.

Ordinance 06-08 – An Amendment to the Municipal Code, Title VI, Chapter XIX, Relating to Approval of Affiliate Recreation Groups – Town Manager Caron received a request from Superintendent Nate Greenberg to remove references to School District from the ordinance. Councilor Bove stated we are separate entities, could be potential problem as written. Councilor Dolan stated at the last Recreation Commission Meeting they looked at the proposed changes and had no objections. They unanimously said that if Council made the textual changes, they have additional changes they want to recommend. They wanted time to make additional textual changes. Chairman Farmer stated there was opportunity to make the changes in the public meetings. As it stands at the 9/11/06 Town Council meeting the Ordinance has already been adopted through the public hearing process. Art Psaledas, Dir. of Recreation Dept. stated there was no allowance for grandfathering. Adult recreation groups are not closely knit well formed organizations, they are not non-profit and are not regulated. Councilor Bove said the intent is to deal with fund-raising leagues. A true recreation team could be exempted from it, they don't really raise money, if any monies raised it is for referees, balls and bats. Chairman Farmer recommends that A. Psaledas provide the Town Council with a list of the groups, to ID various teams that are not registered as non-profit. Ordinance geared to groups that do major fund-raising, are sanctioned groups. Majority of existing are just recreational groups, we will just need a simple recommendation from Recreation Director that they are not required to meet the Ordinance. Ron Campo Pres. of LAFA and member of Rec. Comm. stated the sanctioned groups are listed on web site, what is ultimate purpose? Chairman Farmer stated once the groups are sanctioned then they are required to update paperwork on annual basis. R. Campo asked why re-sanction, grandfathered old groups? Councilor Bove said it has to do with organizations old and new if you file with state and they say you are OK. More money going into these organizations hands, larger they get, all we are saying every year is you have to get approved by State. Want documentation sanctions from everyone in Town everyone meets same standards, same rules. Town Council recognized it needed some changes, intent of Ordinance. Councilor Dolan stated the Recreation Commission is in support of sanctioning. Councilor Farmer said the Town is formalizing the process of sanctioning with this Ordinance. A. Psaledas stated the groups are doing paperwork right now. Brian asked Town Manager Caron if we can make technical modifications to address grandfather clause, Dave will fix at 10/2 meeting. **Councilor Dolan recommended technical changes being mentioned now about recreation teams and residency requirements be postponed until 10/2 until we have recommendation from**

Recreation Commission to make changes. Board members have to be members of Londonderry to be changed on Ordinance, will have to be go back to public hearing.
Second by Councilor Oswald.

NEW BUSINESS

Order 06-13 – Relative to a Grant from the Cable Special Revenue Fund to the Londonderry School District - first reading by Councilor Oswald, second reading waived, **motion to adopt. Second by Councilor Paradis.** No discussion. Town Manger Caron said this is to support the video curriculum. Open for discussion. **Town Council vote 5-0-0.** Councilor Bove stated the quality of video at SAU Board Room poor, look into having special cable revenue funds to look at updating it. Chairman Farmer said School Board. left that room off their list. He requested the Cable Division look at it and get an idea of cost. Councilor Dolan said it is a school facility, they have to ask to do it. If they don't want us to do something in their facility we can't do it.. Library is outfitted for it so they should be done. Dan Bever said the School Board requested Room 221 and band room wired for better cable. Didn't plan to have any meetings, no necessity at this time in the SAU Office. Anne Jacoby, Library Board of Trustees said that room was the only room available on the night they wanted because didn't want to change Library meeting nights. Will look at some other locations, wanted to get out of library and be here where other boards meet. She will put on the Library Trustee agenda for next month.

Londonderry Historical Society – Ginny Dahlfred stated that the bids to dis-assemble the Perry homestead on Gilcreast Road came in well below the \$150K approved at the 2005 Town Meeting. They will have approximately \$100K left and would like the Town to authorize them to use the left over money to re-assemble the building. Wants Town Council to propose re-wording to include re-assemble at Town Meeting in March. Town Manager Caron said it would be a new warrant article, allowing balance to be used for re-assembly, no additional money needed to be raised. G. Dahlfred said she got a rough estimate of \$100K for re-assembly. Councilor Oswald asked for definite figures. Councilors unanimously approved amending Article No. 15 from 2005 Town Meeting. Talk ensued about hooking up to sewer, water and electricity and heat. Chairman Farmer stated that would be more money, he suggested the Historic Commission meet with the Planning Board so they comply with site plans. Chairman Farmer directed Town Manager Caron to authorize a warrant article to address these upgrades. Suggested they pursue grant funding in addition to fund raisers. Councilor Dolan thanked Ginny for her work.

Order 06-14- Relative to the Expenditure of Maintenance Trust Funds - Councilor Dolan made a motion to accept the order as written, waive second reading. Second by Councilor Oswald. Open for discussion Town Manager Caron explained the floor at the Mayflower Grange needed resurfacing and the replacement of rotting wood and erection of a fence at the Highway Garage. Money to be drawn from the Expendable

Maintenance Trust Fund in the amount of \$19,848.25. No discussion. **Councils' vote 4-0-0.** (Councilor Bove left room)

Resolution 2006-24-Relative to Creation of a Community Emergency Response Team (CERT) - Councilor Oswald read first reading, second reading not required **motion to adopt. Second by Councilor Paradis.** Open for discussion. Councilor Oswald congratulated George Herrmann for the first alert of the team and their quick response time. Councilor Farmer said 25 members searched during a work day and commented on the businesses that allowed them to respond. George Herrmann thanked the Town for their support. Councilor Bove thought the state allowed up to 2 weeks paid leave for people involved in volunteer rescue work, suggested he contact their employers for paid time. Representation of the committee was discussed, Councilor Oswald suggested a permanent designee to the committee. Councilor Bove suggested Emergency Management Plan with Capt. Ron Estey should be updated with the members of this committee. Members should be designated as an Ad Hoc Committee. **Council's vote 5-0-0.**

APPROVAL OF MINUTES

Councilor Dolan made a motion to accept the Public Meeting Minutes of July 25, 2006, pages 1 – 6 with corrections as noted, with no attachments. Second by Councilor Oswald. Vote 5-0-0.

Councilor Dolan made a motion to accept the Public Meeting Minutes of August 21, 2006, no attachments. Second by Councilor Oswald. Vote 5-0-0.

OTHER BUSINESS

Liaison Reports:

Councilor Bove attended the Historic Dist. Mtg. They discussed the sign mentioned by Paul Margolin tonight also reviewed conceptual plan for a new development across from Mr. Steere on Rte. 102. Discussion ensued about stone walls. Attended School Board Mtg. toured all school facilities. Chair to SNH Hazardous Mutual Aid Committee, trying to get more participation. Needs quorum, not happening, need quorum to change rules. Inviting TC to a meeting to learn more about the organization. Would like an alternate to back him up. Chairman Farmer volunteered to be alternate.

Councilor Paradis attended commented that the CIP committee presented their preliminary draft to the Planning Board, well laid out.

Councilor Dolan attended the Historic Properties Preservation Task Force, looking at every single property. Attended the Recreation Comm., already covered the issue this evening.

Councilor Oswald said the Airport Authority meets this Thurs. Conservation Commission met last week. ATV use discussed, evidence of rifle and shot guns from Bockes forest. South Station Fire station on time, still under budget. Traffic Safety

already discussed this evening. Leadership Londonderry scheduled for the first meeting on 9/28 with a tour to Town.

Chairman Farmer said the Londonderry Arts Council covered by Steve Lee. Huge increase in artists attending Arts on the Common. Show is going to grow. Event is self-funding, cash award awarded to first place winners. Multiple events went on at the same time in the center of time. Library Trustees Meetings now being broadcast on cable TV. Discussed budget, ID cost of bringing services to web, getting quotes. Developing a technology plan. Will want to put things on the Warrant as Library Trustees, can they do articles on Town Warrant? Town Manager Caron stated either Town Council can sponsor or they use citizens petition. Chairman Farmer thinks Town Council should sponsor a warrant article on behalf of the Trustees. Councilor Dolan asked if Town Council could sponsor but take no position on it, Town Manager Caron said it could be done. Discussion ensued. Councilor Dolan stated we should let them be autonomous, let them make their case to the budget committee and the voters, it stands or fails on its own merit. Anne Jacoby said if Trustees present something to Council it is important to work with the Council and have them support the warrant.

Town Manager's Report

Town Manager Caron reported all recreation fields, school grounds, the Town Common and Victory Church area. will be closed for mosquito spraying Wednesday, 9/20 between 5:00 PM – 11:00 PM. All recreation events in Town are cancelled for that evening.

Cell Tower proposals are out; have three potential sites.

Sold \$4.4M in bonds at a rate of 4.02%/20 years

Councilor Oswald requested code enforcement officer remove political signs. He was reminded they could only remove the candidates who lost. Discussion ensued about political signs.

Board/Committee Appointments/Reappointments/Resignation:

No action

NEXT MEETING

October 2, 2006 at 7:00 PM, Town Hall, Moose Hill Conference Room

October 16, 2006 at 7:00 PM, Town Hall, Moose Hill Conference Room

November 6, 2006 at 7:00 PM, Town Hall, Moose Hill Conference Room

ADJOURNMENT

Councilor Oswald made a motion to adjourn at 11:32 P.M.. Second by Councilor Dolan.

Notes and Tapes by: **Margo Lapietro** **Date: 09/18/06**

Minutes Typed by: **Margo Lapietro** **Date: 09/28/06**

Approved: **Town Council** **Date: 10/02/06**

