

TOWN COUNCIL/BUDGET MEETING WORKSHOP
November 6, 2006

The Council Meeting/Budget Meeting Workshop of November 6, 2006 was called to order at 7:35 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; Assist. Town Manager/Finance Director Sue Hickey; and Margo Lapietro, Executive Assistant.

BUDGET COMMITTEE: Sean O'Keefe, Mike Brown, Tom Freda, Frank Hegarty, Michael Toth. Absent: Chairman John Silvestro

7:00 Non-Public Session

CALL TO ORDER

Chairman Farmer opened the meeting at 7:35 P.M. with the Pledge of Allegiance, led by Eagle Scout Matthew McLaughlin. 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. Matthew discussed the work he had done at the cemetery. Councilor Oswald was present at Matthew's ceremony last Saturday.

PUBLIC COMMENT

Joseph Maynard: Appeal from Driveway Regulation – 27 Elwood Road, Map/Lot 2-4-39.

Joseph Maynard from Benchmark Engr. stated that the site distance plan for the driveway at 27 Elwood Road, does not meet the standard, need large improvement to Elwood Rd. to meet criteria. Janusz Czyzowski, Public Works Director said the required site distance is 250 ft for a private driveway, created in 2001. Not a zoning ordinance, waivers can only be granted by the Town Council. Janusz will be recommending to Planning Board (PB) to adopt new standards to measure new site distances, but we do not have that now. This driveway would meet new standards. He also stated it will be safe because it will be in compliance with the new regulations. Councilor Paradis asked how long before PB makes the changes, Janusz responded in about 6 months. **Councilor Paradis made motion to accept waiver for the driveway regulations at 27 Elwood rd. Second Councilor Oswald. Councils' vote 5-0-0,**

Councilor Paradis made a motion to exit out of public comment. Second by Councilor Bove. Councils' vote 5-0-0.

NEW BUSINESS

Ordinance 2006-11 – Relative to the Prohibition of Hunting on Town Property – Chairman Farmer explained process, first reading, not a public hearing only vote tonight is to move to a public hearing. Councilor Oswald read ordinance. **Made a motion to move the item to a Public Hearing on 11/2. Second by Councilor Dolan.** Councilor Oswald said he had received a message from the Chair of the Conservation Commission regarding deer population on conservation land. Due to increased herd they would allow hunting. Town Manager Caron stated that state law reserves right to itself to regulate hunting and firearms; Town Council does

have authority to regulate hunting on town land only. Councilor Oswald stated that citizens have contacted councilors about concern of hunting on ball fields. Councilor Bove said Londonderry has highest density of deer in this area, can get hand gun to shoot in areas. We will have a major problem with deer population getting out of control. Londonderry has been a rural area, never heard of a single accident dealing with hunters. Additional cost and enforcement not possible. We have enough area with 900 acres of conservation land, does not support the Ordinance. Town Manager Caron said that state statutes stipulate that any park, or playground can be designated as no hunting. The Council has three options:

Ban on all town property

Take no action

Designate specific properties upon which hunting would be banned.

Councils' vote 2-3-0, Ordinance 2006-10 will not proceed to a public hearing.

PUBLIC COMMENT (CON'T.)

Mrs. Mazzaglia from 190 Mammoth Rd. asked Council why they allowed the Londonderry Times to convert a residential property to commercial. Chairman Farmer explained when it was in the Planning Board, there was no compelling reason to rezone. She said Elliott Hospital is right next door to her property. Town Manager Caron explained the proper process for rezoning is to meet with PB or submit a citizen's petition signed by 25 citizens to be presented to TC for a vote.

OLD BUSINESS

Fy08 Budget Review – General Government

Conservation Comm. – Deb Lievens reported she has \$3,500 in her working budget. Would like to have properties monitored by a professional person. Budget for next yr. \$4,500, doing a lot of work in Musquash area. Total Budget request for FY08 is \$8,500. Councilor Paradis asked what the Conservation Fund is being used for, she said mainly for Mushquash. Councilor Oswald said Deb and Mike Speltz have been very innovative in running their commission. Invested \$11M with volunteers only. M. Brown asked why can't we portion some money off to a stewardship account. Town Manager Caron will get a legal opinion from counsel in writing, however to use bond proceeds for operating expenses is not advisable. Councilor Bove said if there was a way to do that, he wanted to also ask counsel if we need permission from the taxpayers at town meeting. D. Lievens said the Conservation Commission is recommending an open space conservation bond at Town Meeting.

Cemeteries, HDC/Morrison House – Carolyn O'Connor reviewed the cemeteries, requested \$35K. All cemetery activity is in-house, new administrative procedures, selling plots on Pillsbury, burials are on-going in Glenwood, Pleasantview & Pillsbury. John Vogl, GIS Mgr. has plotted all the burial sites in the cemeteries, provides more up-to-date information. Kent Allen is the sextant. Councilor Bove asked if the repair and restoration that were going on

included old stones. Carolyn responded they will be address in the future, over time will work on it.

HDC/Morrison House – Ginny and John Dahlfred reviewed income from last year of \$38,445 and expenses of \$26,190.00. Level funded at \$8,500, not asking for an increase. J. Dahlfred gave the Council the details to reconstruct the Rev. Wlm. Morrison House. He received an estimate of \$192,575 about year and a half ago to reconstruct. The \$150K would come from the balance of the 2005 warrant article form the 2005 town meeting.

ZBA –Level funded. Contractual agreements with personnel resulted in a slight raise. Requested \$38,887, approved budget \$38,193 difference of \$164.

Supervisor of the Checklist – **Gerry VanGrevenhof** gave overview of responsibilities. Requesting \$15,161.00 for FY 07-08. Increase of \$3,868 to allow 12 poll workers at the polls for presidential primary, increase of 4 workers. Have 15 hours increase due to new state-wide voter system, it is more time consuming.

Planning/Economic Development – Andre Garron, Dir of Planning & Economic Development presented the FY08 Budget. The intern program comes out of his budget, ½ used for Open Space/Conservation, other ½ for Planning Dept. Increased by \$22K in management line for implementation plan for Town Center project. Other increases due to printing for advertisements. He explained the Planning Board has to advertise in Derry News and Londonderry Times. Re-imbursed by developers. They have to submit notices to abutters when there is a review plan per state law. Town Manager Caron explained the Town Center project is a one-time expense, no tax impact it comes from undesignated fund balance. Councilor Dolan said we could save the taxpayers some postage money by doing e-mails, T. Thompson said state won't let us. M. Brown asked why isn't postage a wash, A. Garron responded money goes into general fund, has to be a line item to account for it. He explained that he obtained a \$3K grant to get an appraisal for Twin Gate Farm for open space, but owner chose to go with a developer M. Brown said it should be applied to the Town Center, use it for something that is concrete. Adriana questioned why the OT is up. S. Hickey explained it was for admin time, and 1 wk vacation buy back as stipulated on contracts for department heads.

CIP – Tim Thompson reviewed requirements of a CIP project, must have a cost of at least \$100K and have a useful life of 5 yrs. No priority 1 projects for this year, reviewed all projects. Councilor Dolan questioned the road reconstruction program. T. Thompson said the request from PW was \$12M; CIP negotiated \$1M per year. Doesn't change funding just method of funding, Councilor Dolan wants it brought up again. Town Manager Caron said it will be discussed on 12/18.

Discussion ensued about Exit 4A project and if the project falls through what will happen to the bond. The balance of un-issued fund can be re-designated by voted on at town meeting to a different project.

Implementation Options – Ordinance 2006-10 – Relative to an Amendment to the Municipal Code Relating to the Sewer Rental Charges –Council at its last meeting voted to accept \$2.52/100 cubic feet of sewer. Reviewed implementations of costs incurred with either a

six-month or 18 month schedule. Councilor Bove asked D. Caron how would we deal with increases in the future. He responded users pay fee. J. Czyzowski said Manchester is upgrading sewer treatment plan, have to adjust sewer fees every two years. Councilor Bove questioned if we will be able to purchase additional capacity, J. Czyzowski said he believes we can get additional capacity. He also explained that any development around proposed Exit 4A will come from Derry treatment plant. **Councilor Oswald made a motion to adopt the Ordinance for a six month period. Second by Councilor Dolan.** Councilor Bove said he preferred 18 months because of cost increases to taxpayers. Town Manager Caron stated we are loosing money, will cost taxpayers.06 cents more on the 2007 tax rate with the 18 month plan. Councilor Dolan said residential taxpayer shouldn't bear additional tax supports 6 months. Councilor Paradis favored the 6 month schedule. **Councils' vote on a 6 month schedule was 5-0-0.**

PUBLIC COMMENT (CON'T.)

Bob Napolitano – talked about Parks & Recreation and lack of field space. Spoke about need for neighborhood parks LAFFA fields do not provide enough time to practice. Need parks for people to come together. He also sees the need for a Parks and Recreation Dept. to maintain the fields managed by a knowledgeable director. We are 20 yrs behind the times, this needs to be a priority. Councilor Oswald said B. Napolitano was right about neighborhood parks, part of Master Plan speaks for “pocket parks”. He asked Town Manger Caron to ask Planning Director Andre Garron and GIS Manager John Vogl if they could investigate where we could put flat fields for recreation purposes in Town. Councilor Bove encourage the PB to have developers set aside land for recreation, good idea to explore. He said we spend a lot of money on conservation/open space land, why not investigate using that land for recreation purposes. He also said we should encourage school to add space.

NEW BUSINESS (CON'T.)

Resolution 2006-27 – Relative to the Creation of a Housing Taskforce Councilor Dolan expressed the need for affordable housing in town. A. Garron stated we have 475 units and 535 units proposed. Discussion ensued about both being 55 or older and just one being 55 or older. Councilor Paradis said the HUD affordability should be a major area for this taskforce. He suggested adding more “at large members to the force”. Councilor Oswald said “eco-boomers” young people are going to be a large part of it. They want to be able to live in the community they work in. Councilor Dolan suggested looking at surrounding communities who have low income housing or affordable housing Councilor Bove said the cost for elderly housing was expected to be affordable, driven by market, not affordable, agrees with Councilor Paradis that more “at-large” participants would provide a cross-mix. **Councilor Paradis made a motion to amend representation, replace Conservation and Budget Committee representatives with two more at-large representatives. Second by Councilor Oswald** with discussion. He requested that we include conservation commission and budget reps. for input and discussion at some time. **Councils' vote on amendment 5-0-0. Councilor Paradis made a motion to adopt the Resolution as amended. Second by Councilor Oswald as amended. Councils' vote 5-0-0.**

Ordinance 2006-12 – Relative to the Prohibition of Smoking on Town Property – Councilor Oswald read the first reading **made a motion to have public hearing on 11/20 with a change**

to Section II, A. to read a minimum distance of 20 ft from any entrance points to buildings or facilities. Second by Councilor Dolan with discussion. Councilor Dolan questioned Section II, B. Councilor Oswald said we would delete paragraph B. Councilor Dolan asked his fellow Councilors to allow this to go to public hearing, let citizens be heard. He said the role of a Councilor is to represent taxpayer's point of view which we did not on Ordinance 2006-11. He talked about second-hand smoke and listed all the ingredients/carcinogens in cigarettes. He stated our elected representatives did not do what citizens wanted and he referenced polls that were overwhelmingly in favor of banning smoking. Councilor Oswald said he will address fines at the public hearing. He suggested asking school board how they enforce their non-smoking ban on school property. Councilor Oswald stated that this was an interesting subject to bring up at future meetings with our state reps. Town Manager Caron said the fines listed are maximum amounts established by state statutes, can be reduced. **Councils' vote 5-0-0.**

Order 2006-16 – Relative to the Withdrawal from the Expendable Maintenance Trust Fund - Councilor Dolan made a motion to. Second by Councilor Paradis. Councils' vote 5-0-0

APPROVAL OF MINUTES

Councilor Oswald made a motion to adopt public meeting minutes from 10/16 with amendments to line 118, should read "Kyle" Robinson. Second by Councilor Dolan. Councils' vote 5-0-0.

Councilor Oswald made a motion to adopt public meeting minutes from 10/23. Second by Councilor Dolan. Councils' vote 4-0-1 (Councilor Paradis abstained, did not attend meeting).

Councilor Oswald made a motion to adopt public meeting minutes from 10/26. Second Councilor Dolan. Councils' vote 5-0-0.

Councilor Dolan made a motion to adopt public meeting minutes from 10/30 with amendment to line 105, change to "Councilor" Dolan and line 119 change to Councilor and strike out "points well made, line 212 change to read "Second by Councilor Paradis". Councils' vote 5-0-0.

OTHER BUSINESS

Liaison Reports: Councilor Paradis attended the Elderly Affairs meeting, Joe DiCarolis present his elderly housing project, and he is going to Planning Board again.

None of the other Councilors had anything to report.

Town Manager's Report – Town Manager Caron reported that Janusz Czyzowski had met with DOT, Trailways and environmental agencies regarding the CMAQ project; they were going to bid out the project with different alternatives, segment the work. After all information is collected will approach the Council again for guidance.

Board/Committee Appointments/Reappointments/Resignations

1. Resignation of Brain Cashman from Manchester/Boston Regional Airport Authority, term to expire 3/1/09. Councilor Dolan made a motion to accept, **Second by Councilor Oswald. Councils’ vote 5-0-0.**
2. Appointment of Matthew Tannler to the Traffic Safety Committee, Ad Hoc position. **Councilor Oswald made a motion to appoint Matthew Tannler. Second by Councilor Dolan. Councils’ vote 5-0-0.**

ADJOURNMENT

Councilor Bove made a motion to adjourn 11:10 AM. Second Councilor Paradis. Councils’ vote 5-0-0.

MEETING SCHEDULE

Notes and Tapes by:	<u>Margo Lapietro</u>	Date: <u>11/6/06</u>
Minutes Typed by:	<u>Margo Lapietro</u>	Date: <u>11/9/06</u>
Approved:	<u>Town Council</u>	Date: <u>11/20/06</u>

MEETING SCHEDULE:

- Town Council, November 9, 2006 about 7:00 PM, Moose Hill Council Chambers – FY08 Budget Workshop
- Town Council, November 20, 2006 about 7:00 PM, Moose Hill Council Chambers – Meeting and Budget Discussion
- Town Council, December 4, 2006 about 7:00 PM, Moose Hill Council Chambers – Meeting and follow-up Budget Workshop
- Town Council, December 18, 2006 about 7:00 PM, Moose Hill Council Chambers – Meeting and Follow-Up Budget Workshop