

TOWN COUNCIL MEETING
January 03, 2011

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

PRESENT: Town Council: Chairman Paul DiMarco: Vice Chairperson, Sean O’Keefe; Councilors: Mike Brown, Tom Dolan, John Farrell; Town Manager Dave Caron; Assistant Town Manager - Finance Director, Sue Hickey; Executive Assistant, Margo Lapietro.

Budget Committee Members: Chairman Don Jorgensen; Vice Chair Todd Joncas; Secretary Richard Dillon; John Curran, Dan Lekas. Absent; Mark Oswald and Lisa Whittemore.

CALL TO ORDER

Chairman DiMarco opened the meeting at 7:00 PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country.

PUBLIC COMMENT

Town Clerk/Tax Collector Meg Seymour announced the filing period for open town positions this year is from 1/19 – 1/28 at the Town Clerk’s Office during regular business hours. Open positions are all for three years: 2 Town Council positions; 3 Budget Committee positions; 2 positions for Trustees of Leach Library, and 1 position for the Trustees of the Trust Fund. Dennis Martin, 182 Pillsbury Rd. talked about the private ambulance service; he said he appeared in front of Town Council 6 months ago at the 7/15 meeting. At that meeting the Town Manager said he has no new information to report at that time. He asked if there was anything new. Councilor Farrell said the Town Manager presented a report to Council, he is comfortable with the Town Manager reporting on it. Town Manager Caron stated that we completed a review looking at staffing levels and came to the conclusion that if the town stopped transporting patients and contracted with a private ambulance service it will not reduce the number of personnel we have working per shift at the fire department. Based upon that analysis the Town would lose more in revenue than cost savings by no longer purchasing ambulances. He offered to send Mr. Martin a copy of the report and he responded he would like it. Town Manager Caron clarified we looked at our operations here and did a survey of a number of similar sized communities throughout NH and northern MA. D. Martin said he had copies of bids that were given to Manchester, one from Care Plus and one from Rockingham as well as the RFP from Manchester. Manchester will get \$300K plus per year within the next two years to run the 911 system. There is no way any ambulance company can do it without any tax impact, which is why Manchester did it. Town Manager Caron stated that they looked at that information and the information he will receive will show that Manchester is the only community that has that arrangement. D. Martin said if we bring in an ambulance company that costs nothing for ambulance, nothing for labor and insurance there is no way it will impact the taxpayer. The Town Manager said he will send him a copy of the report. D. Martin said he will give a copy of the Care Plus RFP to to Chief MacCaffrie. D. Martin asked if this subject will be brought up to

the public and Chairman DiMarco said it is not under consideration for this budget. D. Martin said he wanted it brought up in the future so people can be made aware of what the Town Manager and he are talking about; educate the public. Councilor Farrell said he can see what Mr. Martin is asking; he is asking if the subject was brought up in public and it was. Councilor Brown stated that Councilors did ask the Town Manager for that information prior to his bringing it up and he did give the report in public.

Councilor Farrell made a motion to open the public hearing, second Councilor Dolan. Council's vote was 5-0-0.

PUBLIC HEARING

Ordinance #2010-06 – Relative to an Amendment to the Town Zoning Ordinance to Clarify the Number of Temporary Signs Permitted on a Lot and Clarify Requirements for the MUC Sub-District Councilor O'Keefe made a motion to adopt, second Councilor Farrell. Councilor Brown said it appeared to him that this was an administrative clarification of something that should have been in the code previously and this was correcting it. Building Inspector Richard Canuel explained when the Mixed-Use Commercial (MUC) zone was added to the ordinance the provisions for signage was not included so it was to correct that. The other part is to include an additional period to allow temporary signage. Councilor Brown asked if the addition was consistent with other parts of the sign ordinance or is he allowing just temporary signs in that district only. R. Canuel responded it is temporary signage for any use. No public comments were made, **Council's vote to adopt was 5-0-0.**

Town Budget for FY12 – Town Manager Caron stated this evening is the first of two proposed public hearings for the budget; the second one is scheduled for 2/3/11 which is after the deadline of 2/1/11 for the receipt of any citizen's petition. The Council needs to make a decision tonight on whether to schedule a hearing on any bonds that are going to be presented to the public at the 3/8/11 Town Meeting. The preliminary budget includes a \$1.0M dollar road construction bond. At the 1/17/11 Council meeting the Council needs to develop a position on the budget to be presented at the last public hearing on 2/3/11. There are a few adjustments in the budget for the Council to consider:

The NHDOT Highway Block Grant has increased by \$17,036 in FY12 grant funds to \$606,632. This adjustment does not impact the proposed General Fund budget but does reduce the budget's reliance upon property taxes by \$17,036.

There was an error transcribing the recreation budget into the General Fund budget. The recreation budget should be \$136,624, an adjustment of \$8,075 which brings the recommended General Fund budget to \$25,705,950

The Town currently has an application pending with the US Economic Development Administration for a 50/50 matching grant to fund the sewer extension portion of the Pettengill Road project. The Town's 50% share would be funded through its Sewer Special Revenue Fund; the \$1.895M would be withdrawn from the Fund's Undesignated Fund Balance. If successful with this grant the Town anticipates a smaller bond for the roadwork. Sewer impact fees assessed upon future development would be used to replenish the Sewer Special Revenue Fund. The Sewer Special Revenue Fund for FY12

should include the Town's 50% share, which will increase the appropriation to \$4,579,788. This action is not anticipated to impact sewer rates.

General Comments on the Overall Budget – Councilor Dolan said he heard a lot of opinions about the proposed budget and he is in a period of “listening”. He said there have been strong disagreements as expected and some of those comments have been very emotional. He thanked the people who came tonight because he is here to listen. Chairman DiMarco said the Budget Committee supported our flat budget but wanted the \$13K brought back into the charitable donations. He said he would like to honor that request. He commended the Town Manager and staff on the work they had done getting us to this point. Councilor Brown recapped the original budget procedure. The budget was presented to Council on 11/15/10 with the Council directive of a flat tax rate. We have a consensus on reaching that goal. At the budget workshop on 11/29/10 Council came to the consensus to find \$137,500 to put an SRO back into the Londonderry High School (LHS) and fund the crossing guards back into the budget. On 12/6/10 the Town Manager presented an alternate budget accomplishing those moves. Tonight's budget includes an SRO funded in one school and the crossing guards. Budget Member Todd Joncas said he appreciated the due diligence the Town Manager and staff put into the process.

Richard Belinski, Hall Rd said he is here about using non-tax payer dollars to fund portions of the budget with money the taxpayer hasn't put in there; particularly taking the money from the cable studio reserve fund to fund the SRO position. That is a self-funded entity he asked why the money is being taken from there. He said we had trouble in 1999 doing that. He said he wants to know why the cable is supplementing the budget. He said a total of \$450K has been taken out of the cable fund to supplement the budget. If the federal government stops franchise fees how will the cable center be sustainable in the future. Why take money out of a fund that is not funded by the taxpayer, he asked why it is being touched. Councilor Brown said we are not funding the SRO and crossing guards from the cable fund. He explained the money is coming from the town budget from non-union employees forgoing a raise for the second year in a row which amounted to \$17K; elimination of a clerks position for \$40,525; reducing the Social Services budget by \$13,475; Londonderry Police Department (LPD) will come up with \$21, 197; an additional \$30K from the Undesignated Fund Balance; \$7,500 reduction in the IT Dept.; and an additional \$7,803 from the Library. The Cable Dept. had nothing to do with the SRO's and the crossing guards. Chairman DiMarco said his understanding is that the cable fund is funded through the cable fees and we are authorized to use those fees. Town Manager Caron said there is no legal restriction either at the state, federal or local level to prohibit use of those funds for other purposes. He said the majority of other communities who receive cable franchise fees include them in their general fund. R. Belinski said in 1999 the Council voted to take the 5% and leave it in the cable fund. Dan Bouchard, 8 O'Connell Drive said he was on the Budget Committee for 3 years. He asked how people are doing in the community and further stated that there were 4 foreclosures in the paper today. He found out that over Christmas over 140 families were helped out; over 500 individuals were helped and he asked the Council to consider that during the budget discussions. Al Baldasaro, 41 Hall Rd said we should cut hours on services and freeze wages across the board; if we do that we might not have to cut jobs. He said he would rather keep the cable running. Councilor O'Keefe said the reason we try to craft the budget the way we have is because the Town Manager went to the unions and asked them to take a year freeze and they said no. That is why we are doing the budget the way we are. Chairman DiMarco said even if all the unions took the freeze we still would not get to where we needed to be. Al. Baldasaro asked if

they did take the freeze how much money are we talking about. Town Manager Caron responded \$1.3M in reductions were needed to maintain a level tax rate, and the contractual labor increases equal about \$500K, which results in a shortfall of approximately \$800K. Mary Soares, 2 Gail Rd said she agreed about not taking funds from the cable and putting it into the general fund, it is just a band aid. Dennis Martin, 182 Pillsbury Rd said taking money from the cable funds is taking the money that has been given by Comcast; we don't have the right to it. If we take the budget away from public access he said you are taking away his freedom of speech. Heather Anderson, 31 Perkins Rd. asked if Council would indicate as they go through the budget what areas are union and non-union positions. She shared her experience with job furloughs at a company she worked in. Councilor Farrell said it would be easier to explain that we have 6 full-time people who are non-union. Councilor Farrell also clarified that the unions did not say no they said not at this time, they left the door open for discussion.

Community Development Budget: Chairman DiMarco explained this department consists of Planning & Economic Development and Building and Zoning. He reviewed the budget differences from FY11 and FY12. The Councilors and Budget Committee said they want to listen to the public before they commented. Mary Soares talked about the fact that Council merged the three departments under Community Development. Each department had an Administrative Assistant and now the Council is considering cutting an Admin Assist. because there appears that the duties of the 3 in that department must overlap, She said they each fill a vital role and cautioned about the potential huge developments planned in town. She said the loss of this position is detrimental to Planning and Economic Development. She asked the Council to reconsider keeping this position for at least 1 year; this is not the time to cut this position. Councilor Brown explained in order to meet the goal of a flat tax rate the planning internship was eliminated; the full-time secretary position was eliminated. That will result in one other secretary position supporting Planning, Zoning and Conservation activities in addition to staff. The position will not be empty it will be handled by another secretary. M. Soares said to ask a secretary who already has a full job to absorb another full job is showing a disservice to that person. She questioned if they are giving that person a raise, are you doubling her salary. It is unfair and unrealistic and it will be detrimental to what is happening to our town in the coming years. Be creative in the department to save that position for a year should be allowed. Heather Addison, 31 Perkins Road asked why there was an increase in the FY12 budget in the Building Dept. Town Manager Caron said the proposal to merge the inspection services from LFD into the Building Dept resulted in funds transferred to that department. Councilor Farrell asked if there was any way to keep that person in Planning. Town Manager Caron explained the only way is to take an outstanding PO for GIS and repurpose it to find a one year band aid for this position. M. Soares said if we are willing to do it for one like the cable we should do it for all. If there is a way to repurpose those funds we should use them now. A. Baldasaro, 41 Hall Rd said if we stay flat at \$4.74 and kept the FY11 rates does anybody have to be laid off. Town Manager Caron said the FY12 budget has to include contractual, health, and retirement increases which created a \$1.3M challenge for a level tax rate. Chairman DiMarco said if we kept everything level and added in some things we had no control off; it would have increased the tax rate about 40 cents or a \$5.15 tax rate. Councilor Brown said in order to keep it at a flat tax rate on the town side it takes \$1.3M to do that. Councilor Dolan pointed out that there are two components to a budget; expenditures and revenues. Our revenues are going down due to the state. Andre Garron, Community Development Director clarified that the re-purposing of the GIS PO was to reduce the full-time position to a part-time position to eliminate the benefits package that would

reduce the overall salary by about \$33K. The remainder was using the re-purposing of the GIS PO. He said we are using what is left over from the PO to support the position.

Public Safety –

Police Dept. – Chairman DiMarco explained the Londonderry Police Department’s budget (LPD) increased due to taking some dispatch services from the Londonderry Fire Department (LFD). Councilor Brown verified that the budget does not include any reductions of full-time emergency first responders. Town Manager Caron said one SRO position was eliminated; the number of police officers assigned to patrol will remain the same. Councilor Farrell asked for verification of the savings on the LFD side and not on the LPD side. Town Manager Caron responded the anticipated savings of \$94K is anticipated from the combined dispatch arrangement. Councilor Farrell asked how the research was progressing with this proposed merger. Town Manager Caron said the implementation costs appear to be well beyond the \$50K placeholder in the Budget, and staffing levels are still being reviewed. Lt. Jones has been leading a committee; they will continue to look at the correct number of staff needed at a combined dispatch center. It is starting to look like more of a challenge. Councilor Farrell said we are probably looking at an investment of \$225M rather the \$50K range. Town Manager Caron said it is significantly higher than the \$50K range but we don’t have all the information to determine the amount. Councilor O’Keefe asked if this does not work out where he would get the money in the budget to cover everything the way it is now. Town Manager Caron said he will have to find another \$94K on the expense side to offset that projected savings. Councilor O’Keefe asked him if he has begun to look at that and he responded yes. Budget Member Don Jorgenson asked if the \$94K will come from the LPD or the LFD. Town Manager Caron responded it is the combined projected savings. The original projected savings was \$144K we funded \$50K for transition costs so the net savings on the budget will be \$94K. Open for discussion. Dan Bouchard, 8 O’Connell Drive explained the benefits of the SRO program. He said we need one SRO for the elementary and middle schools and you could have one person doing it. He asked the Councilors if they would support a Warrant Article for a second SRO, let the people decide. Councilor Dolan replied that he is not in favor of polling the Councilors in these types of scenarios. He suggested taking Dan’s suggestion under advisement and let the Town Manager have the opportunity to meet with the LPD police chief to provide a departmental recommendation. Consensus was that Council felt they would not be comfortable with a poll tonight. Councilor Brown said he is not in favor of any action that will result in not hitting our goal. Councilor O’Keefe said the same; we have to stay focused on the goal. Councilor Farrell said Mr. Bouchard wants the Council to look into it, he advised getting the information before going into it. Councilor O’Keefe asked for clarification from Councilor Farrell. Should we add back the position and what are the corresponding reductions elsewhere in the budget? Councilor Farrell said we should have the Town Manager talk to the Chief to learn of any ramifications and report back to us so we are informed. If D. Bouchard then brings it to the town floor with 25 signatures we should be aware of the implications. Councilor Dolan asked the Town Manager to look at the calendar about the council bringing a warrant forward. He said we owe Mr. Bouchard an appropriate time to get a citizens position that is worded correctly. Councilor O’Keefe asked Mr. Bouchard if he is asking the Council to consider bringing back the position and if so do we need to have our Town Manager look at a corresponding reduction somewhere else? D. Bouchard said he is not looking to put it in this budget, he is not asking us to make any other reductions. He is asking Council to bring a warrant article forward and let the people decide if they want it. A. Baldasaro, 41 Hall Rd. said he supports the SRO position and again

asked if the unions took a freeze could this position be saved. Chairman DiMarco responded we don't know what the future will bring, we have to work with the budget we have now. Councilor Brown said that the Town Manager already responded to that question, it would produce \$500K if unions took a freeze. Councilor Dolan clarified that in the early version of the budget we took out all the SRO's, we have added one back in for the high school. In order to do that they took the equivalent dollars out of the budget in other places. M. Soares asked about the timeline needed to get a warrant article for town meeting. Town Manager Caron said the deadline for citizens' petitions is set by state law; they need the signatures of 25 registered voters submitted this year by 2/1/11. He suggested getting the petition to him before obtaining signatures so it can be reviewed by the town attorney to insure the validity of the wording. D. Martin, 182 Pillsbury Rd asked if there were any federal grants, Town Manager Caron said there were no federal grants available. Budget Member John Curran stated that the proposal to cut the SRO's was not a program he wanted to cut, it was reluctantly put out there. Every department was asked to cut; the proposal came from the Chief. He asked the Town Manager if a warrant was voted to keep the positions in the budget how we would find the money. Town Manager Caron responded if it is approved by the voters taxes would be raised to pay for it.

LFD - Open for discussion. John Grennon, 14 Jewell Court thanked everyone for their hard work with the budget. He said he has been a resident of 3 yrs and said there will be reductions in the LFD staff from 9-8 employees and in the LPD with the lack of SRO's in the other two schools. He relayed his experience with LFD and LPD with a medical emergency he experienced with a family member. He said we are going to place police and fire personnel at risk; crime and emergency calls are on the rise in southern NH. Councilor Farrell responded we are not reducing the first responders at LFD. Town Manager Caron confirmed we are not reducing first responders in the LFD; we have a two person inspection division to be reduced to one. J. Grennon said he disagreed with not reducing personnel on the LFD side. He asked if a fire inspector is performing inspection duties are they free to respond to a structure fire. LFD Chief MacCaffrie said every uniformed person responds to every emergency. Councilor Farrell spoke about the grants that the LFD has applied for to obtain additional personnel. We are not reducing staff but we have no money; according to NFPA we have found that 4 is the ideal number of personnel on an engine but we can't do it. J. Grennon said he is advocating level staffing on LFD & LPD. Heather Anderson, 31 Perkins Rd asked who negotiates with the unions. Town Manager Caron explained the process; Town Meeting by law has to approve any collective bargaining agreements with our employees. Chairman DiMarco said the text of the contract is public at town meeting. Dan Bouchard, O'Connell Drive asked about keeping the call firefighters positions. Janine Curro, 103 High Range Road read a letter on behalf of her husband Vinnie Curro who is a call firefighter on the LFD. She proceeded to list all the cuts in the fire department. They currently have 7 active members with room for an additional 3-5 members. Call firefighters are very vital to the department and asked to have them put back in. To keep the services the way they are now would cost a taxpayer with a \$300K home an increase of \$120.00 per year. Ask the citizens what they want. J. Curro explained her husband is a fully trained firefighter, a nationally registered EMT and holds an ambulance license. He is completely trained as are all the other call firefighters. She and her husband run the "Child Passenger Safety Program" in town. It is 98% funded through donations and grants and is done on a volunteer basis. She said that 75% of the full time firefighters live out of town whereas the call fighters are local. She asked for the \$20K for the call firefighters to be put back into the budget. She is considering having a citizens petition to see if the townspeople want to put it back. Councilor Dolan said we have some students in the audience and thanked them for being

here and hoped they learned something tonight. Brian Johnson, 10 Loop Rd. the Acting Fire Marshall with the LFD pointed out that the Chief didn't want to make the cuts that have been proposed but he had to. He stated that he is a certified firefighter in addition to being the fire inspector. Eliminating the Fire Inspector position takes those hands away from emergency calls. He explained the duties of the fire inspector's position. Moving the Fire Marshall back to the Fire Inspector position under the Community Development Director will result in the Fire Chief handling the duties of the Fire Marshall. By moving the position over to Town Hall will result in a \$3K savings when the fire chief is willing to find it someplace else in his budget. He said by moving his position to Town Hall he can no longer respond in an emergency vehicle to a fire. He is a certified fire investigator, he can no longer be a lead investigator just a secondary under the Chief if he is no longer in the Fire Dept. He has citation authority, he will lose it by going to town hall. No one else in the Town of Londonderry has citation authority under the State Fire Marshalls Office. Councilor Farrell questioned the \$3K difference in moving the Fire Inspector to the Building Dept. vs. the Inspector staying in the LFD. Town Manager Caron said he is researching that information. B. Johnson said that \$3K was under the Fire Chief's proposal. Under the Town Manager's proposal it was \$20K savings. He stated there are some duties the Fire Marshall can do and that the Fire Inspector can't do. He listed some of the duties he does as the inspector and expressed how important it was to keep inspections up to date and expressed concern that the Chief was able to absorb his duties along with his own duties. Pat Vitali said students are here for a specific reason and asked the Councilors to go to the Cable Division which is listed further down on the agenda.

Eugene Jastrem, 19 Horseshoe Lane said he works for the Fire Department. He said he has been on full time for the past 19 years and associated 24 plus years with the department. The call volume has consistently gone up. He asked how we are going to maintain the 10 people on duty. How are we going to provide the service to the community if we drop in manpower? He quoted that a memo distributed at tonight's meeting stated that we were dropping from 10 to 9 people. Councilor Farrell said there is nothing in the memo dated 12/28/10 that makes that statement. We are cutting 8 positions across the budget. Nothing changes in personnel at the fire department. Later on E. Jastrem came back and said he rescinded what he said.

Bruce Kennison, 39 Buckingham Drive said he is a 10 year member of the call firefighter department. He said what is being eliminated is the overtime to cover them while they are on vacation, sick, etc. He talked about the 5 calls they had yesterday within one hour, there were 2 people on engine 2 and 2 on engine 1. Even with 10 people they can mount the beginnings of a fire attack. He explained they will have 8-9 people who will be able to handle normal emergencies but not large events. He explained the call fighters only cost money when they are called. It is a very low cost but a very highly efficient system. Bruce Hallowell, who is a town firefighter, said that by reducing the budget Council is cutting a position. He said they had 8 responders for multiple emergencies last Sunday. He said we are short handed with this year's budget we would only be worse with next year. He said we have been just shy of 3,400 calls for this past year which is about 10 calls a day. That is exposing our resources very thin. On Sunday they had two mutual aid ambulances in town, Derry and Windham. Councilor Farrell questioned the staffing levels, and firefighter Hallowell responded we are running at a 10 man shift today. Kevin Coyle said he is a taxpayer in this town and he is a Councilor in Derry. He said Derry staffs 17. He said the Town of Derry provides four times the amount of mutual aid then they get from the Town of Londonderry. Over the last 2 years Derry came here 272 times for mutual aid, and they have received 60 in return. Londonderry is not adequately staffed. To

propose a budget that is not going to adequately staff that department but reduce it below the level of 9 is not responsible. As a Town Councilor he said he would take that seriously. To ask other towns to support you because you don't want to raise 10-15 cents on the tax rate when Derry is providing double what you are to provide service to your town is unfair to Derry. Adding \$20 to a house is not too much to ask. Councilor Dolan asked how we deal with a disproportionate aid to another town. Chief MacCaffrie said about 9 months ago they sat down with Derry. It was easier to draw from them because they are bigger when that was done they changed their geographic policy and drew from the other surrounding communities more often. Relying on mutual aid disproportionately is a problem with all fire departments. Councilor Dolan asked if we do the opposite; do we provide more aid to other communities. Chief MacCaffrie said he could get that information. Councilor Dolan asked if there was a reconciliation process, do we settle up at some time. Chief MacCaffrie said the idea of mutual aid has never been mutual for anybody for the last 200 years. Councilor Dolan asked K. Coyle if they are faced with a policy decision in Derry. He responded they had a discussion at the Council level if they would continue mutual aid. It was a discussion because they felt they were being taken advantage of, their tax rate is double ours. Councilor Dolan asked the Town Manager if we have the right to opt out of mutual aid. Town Manager Caron said we have written mutual aid agreements with all the communities around us one of the options is to terminate the agreement but he said he does not see how that would benefit our community. Kevin Coyle said they are looking at the same budgetary items Londonderry is; if we are not adequately staffing it is not fair for Derry to cover for us. Councilor O'Keefe asked K. Coyle out of the 272 mutual aid calls from Londonderry how many of the ambulance calls were revenue producing for Derry. K. Coyle responded they got 35 ambulance calls over a period of 2 years. During that same time period they went 152 times to Londonderry. Councilor O'Keefe said out of all the calls how many of them were transports because the transports turn into dollars for Derry. K. Coyle said he didn't know the answer to that. Councilor Dolan said he is surprised that there is no reconciliation process with mutual aid. Town Manager Caron explained the concept of mutual aid, they could go back and re-evaluate the cause of disparity and come back with recommendations. Councilor O'Keefe said he was not aware of the lopsided numbers; he understands the point Kevin Coyle made. Councilor Farrell asked Chief MacCaffrie if we eliminate the call firefighters will we be calling on mutual aid more, Chief responded yes. Usually when we activate the call firefighters we are calling in mutual aid. Bruce Hallowell said Litchfield has provided more mutual aid to Londonderry than we have provided to them. It is a town of approximately 8K people. Al Baldasaro, 41 Hall Rd. said \$28.48 is the tax rate in Derry, maybe we should bring in a contract ambulance. Budget Committee member Todd Joncas asked Town Manager Caron if we keep the current fire and police in place what would the impact to the tax rate be per thousand. Town Manager Caron said it would be 15 cents per thousand per department. On a \$300K home that is \$84.00 per year. Budget member John Curran asked Chief MacCaffrie how many calls to I-93 his department has responded to. Chief MacCaffrie said he could supply those statistics at the next meeting. J. Curran asked Chief MacCaffrie if we get federal aid because of responding to the interstate and he responded no. He said if we have some kind of inquiry on mutual aid he would like to have those statistics as part of it. Al Sypek, 86 Constitution Dr. former LFD Chief explained how the ambulance service started. He explained they did compete with the private ambulance service the difference is we own assets and property, contract services can go bankrupt, the town can't.

Cable Div. – Open for discussion. Deborah Sullivan said she is in support of the LACTV media program, the students are under the direction of Erin Barry. A few of the students were in

attendance. D. Sullivan said they have been under the direction of Erin Barry for 3 years along with other students. She said Erin has encouraged the students to get involved in town. She has been instrumental both as an instructor and a mentor encouraging the students to get involved in the Londonderry community by learning about the town's many facets and has helped them to enter contests for their video works. The confidence and skills the students have developed as a result of Erin's work is priceless. This program and what Erin has to offer is vital to Londonderry youth since there is no program in our community that offers such training for free. She proceeded to list all Erin's duties and her accomplishments. Al Sypek, 86 Constitution Drive, explained how Erin handled her duties to produce/edit a show. If the position is cut there won't be anyone to train or run public access shows. Al Baldasaro, 41 Hall Rd. said this is money he pays on his cable bill, don't delete the position, use the money from the cable fund to support it. Mary Anne Hassick, 7 Moulton Dr. said this program sets Londonderry apart from other towns. We have a lot of sports in town and this is the only program offered for kids who are interested in electronics and communications. Shaun Sullivan, 9 St. Charles St. said he is a boy scout and he wants to work on a cinematography merit badge and if Erin is not there they won't be able to work on it. Dennis Martin, 182 Pillsbury Rd. said this program does not cost the town. He said he doesn't understand how the town can take his money for something that he pays for privately. Dan Bouchard, 8 O'Connell Drive said at one of the prior meetings Dottie Grover stated she would be retiring; he asked if that was taken into consideration to save some of the money. Councilor Farrell stated she was not retiring in the next fiscal year. Heather Anderson, 31 Perkins Rd. asked if there is a surplus in the cable funds could we use that this year to get us past this. She said eliminating the position is not good. If Comcast sees that we cut a position and we are not using the money they might change agreements. Dennis Martin, 182 Pillsbury asked if there is any federal grant money for cable access, D. Grover responded no. Carol Shanti, 12 Sunrise Dr. said her son uses the cable access TV, it has made a difference in his life. Some have gone forward to college with the skills they have learned. Cindy Eaton, 16 Clark Rd. said she does not understand why we are cutting the position because the money comes from the cable fees. Chairman DiMarco explained the money is available to the town as a revenue source. Councilor Farrell said the reason for a franchise was for a ROW to use the lines that run through the town. He said he asked the Town Manager to see how many employees the other communities have; he said they have 2. Town Manager Caron said it was his recommendation to eliminate the position. This has been a very difficult budget for everyone and given the directive they received from Town Council it was a matter of priorities. In good conscience we were looking at reducing inspection services and other equally valuable positions and could not continue to support having 3 employees in the cable department when we are looking at cutting other positions in the organization. C. Eaton said the money is not coming from the budget. She suggested taking money from the revenue fund to save some of the other positions that are being cut in addition to the cable position. Councilor Farrell asked how much is our revenues off, how much has our total revenue dropped. Town Manager Caron said our total revenues from the three major sources are \$355K for the next year. Councilor Farrell said we don't have the money. If he could figure another way to do it so Erin could stay he would do it. If someone can give another solution or come up with the money then we could do something. Nothing can be done. C. Eaton said use the revenue funds to fund this position and if you need more funds to save other positions to use it. Pat Vitali, 75 Mammoth Rd said he was with the studio over 12 years. He said we have over 200 volunteers that are trained by the training coordinator. The studio has taught more children than the school has when it came to media positions. The last 3 years, \$40K has been taken out of the reserve fund. He said that in 1999 there was a Resolution passed to put the money into a Cable Access Fund not into the General

Fund. Budget member Dan Lekas said anybody can use the cable center. He asked if there was no cable access center could we still collect a fee. Chairman DiMarco said yes. Dottie Grover, Mammoth Rd. and Cable Director said they had \$500K in their Special Revenue fund for cable and she bases her budget on what is necessary for the facility and all the things they do. Every year they give the school district a \$7,500 grant for LEO 21. Every year they give the students coming into the cable studio a \$20K start up grant. Every year for the last 3 years \$40K has been put into the General Fund. This year someone said the budget for the cable center is \$301K. It is not, the \$301K includes the \$40K transfer from the Revenue Fund into the General Fund. The \$500K is sitting there, and with the \$40K going to the General Fund it leaves \$460K sitting there. Erin's salary and benefits equal \$65K; she said she can give Council the money to support the budget. She said she can give the \$65K and the \$40K that the Town Manager needed to meet the directive and you would not lose a job. You would not eliminate a service. She said she would have no problem with that. Councilor Dolan said there has been a lot of compelling and emotional testimony tonight; we are frustrated at trying to find the money. He said we will consider the suggestions. Chairman DiMarco said we will take everything asked of us into consideration; the goal is to keep the tax rate flat. Al Baldasaro, 41 Hall Rd. said there is a fee on his bill that goes to the access center. He said the budget for Cable was stated tonight as \$280K. He questioned the current budget for Cable listed on a pass-out tonight that listed it as currently \$376,753 and the proposed budget for FY12 is \$301,491. He asked how that position goes away. Town Manager Caron stated the reduction is \$75K including some nominal reductions D. Grover made and the position reduction which he presented. The \$301K includes the \$40K transfer which we have been doing for the past 3 years. A. Baldasaro said he supported taking the money out to keep the position. Richard Belinski, 89 Hall Rd. doesn't want the position cut. He said he wants it explained to him by the next meeting what they are doing when in 1999 it was voted by the Council to leave that money in there for the cable studio. The Council Dolan asked the Town Manager to research the issue.

At this point in the meeting Councilor Dolan stated due to the late hour we should complete the cable discussion up until 11:00PM then move to the Non Public meeting and continue the discussion of the budget to the next meeting scheduled for 1/17/11. All the Councilors agreed. Debbie Currier, 128 Old Derry Road, said she is a long time volunteer with the Cable Dept. and asked the Council to reconsider the position. D. Currier stated Erin is invaluable. Dennis Martin, 182 Pillsbury Rd asked when the next hearings will be. Councilor DiMarco said the next budget meetings are on 1/17/11 & 2/3. The Council votes on the budget on 2/3/11. D. Martin said if the position is done away with Council will be taking away our freedom of speech. Councilor Brown asked Cable Director Dottie Grover to bring with her to the next meeting information on how this position came to be and how the training was handled prior to this position being created.

Chairman DiMarco stated that the Town Manager presented this budget to Council and they accepted it. Don Jorgenson said he thought the monies from the franchise fee went to the cable fund and it could not be touched by anyone else. The legal position needs to be clarified. Town Manager Caron replied that there is no federal or state requirement to dedicate these funds for any specific purpose. The practice in the community has been to put it in a Special Revenue Fund. More recently, the Council at Town Meeting has transferred some of that to the General Fund to help support operations. Pat Vitale asked if there is no federal or state law stating that the monies have to go into the Cable Fund then why have a Council vote in 1999 where to put it.

Chairman DiMarco said they already have the Town Manager researching that and he will get back to us at the next meeting.

Councilor Farrell made a motion to continue this meeting on 1/17/11, second Councilor O'Keefe. Council's vote was 5-0-0.

Town Manager Caron said if the Council wants to propose a bond to the voters for the road reconstruction then we need to have a public hearing on 1/17/11 for a bond hearing under state law. Having a bond hearing does not obligate you to place a bond on the ballot, however if you don't have a bond hearing you won't have enough time to consider that. The consensus of Council was to advertise for a bond hearing for the road construction bond and have a public hearing on 1/17/11.

OLD BUSINESS

NEW BUSINESS

Order #2011-01 – Relative to the Expenditure of Maintenance Trust Funds for Various Projects – Councilor Dolan made a motion to postpone the reading of this Order to our next scheduled meeting, second by Councilor Brown. Council's vote was 5-0-0.

APPROVAL OF MINUTES

Minutes of Councils' Public Meeting of 12/20/10. Councilor Dolan made a motion to approve the minutes as written, second Councilor O'Keefe. Council's vote was 5-0-0.

OTHER BUSIENSS

Chairman DiMarco recommended we suspend the Liaison and Town Manager Report until the next meeting. The Council agreed.

Liaison Reports –

Town Manager Report –

Board Committee Appointments/Reappointments

Councilor Farrell made a motion to enter into Non Public meeting per RSA 91-A:3 II (a) at 10:58 PM, second Councilor O'Keefe. Aye John Farrell, Aye Sean O'Keefe, Aye Tom Dolan, Aye Michael Brown, Aye Paul DiMarco. Council's vote was 5-0-0. Councilor Farrell made a motion to exit Non-Public session and adjourn at 11:40 PM. Council's vote was 5-0-0.

Notes and Tapes by:

Margo Lapietro

Date: 01/03/11

Minutes Typed by:

Margo Lapietro

Date: 01/06/11

Approved;

Town Council

Date: 01/17/11