

TOWN COUNCIL MEETING
February 14, 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 Chairman Sean O’Keefe; Councilors: Mike Brown; John Farrell, Tom Dolan; Town Manager Dave Caron; Executive Assistant, Margo Lapietro.

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 reminded everyone about registering for the upcoming elections and town meeting.

Londonderry Trailways – Sandy Lagueux, 2 Fiddlers Ridge Road and Bob Rimol, 2 Fay Lane from the Londonderry Trailways were in attendance to report their findings on the use of abandoned railways for recreational use. B. Rimol gave the background of the rail corridor which is abandoned; it is mostly owned by the NH Department of Transportation (NHDOT) and is mostly overgrown in the Londonderry portion of rail. S. Lagueux said that the NHDOT hired Rizzo Associates and Alta Planning to do a study in 2003 which recommended the rail bed be revitalized for recreational use. B. Rimol said the Town of Windham took the lead and has about 4 miles of rail developed. They have funding in place to finish the project. Derry also has funding in place and has about 2 miles completed. Manchester has some sections completed and has additional funding in place. S. Lagueux said from Salem to 102 in Derry which is about more than 7 miles they have areas that are completed or fully funded to be completed. B. Rimol said they have talked to people in the community, at the airport and other towns to receive their input. S. Lagueux said since Resolution 2010-15 was issued they have done a lot of fact finding. The Southern NH Rail Trail Alliance requested \$1.2M which is how the 7 miles were completed. The Southern NH Planning Commission (SNHPC) has been hosting meetings. A lot of town governments have backed this idea. B. Rimol said he met with the Recreation Commission and they have given a letter of support. They have met with DOT, Bureau of Trails, and met with the Assistant Town Engineer. They have engaged as many people they can and have asked how they funded their projects. S. Lagueux explained they divided the corridor up into 7 segments for easier identification. Councilor Brown asked what the total mileage is; S. Lagueux responded 6 +/- miles of non-paved trail. It is overgrown dirt with no rail except for the Little Cohas section. B. Rimol said they are working on a conceptual plan, at some point an engineering study will be done. Tonight they are just reporting the findings of the study. Other towns have a rail trail agreement in place that releases the town of liability and DOT will have ownership of it. In the future they will work on funding sources, and they have received a grant of \$2,500 from the Granite State Wheelman for research and development. They are researching funding which consists mostly of large federal grants with small town matches. S. Lagueux said right now they are researching ownership of the land. The conceptual plan will be presented

sometime in the spring. Councilor Brown asked if the paths are going to be paved. S. Lagueux responded they plan to have them paved due to the population density in this area. B. Rimol said it is for all types of recreation, non-motorized alternate modes of transportation. S. Lagueux said they will come back in spring to ask for support and will supply Council with more information. She said in April there will be a rail trail meeting sponsored by the SNHPC and the Councilors will be invited to attend. B. Rimol said they are making an effort to start to clean up trash prior to the trail renovations. Councilor Brown asked who received the \$1.2M grant. S. Lagueux replied Salem, Windham and Derry received the federal grant. Councilor Brown asked what the town's portion of the grant was. S. Lagueux responded the grant comes from federal gas tax money distributed to the NHDOT and they administer the grant, under an 80/20 match. The match for the tri-town section came from Derry of which some of the local funding was private. Councilor Brown asked whether there is an expectation that the town will financially contribute to the project, S. Lagueux responded yes. B. Rimol said the first step is design and engineering. Other towns have fund raising events, private funding and corporate donations. Mark Sampsil from Windham explained a portion has come from the Windham Conservation Commission. He further explained that he is the President of the Windham Rail Trail Alliance, VP of the NH Rail Trail Coalition, Secretary/Treasurer of the Regional Trails Alliance sponsored by the SNHPC, Chairman of ZBA in Windham for 4 years and he is on the Rockingham Planning Commission. In June they will have 8 continuous miles of trails into Derry. He explained how they had started the process to obtain grant money. Councilor Brown asked how some of the funding was accessed through conservation; M. Sampsil responded it was from current use funding. Councilor Dolan asked if there was any monetary value in the sale of old rails left on the track, M. Sampsil said the actual iron was removed in the 70's, the ties had to be left. There is an organization in Methuen called "Iron Horse" that is in the business of removing rail at no charge and they will give you some monetary value towards the deal. Councilor Dolan said there might be a source of revenue for scrap rail. Councilor Brown asked if they had any issues with motorized vehicles using the trails and the extra cost of enforcement. M. Sampsil said in 2004 they passed legislation that restricted ATV use to winter time only and two years ago they changed that to no ATVs year round. Councilor Brown asked S. Lagueux and B. Rimol if there was significant use now of ATVs in Londonderry. S. Lagueux responded no not like Windham, we have occasional use. Councilor DiMarco said he the hoped the Council will support this concept when they come back to the Council. Councilor Dolan asked them if they have talked to the Londonderry representatives on the SNHPC, S. Lagueux said no they have not talked to them but plan to do it.

Reed Clark asked for clarification of the Londonderry section and S. Lagueux clarified it for him.

OLD BUSINESS

None

NEW BUSINESS

Adoption of Salt Reduction Plan – DPW Director Janusz Czyzowski – The Salem I-93 study has found chlorine pollutants in the Beaver Brook area. The NH Department of Environmental Services (NHDES) and the US Environmental Protection Agency (EPA) have determined that pollutant reductions are needed and have developed a salt reduction plan. A work group was formed to develop guidelines to implement the plan and has met with the approval of NHDES

and the EPA; without their approval we won't receive funds from EPA. J. Czyzowski explained the town will purchase a new 6 wheel dump truck with underbelly discharge spreader also to be equipped with a sprayer to pre-wet salt and a ground speed oriented spreader. This will reduce the salt usage on only one out of four routes near the watershed. The Town will be part of a funded pilot program to see if chlorine pollution can be reduced. Salt reduction training will be needed and Londonderry will conduct field trials with this equipment throughout the winter season. During the trials each element will be evaluated for salt reduction, ease of use, reliability, lifecycle costs and driver adaptation. Londonderry will require that all town staff and private contractors hired by the town attend salt reduction trainings. The town will also communicate with private contractors who the town is aware of and encourage them to attend training. He said that Londonderry strongly supports HB 1676 requiring the certification of private sector salt applicants. He said we will be upgrading our meteorological service to provide more customized forecasts. If this works he will be asking for another truck next year. He said the cost of a new truck is \$140K, with the Town's share at \$23K. Councilor O'Keefe asked about just switching over to the sand in the watershed area. He also expressed concern with the equipment rusting out faster. J. Czyzowski said use of sand only would create a build-up of ice as salt prevents the adherence of the snow to the surface so it can be plowed off. J. Czyzowski described how the machine works, spraying pre-wet salt and brine. Councilor Dolan asked about the state responsibility in town. J. Czyzowski explained they maintain Rt. 102, Peabody Rd., Mammoth Road (128), and Rockingham Rd (28). The salt reduction applies to Salem, Windham, Derry, Londonderry, with a reduction goal of 20%. Councilor Brown questioned the goals of reduction that were listed in the information and asked if that is the overall goal of town including private contractors. J. Czyzowski responded those goals are only for our municipal roads not for future or private developments. If private contractors are hired by the town they will receive training in salt reduction. Councilor Brown asked about the percentage of private contractors that we use, J. Czyzowski responded it is weather dependent, however, approximately 90% of winter maintenance is completed by town forces. He pointed out that 44% pollution of the pollution is from parking lots, 37% is municipal, and state roads are only 10%. Councilor Brown asked if he is looking for Londonderry to support HB 1676 which is the certification of private salt applicators. J. Czyzowski responded he does not think it is going to be successful. Councilor Dolan questioned the Town's authority to control private contractors in parking lots in terms of how much salt they use. Town Manager Caron said that would be accomplished via a Town Ordinance, in order for it to be successful it would require some scientific background, it would be best managed by NHDES or EPA. J. Czyzowski said the Town is not equipped to enforce it. That bill is on a voluntary basis, and he does not think it will pass. Councilor O'Keefe asked if we don't follow through what are the ramifications. J. Czyzowski said the EPA will initiate enforcement action, as the Town is not allowed to contaminate water. Chairman DiMarco asked if by reducing salt are we placing our roads in danger? J. Czyzowski said the question is by implementing different equipment and methods are we going to achieve the same results – we are trying. They are supplying the funds to try this in the southern part of town. Chairman DiMarco asked what the hazard is. J. Czyzowski said the chloride stays in the local surface water and groundwater. Councilor O'Keefe said he is concerned about the cost for replacement parts of spreaders due to the equipment rusting out, he asked what is it? J. Czyzowski said it costs \$3,500 for a spreader, the air/ground temperature sensor is \$800.00 and the prewetting equipment is \$5K. He said he hopes we can maintain the current life expectancy for DPW trucks. **Councilor Farrell made a motion to adopt the plan, second Councilor O'Keefe. Council's vote was 5-0-0.**

2011 Town Meeting prep – Assignments were delegated for the Warrant Articles at Town Meeting. Councilor Dolan asked the Town Manager if Article 9 passes will the Moderator automatically skip Article 10, Town Manager Caron responded in past years the Moderator has explained it is unnecessary and skipped over. Councilor Farrell said he attended the School Board Deliberative Session and said he received a number of questions about the Charter and how it worked. The biggest questions received were about Woodmont Orchards. He said it was good that people were asking questions. Councilor Dolan asked Councilor Farrell if it would be appropriate to invite the developers from Woodmont to put a display together at Town Meeting or at the Tuesday elections. Councilor Farrell said all they have right now are conceptual answers. Chairman DiMarco questioned the appropriateness of their presence. Town Manager Caron responded that information needs to be presented as objective and not as advocacy; however, the Moderator would decide to grant any such request. Councilor Brown cautioned the Town to proceed with caution. Councilor Dolan said it would provide more opportunity to communicate it would be a good idea and a perfect opportunity for people to ask questions. Councilor Brown said it is not our place to say they can use the school facilities, it should be checked out with the Moderator and election laws before they show up. Councilor Farrell said a problem could exist with the School Moderator who works with the developer and he is the Assistant Town Moderator at the Town Meeting. Town Manager Caron said it is the Moderator’s decision and he will leave it up to her. Councilor Brown suggested the developer buy a booth at Old Home Day.

APPROVAL OF MINUTES

Councilor O’Keefe made a motion to approve the Public/Budget Meeting Minutes of 02/03/11, and the Public Meeting of 02/07/11, second by Councilor Dolan. Council’s vote was 5-0-0.

OTHER BUSINESS

Liaison Reports – None

Town Manager Report – None

Board/Committee Appointments/Reappointments – None

ADJOURNMENT

Councilor Farrell renewed his motion to adjourn at 8:25 P.M. second by Councilor O’Keefe. Council’s vote was 5-0-0.

Notes and Tapes by: Margo Lapietro **Date:** 02/14/11

Minutes Typed by: Margo Lapietro **Date:** 02/15/11

Approved; Town Council **Date:** 03/07/11