

**TOWN COUNCIL
MEETING
December 16, 2013**

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

Present: Chairman John Farrell; Vice Chairman Tom Dolan; Councilors Joe Green, Jim Butler, Tom Freda; Town Manager Kevin Smith; Executive Assistant Kirby Wade.

CALL TO ORDER

Chairman Farrell opened the meeting with the Pledge of Allegiance led by Reed Clark. This was followed by a moment of silence for long time Londonderry resident and business owner in the community passed away in an accident, Remi Fortin.\

PUBLIC COMMENT

- Vice Chairman Dolan stated that a lot of people have worked hard to buy local and support our local merchants.
- Londonderry Police uniform change presented by Chief Bill Hart. Chief Hart presented the new uniforms. Chief Hart stated that it a comfortable outfit and cheaper. The Police will not be getting rid of the Class A, Police jacket full dress uniform or the Class B which is the most familiar uniform we wear.
- Vice Chairman Dolan asked Hart if the uniforms will accommodate the vest. Chief Hart stated that yet, there are several different types of vests so it accommodates the internal and external vest.
- Councilor Butler asked if everyone has both and exterior vest and an interior vest. Chief Hart stated no, the choice is up to the Officers.
 - Chief Hart stated that it has a velcro badge and a velcro nametag.
- Mike Speltz, 18 Sugar Plum Lane, representing the Conservation Commission to discuss the recreation guide that Stu Arnett presented a month ago. The plan was to fund him to develop an online guide that people could use to identify the outdoor recreation assets owned by the town. Speltz stated that they discussed with the town Attorney where the money would come from and they were told that they could use Conservation funds with a ‘small c’ and small f’. It turns out there is a Conservation Fun, ‘capital C’ capital F’, one of the three accounts the commission has.

44 Speltz stated that they need direction as to where the money should come from.
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- 46 • Chairman Farrell stated that they would give direction to Town Manager Smith as to look into
47 which fund it could come out of.
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- 49 • The balance as of right now in the Conservation Commission Fund is \$35,601.92. Of that amount,
50 \$18,730.00 is obligated to various things that the Commission has completed or will have to
51 complete. When you take that out that leaves you \$16,871.00. Speltz stated that they will have to
52 take \$9,000.00 out of that to pay back the Open Space Fund for the money that was spent on the
53 recreation plan.
54
- 55 • Councilor Freda stated that the Conservation Commission Fund is not allowed to keep the interest
56 unless it is reappropriated by town meeting every year. Over the years it's is several thousand
57 dollars. If that is correct and the Conservation Commission has to send the money back to the
58 General Fund which could be used to fund the project. Chairman Farrell stated that there needs to
59 be some clarification on that.
60
- 61 • Chairman Farrell stated that section C, the public Hearing will be skipped over at the request of
62 people.
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65 NEW BUSINESS

- 66
- 67 • **Order #2013-39**, Expend Capital Vehicle Lease Funds for the Londonderry Police Department.
68 Chief Hart presented stating that a month ago they purchased a 17th car in the fleet; this is the
69 computer for that car. It was subject to the bid process and it went out to 3 plus companies.
70 Motion to approve **Order #2013-39** made by Vice Chairman Dolan and second by Councilor
71 Freda. **Chair votes 5-0-0.**
72
- 73 • **Order #2013-42** and **Order #2013-43** presented by Fire Chief Darren O'Brien. The Orders are
74 for equipment for the new fire pump, which should be here at the end of February or the
75 beginning of March. The equipment went out on the bid process, three different vendors. **Order**
76 **#2013-43** is for the protective clothing for the men and women of the fire department. They buy
77 5-8 sets per year out of the Capital Fund to replace old suits.
78
- 79 • Councilor Butler asked what a Blitz Fire Gun was. Chief O'Brien stated that it is a ground
80 monitor master stream device. (Order #2013-42)
81
- 82 • Motion to approve **Order #2013-42** made by Vice Chairman Dolan and second by Councilor
83 Freda. **Chair Votes 5-0-0.**
84
- 85 • Motion to approve **Order #2013-43** made by Councilor Green and second by Councilor Freda.
86 **Chair votes 5-0-0.**
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PUBLIC HEARING

- 89 • Motion to enter Public Hearing made by Vice Chairman Dolan second by Councilor Butler.
90 **Ordinance #2011-11A**, An Amendment to the Safety Policy for Londonderry town employees
91 via the Joint Loss Management Committee. Town Manager Smith read the Ordinance. This is a
92 second reading of the item that was discussed at the last Council meeting.
- 93
- 94 • Vice Chairman Dolan stated that being the second reading he recommends that the Council
95 adopts **Ordinance #2011-11A**. Second by Council Green. Chairman Farrell opened it up to the
96 public. **Chair votes 5-0-0**.
- 97
- 98 • Motion to close the Public Hearing made by Vice Chairman Dolan, second by Councilor Green.
99 **Chair votes 5-0-0**.
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01 NEW BUSINESS

- 02
- 03 • **Order #2013-40**, Impact Fee Order, refunding expired fees, presented by Controller Doug Smith
04 and Finance Director Susan Hickey.
- 05

06 **[See attached report]**

- 07
- 08 • Hickey stated that there is an Order to release the funds.
- 09

10 Councilor Green asked if they were sent out to the fee payer or the current owner. Hickey stated the
11 fee payer. Hickey stated that a letter will be drafted for each payer to let them know which map & lot
12 number, the address, date of payment etc.

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- 14 • Hickey stated that she spoke with Attorney Ramsdell, who was comfortable with expired Impact
15 Fee's being returned by December 31st. the one part that needs to be fixed is the links portion we
16 are holding on to still.
- 17
- 18 • Councilor Green asked if these are companies who are still currently out there. Hickey stated that
19 they know that some of the companies are no longer in business, based on information that was
20 sent to the back in July of 2012. Hickey stated that they are anticipating that they are going to get
21 a handful of them back. Councilor Green asked what will happen to the funds at that point. Doug
22 Smith stated that is they are not deliverable or if the company is out of business than typically our
23 Abandon Property Laws would come into play. Eventually if we can't identify them it would
24 result in reporting to the State.
- 25
- 26 • Hickey stated in accordance with the Impact Fee Ordinance, this information will be posted
27 online.
- 28
- 29 • Councilor Freda stated the language in the Order, the forth 'Whereas' down needs to change.
30 Chairman Farrell read the Ordinance and Amended his motion to change some of the language.
31 Second by Vice Chairman Dolan. Amended **Order #2013-40 Chair votes 5-0-0**.
- 32

- 33 • Hickey presented the rest of the report, which will be presented to the Council on a semi-annual
34 basis, is an Impact Fee summary of what's about to expire within the next 6 months.
35
- 36 • Town Manager Kevin Smith presented the Third Party Engineer Review RFP. The Council had
37 directed the Town Manager to begin the process of putting out an RFP to acquire two, third party
38 engineers for the Town and so the Planning department put that in process. The Planning Board
39 reviewed the RFP and the conclusion was to put it in the hands of the Town Council to decide
40 how to move forward with it.
41
- 42 • Smith stated on page four there was new language added regarding conflict of interested for
43 engineers who do business in the town. The language was suggested by Attorney Ramsdell. Smith
44 stated he is looking for direction on proceeding forward.
45
- 46 • Vice Chairman Dolan asked if it would be advisable to have more than one third party review.
47 Councilor Butler stated that that was the original intent.
48
- 49 • **Order #2013-41**, Maintenance Trust Fund for Various Projects. Town Manager Smith read the
50 Order. Motion to approve Order #2013-41 made by Councilor Freda and second by Councilor
51 Butler. **Chair votes 5-0-0.**
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- 53 • Administrative Support Steve Cotton stated that the Senior Center is ready to be open January 2nd.
54
- 55 • The first reading of **Resolution #2013-13** made by Chairman Farrell. Chairman Farrell stated that
56 the gentleman who died is the name that will be replacing the former street name. There are no
57 houses on the street. Vice Chairman Dolan motioned to accept the first reading of Resolution
58 #2013-13 and schedule a Public Hearing for January 6, 2014. Second by Councilor Butler. **Chair**
59 **votes 5-0-0.**
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- 61 • Chairman Farrell stated that the emergency magnets that were made for the Town should be ready
62 to pass out soon.
63

APPROVAL OF MINUTES

- 66 • Motion to approve the minutes from December 2, 2013 made by Councilor Green and second by
67 Councilor Freda. **Chair votes 5-0-0.**
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OTHER BUSINESS

- 71 • Town Manager Kevin Smith discussed new and old business throughout Londonderry and talked
72 to them about how they like doing business in Londonderry. Smith asked the Council if each
73 meeting he can highlight one business that he has visited. Smith highlighted **Wirebelt**.
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- 75 • Town Manager Smith shared an update on the Musquash tree stand issue. Smith stated that at this
76 point the Conservation Commission will tag the ones that need to be taken down.

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BOARD/COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

- Councilor Freda motioned to approve the re-appointment of Martin Srugis and Leitha Reilly, both candidates for the Southern New Hampshire Planning Commission. Second made by Councilor Green. **Chair votes 5-0-0.**
- *Councilor Freda made a motion to approve the re-appointment of Tom Bianchi, a candidate to the Heritage Commission. Second by Councilor Butler. **Chair Votes 5-0-0.**
- Councilor Freda motioned to re-appoint Jim Smith as a candidate for the ZBA, second by Councilor Butler. **Chair votes 5-0-0.**

ADJOURNMENT

- Motion to adjourn made by Councilor Green and second by Councilor Freda. **Chair Votes 5-0-0.**

Notes and Tapes by:	Kirby Wade	Date: 12/16/13
Minutes Typed by:	Kirby Wade	Date: 01/03/14
Approved by:	Town Council	Date: xx/xx/xx