

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1
2 **March 3, 2014**
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5 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry,
6 NH.
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8 Present: Chairman John Farrell; Vice Chairman Tom Dolan; Councilors Tom Freda and Joe Green; Town Manager Kevin
9 Smith; Executive Assistant Kirby Wade; Absent: Councilor Jim Butler
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11 **CALL TO ORDER**

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13 Chairman Farrell opened the meeting with the Pledge of Allegiance led by Matt Michaud, Ryan Leo, Jack Kelly from
14 Londonderry Boy Scout Troops 109, 426, 1910 and 521. This was followed by a moment of silence for all those who serve
15 us here and abroad and for all of Londonderry's first responders and their safety and for good thoughts and peace for the
16 people of Ukraine.
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18 **PUBLIC COMMENT**

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20 **Pauline Caron, 369 Mammoth Rd**, stated that she listened to the last Town Council meeting and she was very upset
21 and dismayed that there were comments made by Susan Hickey and Councilor Freda with reference to furloughs of Library
22 employees and cutting back the hours. Caron stated that the Council should take a look at the organizational chart that the
23 Town of Londonderry has. Chairman Farrell asked if he could address the issue. He apologized that it didn't come across on
24 the comments. Chairman Farrell stated that he spoke with Hickey and Freda and reminded them that we do not oppose how
25 the Library conducts business, we only fund the library. Caron stated that she wanted to make sure everyone understood that
26 the Town Manager and the Town Council do not run the library. It is run by the Trustees who are elected officials and they
27 have the responsibility for overseeing the library budget and the employees. Caron stated that the Library Trustees look at
28 their budget once a month. If there are problems, they can adjust line items. Chairman Farrell apologized on behalf of the
29 Council for any misinformation.
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31 **Kent Allen, 10 Beech Hill Rd**, stated that he wanted to present clarification in regard to the questions of being able
32 to bring in volunteers to work in the Town Forest for a cleanup. Allen stated that Brian Johnson from LFD will speak
33 involving the use of the alert group if called out they can come and help out. Allen stated that if they are called out they are
34 covered by insurance under the Town. Chairman Farrell stated that he doesn't know the answer to that question. Allen stated
35 that Susan Hickey checked and stated that if they are called out they will be covered under the Town. Allen stated that the
36 call out can also be for training purposes. Battalion Chief Jim Roger (LFD) stated that when the alert team was founded, an
37 Emergency Management Council needed to be established, was one of the stipulations through the LGC. The people who
38 began the Emergency Management Council were Jim Rogers, George Herman, from the Police Department it was Bob
39 Michaud and a few others, some members from the school committee. Once it was established, the Alert Team was covered
40 under workers compensation for the Town. Steve Cotton, Londonderry Administration Support, stated that is correct but
41 now it is with PrimeX and an update roster was sent to them so that they have the current members of the Alert Team. Each
42 year it needs to be updated. Chairman Farrell asked Cotton if he was confirming what Susan Hickey told Kent Allen that the
43 members of Alert, if called up for training purposes to go out and clean the Town Forest, they would be covered under
44 insurance. Cotton stated that he didn't get into Town Forest but he got into if they are called out, they have to be called out
45 and they have to be supervised by the Fire or Police Department. Allen stated that his plan is just involving the rough
46 cleanout. Anything beyond that would be everybody involved discussion, heritage commission, etc. Chairman Farrell told
47 Allen that he will need to coordinate with Town Manager Smith, the fire department and we will go from there.
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49 Londonderry Police Chief Bill Hart shared with the public that this is the last meeting of this Council, as currently
50 constituted potentially. Chief Hart thanked the Council for all that they have done for the Town. With balance, generally,
51 with moderation, generally, with good sense, generally. Chief Hart stated that it is far too frequently that people say thank
52 you to those who serve us with their time, their expertise and uncommon descents'. Chief Hart stated that on behalf of the
53 Police Department, thanked the Council for all that they have done.

PUBLIC HEARING

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57 ~ None ~

OLD BUSINESS

Hampstead Dispatch Update – Presented by Town Manager Kevin Smith

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63 Smith stated that the update ties into the budget discussion. Smith stated that in talking with Chief O'Brien, we don't
64 have the actual cost yet of the upgrades that will be necessary to take on the Hampstead Contract. Smith stated that the
65 Town of Hampstead will be encoring most of, if not all of the cost, associated with the software updates. Smith stated that he
66 is confident that it can be absorbed in the FY15 budget; he is not anticipating any issues. Smith stated in regards to Councilor
67 Dolans question about making adjustments to the FY15 budget, if we could do that during the special session that we set
68 aside if there is a contract for the Firefighters, that he checked with Attorney Ramsdell and looking at **RSA 32:6**, *'All*
69 *appropriations and municipalities subject to this chapter shall be made by vote of the legislative body of municipality at an*
70 *annual or special meeting. No such meeting shall appropriate any money for any purpose unless that purpose appears in the*
71 *budget or in a special Warrant Article.'* Smith stated that in reading that, Ramsdell concluded that no other items could be
72 taken up during that special meeting for the Firefighters contract.

Budget Update – Presented by Town Manager Kevin Smith

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76 Smith stated that last week he provided numbers of where we are at as of January 31st. Smith provided an update as of
77 February 28th.

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79 {Refer to attached data}

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81 Smith referred to some of the areas where there were overages before in the snow removal/Public Works budget, the
82 Firefighter overtime and the Legal Department. Not much has changed in regards to Public Works and snow removal. It's
83 roughly running about the same, it went down slightly to **116.2%**, because of some accounting adjustments made within the
84 Public Works department. What that caused was an increase in the Public Works Department. It's running about **10%** higher
85 than the Town was in FY 13. Smith stated that Public Works is at 68% of their budget. Smith stated that the Fire Department
86 overtime line last year had expended \$613,086.00 (FY13) and this year they are at \$739,945.00 (about \$15,000 over what
87 they were budgeted for FY14). Smith stated that being said, the overall Fire Department budget is only running about **.3%**
88 higher as of right now, than it was in FY13. Smith stated that Chief O'Brien has made adjustments in other areas of the
89 Department to try to mitigate the overtime. Police Department is running about **1%** higher of what is running this time last
90 year. Legal is running about **36%** higher this year, than it was last year. Smith stated that for the bottom line, we should be
91 running at **66.6%** right now. Last year at this time we were running at about **64.6%** (FY13). Currently we are running at
92 about **71%** of the budget. Smith stated that we are up higher than we should be. Smith stated that effective tomorrow, he has
93 instituted a 'spending freeze' for all non-essential items across every department. Smith stated that it will be looked at every
94 month to see where we are at. At the end of March or the end of April we appear to be back in line with where we should be,
95 the freeze will be lifted at that time. Smith stated that he feels it is the prudent thing to do, to enact the 'spending freeze'
96 going forward. Smith stated that all the department heads are on board. Chairman Farrell stated that seeing as there is now a
97 'spending freeze', the prudent thing to do is, even if we are not in Public Hearing, let the public come forward if they have

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98 any questions.

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100 **Reed Clark, 79 Stonehenge Rd**, commented that the Town Manager's enactment of a 'spending freeze' happens to
101 come on the coldest day of the year, which is appropriate. Clark stated that there are a lot of things that need to be done,
102 whether it's in the Fire or Police department, regarding overtime. Clark stated that everything should be looked over
103 carefully by the Town Council.

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105 **Pauline Caron, 369 Mammoth Rd**, stated that with reference to the budget problems, the legal is not something
106 new. Caron stated that this is something that happened last year and the year before. Caron stated that the Fire department has
107 been running overtime since 08 and 09, when they went from a 40 hours a week to 42 hours a week. The Town has spent
108 well over one-million dollars on the Fire department because of overtime. Caron stated that the overtime is broken and it has
109 to be fixed. Additional firefighters are not going to help the situation. Caron stated that the Fire department should consider
110 going back to a 42 hour work week and have enough firefighters working to cover the shifts and cut the battalions down from
111 4 back to 3. Caron stated that when the Fire department went to a 42 hour work week, they didn't get a cut in pay. Chairman
112 Farrell asked for clarification, stated that Caron said go back to a 42 hour work week, Caron stated that she meant 48, from
113 42 to 48. Caron stated that if it's not fixed, it will continue to escalate. Chairman Farrell stated that in regards to the legal,
114 \$230,000.00 was a Forensic Audit that was ordered by the Court because of a lawsuit we are in. Farrell stated that the
115 Council recently met with the Town Attorney and that lawsuit is now dismissed but it is up for reconsideration. Chairman
116 Farrell stated that the Council believes that it was a onetime event at this point. Farrell stated Attorney Ramsdell is hoping to
117 return to a normal type of legal spending going forward. Chairman Farrell stated he doesn't have the completed answer yet,
118 but that's what he knows so far. Chairman Farrell stated that in regards to the Fire department, in regards to the collective
119 bargaining process, the Council has had that discussion about her (Caron's) suggestion or something similar to it with the
120 collective bargaining group, so the Council understands. Caron asked Chairman Farrell in regards to the legal, if the attorney
121 gives itemized bills to the Town for each thing that he does or does he lump everything into one bill. Town Manager Smith
122 stated that they are itemized in an invoice. Smith stated that a majority of the coast have been because of the Impact Fee case.
123 Chairman Farrell stated that the cost of the audit was put into the legal line.

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125 **Fire Fighter Overtime/Cost:**

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127 Councilor Freda stated that an analysis was done to see whether we would save money to add additional firefighters of stick
128 with overtime and if it turned out that adding additional firefighters costs \$9,000 more per firefighter than doing overtime.
129 Councilor Freda stated that even with the freeze, Town Manager Smith has had conversations with the Fire Chief where he
130 can assure the Town that the Town will be safe. Town Manager Smith stated that having to do the dropdown (from 10 to 9
131 people per shift) isn't an ideal situation but we are still as a community, keeping the community and staff safe as the issue is
132 mitigated, not overextending the budget. Pauline Caron asked if an ambulance needs to go out every time there is a fire call.
133 Chief O'Brien stated that Londonderry has an ALS Unit (Advance Life Support Unit) at each station. When the call for
134 service comes in, depending on what part of the community it's in, the closest ambulance responds to that call with three
135 personnel at that station.

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NEW BUSINESS

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139 **Order #2014-04 – Expenditure Maintenance Trust Fund for Various Projects:**

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141 Town Manager Smith presented. Smith stated that there are a number of projects in this Order. First is the winter
142 maintenance of the Town Hall, Police Departments, Library and Cable Access during a number of snow events that we have
143 had over the last couple of months, totaling \$5442.50. Winter Maintenance at the Senior Center, shoveling, plowing and
144 treatment of the parking lot over a number of dates in January and February, totaling \$2,570.00. Preventive maintenance on
145 the fixing valve and expansion tank at North Fire Station, totaling \$1,296.00. Fixing the garage bay ceiling at the Department
146 of Public Works garage, totaling \$410.97. Garage bay ceiling lighting at the garage, totaling \$4,610.00. The exterior lighting
147 at the Department of Public Works Garage, currently there's no lighting over the main entrance door entering into the garage
148 which creates a safety hazard for the employees during nighttime operations, totaling \$2,490.00. Finally, the roof ice buildup

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149 at the Access Cable Center, which is experiencing excessive ice buildup, needs to be addressed before it experiences water
150 damage to the ceilings, walls and the equipment, totaling \$3,600.00. All of these requests totaling \$20,419.47. Councilor
151 Green asked if any of this went out to bidding. Steve Cotton stated that the Town bids every three years. Motion to approve
152 Order #2014-04 made by Councilor Green and second for discussion by Vice Chairman Dolan. Dolan stated that he would
153 like to point out that we talked about implementing a 'spending freeze' and this Order is spending several thousand dollars.
154 Dolan stated that the sources of these two funds are separate from the Operating Budget so therefore they are not subject to
155 the freeze. Dolan stated that when Town Manager Smith talked about freezing the budget he was referring to freezing the
156 Operating Budget and not Special Revenue Funds for the Police Department or for Maintenance Trust Funds.

157 **Chair votes 4-0-0**

158 **Order #2014-05 – Expend Special Revenue Funds for the Londonderry Police Department:**

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161 Chief Bill Hart presented. Hart stated that this Order is a request to purchase a 2013 F-250 truck at \$22,773.00. Hart
162 stated that the truck has served Londonderry for more than a decade. It originally served in the Fire Department, who was kind
163 to donate it to the Police Department. Chief Hart stated that it has been used to plow the parking lots here at Town Hall and at
164 the Police Department. It has also been used for towing for trainings. Chief Hart stated that it has come to the end of its life.
165 The Police Department was told that it will not pass inspection and it will cost several thousand dollars to repair it. Chief Hart
166 stated that they looked at rolling a truck into the Police Department's lease, which they have had since 1994. Looking at all the
167 options the Police Department made the choice to purchase one instead, which is cheaper and it gives the Police Department
168 the opportunity to take an unmarked car, that got about 1/3 of its service as unmarked police car and 2/3 of its service
169 managing the fleet, and roll it back into the fleet as a marked Police car. Chief Hart stated that the source of the funds is partly
170 from the Operating Budget, approximately \$9,500.00 from the Police Capital Lease Line but \$13,000.00 comes from a Special
171 Revenue Fund which was established many years ago that is used to maintain aspects of the fleet and to outfit the fleet when
172 the new fleet was purchased. Motion to approve Order #2014-05 made by Vice Chairman Dolan and second by Councilor
173 Freda.

174 **Chair votes 4-0-0.**

175 176 **APPROVAL OF MINUTES**

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178 Approval of minutes from February 24, 2014. Motion made by Councilor Freda and second by Vice Chairman Dolan.

179 **Chair votes 4-0-0.**

180 181 **LIASON REPORTS**

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183 ~ None ~

184 185 **TOWN MANAGER**

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187 Town Manager Smith stated that the Londonderry Lions Club Boston Comedy Night will be held Saturday March
188 15th at 8 PM at the Lions Hall. Tickets are \$20 each and seating is limited to 150 people. You can reach Gary Smith for tickets
189 at 845-8416. Smith stated that this coming Sunday is also the annual St. Patty's luncheon at the Senior Center. Smith stated to
190 contact the Senior Center if you would like tickets.

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192 Town Manager Smith stated that the Town Reports will be made available to the public at 4 PM on Tuesday, March
193 4th. They can be picked up at the Town Hall or the Library. They will also be made available on Voting Day, Tuesday, March
194 11th.

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COMMITTEE APPOINTMENTS/REAPPOINTMENTS

Chairman Farrell stated that the Council needs to do one at a time since he will need to step down for one of them.

- 1.) Appointment of Sherry Farrell to the Elder Affairs Committee. Chairman Farrell stated that he is stepping down from this vote. Motion to re-appoint made by Councilor Green and second by Councilor Freda. **Chair votes 3-0-1.**
- 2.) Appointment of Bonnie Ritvo of the Elder Affairs Committee from an alternate member to a full time member. Motion to appoint made by Councilor Green and second by Councilor Freda. **Chair votes 4-0-0.**
- 3.) Appointment of David Paquette to the Zoning Board of Adjustments. Motion to appoint made by Councilor Green and second by Councilor Freda. **Chair votes 4-0-0.**

ADJOURNMENT

Motion to adjourn made by Vice Chairman Dolan and second by Councilor Freda. Chair votes 4-0-0.

Notes and Tapes by:	Kirby Wade	Date: 03/03/14
Minutes Typed by:	Kirby Wade	Date: 03/06/14
Approved by:	Town Council	Date: 03/xx/14