

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1
2 **April 18, 2016**

3
4 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry,
5 NH.

6
7 Present: Chairman John Farrell; Vice Chairman Tom Freda; Councilors Jim Butler, Joe Green and Tom Dolan; Town
8 Manager Kevin Smith; Executive Assistant Kirby Wade

9
10 **CALL TO ORDER**

11
12 Chairman Farrell opened the meeting with the Pledge of Allegiance. This was followed by a moment of silence for all the
13 men and women who serve us here and abroad and all first responders and the men and women who serve us here and
14 abroad.

15
16 **PUBLIC COMMENT**

17
18 Chairman Farrell stated that the FY2015 Auditors Report was due to be presented to the Council but sense the Council was
19 down a few members, Chairman Farrell stated that they will be postponing the presentation.

20
21 Chairman Farrell introduced the update on the first apparatus plan. Chief Darren O'Brien presented. [See attached slides].
22 O'Brien stated that to do all of this, to lease purchased the aerial, to lease purchase the tanker, and to refurbish the existing
23 tower truck, all comes to about \$1.7-\$1.8 million dollar range. Chief O'Brien stated that he is outlaying the plan for the
24 Council. O'Brien stated that he is looking for an approval to move forward or whether the Council wants him to go back and
25 look at things again. The Council gave Chief O'Brien the ok to move forward.

26
27 There was no other public comment.

28
29 Councilor Dolan stated that he would like the Council to agree to ask the Town Manager to get together with the State
30 Department of Transportation to review the status of the intersection of the State roads 28 and 128, the intersection by the
31 triangle mobile. Councilor Dolan stated that it's a "failed intersection", especially during commuting hours. Councilor Dolan
32 stated that it would be a good idea to review the safety of that intersection. They are two state roads and the Town doesn't
33 have jurisdiction over. The Council agreed.

34
35 Chairman Farrell stated that the Town Council met with Senator Kelly Ayotte in regards to the PFOA issue, the
36 contamination of water. This is all occurring in Merrimack. They contamination is airborne. The fault is still being
37 determined and the DES is engaged. Chairman Farrell stated that there has not been testing in Londonderry but it is being
38 monitored very closely.

39
40 **PUBLIC HEARING**

41
42 Motion to move into Public Hearing made by Councilor Dolan and second by Councilor Green. Chair votes 5-0-0.

43
44 Chairman Farrell introduced Ordinance #2016-02, an amendment to the Municipal Code, Title I, Chapter XXIX, Dogs. Chief
45 Hart presented. Chairman Farrell stated that there is a leash law in place today. Town Manager Smith stated that in the

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46 packets there are three sections. Chairman Farrell stated that the Town has not had a full-time animal control officer for many
47 years. Chief Hart confirmed that is has been five years since the Town had a full-time animal control. Chief Hart stated that a
48 few weeks back an Ordinance was proposed in preparing for the Public Hearing. The Town Manager, assisted by Steve
49 Cotton, came to terms that there is already an Ordinance regarding dogs running at large in town. Chief Hart stated that they
50 took a look at the current Ordinance, which was revised in 1998. [See attached for both original and amended Ordinance].
51 Chief Hart stated that in regards to dog violence, the part-time Dog Officer, Mike Bennett, has responded to about thirty bites
52 a year. Councilor Green asked Chief Hart in regards to the penalty, it states that any person found violating the provisions of
53 the Ordinance shall be found guilty or a misdemeanor. Councilor Green asked what the though process was in terms of
54 removing that from the Ordinance. Chief Hart stated that the statute contemplates that it is a violation. A violation is a
55 specific type of designation. In New Hampshire we designate two types of crimes, felonies, which are typically demarked by
56 the level of punishment for it. This is for more than one year in prison. Misdemeanors, which are punishable by up to a year
57 in jail, we have a third designation which is technically not a crime, that is a violations. Chief Hart stated that what the Town
58 usually deals with are violations. A violation is still treated if it was a criminal offense. The same rights would accrue to you
59 as a charged defendant as it would accrue in a misdemeanor or a felony.

60
61 Chairman Farrell stated that most of the e-mails that the Council have received are about dogs doing their business where
62 they shouldn't be doing their business. It doesn't seem to be an issue if they have their dog under voice control and off the
63 leash.

64
65 Beulah Himes, 23 King Henry Drive, stated that she has been a resident for twenty-three years and a long term dog owner.
66 Himes stated that there is a contradiction in the running at large from section 1C to section 3. Himes stated that personally
67 she uses all the trails in town and they are awesome. She is able to control her dog and let her off the leash when no one is
68 around. When people come around she leashes her dog. Himes stated that she has never run into a problem with people
69 having their dogs off leash. Himes stated that prohibiting dogs off a leash all together is prohibiting any training away from
70 your home for your dog. Himes stated that it prohibits hunters who have hunter dogs.

71
72 Lisa Jennings, 28 Woodbine Drive, stated that she has a fear of dogs. Jennings stated that they have lived in Town for nine
73 years. On their street there are many dogs. Jennings stated that the dogs on her street chase after her and venture into her yard
74 and on her porch. Jennings stated that on athletic field's dogs go free as well. Jennings stated that she doesn't want to live in
75 fear of dogs.

76
77 Councilor Green stated to Chief Hart that he is concerned about changing the wording. Councilor Green stated that he is at
78 the athletic fields a lot and stated it is a growing problem.

79
80 The Council and members of the public discussed the leash aspect of dogs and whether a dog should be on a leash or not
81 when off of your own property.

82
83 Councilor Dolan left the meeting at 1:03:43.

84
85 Kathy Wagner, 7 Fiddlers Ridge Rd, stated that she is a former Town Councilor who voted on and Ordinance to not allow
86 dogs on the ballfield. Wagner stated that the ballfields are covered ibn today's Ordinance. Wagner stated that the schools
87 have banned dogs at all games.

88
89 Sue and John, 21 Windsor Blvd, stated that they have lived in town for a long time and they have a dog. Sue stated that they
90 take him for walks but they are very respectful of other people because they know not everyone loves dogs. Sue stated that
91 they let their dog run at Continental. John stated that the Town should not get a dog park. It is not socially good for dogs.

92
93 Chairman Farrell stated that they are trying to find a solution that works for everyone. The Council has received complaints
94 about people not using leashes or picking up after their dogs. Chairman Farrell stated that the Council is not looking to stop
95 people from what they are doing, they are trying to find an equal median.

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96

97 Curtis and Linda Boles, 57 Hovey Rd, stated that they feel everyone's passion. Boles stated that she thought that dogs were
98 not allowed on the LAFA fields. Councilor Green stated that the Ordinance says yes, but while children are present. Boles
99 stated that cemeteries should be a place where dogs are not allowed either. Boles stated that she has witnessed dogs doing
100 their business on gravestones. She is a dog owner and lover, however, there should be a no dog's sign like there is in Derry.
101 Councilor Butler asked if she has seen dogs in cemeteries on or off leash. Boles stated off. Councilor Butler asked Boles if
102 she would be up for a law in which dogs would be allowed in the cemetery if on a leash. Boles stated that it would be better if
103 no dogs were allowed at all. Mr. Boles stated that he came to the Town Council meeting two weeks ago and he has met with
104 Kevin and showed him the signs that Derry has.

105

106 Chairman Farrell stated that the Council will very likely continue the Public Hearing.

107

108 Sean Mcnamara, 49 Sherwood Rd, stated that he has been a UPS employee for a while. He has had a lot of run-ins with dogs.
109 Mcnamara stated that there has been an increase in dog bites. Mcnamara stated that it is a touchy subject.

110

111 Chairman Farrell stated that he is going to bring this issue back to the Council. Chairman Farrell stated that so far he has
112 captured that anything other than dogs, Fish and Game should be called. Londonderry has a Fish and Game officer. Chairman
113 Farrell stated that he believes there is some room in next year's budget with some savings the Town has had from the
114 healthcare, for a full-time animal control officer. It was also discussed for notices with the current leash law to go out with
115 dog licenses. Chairman Farrell stated that it is great if you can keep your dog under voice command. Chairman Farrell asked
116 chief Hart to work in some language around that. Chairman Farrell stated that there was also a conversation around fines.
117 Right now it is \$25. Chairman Farrell stated that maybe that's a good idea. Chairman Farrell stated that we need to make sure
118 we have the right language around these pieces. Chairman Farrell stated that the Council can look into dog parks. There are a
119 number of steps that we may not be aware of so that the Town doesn't end up with what is in Derry. Chairman Farrell
120 suggested to Steve Cotton to look into getting bag dispensers put out around town, such as the Rail Trail or entrance to the
121 Musquash. Chairman Farrell stated that the final issue he captured was cemeteries. There needs to be a plan. The answer is
122 not disrespecting someone's grave. Chairman Farrell stated that the issue needs to be explored.

123

124 Councilor Green stated that dog owners and their pets have rights that can't be overlooked. Councilor Green stated that this
125 has to do with people that are negligent. Councilor Green stated that he is concerned that calls regarding this matter happen
126 once a day. These are two separate issues. The leash law and the dogs in the cemeteries. Councilor Green stated that he is
127 okay with going forward with a no dogs in the cemetery law.

128

129 Councilor Freda stated that there is already a comprehensive law at the State level. Councilor Freda stated that it seems as
130 though we are just adding a layer where we already have a law.

131

132 Chairman Farrell stated that the Public Hearing will be continued. It will resume at the next Town Council meeting on May
133 2nd. The Ordinance will be fixed based on all input that was given. Motion to continue made by Councilor Green and
134 second by Councilor Butler. Chair votes 4-0-1.

135

136 Town Manager Smith stated that anyone who is interested in looking at the State Statue, you can visit the Londonderry
137 webpage and under the Police Department, click on Animal Control Officer, you can view all the state laws and fines.

138

139

NEW BUSINESS

140

141 Chairman Farrell introduced Resolutions #2016-03 - #2016-13, all Resolutions sanctioning recreation sports/teams. Chairman
142 Farrell suggested on voting all of them at once. Councilor Green motioned to accept Resolutions #2016-03 - #2016-13. Second
143 by Councilor Butler. Chair votes 4-0-1.

144

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145 Chairman Farrell introduced Order #2016-12 and Order #2016-13, both withdrawing from the Fire Truck Capital Reserve to
146 reimburse expenditures from our budgetary funds, which was presented by Finance Director Doug Smith. Councilor Green
147 motioned to accept Order #2016-12 and Order #2016-13 made by Councilor Green and second by Councilor Butler. Chair
148 votes 4-0-1.

149
150 Chairman Farrell introduced Order #2016-14, the distribution of School impact fees which was presented by Doug Smith.
151 Smith stated that this Order is for the withdraw impact fees form the school impact fee account. Councilor Butler motioned to
152 accept Order #2016-14 and second by Councilor Green. Chair votes 4-0-1.

153
154 Chairman Farrell introduced Order #2016-15, the expenditure of Maintenance Trust Fund for various projects. Steve Cotton
155 presented the three items. Councilor Green motioned to approver Order #2016-15 and second by Councilor Butler. Chair votes
156 4-0-1.

157
158 Chairman Farrell introduced Resolution #2016-14, a Resolution relative to the amendment of the adoption of Energy System
159 Exemptions (solar and wind-powered). Town Manager Smith presented. Motion to waive the first reading and schedule a
160 public hearing for May 2nd made by Councilor Green and second by Councilor Butler. Chair votes 4-0-1.

161

APPROVAL OF MINUTES

162

163

164 Councilor Green stated that there were two comments that he made and that were not included in the minutes. One was
165 asking for a check in at each meeting to get an updated on the mitigation plan and the second was to look at the senior citizen
166 transportation issue in town and possibly doing something in-house. Chairman Farrell stated that the minutes will be
167 amended and the Minutes from April 4, 2016 at the next Town Council meeting on May 5th.

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169

ADJOURNMENT

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171

172 Motion to adjourn made by Councilor Green and second by Councilor Butler. Chair votes 4-0-1.

173

174 Notes and Tapes by: Kirby Wade Date: 04/18/2016

175 Minutes Typed by: Kirby Wade Date: 04/21/2016

176 Approved by: Town Council Date: 05-02/2016

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182

LONDONDERRY FIRE DEPARTMENT

Tanker & Aerial
Apparatus Plan

Plan Overview

- ▣ Reprioritized our fleet plan to address the communities needs.
- ▣ Identified funding shortfalls in the capital account for fire apparatus.
- ▣ Collaboration between Fire Chief, Town Manager and Finance Director on lease purchasing plan.
- ▣ Identified a need to incorporate a tanker into our current fleet of apparatus.
- ▣ Recognized current and future development, and identified the need for specialized resources.

\$1.5 - \$1.7 Million



2001 Pierce® Aerial Tower

**\$400,000 - \$500,000
(Refurb & 10 year cert)**



Tanker - \$350,000 - \$450,000



Ladder - \$800,000 - \$950,000



2500 Gallon Tanker



2500 Gallon Tanker



2500 Gallon Tanker

- Kenworth T880 Chassis
- 2500 gallon water tank
- 1250 GPM Mid-Ship Waterous Pump
- (3) 10" dump valves, 1 each side, 1 rear
- 2500 gallon porta-tank
- Husky 3 Class A foam system
- 2 Crosslay hose beds
- Front bumper attack line



2500 Gallon Tanker



107' Aerial Ladder Truck



107' Aerial Ladder Truck

Aerial Operations

- 107' vertical reach
- 100' horizontal reach
- 750 lb tip load dry
- 500 lb tip load wet
- 1500 gpm flow
- 35 mph wind operation / $\frac{1}{4}$ " ice
- Store front blitz (30° vertical nozzle angle)
- Below grade operation (-10°)
- 100 lb of additional equipment allowance at tip
- Heavy-duty high-strength steel



Sole Source Provider Benefits

- Administrative time and review process is streamlined.
- Easier maintenance and upkeep
- Working relations with dealer and manufacturer.
- TAC4 and Command Zone features are exclusive to Pierce.
 - Command Zone program allows us to diagnose problems before scheduling repairs, minimizing labor costs.
 - TAC4 suspensions provide increased stability, easier maneuverability, shorter stopping distances, and reduced maintenance.

