

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1
2 **June 6, 2016**

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

14
15 **PUBLIC COMMENT**

16
17 Chairman Farrell opened up the floor to the public. There was no comment from the public.

18
19 Chairman Farrell invited up Police Chief Bill Hart to present the LPD members who are being promoted. Chief Hart
20 introduced Sgt. Jason Breen who is being promoted to Lieutenant; Sgt. Patrick Cheetham who is being promoted to
21 Lieutenant; Detective Dan Hurley who is being promoted to Sergeant; Officer Randy Duguay who is being promoted to
22 Detective; and Officer Keith Lee who is being promoted to Sergeant. Chief Hart, the Council, and members of the public
23 congratulated all officers on their promotions.

24
25 Chief Hart also recognized Lt. Tim Jones for his years of service to the Police Department. Lt. Jones retired from LPD
26 on Wednesday, May 31, 2016. The Council thanked Lt. Jones for his years of service.

27
28 Chairman Farrell read in a Proclamation recognizing school crossing guards in the Town of Londonderry. The Council
29 presented the Proclamation to the crossing guards present at the meeting.

30
31 Councilor Dolan thanked the families that were present to support those being recognized and promoted.

32
33 **PUBLIC HEARING**

34
35 Chairman Farrell introduced the continuation of Ordinance #2016-03, an amendment to the Municipal Code, Title I, Chapter
36 XIV, Noise Ordinance to the next Town Council meeting on June 20th. Motion to continue the Public Hearing made by
37 Councilor Green and second by Councilor Butler. Chair votes 5-0-0.

38
39
40 **OLD BUSINESS**

41
42 **~ NONE ~**

LONDONDERRY TOWN COUNCIL MEETING MINUTES

NEW BUSINESS

44
45
46
47 Chairman Farrell introduced Resolution #2016-15, a Resolution relative to the revision of general assistance guidelines [**see**
48 **attached**]. This Resolution was presented by Finance Director Doug Smith. Smith stated that this Resolution is asking the
49 Council to approve the requested adjustments to emergency assistance. Smith referred to the attachments and stated that the
50 schedule hasn't been amended since its original adoption in 2004. Motion to approve Resolution #2016-15 made by
51 Councilor Green and second by Vice Chairman Freda. Chair votes 5-0-0.

52
53 Chairman Farrell introduced Order #2016-20, an Order relative to the withdrawal of the Cable Equipment Capital Reserve
54 Funds. Order was presented by Finance Director Doug Smith [**see attached**]. Smith stated that this money is sharing a
55 separate component of the franchise agreement the Town has with Comcast that annually provides for a \$28,000 payment
56 into the towns Capital Reserve Account. This agreement shares some of the funding with the School District. Motion to
57 approve Order #2016-20 made by Councilor Dolan and second by Councilor Green. Chair votes 5-0-0.

58
59 Chairman Farrell introduced Orders #2016-17, #2016-18 and #2016-19, the licensing of a junkyard pursuant to RSA 236 for
60 S & S Metals, Londonderry Salvage and Murray's Auto. Building Inspector Richard Canuel presented. Canuel stated that
61 after his year-end inspections with the yards, there have been no infractions observed and right now all of the yards are
62 operating within the conditions of their license. Canuel recommended that the Council approve all three licenses. Motion to
63 approve Orders #2016-17, #2016-18 and #2016-19 made by Councilor Green and second by Councilor Butler. Chair votes
64 5-0-0.

65
66 Canuel stated that it has been brought to his attention that the license application includes a requirement for the applicant to
67 include their SSN #. The packet was posted on the town website. Canuel stated that to change it so the applicant doesn't have
68 to put their SSN # on it, it requires action by the Council based on the Ordinance. Chairman Farrell stated that the Council
69 will take the required action. It is a Town and State form. Chairman Farrell stated that no one should put their SSN # on
70 anything nowadays and it has been a public document for over ten years.

71
72 Chairman Farrell introduced the first reading of Ordinance #2016-04, an amendment to the Zoning Ordinance relative to
73 rezoning Map 16, Lots 9, 9-5, 9-6, 9-7, 9-8 and 9-9, 13 through 23 Auburn Road. Town Planner Colleen Mailloux presented.
74 Mailloux stated that this rezoning request has been recommended by the Planning Board. There was a five lot residential
75 subdivision and the lots are split-zoned, partly the first two-hundred and fifty (250) feet of the parcel is zoned AR-1 and the
76 remaining portion is zoned industrial, so the request is to rezone the entire parcel to be AR-1 zone. Councilor Green asked if
77 the abutters have been notified. Mailloux stated that they will be notified after tonight. The certified letters will be going out.
78 Councilor Green stated that he would like to have the certified letters back before the Council approves.

79
80 Chairman Farrell introduced the request for issuance of a building permit on a Class VI road (RSA 674:41), Map 17, lot 42A,
81 36 Jack's Bridget Road. Mailloux and Canuel presented. Canuel stated that this came about because we don't have many
82 properties developed on Class VI roads and in the past it has been common practice for someone who wanted to develop on
83 their property that didn't have access to a Class V or better road, proceed to the Zoning Board with a request for a variance.
84 Once that variance is granted and they file what is known as a release of municipal liability with the Registry of Deeds, the
85 building permit is issued and they proceed with construction. Canuel stated that is not the way the statute reads. It reads that
86 no building permit shall be issued for properties on a Class VI road until after review by the Planning Board and approval by
87 the Town Council. Mailloux stated that this has gone to the Planning Board for their review and comments. Mailloux stated
88 that there must be a waiver of municipal liability that is filed. The Council was provided a sample of the language. Mailloux
89 stated that they would like to see approval by the Town Council this evening. [**See attached map**]

90
91 Town Manger Smith stated that the Council has to approve the stipulations from the Planning Board as part of this. Vice
92 Chairman Freda proposed a motion to approve a request for a building permit on the Class IV road located in reference to the
93 memorandum dated to the Town Council by the Building Department on June 2, 2016 subject to all the conditions and
94 requirement in that memorandum. Councilor Green corrected Vice Chairman Freda's motion to read class VI and not

LONDONDERRY TOWN COUNCIL MEETING MINUTES

95 Class IV. The motion was second by Councilor Green. Chair votes 5-0-0.

96

97

APPROVAL OF MINUTES

98

99 Approval of the Town Council minutes from May 16, 2016 made by Councilor Green and second by Vice Chairman Freda.
100 Chair votes 5-0-0.

101

102

LIAISON REPORTS

103

104 Councilor Butler stated that at the last Heritage meeting, they found out that the contract with the Conservation Commission
105 for spraying the bittersweet in the Town Forest was terminated. Councilor Butler stated that he believes it was a five year
106 contract. Councilor Butler stated that he finds cancelling the contract very unprofessional and recommended to have the
107 Conservation Commission come to the Town Council meeting and meet with the Town Council as an agenda item. Chairman
108 Farrell agreed.

109

110 Town Manager Smith asked the Council if they have a preference date/time about meeting with seniors to discuss senior
111 transportation. The Council is looking to hold a meeting at the Senior Center. Chairman Farrell suggested circulating an e-mail
112 and as long as it's done by budget season, they will be good.

113

114

ADJOURNMENT

115

116 Motion to adjourn made by Vice Chairman Freda and second by Councilor Green. Chair votes 5-0-0.

117

118 Notes and Tapes by: Kirby Wade Date: 06/06/2016

119 Minutes Typed by: Kirby Wade Date: 06/08/2016

120 Approved by: Town Council Date: 06/20/2016

CURRENT

APPENDIX A

ALLOWABLE LEVELS OF ASSISTANCE PAYMENTS FOR THE TOWN OF LONDONDERRY

MONTHLY SHELTER AND LIVING EXPENSE ALLOWANCES					
Rooms	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Rent w/o heat	\$675.00	\$775.00	\$875.00	\$1,000.00	\$1,200.00
Rent w / heat	\$775.00	\$875.00	\$1,000.00	\$1,300.00	\$1,500.00
Electric	Current month	Current month	Current month	Current month	Current month
Heating fuel	100 gals	100 gals	100 gals	100 gals	100 gals

* Amounts are based on current market value.

FOOD AND NON-FOOD LIVING EXPENSE ALLOWANCES				
Household Size	Weekly Food	Weekly Non-Food	Monthly Food	Monthly Non-Food
1	\$25.00	\$6.25	\$100.00	\$25.00
2	\$35.00	\$7.50	\$140.00	\$30.00
3	\$35.00	\$7.50	\$140.00	\$30.00
4	\$45.00	\$10.00	\$180.00	\$40.00
5	\$45.00	\$10.00	\$180.00	\$40.00
6	\$65.00	\$10.00	\$260.00	\$40.00
7	\$65.00	\$12.50	\$260.00	\$50.00
8	\$75.00	\$12.50	\$300.00	\$50.00
Add each	\$5.00	N/a	\$20.00	\$2.00

* Amounts are based on current market value.

Burial Allowance: \$500.00

Telephone Allowance: \$30.00

Reviewed and established by vote of the Londonderry Town Council on July 22, 2004.
Reviewed and approved with no change: November 17, 2008

PROPOSED

APPENDIX A

ALLOWABLE LEVELS OF ASSISTANCE PAYMENTS FOR THE TOWN OF LONDONDERRY

MONTHLY SHELTER AND LIVING EXPENSE ALLOWANCES					
Rooms	0 Bedroom	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Rent w/o heat	\$775.00	\$895.00	\$1,005.00	\$1,200.00	\$1,380.00
Rent w / heat	\$895.00	\$1,095.00	\$1,250.00	\$1,500.00	\$1,625.00
Electric (In some cases utility supplier will disconnect unless a more substantial sum is paid)	Current month	Current month	Current month	Current month	Current month
Heating fuel (Market Rates)	100 gals	100 gals	100 gals	100 gals	100 gals

* Amounts are based on current market value.

FOOD AND NON-FOOD LIVING EXPENSE ALLOWANCES				
Household Size	Weekly Food	Weekly Non-Food	Monthly Food	Monthly Non-Food
1	\$40.00	\$10.00	\$160.00	\$40.00
2	\$80.00	\$12.00	\$320.00	\$45.00
3	\$120.00	\$15.00	\$480.00	\$50.00
4	\$160.00	\$20.00	\$640.00	\$50.00
5	\$200.00	\$25.00	\$800.00	\$55.00
6	\$240.00	\$25.00	\$960.00	\$55.00

For each additional household member, ADD \$10 per wee/\$40 per month. No additions for non food items

* Amounts are based on current market value.

Burial Allowance: \$800.00
Telephone Allowance: \$40.00

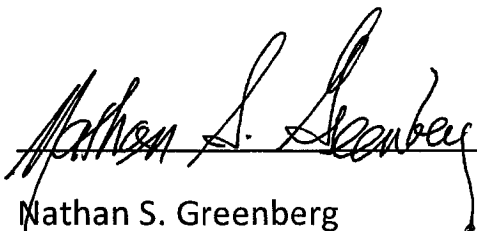
Reviewed and established by vote of the Londonderry Town Council on July 22, 2004.
Reviewed and approved with no change: November 17, 2008
Reviewed and approved with changes: June 6, 2016 (Resolution 2016-15)

**AGREEMENT FOR THE DISTRIBUTION OF PEG ACCESS PROGRAMMING FUNDS TO THE
LONDONDERRY SCHOOL DISTRICT**

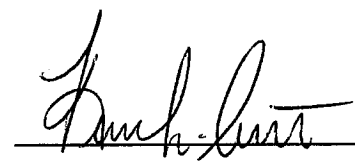
This agreement, dated June 1, 2016, provides for the annual distribution of Public, Educational and Government (PEG) Access programming funds by the Town of Londonderry (Town) to the Londonderry School District (School District).

The Town, in accordance with Section 7.4 of its franchise agreement with Comcast, receives annual payments of \$28,000 to provide funding for PEG Access capital funding. The Town agrees to distribute \$7,500 of this funding to the School District, annually during July of each fiscal year beginning July 1, 2016, contingent upon continued funding of PEG Access capital funding by Comcast at its current level. The Town will also distribute \$5,000 to the School District subsequent to the execution of this agreement and before June 30, 2016 as the initial installment hereunder. Should the Town's franchise agreement with Comcast not provide for such PEG Access capital funding after the current agreement expires on June 30, 2019, or if the amount of such funding is changed in future franchise agreements, the Town and School District agree to open discussions pertaining to this agreement for the purpose of agreeing on the level of future distributions by the Town to the School District, if any. The Town's distribution of PEG Access capital funding to the School District represents the Town's total obligation for providing support to the School District. The Town shall not be obligated to provide additional funding to the School District from the Town's annual operating budget.

As the Town currently places the annual PEG Access capital funding payments received from Comcast in the Town's Cable Division Equipment Capital Reserve fund, the School District acknowledges that all disbursements from this capital reserve require approval by the Londonderry Town Council. The Town shall be responsible for submitting the necessary Town Council request for withdrawal of the annual funding to be provided to the School District in July of each fiscal year.


Nathan S. Greenberg

Superintendent of Schools


Kevin H. Smith

Town Manager

