

**TOWN COUNCIL
AGENDA
May 04, 2009**

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry. Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. *All regular meetings will be adjourned by 10:00pm unless otherwise notified.*

7:00 PM

I. CALL TO ORDER – PUBLIC SESSION

II. PUBLIC COMMENT

- A. Proclamation “Building Safety Week”, May 3-9, 2009
- B. Interviews of MAA Applicants

III. OLD BUSINESS

IV. NEW BUSINESS

- A. Karen Marchant – Review of Assessing Information
- B. Resolution 09-05 – Relative to an Amendment to the Municipal Code, Title VI, Chapter XXVIII, Website Policy
- C. Resolution 09-06 – Relative to the Awarding of Contracts for Solid Waste/Recycling Collection and Disposal

V. APPROVAL OF MINUTES

- A. Minutes of Council Public Meeting of 4/20/09.

VI. OTHER BUSINESS

- A. Liaison Reports
- B. Town Manager Reports
- C. Board/Committee Appointments/Reappointments

VII. ADJOURNMENT

MEETING SCHEDULE:

- A. Town Council Meeting, May 18, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM
- B. Town Council Meeting, June 1, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM
- C. Town Council Meeting, June 15, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM

Introduced: 05/04/09
Second Read/Public Hrg.: waived
Adopted: 05/04/09

RESOLUTION 2009-05
AN AMENDMENT TO THE MUNICIPAL CODE
Title VI – Town Policy, Chapter XXVIII-Website Policy

WHEREAS the Town Council wish to establish standards for information posted on the Town Website, including links, and inform the public about said standards; and

WHEREAS the standards set forth are established to designate the Town's Website as a resource to provide information about the Town's services and related activities;

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Londonderry hereby adopts Title VI, Municipal Code of the Town of Londonderry, Chapter XXVIII Website Policy as attached.

Mike Brown - Chairman
Town Council

Meg Seymour
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
05/04/09

CHAPTER XXVIII – WEBSITE POLICY

SECTION I AUTHORITY

- A. Section 4.6 Subsection A of the Londonderry Town Charter states that the Town Manager shall “be responsible for the administrative and financial affairs of the Town and shall carry out the policies enacted by the Council”.
- B. Said Charter requires that the Town Council act upon policy matters.

SECTION II PURPOSE

- A. To establish the guidelines for posting information and links on the Town of Londonderry Website

SECTION III GENERAL WEBSITE PURPOSE & GOALS

- A. The purpose of the Town of Londonderry's Web site is to provide information about the Town's government services and related activities. In establishing and maintaining its official Web site, the Town does not intend in any manner to create a forum or other means by which public discourse, exchange of opinions, or discussion on issues of any nature may occur. Rather, the sole and limited purpose of the Town's Web site and permitted external links is to provide information of a factual nature about the Town of Londonderry including various services and resources available within and around the Town, or as may be available from other governmental agencies.
- B. The goals of the Web site are to encourage increased citizen participation in Town government by making public information more readily available to them, provide electronic access to Town information through a logical single point of entry, and to keep the public informed of local events.

SECTION IV LINKS AND POSTING INFORMATION

- A. The Town's Web site may provide links to Web sites outside the Town's Web site, or post information that also serve the purpose of encouraging citizen participation in government and informing the public of useful information and local events.

CHAPTER XVIII - WEBSITE POLICY
SECTION IV (CONTINUED)

- B. The Town is not responsible for and does not endorse the information on any linked Web site unless the Town's Web site states otherwise.
- C. The following criteria will be used to decide whether to grant requests for Town Web site links.
- D. If a particular request does not fit any of the following criteria, the Town Manager or designee will decide whether to approve the request. The Town Manager or designee will approve the requested Web site link if it serves the general purpose of the Town's Web site. The Town of Londonderry reserves the right to remove a link to content deemed obscene or inappropriate.
- E. The Town's Web site may provide links to Web sites for or information about:
- Government and educational institutions;
 - Organizations with some relationship to the Town (including but not limited to: organizations contracting with the Town, organizations sponsoring Town activities or programs, and organizations participating in Town activities or programs);
 - Generally recognized community organizations;
 - Organizations providing information about art, cultural, and sporting activities in the Town's area;
 - Organizations providing information about fundraisers, events, and activities which promote or sustain activities associated with municipal or school purposes, goals and objectives;

CHAPTER XVIII - WEBSITE POLICY

SECTION V PROHIBITED ACTIONS

- A. The Town's Web site will not provide links to Web sites for:
- Candidates for local, state, or federal offices;
 - Political organizations or other organizations advocating a position on a local, state, or federal issue;
 - Corporate or other for-profit organizations unless they fit any of the criteria stated above; and
 - Individual or personal home pages.

SECTION VI WEBSITE DISCLAIMER

- A. The materials and information contained on or obtained from this Web site are distributed "as is" without warranties of any kind, either express or implied, including without limitation, warranties of title or implied warranties of merchantability of fitness for a particular purpose. Information contained on this Web site, including information obtained from external links thereon, is provided without any representation of any kind as to accuracy or content and should be verified by the user.
- B. The Town of Londonderry is not responsible for any special, indirect, incidental or consequential damages that may arise from the use of, or the inability to use, the Web site and/or the materials contained on the site whether the materials contained on the Web site are provided by the Town of Londonderry, or by a third party. Data contained on the Web site are subject to change without notice.

SECTION VII SEVERABILITY

- A. In the event that any Section or provision of this Policy is declared to be illegal, void or invalid in whole or in part by a court of competent jurisdiction after all appeals, if any, have been exhausted, all other sections and provisions of this Policy shall remain in full force and effect to the same extent as if that section or provision had never been incorporated into this Policy.

Introduced: 05/04/09
Second Read/Public Hearing: waived
Adopted: 05/04/09

RESOLUTION 2009-06

A Resolution Relative to the
*Award of Contracts for
Solid Waste Disposal and Recycling Services*

WHEREAS the Town's current contracts for solid waste and recycling collection and disposal are to expire, with extensions to said contracts available to the Town; and

WHEREAS the Department of Public Works and Solid Waste Committee collaborated to develop a Request for Proposal for these services; and

WHEREAS the Town received proposals from qualified vendors which result in significant cost savings to the Town;

NOW THEREFORE, BE IT RESOLVED, that the Town Council of the Town of Londonderry hereby authorizes the Town Manager to execute documents to award solid waste collection (automated), recycling (dual stream), and disposal contracts to Allied Waste Services.

Mike Brown - Chairman
Town Council

Meg Seymour
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
05/04/09

TOWN COUNCIL MEETING
April 20, 2009

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

Notice: Power outage experienced at this meeting no cable/video/recorded meeting minutes.

PRESENT: Town Council: Chairman Mike Brown: Vice Chairperson, Kathy Wagner; Councilors: Paul DiMarco, Sean O’Keefe, Brian Farmer; Town Manager Dave Caron; Executive Assistant, Margo Lapietro.

CALL TO ORDER – PUBLIC SESSION

Chairman Brown opened the meeting at 7:02 PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country, firefighters and police officers serving this community and around the country.

PUBLIC COMMENT

OLD BUSINESS

NEW BUSINESS

Request for CDBG funding – Joe DeCarolis – Attorney John Michels and Developer Joe DeCarolis were in attendance. Town Manager Caron explained the Town is eligible to apply for up to \$500,000 in CDBG funds annually. Staff has reviewed the Capital Improvement Plan and the Master Plan and does not see a need for these funds at this time. There is no cost sharing requirement. Joe DeCarolis plans to build 196 units of workforce housing along Stonehenge Road. He has discussed his project conceptually with the Planning Board. Mr. DeCarolis needs approval from the Council to apply for the application grant. Discussion ensued. **Councilor Wagner made a motion to conditionally approve the grant application upon the following:**

1. Any completed application would still be subject to final approval after required public hearings;
2. Council authorization should not be considered an endorsement of the project, nor does it bind the Town’s land use boards to approve any subsequent applications placed before those Boards. Council’s vote 5-0-0.

Town Council FY10 Goals and Objectives – Chairman Brown said he would like to consider a manageable number of goals tonight and discussion ensued.

He stated that four Councilors had similar goals for the FY11 budget. Councilor O’Keefe stated that he would like the operating budget to be level funded with no increases. This was initially echoed by Councilors Brown and Farmer. Councilor DiMarco suggested not increasing the budget more than 2%. Town Manager Caron cautioned Councilors that we have many “unknowns” particularly the state is anticipating increasing the town’s portion of the NH Retirement contribution and also that several union contracts remain open for negotiation. All agreed to no more than a 2% increase in the operating budget for FY11. Councilor O’Keefe stated he wanted the Councilors to be aggressive with the goal.

Chairman Brown, Councilor’s DiMarco and O’Keefe all had opinions on redesigning the Council meetings. It was agreed to end meetings by 10:00 PM. If an item is of importance and could take up considerable time it was agreed to change the agenda before publicizing it. It was also agreed to have regular meetings scheduled in June and August, with possibly only one meeting in July; all concurred to have more meetings in the summer if necessary to handle all of the business at hand.

Economic Development was the number one goal last year and the implementation plan is not yet complete. Councilors Brown and Wagner listed it as a goal again for this year. Councilor Wagner suggested that Community Development Director Andre Garron give a brief update at a Town Council Meeting each month. The Council concurred to receive an update at its 2nd meeting of each month.

Councilor Wagner suggested that the Chiefs of the police and fire departments have a long term plan in place to look at departmental needs in light of numerous economic development projects planned for the community. All Councilors agreed and Town Manager Caron said he would try to submit a draft plan in by late August.

Councilors Farmer and Brown wanted a defined goal to restructure the Londonderry Police Department by reducing a management level position. Town Manager Caron observed that the new Police Chief should have input and be given consideration in this process. Consensus was to include the new Police Chief in these discussions.

Chairman Brown suggested implementing the School District’s energy savings model. Town Manager Caron stated that the Energy Committee is proceeding with this project, but cautioned that the Town will not experience the magnitude of savings as the school district due to the differences in facility space and age of structures. The Council concurred, and Chairman Brown requested that it be implemented no later than October 31, 1009.

Action items consisted of having a budget information on the Town’s website; scheduling joint meetings with the School Board and Budget Committee; reviewing a plan for the

future issuance of long-term debt; implementing a competitive bid process for the future construction of North Fire Station, to replace the construction management method; and emphasis on generating additional revenues for the Town.

Charter Discussion – SB2 - Chairman Brown stated that two Councilors wanted to discuss how the Budgetary Town Meeting process operates, and whether it ought to be changed. Town Manager Caron advised that under state statutes for a charter community, the question to transition to an Official Ballot system would have to be studied by a Charter Commission, which means that any changes would not be voted on until the 2011 ballot. Councilor O’Keefe cited the declining numbers attending the annual Town Meeting and said that he has heard from a number of taxpayers in Town who expressed no interest in attending the Saturday session. He brought up the issue of a petition that was submitted in a prior year. Councilor Farmer stated the petition was not allowed because it was illegally written. He also said we have a dwindling number of people coming to the Annual Town Meeting, we might see an uptake on Tuesday if we eliminate the Saturday meeting. Councilor Wagner said she supports the Annual Town Meeting and if there is a true passion to change Town government it should be initiated through a citizen’s petition. Chairman Brown suggested asking the community if they are OK with the way town government operates; let the voters make the decision. Town Manager Caron explained the time line to avoid the expense of a Special Town Meeting; the Council can decide to proceed with a Committee at any time between approximately 9/11/09 and 1/8/10; a citizens’ petition drive can begin earlier, and would require the signatures of 357 registered voters. At next year’s Town Meeting the voters could authorize the creation of a committee, and vote for committee members at the same time. He stated he will have a final time line for both the petition and Council-initiated processes at the May 4 Council meeting.

APPROVAL OF MINUTES

Minutes of Council’s Organizational Meeting of March 14 and Council Public Meeting of 4/6/09. Councilor DiMarco made a motion to accept the meeting minutes of 3/14/09, seconded by O’Keefe Councilor, Council’s vote 5-0-0.

Councilor DiMarco made a motion to accept the meeting minutes of 4/6/09, seconded by Councilor O’Keefe, Council’s vote 4-0-1 with Councilor Farmer abstaining.

OTHER BUSINESS

Liaison Reports –

Councilor Wagner attended the Old Home Day Meeting and announced that this year’s Grand Marshall is Jim Elafonte. She stated that fundraising is down and they will have to cut some activities. She said that the \$7K budget allocated this year is not enough and she would like to talk to Council at some point in time about bringing it back up to \$10K.

Chairman Brown met with the Solid Waste Advisory Committee and they discussed the

“Request for Proposals” that were received from a number of companies. They have a variety of options and plan to present their suggestions to Council on May 4. Councilor Wagner suggested Councilors receive the information prior to the meeting so they can have a chance to review the information that will be presented.

Councilor Farmer said the Economic Development Task Force is meeting tomorrow at the Londonderry High School Cafeteria at 7:00 PM. They are accepting input for marketing plans and the public is invited. The meeting is being lead by Community Development Director Andre Garron and the marketing firm hired by the Town.

Town Manager Reports –

Town Manager Caron said the Energy Taskforce will have its report by the end of May; Carolyn O’Connor is working with PSNH to determine if retrofitting street lights would be an appropriate use of the grant funds.

Board/Committee Appointments/Reappointments - MAA Applicant Review
Chairman Brown stated that John Robinson had withdrawn his application. He also stated that he will review the names in public tonight and the candidates selected for interviews will occur in public at the May 4 meeting, with the Council appointment made on either May 4 or 18. Councilors expressed their criteria in choosing a candidate and 4 individuals were selected for interviews:

Earle Rosse; Warren Jennings; Larry Stenger and Chuck Tilgner

Councilor Wagner thanked all 13 applicants for applying.

ADJOURNMENT

Councilor DiMarco made a motion to adjourn at 9:50 PM, seconded by Councilor O’Keefe, Council’s vote 5-0-0.

Notes and Tapes by: Margo Lapietro Date: 04/20/09

Minutes Typed by: Margo Lapietro Date: 04/22/09

Approved; Town Council Date: