

**TOWN COUNCIL
AGENDA
August 17, 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 HEARING

- A. Ordinance #2009-03, Relative to an Amendment to the Zoning Ordinance Regarding Small Wind Energy Systems

III. PUBLIC COMMENT

IV. OLD BUSINESS

- A. Economic Development Update – A. Garron
B. Chief Hart – Police Department Staffing
C. Londonderry Trailways Initiative
D. Charter Revision Discussion
E. Discussion: Reconsideration of Order #2009-11

V. NEW BUSINESS

- A. Resolution #2009-01a – Relative to the Acceptance of Funds from Tarrytown Real Estate Holdings to Purchase Conservation Land
B. Municipal Services Impact Study - Outline

VI. APPROVAL OF MINUTES

- A. Minutes of Council Public Meeting of 8/03/09

VII. OTHER BUSINESS

- A. Liaison Reports
B. Town Manager Reports
C. Board/Committee Appointments/Reappointments
 1. Planning Board & ZBA Alternate Positions

VIII. ADJOURNMENT

MEETING SCHEDULE:

- A. Town Council Meeting, August 31, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM
- B. Town Council Meeting, September 21, 2009, Moose Hill Council Chambers, Town Hall, 7:00 PM

Introduced: 8/03/09
Public Hearing: 8/17/09
Adopted: x/xx/xx

ORDINANCE 2009-03
RELATING TO AN AMENDMENT TO THE
ZONING ORDINANCE REGARDING
SMALL WIND ENERGY SYSTEMS

WHEREAS the Planning Board and Staff have undertaken the process of systematically reviewing and updating sections of the Zoning Ordinance; and

WHEREAS this process has resulted in the development of requirements for the construction and use of small wind energy systems; and

WHEREAS the Planning Board has recommended that the Town Council act favorably upon this revision;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Town Zoning Ordinance be amended to reflect the creation of new Section 3.15 Small Wind Energy Systems, as recommended by the Planning Board.

Michael Brown, Chairman
Londonderry Town Council

A TRUE COPY ATTEST:

Marguerite Seymour - Town Clerk
x/xx/xx

Town Seal

RESOLUTION 2009-01a

A Resolution Relative to
The Acceptance of Funds from Tarrytown Real Estate Holdings to Purchase Conservation Land

First Reading: 08/17/09
Adopted: 08/17/09

WHEREAS Elliot Health System was required to mitigate wetlands impacts resulting from its development on Buttrick Road, and offered to donate Lot 8-22 (High Range Road, 36 acres) as Conservation Land; and

WHEREAS the Town Council, at its January 19, 2009 meeting voted to authorize the Conservation Commission to accept the donation; and

WHEREAS Tarrytown Real Estate Holdings, Inc. would rather assign its Purchase and Sale rights to the Town, along with funds necessary to allow the Conservation Commission to purchase Lot 8-22; and

WHEREAS the provisions of RSA 36:A-4 allow the Conservation Commission to receive gifts of money and property, and to purchase property; said property and gifts to be managed and controlled by the Commission; and

WHEREAS the Conservation Commission held the requisite public hearing on July 28, 2009 and subsequently voted to support this action;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Conservation Commission is hereby authorized to accept the Purchase and Sale rights and a donation from Tarrytown Real Estate Holdings to acquire Lot 8-22 (High Range Road) by Quitclaim Deed from Colby-Litchfield, LLC.

Mike Brown - Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
08/17/09

| |
|--|
| <p style="text-align:center">TOWN COUNCIL MEETING August 3, 2009</p> |
|--|

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

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

CALL TO ORDER – PUBLIC SESSION

Chairman Brown opened the meeting at 7: 00 PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women serving this community and around the country.

PUBLIC COMMENT

E911 Presentation on Street Numbering Process - Firefighter Jim Bilodeau and GIS Manager John Vogl introduced a slide presentation. Jim Bilodeau said the Town received a memo dated 6/9/09 from the NH Dept. of Public Safety, Bureau of Emergency Communications identifying numerous streets that are considered non-compliant with the National Emergency Number Assoc. standards. Staff is planning to create an internal task force to study and recommend action to the Council. Staff needs direction on proceeding to implement the Task Force and complete the Charge. Mike Kelleher & Stacy Zalinski represented NH E-911 and explained the suit brought against the Town of Swanzey, regarding duplicate named roads. Councilor O’Keefe asked how the process was going to be determined with the name changes. Councilor Farmer asked if there were a lot of properties having their numbers changed. J. Bilodeau responded there were some, particularly on Constitution Dr. Councilor Wagner stated that she was happy they were giving residents a two year window due to the changes involved. She stated that this is a safety issue not an inconvenience. She stressed that people have to realize that 911 is located in Concord, it is not local therefore they have to be specific when calling in their location. M. Kelleher said when we receive mutual aid the responders are not necessarily familiar with the area so they will need specifics. Councilor Brown brought up the subject of GPS and mapping companies getting updated information. He also questioned that other communities are doing this. S. Zalinski confirmed the information is being passed on and all other communities are implementing the program. Councilor Wagner questioned how long it would take the GPS and mapping companies to implement the changes; John Vogl stated it would take months. Councilor Wagner stated we should involve older residents and the Historic Society for the proposed task force. Councilor Farmer questioned who would have the authority to make the name and number changes. Town Manager Caron stated the responsibility has been delegated to the Planning Board. At some point the Council has to make a decision to keep that decision with the Planning Board or bring it back to the Council.

Resolution 2009-15 – Street Naming System Task Force, - First reading on 8/3/09 read by Councilor O’Keefe. Councilor O’Keefe made a **motion to accept the Resolution, seconded by Councilor Farmer**. Chairman Brown read the Charge. **Council’s vote 4-0-0.**

OLD BUSINESS

None.

NEW BUSINESS

Ordinance #2009-03 – Relative to an Amendment to the Zoning Ordinance Regarding Small Wind Energy Systems – Councilor Farmer read the first hearing, second hearing scheduled for 8/17/09. **Councilor Farmer made a motion to schedule August 17 hearing, seconded by Councilor O’Keefe; Council’s vote 4-0-0.**

APPROVAL OF MINUTES

Minutes of Council’s Public Meeting of 7/13/09. Councilor O’Keefe made a motion to accept the meeting minutes of 6/22/09, seconded by Councilor Wagner; Councils vote 3-0-1.

OTHER BUSINESS

Liaison Reports – Councilors O’Keefe and Farmer did not have anything to report.

Councilor Wagner said the seniors had two meetings; they don’t have a computer so are behind in their minutes. They are still working on the low cost housing for seniors. She was notified that some of the seniors are still having trouble with trash; she instructed them to call Town Hall. Old Home Day will start in less than 2 weeks. She asked Town Manager Caron if the Town plans to spray for mosquitoes. He said if there is any indication of problems with EEE or West Nile virus then spraying will take place. She informed the Council that the School District is planning on doing an oral history of Londonderry.

Chairman Brown attended the Heritage Commission meeting. The Workout Club had a design review for an expansion that was changed due to the economy. Discussion ensued with the Committee about a House Bill to have a tax credit for historical properties. Replacement of signs on the “Apple Way” was discussed. He asked Town Manager Caron to find out how many signs there are and the cost to redo/replace them. He said there was originally grant money involved.

Town Manager's Report – Town Manager Caron said the Conservation Commission had a second public hearing on the Mack property at the intersection of Pillsbury and Gilcrest Roads. Only that property was discussed as opposed to the first Cons Com hearing; the ConsCom action now aligns with the Council meeting on June 15 when Order 2009-11 was adopted to authorize purchase of the property on Map Lot 10-15. Based on the second public meeting the previous proposal was upheld, no further action is required of the Council.

The Trailways Group will meet with the Council on 8/17 to talk about extending the multi-purpose pathway in Town.

Resolution 2008-02 authorized the Town to participate in a lawsuit against the state of NH for unfunded mandates against the Town for the NH retirement system. He stated that Londonderry joined other communities by contributing \$6K for the suit. The original issue has been resolved, however, the FY10 state budget has created another unfunded mandate by reducing the state's contributions for police and fire retirements. The Town, based on Resolution 08-02, has joined other communities in this suit.

Motor vehicle renewals for August will be mailed out this week. They are late due to the state's new fee system; residents should see them next week.

Chairman Brown asked Town Manager Caron if the \$6K was from the previous budget. Town Manager Caron stated they issued a Purchase Order for it previously under the initial unfunded mandate, and will now activate that PO to fund the Town's contribution.

Councilor O'Keefe questioned why the Council would not be re-hearing the Conservation Commission. Town Manager Caron stated the Council action on 6/15 aligns with the ConsCom's position on the issue. Councilor O'Keefe said he was not aware of easements on the property being discussed. He questioned if the Council should step back into the matter and take another look at it. Town Manager Caron said Council can take another look at it if they choose. He recalled that at the meeting Mike Speltz did say Andy Mack had the ability to reserve house lots. An additional appraisal is required at the time of closing so it would include the consideration of removing those lots from the piece of property. If the appraisal is different than the appraisal price Andy Mack or the Town could walk away or re-negotiate the purchase price. Councilor Wagner stated she was comfortable with her decision. Town Manager Caron stated that if there was something that is different and would impact upon the Council's decision of the purchase price he would definitely have it before the Council. He cited an example of Elliot conservation purchase that he will be presenting to Council, as the process and parties to the transaction have changed. Councilor Farmer said he would like to have another public hearing. He stated that on June 15 it was presented one way to us, the public hearing on 7/15 had different information presented. Councilor Wagner suggested moving this discussion to 8/17 to discuss it when Councilor DiMarco is available. Chairman Brown said on the 15th he did not feel rushed and is comfortable with his decision. The Council concurred to discuss again on 8/17.

Board/Committee Appointments/Reappointments -

Planning Board/ ZBA Alternate Position – Consensus was to wait until the 8/17 meeting to discuss the openings.

The consensus was also to hold a meeting on 8/31/09 due to the Labor Day Holiday on 9/7/09.

Councilor Wagner asked when Council will get an overview of the strategic direction of the Fire and Police Departments. Town Manager Caron responded we will get an outline of the direction we are looking at on 8/17/09. The report will be submitted with the annual budget on 11/21/09.

ADJOURNMENT

Councilor Wagner made a motion to adjourn at 7:52 P.M. seconded by Councilor O’Keefe; Council’s vote 4-0-0.

Notes and Tapes by: Margo Lapietro **Date:** 08/03/09

Minutes Typed by: Margo Lapietro **Date:** 08/04/09

Approved; Town Council **Date:**