

**TOWN COUNCIL
AGENDA
May 16, 2011**

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

II. PUBLIC COMMENT

- A. Chief William Hart – National Police Week
- B. Board/Committee/Commission Updates
 - 1) Environmental Baseline Study Committee. - Bob Malloy
 - 2) Budget Committee – Todd Joncas

III. PUBLIC HEARING

- A. Resolution #2011-04 –Relative to the Discontinuance of a Portion of Scobie Pond Road (continued from April 18).
 - i. Resolution #2011-09 – Relative to an Agreement for Sewer Services to the Lorden Commons Subdivision
- B. Receipt and Expenditure of Unanticipated Funds
- C. Ordinance #2011-03 – Relative to Amendments to the Municipal Code

IV. OLD BUSINESS

- A. FY12 Goals and Objectives

V. NEW BUSINESS

- A. Order #2011-06 – Relative to the Distribution of Conservation Funds to Purchase a Conservation Easement, 587 Mammoth Road.
- B. Staffing Levels - Senior Affairs and Finance & Administration Department
- C. Resolution 2011-08 – Relative to the Discontinuance of a Portion of Kimball Road

VI. APPROVAL OF MINUTES

- A. Minutes of Council's Public Meeting of 05/02/11

VII. OTHER BUSINESS:

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

VIII. ADJOURNMENT

IX. MEETING SCHEDULE:

- A. Town Council Meeting – June 6, 2011, Moose Hill Council Chambers, 7:00 PM
- B. Town Council Meeting – June 20, 2011, Moose Hill Council Chambers, 7:00 PM
- C. Town Council Meeting – July 18, 2011, Moose Hill Council Chambers, 7:00 PM
- D. Town Council Meeting – August 15, 2011, Moose Hill Council Chambers, 7:00 PM

SUPPORTING DOCUMENTATION COUNCIL MEETING OF MAY 16, 2011

I. CALL TO ORDER

II. PUBLIC COMMENT

- A. Chief William Hart – National Police Week – Chief Hart will present awards and citations to members of the Police Department.
- B. Board/Committee/Commission Updates - Pursuant to Section 9.5 of the Town Charter, the Council is required to meet at least annually with the Chairperson to review significant actions and planned activities. Scheduled for this meeting:
 - 1) Environmental Baseline Study Committee – Bob Malloy

III. PUBLIC HEARING

- A. Resolution #2011-04 – Relative to the Discontinuance of a Portion of Scobie Pond Road. – The Town Council has received a request to discontinue a portion of Scobie Pond Road which has been subject to gates and bars since a vote at the 1932 Town Meeting. I expect principals of Jones and Beach Engineering, representing the owners and project applicants to be present to answer any questions which may arise. This hearing has been continued from April 18; staff has received the following information since the last meeting:
 - i. Waiver and Release from PSNH
 - ii. Description of the road requested to be abandoned
- 1) Resolution #2011-09 – Relative to an Agreement for Sewer Services to the Lorden Commons Subdivision – The Subdivision will be serviced by municipal sewer, however, the sewer lines within the subdivision will remain private and maintained by the developer. Attached is a resolution with the sewer agreement attached for the Council's review and approval. (This action does not require a public hearing, but is placed in this order on the agenda as it the same project as Res 2011-04)

- B. Receipt and Expenditure of Unanticipated Funds – Pursuant to RSA 31:95-b, the Council is requested to accept \$160,000 in grant funds from the New Hampshire Department of Transportation for Chloride Reduction in the I-93 Watersheds Municipal Program. This funding shall be matched with a 20% local share from the Highway Trucks Capital Reserve Program, and is planned to be used to purchase equipment which will assist the Town with reducing the amount of salt applied to town roads.

- C. Ordinance #2011-03 – Relative to Amendments to the Municipal Code – Attached is an Ordinance which recommends amendments to most Chapters in Title I of the Town Municipal Code. A summary of changes is attached, as well as marked-up versions of each of the Chapters. This project was initiated during the FY11 goals process, and is required under Section 3.10 of the Town Charter.

IV. OLD BUSINESS

- A. FY12 Goals and Objectives – Attached is a revised summary of the draft goals submitted by Councilors. The goals have been included into one of four main objectives. It is also recommended that several objectives (e.g. monthly economic development update) from FY11 be continued into FY 12, as they compliment the Council’s proposed goals and/or represent on-going projects.

V. NEW BUSINESS

- A. Order #2011-06 – Relative to the Distribution of Conservation Funds to Purchase a Conservation Easement, 587 Mammoth Road – Members of the Conservation Commission will be in attendance to request approval from the Council to expend up to \$219,000 to purchase a Conservation Easement on 20 +/- acres of Map/Lot 17-10.

- B. Staffing Levels –Senior Affairs and Finance & Administration Department
 - 1) Senior Affairs Director Sara Landry has accepted a position with the Town of Pelham. I am seeking authorization to fill the position in its current format (34 hours per week).
 - 2) The Controller’s position within the Finance and Administration Department is vacant; attached is information which supports filling the position.

- C. Resolution #2011-08 – Relative to the Discontinuance of a Portion of Kimball Road – The Town Council has received a request from PSNH to discontinue a portion of Kimball Road which has been subject to gates and bars since a vote at the 1970 Town Meeting. The property is located beneath the power lines on Mammoth Road, across from the town pound. A public hearing is required and can be scheduled for June 6, 2011.

VI. APPROVAL OF MINUTES – Minutes of the Council’s Public Meeting of 5/2/11.

VII. OTHER BUSINESS

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

VIII. ADJOURNMENT –

MEETING SCHEDULE:

- E. Town Council Meeting – June 6, 2011, Moose Hill Council Chambers, 7:00 PM
- F. Town Council Meeting – June 20, 2011, Moose Hill Council Chambers, 7:00 PM
- G. Town Council Meeting – July 18, 2011, Moose Hill Council Chambers, 7:00 PM
- H. Town Council Meeting – August 15, 2011, Moose Hill Council Chambers, 7:00 PM

**FOLLOW-UP FROM COUNCIL'S
May 2, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Dispatch Consolidation	Research additional questions <i>(Scheduled for 7/18 TC mtg.)</i>	Kevin/Dave

**FOLLOW-UP FROM COUNCIL'S
April 18, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Road Discontinuance	Applicant to finalize all documents <i>(Continued to 5/16/11)</i>	Applicant
Senior Housing	PILOT with SNHS <i>(In process)</i>	Dave
FY12 Goals	Format goals for Council review <i>(On 5/16/11 Agenda)</i>	Dave

**FOLLOW-UP FROM COUNCIL'S
March 21, 2011 MEETING**

ISSUE	ACTION	RESPONSIBILITY
Deliberative Session	Council need to select date between February 4 & 11 (inclusive – not 2/10/12) <i>(In process)</i>	Council

RESOLUTION 2011-04

A Resolution Relative to the
***DISCONTINUANCE OF HIGHWAY
(Portion of Scobie Pond Road)***

First Reading: 03/21/11
Second Reading/Public Hearing: 04/04/11
Continued Public Hearing: 04/18/11, 05/16/11
Adopted: xx/xx/xx

WHEREAS the Town Council, in accordance with RSA 231:43 has received a petition to completely discontinue and relinquish all public interest in a portion of Class VI highway known as Scobie Pond Road between Woods Avenue and Brewster Road convey by deed without covenants, whatever interest the Town may have, if any, in Scobie Pond Road to the abutters with each abutter being given that portion of Scobie Pond Road abutting their property to the center-line of Scobie Pond Road; and

WHEREAS the matter of discontinuing a highway under RSA 231:43 is within the authority of the Town Council; and

WHEREAS the aforementioned highway was discontinued subject to gates and bars by voters at the 1932 Town Meeting,

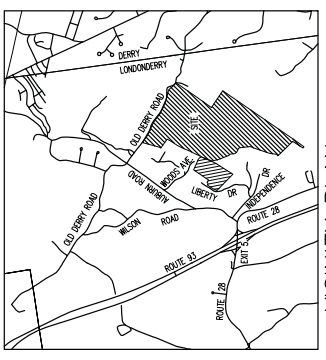
NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the discontinuance of a portion of Scobie Pond Road as shown on the map entitled “Approximate Location Class VI Road to be Abandoned (Tax Map 16, Lots 38, 52, 53, 60-3, 81, 98, 99, 100), prepared by Jones & Beach Engineering, Inc., Stratham, NH, dated March 2, 2011, is hereby approved and that the Town convey by deed without covenants, whatever interest the Town may have, if any, in Scobie Pond Road to the abutters with each abutter being given that portion of Scobie Pond Road abutting their property to the center-line of Scobie Pond Road; subject to the condition that the Trustees of the Kenneth A. Lorden Trust shall indemnify and hold harmless the Town of Londonderry from any claims arising from the Town Council’s decision to discontinue said portion of Scobie Pond Road. The Trustees may, in its sole and absolute discretion, withdraw this Petition, even if granted by the Town of Londonderry, in the event an abutter seeks damages under RSA 213:48, in which case the Trustees shall pay any legal fees incurred by the Town of Londonderry up to the date the Trustees gives notice of the Trustee’s withdrawal of the Petition.

Sean O’Keefe, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour
Town Clerk/Tax Collector

A TRUE COPY ATTEST:
Adopted xx/xx/xx



VICINITY PLAN 1" = 2,500'

TO BE RECORDED

OWNER OF RECORD:
 TAX MAP: 16, LOT 38
 KENNETH A. LORDEN, TRUST
 THOMAS H. LORDEN, TRUSTEE
 LORRAINE C. LORDEN, TRUSTEE
 MILFORD, NEW HAMPSHIRE 03055
 R.C.R.D. VOL. 4165, PAGE 0633

SIGNATURE:
 OWNER OF RECORD:
 CHINBURG BUILDERS, INC.
 TAX MAP: 16, LOT 60-3
 WASTE MANAGEMENT OF NH, INC.
 CHICAGO, IL 60690-1450
 P.O. BOX 1450
 R.C.R.D. VOL. 2713, PAGE 2311

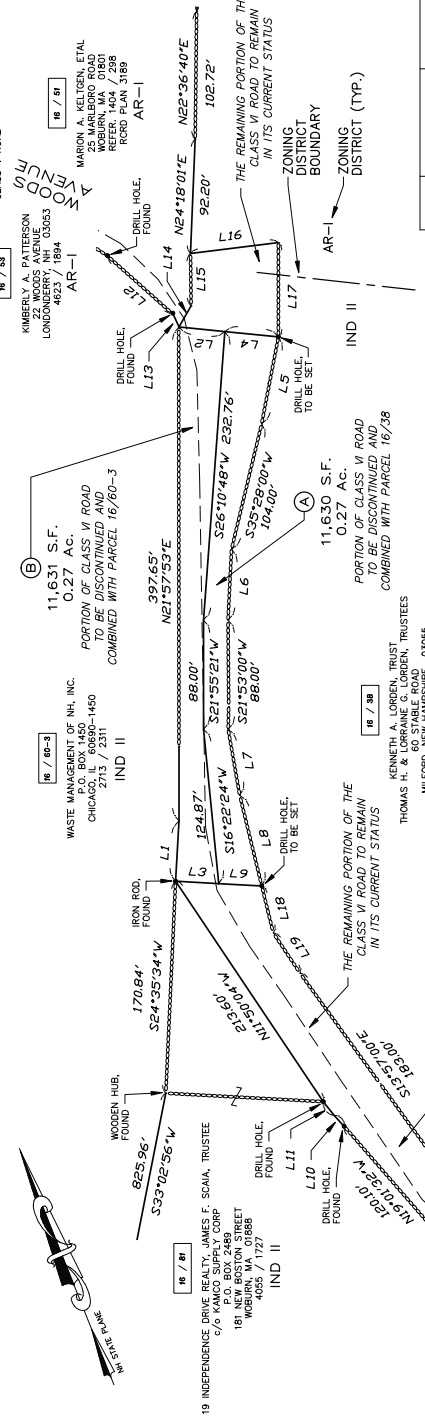
SIGNATURE:
 APPROVED BY THE LONDONDERRY, NH PLANNING BOARD
 ON DATE:
 CERTIFIED BY:
 CHAIRMAN
 SECRETARY:



ROAD TO SCOBIE POND - DISCONTINUANCE
 PREPARED FOR
 CHINBURG BUILDERS, INC.
 AND
 KENNETH A. LORDEN, TRUST
 AND
 WASTE MANAGEMENT OF NH, INC.
 TAX MAP 16, LOT NOS. 38 & 60-3
 LIBERTY DRIVE & OLD DERRY ROAD
 TOWN OF LONDONDERRY
 COUNTY OF ROCKINGHAM
 STATE OF NEW HAMPSHIRE

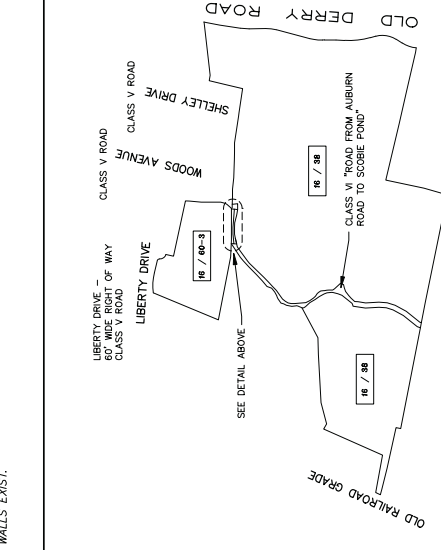
PROJECT No. 11-1743
 FILE: C:\FY17\1743
 FEEDBOOK: 07-5
 PAGE: 1-59
 TYPE: LL ADJ
 DATE: APRIL 27, 2011
 P.O. Box 681 - 24 CHESTNUT STREET
 DOVER, NH 03820 (603) 742-0811
 SURVEYING - PLANNING - CONSULTING

McGraw-Hill
Survey Associates, Inc.



No.	Bearing	Distance
L1	N25°10'13"E	48.62'
L2	S62°15'59"E	37.03'
L3	N64°49'47"W	34.74'
L4	S62°15'59"E	43.36'
L5	S32°52'00"W	71.00'
L6	S24°48'00"W	57.00'
L7	S12°03'00"W	54.00'
L8	S08°48'00"W	75.15'
L9	N64°49'47"W	34.74'
L10	N60°13'58"W	11.96'
L11	N61°34'20"W	14.04'
L12	S56°37'28"E	69.89'
L13	N57°06'52"E	12.09'
L14	N51°58'20"E	19.57'
L15	N21°19'31"E	42.16'
L16	S75°10'00"E	71.00'
L17	S21°47'00"W	76.00'
L18	S08°48'00"W	38.85'
L19	S11°42'00"E	39.00'
L20	S17°09'00"E	40.50'

DETAIL VIEW
 1" = 50'



OVERALL VIEW
 1" = 800'

NOTES:

- THE INTENT OF THIS PLAN IS TO DERICT THAT PORTION (33,281 S.F.) OF THE CLASS V ROAD KNOWN HEREIN AS THE "ROAD FROM AUBURN ROAD TO SCOBIE POND", WHICH IS TO BE COMPLETELY DISCONTINUED BY NOTE A AND B ON THE DETAIL VIEW HEREON.
 AND TO A MAXIMUM OF 4 ROADS IN WIDTH, WHERE NO WALLS EXIST.
- SEE REFERENCE PLAN #1 FOR COMPLETE BOUNDARY OF PARCEL AND REFERENCE PLAN #2 FOR COMPLETE BOUNDARY OF PARCEL

REFERENCE PLANS:

- SUBDIVISION PLAN (LOT 60-3, MAP 16) LIBERTY DRIVE, LONDONDERRY, NEW HAMPSHIRE PREPARED FOR EVCO CORPORATION, SCALE: 1" = 100'; DATED: MAY 22, 1982; REVISED THROUGH 9/17/85; BY: ALLAN H. SWANSON, INC. RECORDED R.C.R.D. PLAN D-4486.
- PLAN OF LAND PREPARED FOR CHINBURG BUILDERS, INC.; TAX MAP 16, LOT NO. 60-3, ROAD FROM AUBURN ROAD TO SCOBIE POND, COUNTY OF ROCKINGHAM, STATE OF NEW HAMPSHIRE, SCALE: 1" = 300', 100'; DATED: AUGUST 25, 2010, REISED THROUGH 2/11/11; BY: THIS OFFICE. RECORDED R.C.R.D. PLAN D-38780.

BENCHMARK DATA		SURVEYORS CERTIFICATE		REVISIONS	
ID.	DESCRIPTION	DATE	DESCRIPTION	BY	CHK
	ELEVATION	11/27/11	ORIGINAL SUBMISSION		

I, LIBERTY SURVEYORS, CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL SURVEY PERFORMED BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE MINIMUM PRECISION REQUIREMENTS FOR SURVEY CLASSIFICATION "1" AS SET FORTH IN TABLE 500.1 OF THE PROFESSIONAL SURVEYING STANDARDS AND PRACTICES OF THE BOARD OF LICENSES FOR LAND SURVEYORS, HAS BEEN MET.
 SURVEY ERROR OF CLOSURE: 1 PART IN 199,295

PROJ. No. 11-1743 F.B. 07-5 PAGES 1-59

RESOLUTION 2011-09

A Resolution Relative to An Agreement for Sewer Services Related to the Lorden Commons Subdivision

First Reading: 5/16/11
Adopted: 5/16/11

WHEREAS The Planning Board recently granted conditional approval to the Lorden Commons Subdivision; and

WHEREAS It is in the public interest that said subdivision be serviced by municipal sewer; and

WHEREAS The Town and the applicant have agreed that the extension of the municipal sewer into the development shall remain privately owned and maintained,

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Town Manager is hereby authorized to execute all necessary documents to grant access to the municipal sewer system to CBI and Lorden Commons Sewer Company, LLC pursuant to the terms and conditions of an Agreement as set forth below.

Sean O'Keefe, Chairman
Town Council

(TOWN SEAL)

Marguerite A. Seymour
Town Clerk/Tax Collector

A TRUE COPY ATTEST:
xx/xx/xx

AN AGREEMENT FOR SEWER SERVICES RELATED TO THE LORDEN
COMMONS SUBDIVISION

- WHEREAS Chinburg Builders, Inc. is proposing a Conservation Subdivision, Lorden Commons Subdivision (LCS), as permitted by the Town of Londonderry Zoning Ordinance on Tax Map 16 Lot 38. The proposed housing density of the LCS is permissible only with community or public sanitary sewer. The sanitary sewer collection system (gravity and force main) are proposed to be located within the Town's future right of way. The sanitary sewer system servicing this area is being proposed to be operated by the Lorden Commons Sewer Company, LLC, a private sewerage disposal service, subject to New Hampshire Public Utilities Commission approval and regulations.
- WHEREAS Chinburg Builders, Inc. shall petition, and obtain approval, for granting a private sewer utility in the Town of Londonderry from the New Hampshire Public Utilities Commission (NHPUC) to operate and maintain a sewer utility to service the residential lots once Map 16 Lot 38 is subdivided, upon terms and conditions as the NHPUC and the Town of Londonderry permits in accordance with applicable laws and regulations.
- WHEREAS On May 11, 2011, Londonderry Planning Board granted Chinburg Builders, Inc.(CBI) conditional approval of a proposed development known as the Lorden Commons Subdivision (LCS) on the condition that CBI receives governmental approvals and makes necessary contractual arrangements to ensure construction and ongoing operation and maintenance of adequate sewerage disposal facilities at the expense of CBI, its successors or assigns and/or the users of the sewerage system, and not at the expense of the Town of Londonderry; and,
- WHEREAS CBI proposes to provide private sewage disposal services, subject to Public Utilities Commission (PUC) regulation, to the LCS; and,
- WHEREAS CBI and Lorden Commons Sewer Company, LLC (LCSC) propose to provide the necessary sewerage disposal facilities and services in the LCS; and,
- WHEREAS Sewage generated in Londonderry is treated and disposed of in Manchester by an Intermunicipal Agreement between the Town and the City under which the Town pays the City of Manchester for sewage disposal services; and,

WHEREAS The Town Sewer User Ordinance is designed to apportion certain of the Town's sewerage disposal costs to users of the services in Londonderry; and

WHEREAS In order to fulfill the sewage disposal of the LCS, CBI and LCSC must assure payment of the Town's cost of disposal of sewage generated by the LCS;

NOW THEREFORE BE IT RESOLVED that in consideration of the foregoing and the mutual promises herein contained, LCSC, CBI and the Town hereby agree as follows:

1. CBI and/or LCSC agree to comply with the terms and conditions as set forth in the Intermunicipal Sewer Agreement between Manchester and Londonderry.
2. The Town shall provide appropriate assistance to CBI and/or LCSC in obtaining all required State and Local sewerage permits for the LCS sewerage disposal system.
3. CBI and /or LCSC shall, at their expense, construct, reconstruct, repair, maintain, operate and own the sewerage system for LCS , which sewage system shall be designed and constructed in accordance with plans and specifications approved by the New Hampshire Department of Environmental Services and the Town of Londonderry.
4. CBI shall provide all prospective purchasers of lots in the LCS with written notice of the private nature of sewage disposal systems provided by LCSC and sewage disposal fees payable to LCSC.
5. A connection fee of \$200 per residential unit will be paid by LCSC to the Town prior to construction of the private sewer line service for each phase of subdivision development. The fee is subject to revision over time by the Town.
6. An access fee of \$3,467 per residential unit will be paid by LCSC to the Town prior to issuance of a Certificate of Occupancy for each unit. The fee is subject to revision over time by the Town.
7. Quarterly, the Town shall bill LCSC at the then prevailing user charge fee, for sewer service for all sewered dwellings in the LCS, and LCSC shall be responsible for payment and any interest and late charges that may accrue under the Town Sewer User Ordinance. The fee is subject to revision over time by the Town. LCSC failure to pay in a timely manner shall justify the Town in requesting action by the PUC under RSA 374:47-a, or take action with respect to any other remedies that may be available

- to the Town. The LCSC agrees to bill its residential customers monthly, and to collect payment from customers, in exchange for private sewer facilities.
8. LCSC shall provide and maintain a letter of credit or other acceptable surety in the amount of \$9,600 (representing an estimated two quarterly payments) to secure LCSC's obligation for timely payments as set forth in paragraph 7 above. Said amount shall be adjusted annually by the Town to reflect changes to the Sewer User Charge Ordinance, Rate Schedule, and the actual experience of sewer use in the LCS. Said amount can be divided and paid over two years.
 9. LCSC shall make available all reports of inspections and maintenance work to the Town of Londonderry Department of Public Works and Engineering, to include any emergency repairs, as well as all reports required under the rules of the Public Utilities Commission or the New Hampshire Department of Environmental Services.
 10. The Town and the City of Manchester may establish an inspection, monitoring and sampling program to assure adequate control of waste water discharge from the LCSC private sewerage system in the LCS.
 11. This Agreement shall be subject to approval by the PUC.
 12. This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, legal representatives or assigns.
 13. The interpretation of this Agreement and the rights and obligations of the parties herein shall be governed by the Laws of the State of New Hampshire.
 14. LCSC and/or CBI shall indemnify and hold the Town harmless with respect to any claims, demands, charges, penalties, debts, costs, including that of Town staff and experts and attorney's fees, or lawsuits, in law or at equity, arising out of the operation of the private sewage disposal system provided for under the terms of this Agreement.
 15. LCSC shall obtain casualty and liability insurance in amounts customary for a comparable private sewage system.
 16. Maintenance, operations and inspections of the sewage system, to include the pumps station, emergency generator system, gravity and force mains, shall be performed by CBI, LCSC or a designee in accordance with accepted industry standards and procedures, including compliance with NHDES, Town of Londonderry and OSHA standards. LCSC, CBI or their

designee shall be responsible for emergency service repairs. Any improvements and/or maintenance repairs shall be submitted to the Londonderry Department of Public Works and Engineering for review and approval. Such improvements and maintenance repairs shall not include normal and customary maintenance measures.

17. LCSC shall have the right upon obtaining a permit from the Town of Londonderry Department of Public Works and Engineering, to enter onto public roadway Right-of-Way to repair a failure of the sewer line and system, if necessary. Construction would be performed in accordance with Town of Londonderry and NHDES standards and regulations. The Department of Public Works and Engineering shall be notified of any proposed work in advance. All work performed within the Town's right of way shall be in accordance with the Town of Londonderry's – Permit to Conduct Work Within the Town's Right of Way or Easement. The Town shall be permitted to inspect said repairs and costs of said inspections shall be the responsibility of LCSC.
18. LCSC, CBI or their designee shall pay the costs of such service, including the Town of Londonderry quarterly user charge, the operation and maintenance expenses of the facilities, the general and administrative expenses of the company, and debt service related to the sewer facilities.
19. The Lorden Commons Homeowner's Association (HOA) shall be established with documents to be reviewed and approved by the Town. This HOA shall include reference to the Private Sewer System Utility, and shall be recorded at the Rockingham County Registry of Deeds. The Utility shall be referenced in each individual deed
20. This Agreement supersedes all prior negotiations, representations, understandings or contracts, either written or oral, and may not be modified or amended except by a written instrument, executed by both parties.
21. In the event the Town brings an action in court or before an administrative agency to enforce any term of this agreement, including the failure of CBI, LCSC, or their designees to pay any charge when due, and the Town is successful in enforcing its claim, then CBI, LCC or their designees shall be responsible for all reasonable costs incurred by the Town, including but not limited to, attorneys' fees, expert costs and the costs of staff time.

Introduced: 5/02/11
Second Read/Public Hearing: 5/16/11
Adopted: x/xx/xx

ORDINANCE 2011-03
AN AMENDMENT TO THE MUNICIPAL CODE,
TITLE I, CHAPTERS II-XXIII and XXV-XXVI

WHEREAS the Section 3.10 of the Town Charter requires a decennial revision or codification of the ordinances of the Town; and,

WHEREAS the Town Council established an FY11 Goal to review all town regulations and procedures in an effort to eliminate inefficient processes or regulations; and,

WHEREAS most of the current Chapters in Title I have been reviewed for recommended edits;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Municipal Code of the Town of Londonderry, Title I – General Code, Chapters II-XXIII and XXV-XXVI, is hereby amended pursuant to the attached summary.

Sean O’Keefe - Chairman
Town Council

Meg Seymour
Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
xx/xx/xx

<i>Recommended Revisions to the Municipal Code – Title I General Code</i>		
<i>Chapter</i>	<i>Title</i>	<i>Recommended Revisions</i>
I	Town Charter	No changes recommended; changes must be approved by the voters at a Town Meeting
II	Ordinances	Aligns with Town Charter by requiring second read and public hearing prior to adoption; eliminates use of Legislative Committee
III	Town Seal	No changes recommended (NCR)
IV	Town Motto/Song	NCR
V	Town Council Meetings	Eliminates specific location of meetings; clarifies process for meetings scheduled on a holiday; requires Council to establish rules for its proceedings; requires petition signatories to be registered voters
VI	Fiscal Year	Aligns with Town Charter by removing procedure that the Town Manager’s budget is adopted absent Town Council or Town Meeting action; aligns with Town Charter confirming that the Capital Improvements Program is a Planning Board responsibility.
VII	Public Hearings	Standardizes hearing notice requirement at seven days, with no waiver provision.
VIII	Removal of Municipal Officials	Rewrites Chapter to recognize limited authority to remove municipal officials pursuant to state law.
IX	Execution of Official Documents	NCR
X	Indemnification	Aligns language with RSA 31:105 & 106.
XI	Municipal Tax Liens	Minor textual changes (MTC)
XII	Street Acceptance	Significant changes to align with Subdivision Regulations
XIII	Naming of Streets/Re numbering	Total rewrite as adopted by the Council under Ordinance 2008-08
XIV	...Structures with the Town’s Right of Way...	Significant changes recommended by the Department of Public Works
XV	Loitering	NCR
XVI	Littering and Public Cleanliness	Enforcement authority transferred to the Police Department; penalties align with RSA 676:17.
XVII	Driveway Permits/Construction	Review authority transferred from Building Inspector to Department of Public Works; design and construction criteria assigned to DPW; penalties align with RSA 676:17.
XVIII	... Work Conducted within Town Right of Way	Significant re-write; minor changes only.
XIX	Yard Sales	Minor changes and elimination of permit procedure; OR Recommendation to repeal Chapter.
XX	Solicitation/Sale on Public Property	Permission transferred to Town Manager’s Office.
XXI	Fireworks	Statutory references, authority and penalties updated.
XXII	Town Common	Clarification that supervision rests with Town Manager with input from elected and appointed committees.
XXIII	Parks/Recreation Areas	MTC and statutory penalties.
XXIV	Cable Television	UNDER REVIEW
XXV	Prepayment of Taxes	NCR
XXVI	Prohibited Activities on Town Property	NCR

Chapter II - ORDINANCES

SECTION I AUTHORITY

All by laws passed by the Town Council shall be called *Ordinances*.

SECTION II PRESENTATION

- A. All ordinances shall be presented at Town Council meetings pursuant to the provisions of the Town Charter - Article 3, Section 3.7, and Article 7.
- B. Any ordinance, when presented, shall be read a first time in its entirety, except a general revision or by unanimous vote of the Council.
- C. Any ordinance may be revised or amended after its first reading ~~and may be sent to the Legislative Committee of the Town Council for its recommendation.~~
- D. ~~The Legislative Committee shall issue its recommendation at the next regular Council meeting.~~
- E. Before its passage, the ordinance must be read a second time, but may be read by title only.

SECTION III METHODOLOGY

- ~~A.~~ ~~An ordinance may be passed at the meeting at which it is presented for its first reading if all Council members present and voting approve it for first and final reading unanimously. In such a case, no recommendation from the Legislative Committee shall be necessary.~~
- ~~BA.~~ Lacking such approval, *No* ordinance may be passed until the next meeting of the Council after the first reading, *and after a duly noticed public hearing*.
- ~~CB.~~ An ordinance may be amended after the second reading *and public hearing*.
- ~~DC.~~ Ordinances may be introduced or passed at both regular and special Town Council Meetings.

Chapter II - ORDINANCES (Cont'd)

SECTION IV REVISIONS/PUBLICATION

- A. *Notices of all proposed* ordinances of the Town Council and such Resolutions as the Town Council may direct shall be published in one or more newspapers of general circulation in the Town as the Town Manager may designate.
- B. This section shall not apply to a general revision of any Title of this Code.

Chapter III - TOWN SEAL

SECTION I TOWN SEAL DESCRIPTION

The seal of the Town of Londonderry shall be circular in form, shall bear the likeness of a crest consisting of a cross (gold), between crossed palms (gold), displayed affrente on a cornucopia (gold), displayed facing sinister; mounted on a torse (gold and azure); affixed to a mantle (gold and azure); to an esquire's closed tilting helm turned to dexter in profile over a shield; consisting of a charge oak branch with acorns, brown at center point; on an ordinary gyronny of eight (gold and azure); supported between two eagles rising, (white), profiled and facing dexter margin and sinister margin; with dexter eagle grasping a shaft of arrows, (sable) and sinister eagle grasping a gavel, (brown). Motto: in Latin: Fides, Justitia, Veritas, on a banner (gold). Inscribed about the circumference (gold) of the seal shall be the inscription, "Londonderry, New Hampshire - Incorporated 1722".

SECTION II TOWN SEAL LIKENESS

The whole shall be arranged according to the impression of said seal hereunto annexed.



~~End of Chapter~~

Chapter IV - TOWN MOTTO/SONG

SECTION I TOWN MOTTO

The official Town Motto shall be, "Faith, Justice, Truth".

SECTION II TOWN SONG

The official Town Song shall be "Londonderry New Hampshire", as passed by 1977 Town Meeting Warrant Article #32 and as written (words and music) by Anne B. Currier of Londonderry. (Copies available).

Chapter V - TOWN COUNCIL MEETINGS

SECTION I INAUGURAL MEETING

- A. The first meeting of the incoming Town Council shall be held on the first Monday after the Annual Town Meeting in March, or as the Council may designate.
- B. Officers of the Town Council shall be nominated and voted upon at the inaugural meeting.

SECTION II REGULAR MEETINGS/SUMMER SCHEDULE

- A. *Pursuant to Section 3.6 of the Town* the regular meetings of the Town Council shall be held on *the first and third* each Monday of the month *at a time and location as determined by the Council.* ~~in the Northgate Management Conference Room of the Londonderry Square Condominium complex, Suite 105 (“designated meeting room”) at seven thirty (7:30 PM) in the evening (“designated meeting time”).~~
- B. A “Summer Schedule” may be determined by the Council whereby the Council shall meet *at times and locations as determined by the Council.* ~~every other Monday during the Spring and Summer months (May through October)~~
- C. Meeting hours of any regularly scheduled or “Summer Schedule” meeting shall be the designated meeting time or as voted by the Council as the need may arise.
- C. Changes to the designated meeting time or designated meeting room shall be posted in at least two public places of the Town with a minimum of twenty four hours’ notice.

~~SECTION III HOLIDAYS~~

- ~~A. Any regularly scheduled meeting which would occur on a legal holiday, if held as scheduled, shall be in the designated meeting room at the designated meeting time.~~
- ~~B. The Council may reschedule such meetings to another date, but such meeting shall be held in the designated meeting room at the designated meeting time and receive a minimum twenty four hours’ notice posted in two public places of the Town.~~

Chapter V - TOWN COUNCIL MEETINGS (Cont’d)

SECTION IV SPECIAL /EMERGENCY MEETINGS

- A. *Pursuant to Section 3.6 of the Town Charter,* a special or emergency meeting of the Town Council may be called by the Town Manager, Chairman of the Council, or a majority of the Council in the absence or refusal of the Town Manager or Chairman of the Council.
- B. Notice of such meeting shall be given to, left at the abode of, or sent by messenger to each Council member so that the receipt of such notice shall enable a Council member to be present if he/she is at his/her usual place of abode.

SECTION V RULES OF ORDER

The Council *shall establish rules for its own proceedings not inconsistent with the Town Charter.* ~~meetings shall be held in accordance with Robert's Rules of Order.~~

SECTION VI MINUTES OF MEETINGS

- A. *Minutes of all meetings* ~~The Executive Secretary shall be recorded and transcribed the minutes of all meetings~~ in accordance with RSA 91-A.
- B. The Town Clerk shall maintain an original copy of the minutes of all meetings of the Council pursuant to New Hampshire Statute.

SECTION VII RIGHT TO KNOW

All proceedings of the Town Council shall be *conducted* ~~public except those which may be held privately~~ in accordance with RSA 91-A, the "Right to Know Law".

SECTION VIII WORKSHOP SESSIONS

- A. The Council may hold *Workshop Sessions* at times other than the regularly scheduled meetings for the purpose of receiving information or deliberating with regard to Town business.

Chapter V - TOWN COUNCIL MEETINGS (Cont'd)

SECTION VIII WORKSHOP SESSIONS (Cont'd)

- B. Workshop Sessions shall be *conducted* ~~public meetings except when called as an Executive Session~~ pursuant to RSA 91-A.
- C. In general, discussion at a Workshop Session shall be limited to the Town Manager and Town Council, and those other parties from whom

information is being sought.

- D. A Workshop Session may be called by the Town Manager, the Council Chairman or a majority of the members of the Town Council in the absence or refusal of the Town Manager or Chairman of the Council.

SECTION IX AGENDA

- A. The agenda for all meetings of the Town Council shall be under the control of the Town Manager with regard to the content, format and order in which business is addressed with preliminary approval of the Council Chairman.
- B. An item may be placed upon the agenda for discussion by the Town Manager or any member of the Town Council. Other Department Heads and municipal officials shall submit any proposed agenda items to the Town Manager for approval prior to such items being listed on the agenda.
- C. Any citizen of the Town may place an item upon the agenda for discussion by the Town Council by presenting such item to the Town Manager by petition containing the signatures of no less than twenty five (25) *registered voters* citizens of the Town, ~~18 years of age or older~~.
- D. The Town Council may, in its discretion, allow the discussion of items by methods other than those prescribed herein.

~~End of Chapter~~

Chapter VI - FISCAL YEAR

SECTION I STATUTORY AUTHORITY

- A. In accordance with RSA 31:94-*a* as amended ~~and other special legislation currently pending before the Legislature of the State of New Hampshire~~, the Town of Londonderry does hereby establish a fiscal year commencing on the first day of July and terminating on the last day of June for all accounting purposes.
- B. In the event of any conflict between this ordinance or provision of the Londonderry Town Charter, that provision holding the Town to the higher standard shall be controlling.

SECTION II BUDGET DEVELOPMENT/REVIEW *(Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy)*

- A. No later than one hundred (100) days prior to the Annual Town Meeting as designated by NH Statute, the Town Manager shall submit his proposed budget to the Town Council for its review.
1. The budget shall include a complete financial plan of all Town funds and activities for the ensuing fiscal year, including the estimated effect of the proposed budget on the tax rate, and shall be by line item.
 2. The message of the Town Manager shall explain the budget for all Town agencies both in fiscal terms and in terms of work program. It shall outline the proposed financial policies of the town for the ensuing fiscal year, describe the important features of the budget, indicate any major changes from the current fiscal year in financial policies, expenditures and revenues together with reasons for such changes, summarize the Town's debt position and include such other material as the Town Manager deems desirable or as the Council may reasonably require.
- B. The Town Manager shall recommend to the Council a proposed schedule for the review of the twelve month budget of the ensuing fiscal year. The Council shall adopt such schedule for budget review, public hearing and adoption.
- C. A preliminary adoption of the proposed annual budget, with or without amendments, shall be made no later than (60) days prior to any annual or special Town Meeting.

Chapter VI - FISCAL YEAR (Cont'd)

SECTION II

BUDGET DEVELOPMENT/REVIEW

(Cont'd)(*Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy*)

- D. Notice of public hearing, together with the summary of the budget as preliminarily adopted, shall be published at least one week in advance of any public hearing in one or more newspapers of general circulation in the Town stating:
1. The times and places where copies of the proposed budget are available for inspection by the public; and
 2. The date, time and place of such public hearing on said proposed budget will be held by the Council.

SECTION III

BUDGET ADOPTION (*Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy*)

- A. The Town Council shall, no later than fifty (50) days prior to any annual or special Town meeting, shall take final action on the proposed budget.
- ~~B. If the Council fails to take action, such budget shall, without any action by the Council, become the proposed budget for the year and be made available for the purposes specified. Preliminary amendments to the budget made before the second public hearing shall become part of the proposed budget for the year.~~
- ~~C.B~~ The Council may recess and reconvene its budget deliberations as it may deem necessary, but in no event shall such deliberations continue beyond February 15 of any given fiscal year (Note: RSA 32:5 requires that no public hearing on a budget may be held later than 25 days before Town Meeting). ~~In the event that said deliberations do continue beyond that date without final action adopting a budget, then the budget proposed by the Town Manager shall become effective.~~
- D. The Town Council shall present the proposed budget to Town Meeting.

SECTION IV

SUPPLEMENTAL APPROPRIATIONS (*Incorporated into Title VI - Town Policy, Chapter XVII - Financial Mgmt. Policy*)

No appropriations shall be made for any purpose not included in the annual budget as adopted, unless to apply for, accept and expend funds in accordance

with RSA 31:95-b, or from Impact Fees, Capital Reserve Funds, or other Trust Funds where the Town Council has been designated as agents to expend.

Chapter VI - FISCAL YEAR (Cont'd)

SECTION V CAPITAL IMPROVEMENT PROGRAM (Incorporated into Title VI - Town Policy, Chapter XVII - Financial Management Policy 7/14/03)

- A. ~~The Town Manager~~ *The Capital Improvements Program Committee* ~~The Town Council~~ shall prepare and submit annually to the *Planning Board* ~~Town Council~~ a five-year Capital Improvement Program prior to, or at the same time as, the proposed annual budget.
- B. The preparation methodology and contents of the Capital Improvement Program shall be pursuant to Article 5, Section 5.5 of the Londonderry Town Charter.
- C. Public Hearing - The *Planning Board* ~~Town Council~~ shall publish in one or more newspapers of general circulation in the Town the general summary of the Capital Improvement Program and a notice stating:
1. The times and places where copies of the CIP are available for inspection by the public; and
 2. The date, time and place, not less than two weeks after such publication, when a public hearing on said program will be held by the *Planning Board* ~~Town Council~~
- D. The Capital Improvement Program shall be revised and extended each year.

~~End of Chapter~~

Chapter VII - PUBLIC HEARINGS

SECTION I STATUTORY AUTHORITY

This ordinance shall control procedures used by the Londonderry Town Council or any political subdivision of the Town for the holding of public hearings, except where such procedures are otherwise established by separate ordinance or Statute.

SECTION II NOTICE

- A. Notice of all public hearings shall be posted by the Town Clerk or secretary of the appropriate political subdivision no less than *seven (7)* ~~ten (10)~~ days prior to the date of said hearing, exclusive of the date of posting and the date of the hearing.
- B. Said hearing shall be publicized in a newspaper of general circulation within the Town of Londonderry no less than seven (7) days prior to said hearing.
- C. ~~The notice requirements may be dispensed within extraordinary circumstances upon a two-thirds vote of the Town Council or other body holding said hearing unless otherwise prohibited by Statute.~~

~~End of Chapter~~

Chapter VIII - REMOVAL OF MUNICIPAL OFFICIALS

SECTION I STATUTORY AUTHORITY

A. *New Hampshire state law does not grant broad statutory authority to Towns for the removal of municipal officials. Accordingly, the removal of municipal officials is applicable to those officials whose removal is specifically contemplated by state law.* ~~Unless otherwise provided for by ordinance or Statute, this Chapter shall control the removal of a municipal official of the Town of Londonderry from their position and shall be pursuant to Article 7, Section 7.6 of the Londonderry Town Charter.~~

SECTION II DEFINITION

A. The term “*Municipal Official*” shall mean an elected or appointed individual, including, but not limited to, the members of the Town Council, Zoning Board of Adjustment, Planning Board, Conservation Commission, Historic District Commission, but shall not refer to the full- or part-time employees of the Town and its departments whose discipline and dismissal are covered by the Town Charter and Personnel Plan. The term shall also be construed to mean the members of all other boards, committees and commissions which are political subdivisions of the Town.

SECTION III ~~MOTION FOR~~ REMOVAL *PROCEDURE* ~~BY THE COUNCIL~~

A. Removal shall be for ~~just cause and by majority vote of the City Council~~ *those officials listed below who have been duly elected or appointed by the local Appointing Authority, and for whom a removal procedure has been set forth in New Hampshire State Statute:*

- a. *Local Land Use Board members pursuant to RSA 673:13*
- b. *Town Clerk pursuant to RSA 41:16-c*
- c. *Elected Town Treasurer pursuant to RSA 41:26-d*
- d. *Tax Collector pursuant to RSA 41:40.*

B. *The New Hampshire Superior Court shall retain jurisdiction over any removal proceedings instituted under a conflict of interest ordinance adopted pursuant to RSA 31:39-a.* ~~Any member of the Council may move the removal of a municipal official. Upon such motion being seconded, the Council shall take no other action except to schedule a hearing with regard to said motion.~~

1. ~~Said hearing shall be public or private at the request of the individual involved.~~

2. ~~At the hearing, the Council shall take testimony as may be appropriate from interested parties and from the municipal~~

~~official whose removal has been requested.~~

3. ~~The hearing may be recessed as justice or convenience may require and upon its conclusion, the Council shall vote in regard to the motion for removal.~~

C. *The New Hampshire Superior Court shall retain jurisdiction for the dismissal of any local official for violation of oath of office by divulging confidential information. The manner of removal shall be in the form of a petition to said court.* ~~Neither the Town Manager nor any member of the Council shall vote on the question of their own removal.~~

SECTION IV PETITION FOR REMOVAL BY CITIZENS

A. Removal of any individual elected official shall be pursuant to the provisions of the Londonderry Town Charter, Section 7.6.

B. ~~The Town Manager shall not have a veto over the question of the removal of any municipal official.~~

~~End of Chapter~~

Chapter IX - EXECUTION OF OFFICIAL DOCUMENTS

SECTION I DEEDS AND CONVEYANCES

- A. All deeds of any type and conveyances of real property where the Town Council of Londonderry is the grantor shall be in statutory form, approved by the Town's Attorney and executed by the Town Manager upon the consent of the Town Council.
- B. No seals or formalities shall be required other than those necessary by State Law.

SECTION II CONTRACTS AND OTHER DOCUMENTS

- A. All other official documents to which the Town is a party, such as contracts, leases, grant applications and/or contracts, or other similar documents, shall be executed by the Town Manager or such other Town official as the Town Council may designate in granting their approval for the Town to become a party to such a document.

~~End of Chapter~~

Chapter X - INDEMNIFICATION OF OFFICERS AND EMPLOYEES

SECTION I DEFINITION

- A. The term, “*officer*” shall include any elected or appointed official of the Town of Londonderry.
- B. The term, “*employee*” shall include all employees of the Town, whether employed on a full time or part time basis.

SECTION II INDEMNIFICATION

- A. Any officer or employee who is held liable for the payment of any claims or damages, by way of judgment or settlement, shall be entitled to full indemnification by the Town where the acts resulting in such liability arose in the course of the individual’s capacity as a municipal officer or employee. *The Town shall indemnify and save harmless for loss or damage any person employed by it and any member or officer of its governing board, administrative staff or agencies from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of negligence or other act resulting in accidental injury to a person or accidental damage to or destruction of property if the indemnified person at the time of the accident resulting in the injury, damage, or destruction was acting in the scope of employment or office.*
- B. ~~The sole exception to this indemnification shall be in the event that said liability was incurred in the commission of a criminal act.~~ *The Town shall indemnify and save harmless any person employed by it and any member or officer of its governing board, administrative staff, or agencies from personal financial loss and expense including reasonable legal fees and costs, if any, arising out of any claim, demand, suit, or judgment by reason of any act or omission constituting a violation of the civil rights of an employee, teacher or student, or any other person under any federal law if such act or omission was not committed with malice, and if the indemnified person at the time of such act or omission was acting within the scope of employment or office.*

SECTION III DEFENSE

- A. In the event that any such claim, suit or other action is brought against a municipal officer or employee, the administration of the Town shall arrange for the appropriate defense of that action at no cost to the

official or employee; such defense being coordinated with any carrier or provider of applicable municipal insurance.

SECTION IV EFFECT OF REPEAL OF ORDINANCE

- A. This Chapter shall apply to all claims brought or formalized prior or during the effective period of this ordinance and such indemnification shall continue in full force and effect until the repeal of this ordinance, if ever.

- B. The repeal of this ordinance shall not affect the indemnification of any claims brought or formalized prior to the date of repeal.

~~End of Chapter~~

Chapter XI - MUNICIPAL TAX LIENS

SECTION I STATUTORY AUTHORITY

- A. The provisions of RSA 80:58—80:87 and as amended by the State Legislature are hereby adopted.

SECTION II PROCEDURE AND ADMINISTRATIVE WAIVER

- A. Only the Town of Londonderry shall be allowed to acquire tax liens for the enforcement of real estate taxes assessed within the Town.
- B. No private party shall be allowed to purchase municipal tax liens at the annual tax sale for the enforcement of municipal real estate taxes.
- C. Redemption of tax liens shall be at the behest of the majority of the Council and shall be to the owner of the property of record before tax lien. Payment for redemption shall include, by State Law, the property taxes owed and all applicable interest charges, penalties and fees.
- D. Administrative waiver of tax liens, interest charges and fees of less than One Hundred Dollars (\$100) shall be made by the Town Manager with notification to the Town Council of such waiver.

~~End of Chapter~~

Chapter XII - STREET ACCEPTANCE

SECTION I

~~DEMONSTRATION OF NEED~~ **NEW STREETS APPROVED AS PART OF SUBDIVISION OR SITE PLAN APPROVAL FROM THE PLANNING BOARD**

- A. ~~No proposed street, or part thereof, shall be accepted by the Town until there has been submitted to the Town Council a report by the Planning Board and the Director of Public Works that there is a public need for such street and that said street shall conform in harmonious relationship to the future development of the Town.~~ *The Planning Board shall grant final approval to the subdivision or site plan which establishes the proposed street or streets, in accordance with either the Subdivision Regulations, or the Site Plan Regulations. Streets shall be designed and constructed to meet the minimum requirements pursuant to the Subdivision Regulations and Site Plan Regulations, as applicable.*
- B. *The requirements of the Subdivision Regulations must be met in order for the Council to consider acceptance of any streets under this Section.*

SECTION II

~~GENERAL REQUIREMENTS~~ **REQUESTS FOR TOWN ACCEPTANCE OF PRIVATE STREETS**

- A. Applications by the owner or his authorized representative for the acceptance of a *private* street by the Town shall be made in writing to the ~~Planning Board~~ *Town Council*, along with a plan of the street, *detailing any improvements necessary to comply with the construction and design standards required in the Subdivision Regulations. A copy of the application and supporting documents shall be forwarded to the Department of Public Works & Engineering and the Planning Board for their review and comment.*
- B. ~~The plan of the street shall be such as to meet the minimum requirements pursuant to the Town of Londonderry "Subdivision Regulations, Section 5 and Town of Londonderry "Site Plan Regulations", Section 4, and shall be approved by the Director of Public Works.~~ *Upon receipt of the request, the Department of Public Works & Engineering shall review the request and make recommendations to the Town Council.*
- C. *In accordance with RSA 231:28, if the street does not conform to construction standards and requirements of the Subdivision Regulations, the Town Council may require that all costs and construction of improvements to the street, meeting the Town's construction standards, be the responsibility of the applicant.*

SECTION III — IMPROVEMENTS

- A. ~~No street shall be accepted by the Town Council until the person or persons requesting the acceptance pay the total cost of the initial improvement of grading and graveling the street to a cross section and grade approved by the Director of Public Works.~~
- B. ~~A guarantee to reimburse the Town for such costs within such time as the Council shall limit and post a corporate bond certified by the Treasurer as valid and enforceable by the Town in an amount and with surety satisfactory to the Town Council shall be duly recorded and on file with the Town.~~

SECTION ~~IV~~ III CONFLICT WITH OTHER REGULATIONS

- A. Where the requirements for the acceptance of a street impose greater or more stringent restrictions in some other section of the Town's ordinances, codes or State Laws, then the most stringent restrictions shall apply.
- B. The requirements are in addition to, not in lieu of, existing planning and subdivision regulations.

SECTION IV FORMAL ACCEPTANCE

- A. ~~Upon approval of the proposed street by the Planning Board, the Town Council may formally accept said street on behalf of the Town.~~
For streets constructed in accordance with Section I, the Town Council may accept the street by Resolution with input from the Department of Public Works & Engineering.
- B. *For streets to be accepted in accordance with Section II, the Town Council may accept the street by Ordinance, following a public hearing, with input from the Department of Public Works & Engineering.*

~End of Chapter~

Chapter XIII – NAMING OF STREETS/NUMBERING ~~Introduced:~~
~~05XX/XX05/08XX~~

~~Second Read/Public Hrg.: XX05/19XX/08XX~~

~~Adopted: XX05/19XX/08XX~~

~~ORDINANCE 200811-08XX~~

~~AN AMENDMENT TO THE MUNICIPAL CODE~~

~~Title III – Land Use Regulations, Chapter VI Street Numbering Ordinance~~

~~WHEREAS~~ — the Town Council wish to provide a means for expedient emergency response by Fire, Police, Rescue and other emergency service; and,

~~WHEREAS~~ — the Town Council wish to provide property owners with a convenient and systematic means of identifying property which will serve as a mail delivery address and assist in the proper delivery of utility and other services; and,

~~WHEREAS~~ — the standards set forth in this system are made for the purpose of promoting the public health, safety and general welfare by providing the means for permanent and orderly identification of all structures within the Town.

~~NOW THEREFORE, BE IT RESOLVED~~, that the Town Council of the Town of Londonderry hereby adopts the provisions of RSA 231:133-a, “Address Numbers on Streets and Highways”, establishing a procedure (attached) for administration and enforcement of a uniform addressing system for residential, multi-family and non-residential structures within the Town of Londonderry, New Hampshire.

~~Marty BoveSean O’Keefe~~ Chairman
~~Town Council~~

Meg Seymour _____ (TOWN SEAL)
Town Clerk

~~A TRUE COPY ATTEST:~~
~~x/xx/x8~~

STREET NAMING ORDINANCE

SECTION I NAMING SYSTEM ***aming System:***

- A. For purposes of establishing names, a street shall be considered any access, whether public or private, which services three or more primary buildings or vacant lots.*
- B. Street names shall conform to the recommendations in the Street Naming section of the NH 9-1-1 Addressing Standards Guide, current edition.*
- C. Where unique names are required to properly assign addresses to individual properties or sections of a street, private driveways may be assigned a name. This will become their legal description.*
- D. Names for new streets shall be assigned during the DRC (Design Review Committee) process and shall be placed on the plan prior to approval.*
- E. Where new names are required to correct streets that are non-compliant with NH 9-1-1 recommendations, the Council shall assign names in accordance with NH RSA 231:133 Street Names and Markers.*

STREET NUMBERING ORDINANCE

SECTION II NUMBERING SYSTEM ***I. Numbering System:***

- ~~A.~~ *For purposes of establishing street numbers, a street shall be considered any access, whether public or private, which services two or more primary buildings or vacant lots.*
- ~~B.~~*A. All streets or ways shall be numbered, with odd numbers assigned to the left side from their starting point, and even numbers assigned to the right side from their starting point or as needed to facilitate orderly numbering.*
- ~~C.~~*B. Numbers shall be assigned to a street for every one hundred fifty foot (150') interval of frontage on streets or ways, as measured from the starting point of each street. Exceptions can be made for small acreage lots where frontage exceeds is less than 150 feet and/or where frontage exceeds 150 feet.*
- ~~D.~~*C. Numbers shall be assigned as nearly as possible in a direction radiating from the East to West and South to North.*
- ~~E.~~*D. Dead end streets or ways shall be numbered from their entrance.*

- ~~F.E.~~ Where lot sizes are such that more than one number may apply to the lot, numbers shall be assigned based on the location of the structure within the total lots range.
- ~~G.F.~~ Buildings on a corner lot shall be assigned a number during site plan or subdivision review, *with emphasis given to the placement of the front door.*
- ~~H.G.~~ Commercial and industrial structures situated on one lot; (i.e., shopping centers, malls, or other commercial structures) shall be assigned one street number. Units shall be internally numbered according to a logical pattern approved by Assessor’s Office and the Emergency 911 Coordinator. Detached units shall be assigned letters; (i.e., A, B, C).
- ~~I.H.~~ Multiple *permanent dwelling units* ~~homes, mobile homes, or other permanent units~~ situated on the same lot ~~that share~~*ing* a common driveway ~~and~~ shall be assigned the same number followed by a letter. (Example: 354A, 354B)
- ~~J.I.~~ Duplexes shall be assigned one street number followed by a letter designation of “A” for left and “B” for right. (Example: 225A, 225B)
- ~~K.J.~~ Mobile homes - units within parks shall be numbered with a typical street number.
- ~~L.K.~~ Multi-family dwellings including condominium complexes shall be assigned a typical number whenever possible.

~~j.~~

~~k.~~ **SECTION III ADMINISTRATION** ~~Administration:~~

- ~~E.A.~~ This ~~numbering~~ system shall be administered by the Town Assessor in coordination with the E-911 Coordinator.
- ~~F.B.~~ Street numbers for new structures shall be assigned during the DRC (Design Review Committee) process and shall be placed on the plan prior to approval.
- ~~G.C.~~ The ~~Fire~~*Building* Inspector shall verify that assigned numbers are displayed in a manner consistent with this policy prior to issuing a Certificate of Occupancy (CO) permit *or any other permit requiring an inspection* ~~for new structures.~~
- D. The Building Inspector shall issue notices of non-compliance for any structure failing to comply with any section of this ordinance that is brought to their attention.*

~~l.~~ **SECTION IV NUMBERING REQUIREMENTS** ~~Numbering Requirements:~~

- a.A. All structures, whether residential, or non-residential, shall be required to display the assigned street number in the manner described in this system.
- b.B. All numbers shall be displayed in Arabic Form. (Example: 0, 1, 2, 3, 4, 5, 6, 7, 8, 9).
- c.C. Mailbox numbers shall be a minimum of three inches (3") high and two and one half inches (2 ½") wide, of reflecting material and contrasting colors.
- d.D. Numbers on *single and two-family* residential structures shall be a minimum of ~~three~~four inches (34") high and a color which contrasts with the structure.
- e.E. Numbers on non-residential structures shall be a minimum of eight inches (8") high and a color which contrasts with the structure, ~~placed for high visibility.~~

f. **SECTION V NUMBER LOCATION**

m. **Number Location:**

1.A. Structures Visible from the Street:

1. Where a structure is visible from the street and the *front door faces the street*, numbers are legible from the roadway, the number shall be affixed near the front door of the structure.

Where a structure is visible from the street and the front door does not face the street, the number shall be placed in a location that provides the highest visibility.

B. Structures Not Visible from the Street:

1. —Where a structure is not visible from the street or is otherwise situated so as to make a number display ineffective, the number shall be displayed at the access entrance. -

2. Numbers shall be displayed in combination with property or business signs. Where signs are perpendicular to the street, numbers shall be displayed on both sides of the sign.

2.C. Mailboxes:

Numbers meeting the height and width requirement may be placed on both sides of mailbox. *If* mailboxes are clustered or on the opposite side of the road from the structure, the street number shall be placed on the front of the mailbox.

D. *Manufactured Homes in Parks*

Numbers on manufactured homes in parks shall be posted no lower than 8' from the ground and no less than 6" below the fascia board on the side of the home facing the street.

3.E. Unauthorized Building Numbers Prohibited:

No person shall affix, allow to be affixed, or remain on a building in the Town of Londonderry, New Hampshire, any different number from the one designated by the system, with the exception of dates affixed for historical purposes. Dates affixed for historical purposes shall be of a different design and placed far enough away from the street number so as not to be confused with the street number.

~~n.~~ SECTION VI APPEAL PROCESS Appeal Process:

~~÷~~—The Planning Board is hereby designated as the body to conduct public hearings on the assignation or alteration of numbers, as permitted pursuant to RSA 231:133-a.

Chapter XIV - AWNINGS, SHADES, SHRUBBERY & SHADE TREES
LANDSCAPING & STRUCTURES WITHIN THE TOWN'S RIGHT OF WAY OR EASEMENT

SECTION I AUTHORITY

- A. Pursuant to RSA 231:158 the *Director of Public Works and Engineering* Public Works Director shall have the *authority* duty to remove any obstructions *within the Town's Right of Way or Easement* to pedestrian or vehicular traffic as deemed necessary.

SECTION II PLACEMENT PROCEDURE

- A. *Location of* Landscaping, and screening *and structures* shall be in accordance with *the* Town of Londonderry "*Subdivision, Site Plan and Zoning Regulations*"; Section 4, and Town of Londonderry Zoning Regulations as amended from time to time.

- B. No person shall place or establish any awning (*temporary or permanent*), *sign*, shade, shrubbery, or tree, *landscaping or any other items within or over any part of the Town's Right of Way or Easement* within the Town of Londonderry.

Mail and newspaper boxes are the only items that are allowed within the Town's Right of Way at the owner's risk. The Town does not repair or replace mailboxes damaged during snow removal operations before their property on or over any part of any public way within the Town of Londonderry in any manner as to inconvenience or impede pedestrian or vehicular traffic.

- C. Any awning or shade projecting over any part of any public way shall be composed of cloth and safely fixed and supported by appropriate metal rods or railings so as to in no way impede pedestrian or vehicular traffic and so that the lowest part of said awning or shade shall be at least seven feet (7') in height above the public way.

- ~~C.D.~~ No branch or branches of any tree or shrubbery shall be permitted to extend over any *Town's Right of Way or Easement* public way unless the same is situated so as not to impede pedestrian or vehicular traffic *sight* or visibility, *maintenance*, and further, not to interfere with any structures placed *within the Town's Right of Way or Easement* in the public way by an public utility.

SECTION III PENALTY

- A. In addition to the penalties prescribed elsewhere in the Town of

Londonderry Municipal Code, any person in violation of this ordinance shall bear the cost of removal of such obstructions as described above.

~**End of Chapter**~

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Chapter XV - LOITERING AND BLOCKAGE OF PUBLIC WAYS

SECTION I AUTHORITY

- A. This ordinance shall be enforceable pursuant to RSA 644:2 and as amended from time to time.

SECTION II PROCEDURE

- A. No person shall block or cause to be blocked any public sidewalk, street, or other public way, in accordance with the Londonderry Traffic Code, Section 7; nor shall any group of persons assemble in such a manner as to impede or block the orderly progress of pedestrian or vehicular traffic within the Town of Londonderry.
- B. No person shall sit, stand or loiter in or about any street, sidewalk, municipal land or building or any other public place in the Town of Londonderry after having been requested by any owner, tenant or custodian thereof, or by any police officer, to depart there from.
- C. No person shall sit, stand or loiter in or about the doors, windows or entrance to any store, shop, office, house, public hall, theater or other public building in the Town of Londonderry, except the owners or tenants thereof after having been requested by any owner, tenant or custodian thereof, or by any police officer, to depart there from.

~~End of Chapter~~

Chapter XVI - LITTERING AND PUBLIC CLEANLINESS

SECTION I AUTHORITY

- A. Pursuant to RSA 676:17 and the Londonderry Zoning Ordinance, Section XXIII, the Building Inspector shall enforce the placement of signs.
- B. The provisions of RSA 163-B - Litter Control Law, and RSA 265, Rules of the Road, as from time to time may be amended, shall hereby apply
- C. The provisions of Municipal Code, Title IV, Public Health, Safety & Welfare, Chapter V, Streets and Sanitation, Solid Waste/Recycling shall also apply.
- D. ~~The Code Enforcement Officer shall inspect all complaints of violations.~~ ***In accordance with RSA 163-B:6, the municipal law enforcement agency (Police Department) is empowered to enforce this chapter and the statutory provisions referenced herein.***

SECTION II DEFINITIONS

- A. "Litter" - shall mean all rubbish, refuse, garbage, yard waste, trash, debris, dead animals or other discarded materials of every kind and description.

SECTION III UNLAWFUL ACTIVITIES

- A. No person shall post in any public place within the Town of Londonderry any printed handbills, circulars, or advertisements of any kind without the express permission of the owner of the property upon which such material is posted, nor shall any person place graffiti on any public or private property of any kind.
- B. No person shall place, throw or deposit upon any public way within the Town, or upon any sidewalk therein or in any other public place, any litter.
- C. No person shall spit upon the floor of any public conveyance, shop, store, hall, church, school house, or other public building in the Town of Londonderry or upon the steps of any said conveyance or building ~~or upon the sidewalk of any public street or any public way or other public place within the Town of Londonderry.~~
- D. No person or corporation shall operate any activity or business within the Town of Londonderry in such a manner as to allow the escape of litter onto any public sidewalk, street, or into any other public place.
- E. It shall be unlawful for any person, firm or corporation, its agents or servants to transport on the highways of the Town of Londonderry in any vehicles or conveyance, owned or controlled by them, any litter, unless such litter is protected by adequate covering to prevent its being blown from the vehicle or conveyance.

F. No person shall injure, disfigure, destroy or remove any receptacle for litter placed by the Town upon any public street or place, or put therein any substance for which such receptacle was not designed or intended.

Chapter XVI - LITTERING AND PUBLIC CLEANLINESS

SECTION III

UNLAWFUL ACTIVITIES (Cont'd)

G. Upon notice, illegally placed refuse, garbage, rubbish, yard waste, bulky waste, construction or demolition debris shall be removed by the owner or person having control of the property next to the town street where it appears, not later than forty eight (48) hours of posting. Failure to remove the illegal refuse will cause the Town to privately contract with a removal service and charge the expense to the property owner. Removal expenses shall be in addition to any fines as set under Section IV.

SECTION IV

PENALTIES

A. Any person found in violation of this Chapter *or the provisions of RSA 163-B:3*, shall be guilty of a misdemeanor, ~~shall be fined as follows:~~ *and subject to penalties as provided in RSA 676:17.*

- ~~1. First Offense \$100~~
- ~~2. Second Offense \$250~~
- ~~3. Third Offense \$750~~
- ~~4. Fourth Offense \$1,000~~

~~End of Chapter~~

Chapter XVII- DRIVEWAY PERMITS/~~CONSTRUCTION~~PLACEMENT

SECTION I AUTHORITY

- A. The *Director of Building/Health Inspector*, Public Works *and Engineering*~~Director~~ and Planning Board shall be authorized to review plans, issue permits and grant final acceptance of driveways.
- B. ~~Specifications and procedures shall be in keeping with the national BOCA Code.~~*The Director of Public Works and Engineering is hereby empowered to promulgate whatever forms and/or regulations he deems are necessary to enforce this ordinance.*

SECTION II PERMITTING

- A. No owner of any land adjoining any *Town's public Right of wWay (ROW)* in the Town of Londonderry desiring to construct any driveway, or repair any portion of such driveway which lies within the limits of such *ROW*~~public way~~, giving access to their land shall perform such construction or repair without first obtaining a written permit from the *Department of Public Works and Engineering*~~Building Inspector~~.
- B. Said permit shall be applied for upon such form as may be designated by the *Department of Public Works and Engineering* ~~Building Inspector~~ and for such fee as may be set from time to time by the Town Council.
- C. Prior to granting any permit applied for, the *Department of Public Works and Engineering* ~~Building Inspector~~ may take into consideration traffic volume, traffic pattern and the particular characteristics of the area for which the permit is applied.
- D. All construction and/or repairs shall be performed in accordance with the regulations and specifications promulgated by the *Department of Public Works and Engineering* ~~Building Inspector~~.
- E. No person shall engage in the customary use of a certain portion of privately owned land for access to *or from* any *Town's public Right of Wway or easement* in the Town of Londonderry unless the provisions of this ordinance have been complied with.

SECTION III ~~CONSTRUCTION~~PLACEMENT

A. ~~The Public Works director is hereby empowered to promulgate whatever forms and/or regulations he deems are necessary to enforce this ordinance. *The construction shall be in accordance with the specifications and procedures as outlined in the Town of Londonderry Subdivision and Site Plan Regulations and the Department of Public Works and Engineering regulations regarding driveway placement and permit to conduct work within the Town's Right of Way (ROW) or easements.*~~

~~B. All applications to disturb said pavement must state the time and date of that digging, trenching or any such disturbance will take place, as well as the exact location of such disturbance.~~

~~C. Material used to fill trenches or disturbances shall be approved by the Director or his authorized representative.~~

~~Chapter XVII - DRIVEWAY PERMITS/PLACEMENT~~

~~SECTION III - PLACEMENT (Cont'd)~~

~~D. No person shall displace, break or in any manner disturb the pavement or ground in any highway or street or sidewalk in the town of Londonderry, erect any staging or place or deposit any dirt, stone, gravel, concrete, brick, timber or other building materials thereon without first obtaining a written permit from the Director of Public Works.~~

~~E. The method of filling such trenches or disturbances will be by placing fill material in layers and thoroughly compacting each successive layer to within twelve inches (12") of the adjacent existing road surface, or by other means as approved by the Director. Following this procedure, nine inches (9") of crushed gravel shall be compacted above the fill material. Thereafter, two inches (2") of hot bituminous concrete will be compacted in place with a one half inch (1/2") crown along the center line of the trench.~~

~~F. Within a period of not more than twelve (12) months, the entire road surface shall be grader patched and then topped with a minimum of one inch (1") of three eighths of an inch (3/8") of hot bituminous concrete. This repair shall apply to the entire length of the excavated roadway or sidewalk.~~

~~G. In the event that hot bituminous concrete is not available, two inches (2") of cold patch will be compacted in place. However, immediately upon the availability of hot bituminous concrete, the applicant will replace the cold patch with the hot bituminous concrete.~~

~~H. Any future disturbance of the traveled surface along trench lines, or other~~

~~excavations due to settlement or other causes attributed to the construction or other work by the applicant so deemed by the Director, shall be corrected as necessary with six (6) months after notification by the Director.~~

SECTION IV PENALTY

- I. *Any person found in violation of this Chapter, shall be guilty of a misdemeanor, and subject to penalties as provided in RSA 676:17.*
~~Any violation of this ordinance shall be considered a continuing violation. Any violator shall be fined the sum of no less than FIVE HUNDRED DOLLARS (\$500) and not more than ONE THOUSAND DOLLARS (\$1,000) for each day of such continuing violation.~~

~~End of Chapter~~

Chapter XVIII — *DISTURBANCE AND/OR WORK CONDUCTED WITHIN THE TOWN'S RIGHT OF WAY OR EASEMENT* INJURY TO PUBLIC HIGHWAYS OR TOWN PROPERTY

SECTION I AUTHORITY

- A. The *Director of Public Works and Engineering* Director shall be authorized to review and recommend all construction, repairs, erection of *traffic control or temporary construction* signs, or other work or actions necessary to *conduct work or correct any disturbance* cure any injuries to the *Town's Right of Way or Easement* public ways of the Town of Londonderry.

SECTION II PROCEDURE

- A. No person shall displace, break or otherwise remove the pavement or ground in any *part of the Town's Right of Way or Easement* highway or public way of the Town of Londonderry, erect any staging, place or deposit any *loam* dirt, stone, gravel, concrete, brick, timber or other materials thereon without first obtaining a written permit from the *Department of Public Works and Engineering* Director.
- B. No person shall erect, place or raise any signs, billboards or other obstruction on or within *the Town's Right of Way* any highway within the Town of Londonderry, or erect, raise, place or affix any sign billboard or other advertisement on any lands or the buildings of the Town without first obtaining appropriate permission and authority from the Town Council and such approvals as may be necessary from the Zoning Board of Adjustment.
- C. —C.— All construction, repairs, erection of *traffic control or temporary construction* signs, or other work or action permitted under the provisions of this ordinance shall be *conducted* done under the supervision of the Public Works Director in *accordance* accord with *the rules/regulations* materials and specifications as may be required by *the Department of Public Works and Engineering* him.

SECTION III PENALTY

~~A.D.~~ Any person violating any of the provisions of this ordinance shall be liable to the Town for all damages to such *Right of Way or Easement*~~highway, land or buildings~~ of the Town and for all expense incurred by the Town in removing any unauthorized construction, obstruction, sign or other material from *Town's Right of Way or Easement*~~any highway, land or building in the Town~~; and correcting or repairing any defects or damage to ~~any highway, land or building of the Town~~ caused by such violation in addition to the penalties prescribed elsewhere in the Londonderry Municipal Code.

~~End of Chapter~~

Londonderry Municipal Code Title I – General Code
Chapter XIX YARD SALES/FLEA MARKETS
Repeal Recommendation

Although the Yard Sale Ordinance has been in effect for some time, there has been minimal enforcement of these regulations due to staff workload and manpower availability. With residential yard sales occurring primarily on weekend days, the availability of authorized personnel to monitor these activities is rather limited. Any traffic interruption that may occur should be monitored by the Londonderry PD in accordance with applicable right-of-way public safety provisions.

The more common infraction associated with yard sale activities is the posting of signage, which are also subject to the same regulatory provisions for signs in the Zoning Ordinance.

As a means of regulating yard sales, provisions for the issuance of a yard sale permit was established by Section III of this Chapter. This section provides for the collection of a fee for this permit, although no set fee has been determined by the Town Council.

The process for administering yard sale permits would exceed what any reasonable fee for such a permit could adequately compensate. Property owners who are unaware that a permit is required for a yard sale will proceed inadvertently in violation of the ordinance. Any enforcement action involving yard sales oftentimes occurs after the fact anyway, which is a situation that is not likely to be corrected by the requirement for a permit.

Therefore, it is recommended that the permit provisions of this Chapter be repealed.

Chapter XIX - YARD SALES/FLEA MARKETS

SECTION I DEFINITION

- A. A “yard sale” or “flea market”, for purposes of this ordinance shall be deemed to be the sale of used items offered to the public in an indoor or outdoor display on property normally used for purposes other than such sales, such as residences, vacant lots, commercial properties or other similar areas.
- B. Included are activities generally referred to as “barn sales”, “garage sales” or other similar activities.

SECTION II STANDARDS FOR PERMITTED SALES

- A. In full recognition of the standards imposed by the Zoning Ordinance of the Town of Londonderry, certain casual uses of property within the Residential, AR-I and R-II districts which are not compatible with the overall intent as it applies to the conduct of business within those districts, the Town shall therefore allow
1. Casual sales of household and personal items of the resident/owner at his/her place of domicile in said districts, providing:
 - a. Any such sale is limited for a total period of twelve (12) hours on two (2) successive days. ~~During any one (1) week annually~~
 - b. A resident/owner may ~~apply for~~ **conduct** only two (2) similar casual sales ~~permits~~ at the same premises ~~for a period of~~ **during any** twelve (12) months **period** ~~from the date of the first permit.~~
 2. Rummage sales and similar fund raising efforts conducted by non profit corporations registered with the NH Secretary of State, or other organizations:
 - a. Organizations generally considered in this context are churches, church-related organization, local and national service clubs and recognized service oriented organizations.
 3. Casual sales of automobiles, trailers, boats and similar items of personal property:
 - a. Such personal property must be personally owned by the resident owner or be of immediate family ownership, as evidenced by a title or registration
 - b. A continuous offer for sale of different such items shall be inconsistent with the intent of casual sale and will not be permitted
 - c. Agents, dealers, brokers and salesmen are specifically excluded from carrying out casual sales in their business capacity under these regulations

- d. Only one (1) unregistered vehicle may be on the premises and offered for such casual sale at one time. (Laws related to unregistered vehicles, junk yards, licensed dealers, etc., shall apply to all instances.)
- e. ~~The conditions of the Permit Section shall apply~~

Chapter XIX - YARD SALES/FLEA MARKETS (Cont'd)

~~SECTION III~~ PERMIT PROCEDURES

~~The fee for handling and filing, if any, shall be determined and established by the Town Council~~

- A. ~~The permit is non-renewable and non-transferrable to another person or address~~
- B. ~~The permit shall be issued by the office of the Building Inspector upon the payment of the fee, if any, and evidence of conditions satisfied.~~

SECTION VI III SIGNS

- A. No sign advertising any yard sale, flea market or other similar activity as controlled by this ordinance shall be posted more than twelve hours prior to the commencement of the sale and all signs shall be removed no more than two hours after its termination.
- B. Signs for display to advertise the specific sale are limited to two (2) single faced or one (1) two-faced sign and shall be of reasonable size and in good taste. The size and locations of signs are to be part of the application and must be acceptable to the Building Inspector.
- B. No signs shall be posted on any property, *or within the Town or State right-of-way*, including utility poles, without the permission of the owner thereof and shall be in compliance with the Londonderry Zoning Ordinance.
- C. It shall be the responsibility of the person or persons operating the yard sale, flea market or other similar activity to comply with this provision.

SECTION VI IV NOTIFICATION TO POLICE DEPARTMENT

- A. Any person wishing to operate a yard sale, flea market or other similar activity within the Town of Londonderry shall notify the Londonderry Police Department no less than twenty four (24) hours prior to the commencement of the sale of the location and proposed time and dates of the sale.
- B. Any person operating such a sale and any person attending same shall comply with all requests and requirements of either the Town of

Londonderry Police Department or its individual officers with regard to the flow of traffic and parking of vehicles in connection with such sale.

SECTION ~~VH~~ V APPEALS

- A. Functions not herein defined, organizations not detailed and conditions or stipulations felt excessive may be appealed to the Town Council

SECTION ~~VH~~ VI VIOLATION

- A. Any resident/owner who violates the provisions of this ordinance shall be guilty of violation and subject to a fine not exceeding One Hundred (\$100) dollars.
- B. Every day that a violation continues after the resident/owner has received notice of the existence of the condition that constitutes a violation of this ordinance shall be deemed a separate offense.

~~End of Chapter~~

Chapter XX - SOLICITATIONS/SALES ON PUBLIC PROPERTY

SECTION I PROVISION

- A. Except as provided herein, no person or organization shall engage in solicitations or sales of any items or services on municipally-owned property within the Town of Londonderry.

SECTION II PERMITS

- A. Permits may be obtained from the *Town Manager's Office* ~~Police Department~~ for solicitations and sales in designated areas within the Town's parks or other land dedicated to recreational uses within the Town of Londonderry.
- B. *The Town does not have jurisdiction over such activities on property owned by the* ~~Concessions, sales and solicitations may also be allowed upon property devoted to the Londonderry School District. Requests for said activities on school property shall be directed to the Office of Superintendent of Schools.— upon such terms and conditions as may be allowed by the Londonderry School Board. No permit shall be necessary from the Police Department for such activities as may be approved by the Londonderry School Board.~~
- C. Such application shall be upon such forms as the *Town Manager* ~~Police Department~~ may deem appropriate with applicable fees set by the Town Council.

~~End of Chapter~~

CHAPTER XXI - SALE, POSSESSION AND DISPLAY OF FIREWORKS

SECTION I PURPOSE

A. To manage the sale, possession and display of fireworks within the community with the aim of maintaining environmental quality while preserving the peace.

SECTION II DEFINITIONS

A. "Fireworks" means ~~Class B special fireworks as defined in 49 CFR section 173.88(d) packaged and unpackaged, Class C common fireworks as defined in 37 49 CFR section 55.11 173.100(r) packaged and unpackaged,~~ and "permissible fireworks" as defined in RSA 160-B:1-V-b. "Fireworks" shall not include novelty items as defined in RSA 160-B:1-V-c.

B. "Display" means the use, exploding, activation, ignition, discharge, firing or any other activity which is intended to cause or which causes a firework to do what it was manufactured to do.

C. "Sale" or "Sell" means to sell, give or transfer to another, with or without consideration.

D. "Retail" means the sale to any consumer or person not engaged in the business of making sales of fireworks.

E. "Wholesale" means engaging in the business of making sales to any other person engaged in the business of making sales of fireworks. Wholesale shall not include any making of sales to consumers or persons not engaged in the business of making sales of fireworks. To constitute a wholesale sale, a sale must be for a minimum amount of \$1,000. This minimum may be increased by the Commissioner by rule adopted pursuant to RSA 541-A.

SECTION III PERMITS AND FEES

A. Pursuant to 1993 Town Meeting Vote of Article No.7, the sale, possession and display of fireworks is authorized pursuant to the provisions of RSA 160-B, subject to all the provisions therein.

CHAPTER XXI - SALE, POSSESSION AND DISPLAY OF FIREWORKS
(Cont'd)

SECTION III PERMITS AND FEES (Cont'd)

B. Permits shall be issued to the extent authorized under RSA 160-B:6 and 160-B:7.

C. Fees shall be as follows:

1. Fees will be in accordance with the fee schedule adopted by the Town Council
~~Fireworks and Permissible Fireworks~~\$1,000
2. Possession and display of Fireworks\$100

SECTION IV PENALTIES FOR OFFENSE

A person or persons, firm or corporation convicted of violating any provisions of this Ordinance shall be **subject to the penalties as set forth in RSA 160-B.** ~~guilty of a violation which is punishable as follows:~~

1. ~~For a first conviction, a fine of twenty five dollars (\$25.00)~~
2. ~~For a second conviction, a fine of fifty dollars (\$50.00)~~
3. ~~For a third and all subsequent convictions, a fine of not less than two hundred fifty dollars (\$250.00), but not more than five hundred dollars (\$500.00).~~

~~End of Chapter~~

CHAPTER XXII - LONDONDERRY TOWN COMMON

SECTION I SUPERVISION

- A. The Londonderry Town Common shall be under the supervision of the Town Manager *with advice and recommendations from the* Historic District Commission, Conservation Commission and Town Council.
- B. The Town Manager shall make such rules and regulations for use and care as he/she may deem appropriate, subject to the approval of the Town Council.

SECTION II AUTHORIZATION FOR USE

- A. The Town Manager, as authorized by the Town Charter, shall coordinate the use of the Town Common by the public and other such public entities who may request such use in writing.
- B. Authorization by the Town Manager for the use of the Town Common shall contain the provisos of care, clean up, and notification for safety reasons to the Londonderry Fire and Police Departments of the date and time of its use.
- C. No fees shall be charged for the use of the Town Common; however, liability for damages or clean up to the Town Common shall be borne by the person or public entity responsible and shall be billed accordingly.

~~End of Chapter~~

CHAPTER XXIII - PARKS/RECREATION AREAS

SECTION I - AUTHORITY

- A. The enabling legislation is RSA 35-B. This section may also be referred to as the “park code”.
- B. The Recreation ~~Department~~ *Division* has authority over ~~public squares and parks, park drives, parkways, boulevards,~~ play and recreation grounds and facilities. It adopts rules as specified in Section III. Failure to comply with any such rule or regulation shall be deemed to be a violation of this Chapter.

SECTION II - DEFINITIONS

The terms herein used, unless clearly contrary to or inconsistent with the context in which used, shall be construed as follows:

- A. “Recreation *Division* ~~Department~~” means the *Division* ~~Department~~ of the Town as established by the Charter and the Administrative Code of the Town of Londonderry.
- B. Park means and includes all Town parks, ~~public squares, park drives, parkways, boulevards, golf courses, skatepark, museums, zoos, pools, bathing beaches~~ and play and recreation grounds under the jurisdiction of the Recreation *Division* ~~Department~~.
- C. “Person” is any person, firm, partnership, association, corporation, company or organization of any kind.
- D. ~~Wherever consistent with the context of this Chapter, words in the present, past, or future tenses shall be construed to be interchangeable with each other and words in the singular number shall be construed to be interchangeable with words in the plural.~~

SECTION III - GOVERNANCE

- A. ~~The Recreation Department and/or Recreation Commission shall, pursuant to the provisions of RSA 35-B:1,~~ *recommend that the Town Council* acquire land within its jurisdiction by gift, purchase or lease, for a public recreation and park area and may prepare, equip, and maintain said land for said purpose.
- B. Other than as set forth in this Chapter, the Recreation ~~Department and/or Recreation~~ Commission shall recommend such rules as deemed necessary for the use, care and maintenance of all parks to the Town Council for approval.

CHAPTER XXIII - PARKS/RECREATION AREAS (Cont'd)

SECTION IV - PROHIBITIONS

- A. It is unlawful in any manner to tease, annoy, disturb, molest, catch, injure or kill, or to throw any stone or missile of any kind at, or strike with any stick or weapon, any animal, bird, fowl, or fish; or to feed any fowl, except at areas designated by the Recreation *Division* Department, in any park.
- B. It is unlawful to practice or play golf, baseball, archery, hockey, tennis, or other games of like character except at places set apart for such purposes by the Recreation Department. It is unlawful to throw or propel any missile or other object where such activity may be hazardous to others.
- C. It is unlawful to throw any refuse, litter, broken glass, crockery, nails, shrubbery, trimmings, junk, or advertising matter in any park or to deposit any such material therein, except in designated receptacles.
- D. It is unlawful to engage in, conduct, or hold any trials or competitions for speed, endurance, or hill climbing involving any vehicle, boat, aircraft, or animal in any park, except by permission of the Recreation *Division* Department.
- E. Upon acceptance of this Chapter, all parks and playgrounds in the Town of Londonderry shall be closed to the public from 10:00 PM until 7:00 AM, unless such public is attending a Recreation Program sponsored by or authorized by the Town, or by express, written consent of the Recreation *Division* Department or Town Manager.
- F. Use of off road vehicles of any kind, including but not limited to snowmobiles, three and four wheeled OHVs, or other such motorized vehicles is prohibited at all parks unless such activity is authorized by the Recreation *Division* Department for a specific event.
- G. Use of bicycles or other wheeled vehicles other than skateboards shall be prohibited from ~~the Skateboard Park and~~ all basketball and tennis courts of the community.
- H. The use and/or consumption of tobacco products, or drugs are absolutely prohibited for all park grounds at all times. No person shall consume or possess any alcoholic liquor or beverages, as defined by RSA 175:1, in any park recreation or rest area within the Town limits, except when express, written consent shall be given by the Town Manager.
- I. The use of profanity in any form, verbal or sign is discouraged.
- J. It is unlawful for the owners or caretakers of any animal brought to any park to allow the animal to foul the premises. Owners shall promptly remove any such material immediately and place it in the nearest receptacle.
- K. It is unlawful for the owner or caretaker of any dog to allow said dog onto Nelson Field (including the premises leased to LAFA) and Continental Park, when children are present or organized activities are

scheduled.

PARKS/RECREATION AREAS (Cont'd)

SECTION IV - PROHIBITIONS (Cont'd)

L. No person shall sit or stand upon the back or stand upon the seat of any municipally owned bench. No person shall continue to sit or stand, or lounge in the area immediately adjacent to any municipally owned bench after having been requested to move on by any police officer, and at no time after such a request is made, return and sit or stand or lounge in the area immediately adjacent to any municipally owned bench.

M. No bicycle, scooter or skateboard shall be left unattended on any sidewalk in any park of the Town in any way that impedes or endangers pedestrians.

SECTION V - VIOLATIONS

A. Anyone concerned in the violation of this Chapter, whether directly committing the act or omitting to do the thing constituting the offense, or who aids or abets the same, whether present or absent, and anyone who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such offense is and shall be principal under the terms of the Chapter and shall be proceeded against and prosecuted as such.

B. In the event that any law enforcement officer of the Town of Londonderry observes any minor child operating a bicycle, scooter, skateboard or roller skates in violation of this Chapter, the law enforcement officer may confiscate the bicycle, scooter, skateboard, or roller skates operated by said minor child and shall return the bicycle, scooter, skateboard or roller skates only to the said minor's parents or guardian.

C. The law enforcement officer shall be authorized to confiscate a bicycle, scooter, skateboard, or roller skates under the provisions of this Chapter where or not he/she issues a citation for violations of this Chapter.

SECTION VI - PENALTY

A. Any person found in violation of this Chapter, shall be guilty of a misdemeanor, **and subject to penalties as provided in RSA 676:17.**

~~B. Except as otherwise specifically provided, violation of or failure to comply with the provisions of this Chapter subjects the offender to a fine according to the schedule below:~~

- ~~1. First Offense \$50~~
- ~~2. Second Offense \$100~~
- ~~3. Third Offense \$200~~
- ~~4. Fourth Offense \$500~~

B. Any person found guilty of damage to any part of a recreational facility, including the defacement of any building or equipment by the placement

of graffiti, shall be required to clean off the graffiti by approved means, or make full restitution of the damaged facility or equipment.

~~ End of Chapter ~~

Chapter XXV - PREPAYMENT OF TAXES

SECTION I STATUTORY AUTHORITY

- A. The provisions of RSA 80:52-a, and as amended by the State Legislature, are hereby adopted.

SECTION II PROCEDURE AND ADMINISTRATIVE WAIVER

- A. Only the Town of Londonderry shall be allowed to accept the prepayment of taxes assessed within the Town
- B. Any person, firm or corporation owning taxable property may, at any time before notice of the amount of taxes assessed against said property has been received, make payments on account of such taxes as will be due.
- C. The Finance Director shall receive such payments and give a receipt therefore and credit the amounts paid toward the amount of taxes eventually assessed against said property.
- D. The Tax Collector shall give such bond in the form and amount with the commissioner of revenue administration shall require and the Tax Collector shall pay over all sums so received to the Town Treasurer under the provisions of RSA 41:35.
- E. No taxpayer shall be allowed to prepay taxes more than two (2) years in advance of the due date of the taxes.
- F. No interest shall accrue to the taxpayer on any prepayment, nor shall any interest be paid to the taxpayer on any prepayment which is later subject to rebate or refund

~ End of Chapter ~

Chapter XXVI – PROHIBITED ACTIVITIES ON TOWN PROPERTIES

SECTION I PROVISION

- A. In addition to activities which are prohibited by other local, state or federal rules, regulations, laws, statutes or ordinance, no person shall engage in the following activities on municipally-owned property within the Town of Londonderry.

SECTION II PROHIBITED ACTIVITIES

- A. Smoking, meaning having in one's possession a lighted cigarette, cigar, or pipe, or any device designed to produce the effect of smoking, shall not be permitted within 20 feet of any entry point to any municipally-owned property. (*Amended – Ord. 2006-12, 11/20/06*)
 - i. Entry point is defined as an exterior door to a building, and for other facilities/properties is an area where the public is required to enter in a specific area due to the presence of manmade improvements such as fencing, or where natural topography or features create a similar effect as fencing.
 - ii. This ordinance shall be effective upon passage by the Town Council and erection of signage alerting the public to the prohibited activity in said designated areas.
 - iii. These regulations shall be in addition to the regulations promulgated by the Indoor Smoking Act (RSA 155:64-77).

SECTION III PENALTIES

- A. Any person who violates any of the provisions of this title shall be guilty of a misdemeanor; and shall be subject to a penalty of \$275 for the first offense and \$550 for subsequent offenses.

~~End of Chapter~~

Town Council
FY 12 GOALS AND OBJECTIVES

OBJECTIVE #1 – Provide a cost effective government to achieve greatest value at lowest cost.

- Goal #1 - Prepare a FY13 Town Budget in accordance with Town Charter revisions approved at the 2011 Town Meeting.
- Goal #2 - Conduct a review of town office services to determine their appropriateness and cost effectiveness with the assistance of quantitative tools such as benchmarking.
- Goal #3 - Continue the review of all town regulations and policies in accordance with the decennial Charter requirement to re-codify ordinances operations to eliminate unnecessary and outdated policies and laws;
- Goal #3 - Study the feasibility of combining the Library and Cable Divisions to be funded with cable franchise fees and property tax support.
- Goal #4 - Assure that the Town’s public safety budget/staffing levels meet public expectations/needs, including appropriate emergency response analyses.
- Goal #5 - Continue to re-evaluate the feasibility of shared services between the Town and the School District.
- Goal #6 - Review and develop a policy recommendation for voters regarding the use and allocation of Land Use Change Tax revenues.
- Goal #7 - Explore all opportunities to enhance non-property tax revenues.

OBJECTIVE #2 - To accelerate economic development efforts to drive tax revenue, thereby reducing tax burdens while preserving Londonderry’s quality of life.

- Goal #1 - Continue monthly economic development updates with a focus on input received from businesses relocating to Londonderry and “users” of the planning and development processes.
- Goal #2 - Expand the monthly updates to include a status report on the Woodmont Commons project.
- Goal #3 - Develop goal measurements for economic development recruitment efforts.

Goal #4 - Re-establish the Economic Development Committee for the purpose of supporting economic growth and prosperity in Londonderry.

OBJECTIVE #3 - Enhance communications with the community.

Goal #1 - Work with the Planning Board to insure that a system is in place to maximize communications and participation in the multi-year planning and development of Woodmont Commons.

Goal #2 - Frequently update the web pages of all Committees, Commissions and Board to insure that the public has current information on services, activities, offerings and responsibilities.

OBJECTIVE #4 - Develop policy guidance for the Conservation Commission regarding acquisition of conservation land in order to meet the Council's expectations when acquisition proposals are presented to the Council in accordance with RSA 36-A:4.

Town Council
FY 11 GOALS AND OBJECTIVES
March 24, 2011 Status

OBJECTIVE #1 – Provide a cost effective government to achieve greatest value at lowest cost.

- Goal #1 - Develop a FY12 Town Budget which results in a level funded tax rate (0% increase).
- a. Review of anticipated default costs
 - b. Met with Dept Head and Unions to discuss challenges with meeting budget directive
 - c. Established initial directive reducing FY12 Budget by 5% to meet tax rate goal.
 - d. Further reductions required to offset increased health and retirement costs, and stagnant revenues
 - e. With Town Meeting adoption of FY12 budget, goal met.
- Goal #2 - Conduct a review of town operations to eliminate unnecessary and outdated policies and laws; quantify costs associated with those policies and laws.
- a. Municipal Code distributed to Department Heads
 - b. Provide instructions/deadline for Code review/applicability to respective departments.
 - c. Request identification of other requirements/services that appear to be ineffective, time consuming and/or replicate work of others
 - d. Process requires comprehensive review of Municipal Code, which is underway; anticipate presenting Title I to Council in April/May, 2011.
- Goal #3 - Better understand town expenditures and revenue sources by analyzing all vendors which are compensated in excess of \$15,000 per year; review and understand major revenue sources, including their structure and stability over a multi-year period.
- a. Report delivered to the Council in May, 2010.
- Goal #4 - Continue to annually review the organizational structure, with the goal of reducing/streamlining personnel costs.
- a. On-going effort
 - b. Reviewed vacant payroll position; position reduced to part-time.
 - c. Recommended consolidation of dispatch services and cable division staffing levels, neither of which were included in FY12 budget.
 - d. A number of other positions were reduced to PT or eliminated in the FY12 budget.
 - e. Staffing levels continuously reviewed with goal of

maintaining realistic staffing levels to provided statutory/requested service levels.

- Goal #5 - Restructure IT services agreement by seeking proposals for a multi-year term.
- a. Consulting agreement bid; new vendor on site with anticipated three year savings of \$75,000.00.

OBJECTIVE #2 - To accelerate economic development efforts to drive tax revenue, thereby reducing tax burdens while preserving Londonderry's quality of life.

- Goal #1 - Reorient monthly economic development updates by focusing on input received from businesses relocating to Londonderry and "users" of the planning and development processes.
- a. Community Development Director continues to report out on economic development activities and inviting local business representatives to share their perspective on the land use review/approval process and the general business climate in Londonderry.

- Goal #2 - Reorient staff portion of monthly update to focus upon accomplishments and/or project milestones reached during the previous period.
- a. See Goal #1, above.

- Goal #3 - Develop a "Capture Team" approach to attract and deliver new businesses to the community.
- a. The Community Development Director has assembled a team to work with new and interested economic development prospects, consisting of the Director; Town Manager; Director, DPW; Planning Board Chair.

- Goal #4 - Consider providing some "advantage scoring mechanisms" for Londonderry businesses wishing to do business with the Town; award work to local firms and businesses when competitive proposals result in otherwise equal scoring or evaluation.
- a. On-going, currently considered when reviewing bids and other proposals.
 - b. Research completed with information received on similar policies in use by other localities throughout the country.
 - c. To be presented to Council for formal policy directive in conjunction with Municipal Code review (Title VI).

- Goal #5 - Continually upgrade, expand and refresh the economic development marketing website.
- a. Community Development continues to incorporate new

features which provides additional information to business and industry searching for expansion opportunities, such as:

1. **News & Events** section reflects the latest economic development “happenings” to date;
2. **Facts and Figure** section reflects the latest stats on Londonderry and other pertinent data and reports (i.e. new population estimates, new tax rate, Target Industry Study, Community Profile, etc...)
3. Staff is in the process of **creating** a new “Site finder” link that will give prospects solid up to date information on available “for sale” and “for lease” land and buildings in Londonderry.

- Goal #6 - Complete a funding package to construct the Pettengill Road project.
- a. Community Development staff has applied for TIGER II and EDA grants to fund between 50-100% of project with non-local tax dollars.
 - b. TIGER II application not funded; EDA grant was resubmitted in March with additional information
 - c. Continuing conversations with State regarding potential resources, including legislation which would establish a State Infrastructure Bank.
 - d. Met recently with Congressman Guinta and Senator Ayotte regarding this project.

OBJECTIVE #3 - Continue the agenda management process implemented in FY10 whereby agenda items are scheduled and managed in an efficient and straightforward manner. Non-critical items which do not require public participation shall be scheduled appropriately to avoid overburdening the meeting agenda, and to allow completion of town business within a reasonable time.

- a. On-going, achieving objective in most instances, with variances occurring during discussions of items of heightened public interest (e.g. SAFER Grant, Budget process).

OBJECTIVE #4 - Empower a Committee to review the 2006 Open Space Task Force Report for the purpose of reviewing and assessing whether the goals and objectives outlined in that report are in line with current community goals and the Town’s financial position.

- a. Mike Speltz appeared before the Council at the July 15th meeting to initiate discussions on the issue, with a more detailed discussion held on August 2, 2010.
- b. Council approved Task Force Charge; Committee populated.
- c. Interim report released March 3, 2011

OBJECTIVE #5 - With the Community Development Department, develop a timeline for updating

the Town Master Plan and determine the appropriate time to plan and sponsor a community engagement process to increase citizen input into the community planning process.

- a. **April-May**
 - a. Confirm Master Plan content, expectations and development process with Planning Board
 - b. Create a steering committee
- b. **June-Aug.**
 - a. Steering Committee & staff develop bid specs
 - b. Confirm spec with Planning Board
 - c. Advertise
- c. **August – Sept.**
 - a. Interview and recommend to PB prospective consultant
 - b. Planning Board confirm selection
 - c. Town Manager sign contract
- d. **October 2011- December 2012**
 - a. Development of the Master Plan
 - b. Master Plan acceptance

TASK #1 -

Identify the cost to residents desiring to upgrade their current 65 gallon waste container with a 96 gallon container; investigate the cost to provide additional disposal options during the holiday season; develop a timeline and cost for expanding hours/services at the Drop-Off Center.

- a. Info on the 96 gallon container, holiday pickup and town wide bulk pickup presented at the July 15, 2010 Council Meeting.
- b. DPW managing improvements to the Drop-Off Center which would allow for consideration of expanded hours.

ORDER 2011-06

An order relative to
***The Distribution of Conservation Funds
To Purchase A Conservation Easement***

First Reading: 05/16/11
Adopted: xx/xx/xx

WHEREAS the Town of Londonderry has appropriated funds for the Open Space Preservation Program to be placed in the Open Space Fund; 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 Commission may, under the provisions of said State law, acquire in the name of the Town and subject to the approval of the governing body, any property to be conserved and utilized as open space and shall manage and control the same;

NOW THEREFORE BE IT ORDERED by the Londonderry Town Council that the Town Treasurer is hereby authorized, as directed by the Conservation Commission, to expend from the Open Space Fund a sum not to exceed \$219,000.00 to purchase a Conservation Easement on 20 +/- acres of Map/Lot 17-10, 587 Mammoth Road, from Everett D. & Charlotte F. Merrill.

Sean O'Keefe, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour - Town Clerk/Tax Collector

A TRUE COPY ATTEST:
05/16/11

TO: Town Council

FROM: Dave Caron, Town Manager

RE: Senior Affairs Director

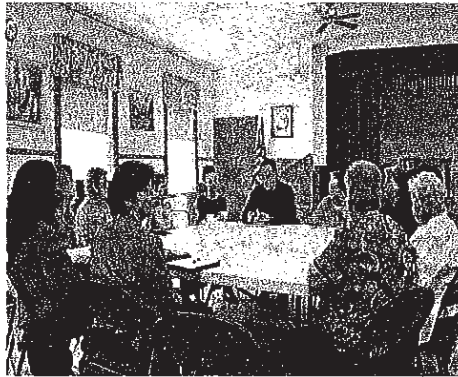
DATE: May 2, 2011

Pursuant to Council Resolution #2007-33, I am requesting authorization to fill the position of Senior Affairs Director, which will soon be vacated by the resignation of Sara Landry. The Director is responsible for operation of the seniors programs in Londonderry and is the sole town employee assigned to that function, although Sara has been successful obtaining grants to fund part-time assistance. The operating budget less personnel costs is a lean \$8,889.00.

Sara was hired in 2002 and managed to consolidate two separate organizations into a cohesive group operating out of the Mayflower Grange on Mammoth Road. I've attached a copy of Sara's FY12 budget presentation, which gives the best possible presentation on the Program's activities and offerings.

The position is presently authorized at 34 hours per week (\$20.70 - \$22.32/hr.); it is recommended that the Town seek a replacement at the same authorization level. The Director has developed a close, collaborative relationship with the Londonderry Senior Citizens Inc., an organization which has underwritten many programs and physical improvements to the Grange. The next Director will have to maintain that critical relationship to effectively achieve program goals and objectives.

Senior Affairs Budget FY2012



Senior Affairs Budget Presentation FY 2012

Average yearly- cost per senior

Senior Affairs Budget \$54,451 (FY11) / 3500 (projected senior population) = **\$15.56**

Senior Affairs Budget (w/ 5% reduction) \$51,751/3500 = **\$14.79**

The cost to the tax payer per senior is minuscule compared what the tax payer pays in taxes, to other segments of our town's population.

Town of Londonderry- cost per student to attend:

Average yearly cost for	Elementary School Child	\$11,898.98
	Middle School Child	\$10,169.56
	High School Child	\$10,730.64
	Average for Londonderry	\$11,058.70
	State Average	\$11,746.00

The 2000 Census had the senior population of Londonderry at 2,932 seniors or 12.6% of our town's population.

I believe when the new 2010 Census figures are released Londonderry will see an increase in its total senior population. The 2000 Census indicated that there were 3,702 individuals aged 45-55- those individuals are now 10 years older and will be included in the over 55 group. Potentially that could make the number of 55+ aged individual living in Londonderry close to 6,634 or 28.5% of the total population.

This aging of our community is NOT expected to slow down, as the aged group of those individuals aged 35-44 years was almost 5,000 during the 2000 census. (see Table DP-1. Profile of General Demographic Characteristics: 2000)

Tax impact- to maintain current funding

- $\$2,700.00 / 9997 = .27$ per year per tax paying household
- $\$2,700.00 / 24,975$ (population per 2000 census) = approximately .11 per person living in Londonderry.

Program Budget line of \$7,100 will be reduced to \$4,400.

In order to maintain current programming- the seniors would have to increase fundraising via increased fees and events.

LSCI has annual fundraising events. Over the past several years, our seniors have worked hard to raised money and purchased the following items: renovations of electrical, flooring, paint on the stage, a new TV and entertainment center, a new commercial grade stove, new refrigerator and freezer, renovation to created a new meeting room, and divider curtain, picnic tables, a new storage shed, new tables, etc.... just to name a few!

This year, LSCI has purchased the following items totaling **\$3,532.87**:

- New stage curtain
- Hot Dog Steamer
- Popcorn machine
- Kitchen small appliances
- 2 Card tables
- PA system
- Maintenance and repair
- Recreational Supplies

In addition, This Senior Affairs program received donations from LSCI in the amount of **\$4,688.86**. This funding helped to subsidize the Senior Holiday dinner, the St. Patrick's Day event, the snack table, paper and cleaning products.

LSCI matches and exceeds the town's contribution to the Senior Affairs Program Budget. Many of the LSCI members are "at" or "below" the federal poverty level, so asking them to contribute more is NOT acceptable.

Volunteer hours of approximately 54 hours per week x \$7 per hour= \$378 per week x 52 weeks= **\$19656 saved** in staff money if the Town had to that activities position.

Volunteers run Bingo 2 x per week, Chair Dancing-2 x per week, Senior Fitness class, the computer lab, assist with serving meals-set up and clean-up, and run language classes 2 per week, provide-Wednesday receptionist services, etc.....

Under our current program budget - seniors have access to:

Senior Center hours- Monday-Friday: 8 am to 2 pm

Hot meals- 3 days per week

Social Service information and referral, as needed and an onsite Director. Classes such as: Bone Builders, Senior Fitness, Chair Exercise, Tai Chi, Yoga, Art Classes, Creative Writing, Spanish, French, Knitting groups, Mah Jongg and various game classes and clubs, Bingo, One on One Computer Classes, Line Dancing, Monthly Breakfasts, various Speakers from the community-such as Doctors, Lawyers, Nurses, Physical Therapists, Fire Department personnel, AARP safe Driving; Health and Wellness clinics and

screenings, Foot Clinics, Blood Pressure Clinics, Flu Shot Clinic, Diabetes Support Group, Osteoporosis screenings, etc.. Medicare and Medicare D assistance and property tax relief filing assistance. In addition, the Center offers many monthly special programs such as low cost Parties (Holiday- St. Patrick's Day, LSCI lunches, etc.) Brown Bag Lunches, Special speakers and programs, just to name a few!

This program is needed with the raising number of seniors in our community. The Baby boomers are aging and the senior set is the largest growing segment of our community, state and country!

The senior center is a vital program. It provides support and socialization opportunities for our seniors. In addition to the Senior Center, Senior Affairs department provide information and referral services to our town's residents. I often receive calls from family caregivers looking for equipment, services, and support. I already have to turn away outreach calls, as I do not have enough staff/resources. I have had to move programs off site and many programs have capped out and seniors have been turned away (yoga, tai chi, bone builders and certain lunches have waiting lists) because we are not able to increase current programs. Both the building and staff are maxed out. The senior affairs department has been working closely with the EAC to develop and advocate for low income housing for seniors. Educating the public in regards to the seniors needs is also a responsibility of our senior affairs department.

The Senior Affairs Dept is responsible to maintain working relationships with over 30 various Health and Human service organizations, they include but are not limited to:

- RNMOW
- RVNA
- RSVP
- The Elliot Health care
- Parkland Medical
- CART
- YMCA of Great Manchester/Londonderry
- The NH Association of Senior Centers
- Servicelink
- Londonderry Fire Department
- AARP –safe drivers program
- Community Care Givers of Greater Derry,
- Beautify Londonderry
- Girl Scouts troop
- The Londonderry Woman's Club
- Etc.....

Since 2007 the Senior Affairs Department has had a budget reduction of \$3,000, over a 5% decrease already. In the past 3 years, I have worked hard and I have grown this program- out of necessity- due to the increase in the senior population and those in need.

A one year 5% cut would be devastating to an already **overly lean** and already **underfunded** program. I am begging you to please level fund the Senior Affairs.

Senior Affairs Directors Recommendations:

Continue to grow the programs at the Senior Center in order to meet the needs of this increasing population. To meet the growing needs of this population, it is my recommendation that the town invest in this program and population by having a full time Director. In addition to this I foresee the need for a part-time Outreach Coordinator.

Short Term Goals:

- Parking is a current challenge that the seniors face weekly at the Center, I would like to be able to use parking spaces vacated by the North Fire Department after their move to the new station. For future consideration, it would be desirable to utilize the entire space (building removed and a new parking lot created) as additional parking.
- The bathrooms need to be increased and improved. The current lavatories are poorly constructed, extremely cold in the winter and warm in the summer, and too small.

Long Term Goals:

- To expand the current Senior Center in accordance with the plan that was forwarded to the CIP Committee. This expansion is necessary. There are currently 4 senior programs taking place off site at the YMCA of Londonderry, due to lack of appropriate space.

TOWN OF LONDONDERRY
SARA LANDRY
DIRECTOR OF SENIOR
AFFAIRS
432-7501

VOLUME 1, ISSUE 1

OCTOBER 2010

IMPORTANT DATES AND PRO- GRAMS TO KNOW:

- RVNA Blood pressure clinic 11am on Tuesday Oct. 5th.
- Oct. 7th- The Estate Game- at 11:45am
- Flu Shot Clinic- Monday Oct. 11th from 10am—2pm.
- RVNA Foot clinic- Thursday Oct. 14th, by appointment only
- Oct. 15th- LSCI Holiday Fair set up.
- LSCI Holiday Fair on Saturday Oct. 16th from 9am to 3pm!
- Crafters with a Cause Tuesday Oct. 19th at 1pm
- Yard Sale Yankee Swap with Karen- Wednesday Oct. 20th at 10:30 am!
- RVNA Diabetes support Group- Friday, Oct. 22nd!
- First Aid and CPR for your Pet- Monday Oct. 25th at 9:30am
- Celebrate October Birthdays Tuesday October 26th at noon.
- Oct. 29th Monthly Senior Breakfast at 9:30 am
- Roundtable discussion with the Senior Center Director date changed to Friday Oct. 29th at noon

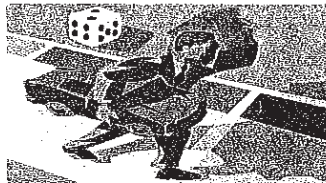
The Londonderry Senior Center

The Estate Game— Do you want to play?

Thursday October 7th at 11:45 am. Sign up is must!! It is free to play!

This interactive board game can provide you with these valuable benefits: Preserve your wealth for your enjoyment and that of your family. Stay in control of your assets. You and your family will be better protected with your customized, self-designed estate plan, rather than one the Government creates for you. Plan ahead for long-term

care and care for aging parents. Protect the value



This fun and interactive game will teach you all about wills, POA, trusts, etc!

of your business, your employees and your family's income stream. No commitment is required. Just attend, learn, laugh

and enjoy the game.

Meet the Experts while you play! You'll enjoy getting to know our engaging, talented and lively team of legal experts. Attorneys Deborah Danger and Jenny Milana will share important facts about Estate Planning. Confidentiality is guaranteed!

This is NOT a sale pitch!! Come and learn!!!!!!

The Pen Pal Program is BACK!!!

Are you interested in becoming a pen pal to a Londonderry 3rd grader? They need you!!!! There are currently 19 openings for this program. We will be pairing up with a 3rd grade class from the Matthew

Thornton Elementary school here in Londonderry. *I need anyone who is interested to sign up with Elaine as soon as possible.* If we do not get enough senior pen pals we will not be able to participate!!! I am

anticipating that you will write a letter approximately every other month. If you have any questions, please see Sara Landry for more information.

Beginner Mah Jongg— 5 week program



Monday's at noon— class begins November 1st! If you have been waiting for more Mah Jongg classes, your wait is OVER!!! Mah

Mah Jongg is a fun tile game, come and learn how to play!

Jongg classes will take place beginning in November.

This session will be five weeks long. Classes take place from 12pm to 2pm. Sign up is required. Classes are \$25.00 per person for members of

LSCI and \$40 per person for non members of LSCI. To sign-up, stop by the Londonderry Senior Center. Payment is due at the first class. For more information contact Elaine Peters at 432-8554. Limited space is available to sign up early. An intermediate class may be added if there is enough interest. Class prices would be the same as the beginner class.

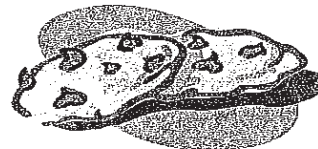
Crafters Give Back

A new Senior Center Community Service group!

On Tuesday October 19th, the Crafters Give back group will hold its second meeting. They

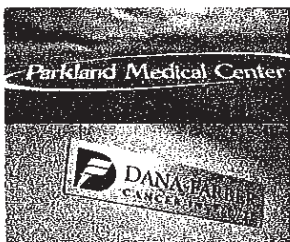
are hard at work, planning a wonderful project to be distributed in January 2011. This group meets on a monthly basis. If you are interested in learning more about some volun-

teer options and ways in which you can plug in to help us, join us on Oct. 19th at 1pm.



"Our seniors want to give back to those who have given so much to our community"

Knitters Update!



We met with Kristi Weeks, RN from Dana Farber, and she introduced us to the staff and support service and gave us a tour of the Infusion Rooms where the treatments take place. They appreciated all the time and work that went into these blankets and will be looking forward for more in the future. At this time they do not need hats but will be in the future months.

I have been giving the hats to Parkland, who appreciate them because they have not received hats in the past. 10 more were given on Monday, Sept 20th. Thank you to Sue Rizzo, Jane Grube, Linda Kneeland, Betty DeMelo, Muriel Mikulewicz, and Marie Pollock
-Respectfully Submitted by Elaine Peters

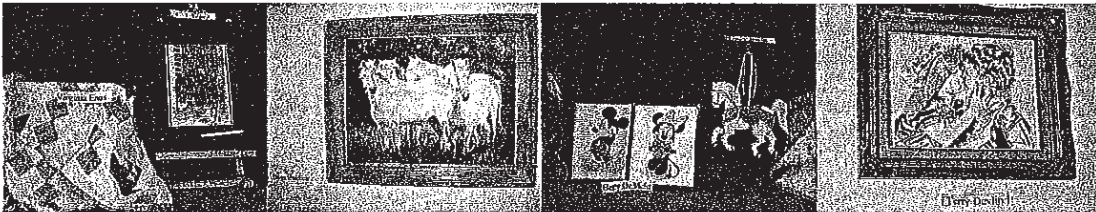
Senior Center Art Show— HUGE Success!

The Senior Art Show which took place - Tuesday September 21st to Friday September 24th was a big success. Thank you to the

following members who shared their talents with us: Renate Carlson, Dottie Connors, Virginia Enos, Betty DeMelo, Terry Devlin, Dawn Hut-

chins, Nancy Irwin, Ernie Lanctot, Carol Jean Lopez, Sylvia Mace, Louise Madrid, Ann Marie Terra and Sandy Weston.

“So many talented seniors visit our Center— We are truly blessed”



Yard Sale— Yankee Swap!

Wednesday October 20th at 10:30 am- join us for a lot of fun as we hold the annual Yard Sale Yankee Swap. Bring in your gently used yard sale item, as Karen would say, “something you might want to buy or sell at a yard sale”. Wrap it up and join the fun. Karen Monchamp, our Fitness Instructor, hosts this annual

event and it is done in a light hearted and joyful way. Senior Fitness will begin at 9:30 am on this morning so that we may have extra time for the swap. The Rockingham Congregate meal scheduled for this day will be served at 11:45am. If you plan on staying for the lunch after the swap, please make sure you sign up one week in advance!

We look forward to seeing you at this fun event! Any questions regarding this program, you can see either Karen Monchamp or Sara Landry at the Senior Center!



The Londonderry Senior Center

Main Hall Phone Number: 432-8554

Sara Landry Director of Senior Affairs

Office Phone Number: 432-7509

OCTOBER 2010
THE LONDONDERRY SENIOR CENTER
SPECIAL EVENTS CALENDAR

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 11 am Blood Pressure Clinic	6 NO fitness class today!	7 11:45 am The Estate Game	8	9
10	11 10 am to 1 pm RVNA Flu Shot Clinic	12 10 am Jim Miller Finan- cial planner	13	14 RVNA Foot Clinic- Ap- pointment only!	15 9 am Holiday Fair Set up	16 LSCI's 7th Annual Holiday Fair
17	18	19 1 pm Crafters with a Cause	20 10:30 Yard Sale Yankee Swap	21	22 10 am Diabetes Sup- port Group	23
24	25 9:30 am First Aid and CPR for your pet	26 Noon- Octo- ber Birthday Cake!	27	28	29 9:30 am Monthly Breakfast Noon- Direc- tors roundta- ble	30/31



First Aid and CPR for your Pet Monday October 25th at 9:30 am



Join us on Monday October 25th at 9:30 for an informative program on pet first aid and CPR, Healthy Pets NH is owned and operated by April Begosh. April is a lifelong pet owner whose pets have included dogs, cats, rabbits, hamsters, birds, turtles, and even snakes. For the past 15 years, April has owned and operated a private Massage Therapy practice in Concord, NH. She has been committed to providing her clients with the highest quality care and knowledge in holistic health practices. In addition to being a licensed Massage Therapist, she also holds certificates in Fitness and Nutrition. In 2008, April decided that she wanted to be able to provide the same quality care to her animal companions as she does for her human clients. She started taking classes in pet health and nutrition and in March of 2009 she became certified to teach Pet CPR, First Aid and Care by Pet Tech, Inc. Pet Tech is the first International Training Center for Pet CPR, First Aid and Care. Pet Tech Instructors worldwide promote caring, conscientious, responsible, and loving pet ownership. Pet Tech and their Instructors are committed to the safety, health and well-being of our pets, our friends, our companions. April has committed herself to carrying out the Pet Tech mission which is: "Improving the quality of pets lives, one pet owner at a time". Sign up is required and this program is free. There will be workbooks on sale for \$10.00 per book. This book will be used during the program and it is suggested that you purchase one. You must preorder this book. See Elaine or Sara for more information.

We are on the web at
www.londonderrynh.org

YMCA— LSCI Senior Programs:

Microsoft Word Office 2007

Level I: Learn to create, edit and save documents, format characters and paragraphs, create headers and footers, move and copy text and use built in help features, proofing tools and printing options. Four week class. Oct 7–Oct 28.

Day Time Thu 9:00–10:00 am:
LSCI Member \$20 LSCI Non-Member \$40

Level II: Learn to use tables, insert and format graphics, format columns to create newsletters, save a document as a web page and customize

Word features. Four week class. Nov 4–Dec 9. (no class on Nov 11 and Nov 25)

Day Time Thu 9:00–10:00 am
LSCI Member \$20 LSCI Non-Member \$40

Art Classes-FALL II

Topiary Art—Learn the art of Topiary, creating shapes such as animals and trees out of wire, moss and plants. We will train our plants to grow around the shape we create. No experience is necessary for this class. This six week class will run from Nov 1–Dec 6. Day Time Mon 7:00-9:00 am LSCI

Member \$45 LSCI Non-Member \$65

Acrylic and Watercolor Painting—Explore the technique of watercolor and acrylic paint. Learning different techniques of each medium will peak your interest for more! This is a six week class starting Nov 5–Dec 3.

Day Time Fri 9:30-11:30 pm
LSCI Member \$45 LSCI Non-Member \$65.

For More information and/or to register for these programs contact the YMCA at 437-9622

October 2010

"Let us all continue to care and share and please do not forget to hug another senior today."

**Gladys Frederick
Administrator and Treasurer**

Londonderry Senior Citizens, Inc News Corner

LSCI Bake Sale Fundraiser Results:

LSCI raised \$606.15 at its second annual September Bake Sale at Mack's Apples.

We were successful because of the following 39 individuals who baked goods or made a donation and 10 individuals who volunteered the day before and the day of the event. They were:

Baked Goods and Monetary Donations:

- Anne Marie Black
- Valerie Cabezas
- Barbara Censabella
- Shirley Cloutier
- Carole Connolly
- Dottie Connors
- Helen Conti
- Berry DeMelo
- Renee Despres
- Tina Emerson
- Virginia Enos
- Jane Fagnant

- Mary Falvey
- Gladys Frederick
- Nancy Gagnon
- Betty Gero
- Sophie Goritski
- Rita Griffin
- Gunta Hasting
- Susan Haussler
- David Howard
- Nancy Irwin
- Carol Jablonowski
- Peg Johnson
- Tina Lanctot
- Sara Landry
- Bonnie Leshin
- Mary Lynch
- Louise Madrid
- Doris Pierce
- Elaine Rabinovitz
- Bonnie Ritvo
- Sue Rizzo
- Helen Scribner
- Charlotte Silva
- Theresa Swain
- Marie Vigliotti

- Pat Wood
- Jan Woodard

Volunteers who helped package the baked goods on Friday and serviced the tables at Mack's Apples on Saturday were:

- Barbara Censabella
- Tina Emerson
- Virginia Enos
- Gladys Frederick
- Carol Jablonowski
- Tina Lanctot
- Sara Landry
- Bonnie Ritvo
- Jan Woodard
- Pat Woods



Our LSCI Senior volunteers hard at work!

Membership:

Theresa Swain, Leader of the Membership Committee, reported that as of September 27th we passed the "400" mark on our membership. There are currently 406 members on the 2010 – 2011 membership roles. In just 4 months, 353 members have renewed and 53 new members have joined LSCI.

Sunshine Committee:

Monthly reminder - Please call Mary Ellis, Sunshine Committee Leader, at 434-4983, if you hear that any of our seniors are incapacitated

LSCI's Seventh Annual Holiday Fair—Saturday October 16th

Where:

Londonderry Senior Center

Time: 9:00 am – 3:00 pm

Don't forget to tell your family, friends and neighbors about our Holiday Fair.

The Holiday Fair volunteer sign up is located at the Receptionist Desk. We will need your help in setting up the hall on Friday before the Fair as well as volunteering at one of the work stations at different time slots the day of the Fair.

We will again rent tables for \$20.00 or

space for \$15.00 to anyone who wishes to display their goods. Call Jan (432-7360) to reserve.

Donations of baked goods will be appreciated not later than Friday, October 15th.

Our luncheon menu will be corn chowder served with corn bread or crackers, hot dogs (with toppings of chili, cheese, mustard, relish, ketchup and onions), soda, water and chips.

Coffee and pastry will be served beginning at 9:00 am and will continue throughout the day.

LSCI will again have a Raffle table

consisting of Theme Baskets, handmade Afghans, and other prizes. Tickets will be on sale on/about October 1st. Cost of the tickets is \$1.00 each and 6 tickets for \$5.00.

The drawing for all prizes will be conducted at the Senior Center at 3:00 pm the day of the Holiday Fair. The Raffle Prizes are listed below with each donor's name.

A separate raffle will also be drawn for a beautiful colorful handmade king size quilt from Jeanne Panciocco. The pattern is "Pin Wheel".

Holiday Fair Raffle Table Prizes

#1- Wine Rack

Donated by:

Carol Jablonowski

#2 – Red Hat Basket

Donated by:

Jan Woodard, Virginia Enos & Helen Conti

#3 – Jewelry Basket

Donated by:

Marie Vigliotti

#4 – Thanksgiving Basket with \$25 Certificate

Donated by:

Helen Conti

#5 – Dunkin Donut Basket with \$10 Certificate

Donated by:

Theresa Swain & Gladys Frederick

#6 – Pampered Pooch Basket

Donated by:

Bonnie Ritvo

#7 – Handmade Beige Afghan

Donated by:

Gertrude Jalbert

#8 – Wine Basket

Donated by:

Carole Connolly

#9 – Febreze Deodorizer Console

Donated by:

Theresa Swain & Gladys Frederick

#10 – An Evening in Tuscany

Donated by:

Coldwell Banker

#11 – GT Express Grill

Donated by:

Betty Gero

#12 – Sunday Breakfast Starter

Donated by:

Renee Depres

#13 – Wildlife & Good Life Basket

Donated by:

Bonnie Leshin

#14 – Movie Nights with two \$10.00 Certificates

Donated by:

Sue Rizzo

#15 – Christmas Basket with \$25.00 Certificate

Donated by:

Tina Emerson

#16 – CD Player with \$50.00 Certificate

Donated by:

Virginia Enos

#17 – Chocolate Basket

Donated by:

Jan Woodard

#18 – Tote with Travel Games

Donated by:

Virginia Enos

#19 – Handmade Teel & Cream Afghan

Donated by:

Kelly Connolly

TOWN OF LONDONDERRY

Town Controller

Finance and Administration Department

Dave Caron, Town Manager

Sue Hickey, Asst. Town Manager – Finance & Administration

May 16, 2011

Information supporting recommendation to fill the vacant Town Controller position

Purpose: The purpose of this memo is to provide documentation supporting the current staffing levels within the Finance and Administration Department, and pursuant to Council Resolution #2007-33, seeks authorization to fill the position of Controller.

Department Mission:

The mission of the Finance and Administration Department is to manage Town financial resources in a safe, fair, accurate, efficient and professional manner to meet all areas of responsibilities; including compliance with Federal, State and Local laws and ordinances and generally accepted accounting principles. Provide timely and accurate reports that are easy to read which report the financial position and performance of the Town to the Town Council, management and general public.

Department Overview:

The Finance and Administration Department consists of 3.8 full time equivalent employees in Finance and 1 full time employee in the Human Resource Division, with 1 of the Finance employees also supporting the Human Resource Division as needed. The Finance and Administration Department also includes Information Technology, which is outsourced on a contractual basis and provides for 1.5 full time equivalents, including one contractor on site during normal business hours.

The Finance Department processes approximately 8,950 accounts payable checks, 9,100 direct deposits and 2,500 payroll checks annually. Accounts payable and payroll are processed weekly. The current number of employees is 177 full time and 71 part time. The Town has 13 bank accounts with approximately 100 sub accounts, and manages over \$104 Million per fiscal year.

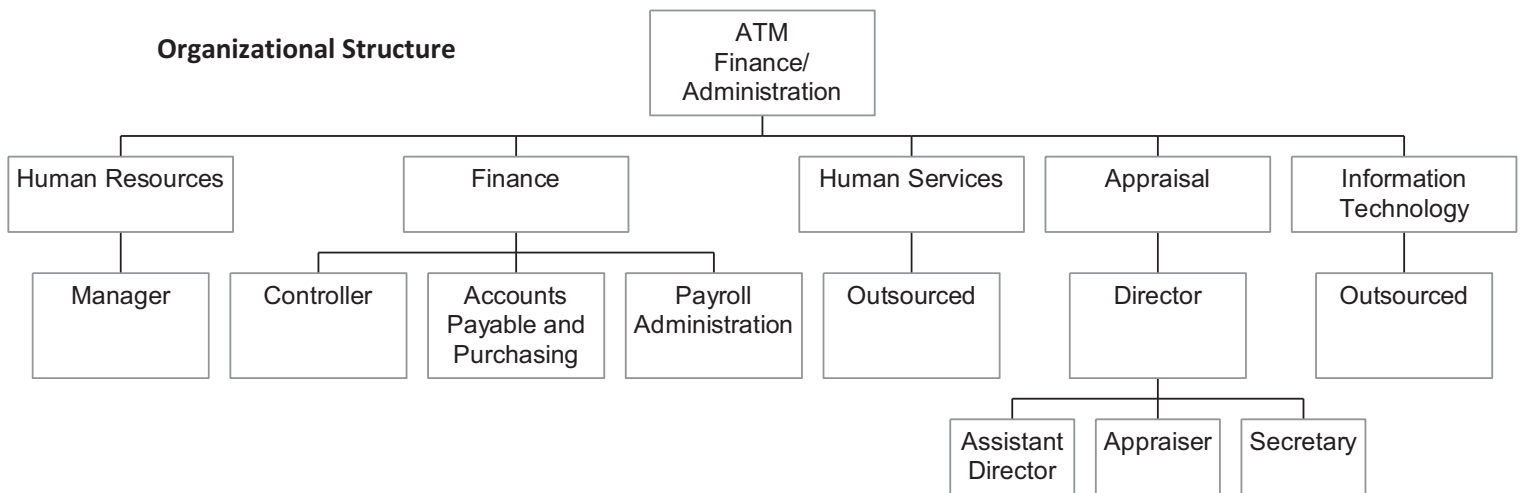
General tasks in the Finance Department include Budget preparation and control, preparation of financial statements, grant financial compliance, cash management, assist in independent audit, debt financing, account and bank reconciliations, research and analysis, compliance to GAAP, GAAFR and GASB policies and statements, compliance to federal, state, and local law and ordinances, audit and processing of accounts payable, payroll and cash receipts.

A task that has become more time consuming for the Finance Department is purchasing. The Town Council has adopted policies and procedures that address the process for purchasing to ensure that it remains competitive through a bidding process and meets various ethical standards. Each purchase over various dollar thresholds must follow a specific bid process with documentation to support the vendor selected. Further, each purchasing decision must be completed objectively and without direct or

indirect financial interest. The Finance Department ensures these policies are being followed by reviewing each purchase and supporting documentation. Also, Finance has been the researcher for other purchases such as copy machines, fax machines and other items for specifications and bid requirements. By having a central purchasing center on general use items, we have ensured all departments are able to benefit in a competitive savings program.

The Human Resource Division general tasks include benefit administration; hiring and termination processing; advising departments on federal, state and local personnel rules, regulations and processes; workers compensation compliance; preparing and updating all job descriptions; coordinating employee training programs and annual benefits fair; assist in preparation of information for union negotiations; survey preparation and quarterly employee newsletters.

Organizational Structure



Finance Division Services by Position

The following gives a greater depth of information by position of the responsibilities required. The services that are provided by this division primarily affect the employees and vendors of the Town, and serve to meet various local, state and federal requirements regarding labor, financial reporting, and auditing. Secondly, the services provided affect the public in terms of how the daily functions are being performed and the policies that are put in place and followed strictly. With appropriate policies being followed and close attention to detail and accuracy, the Town has been able to submit its year-

end financial statements for a national award for the past 8 years. In receiving this award, the Town benefits by receiving a better bond rating resulting in lower bond interest rates, and maintain the public's confidence in the integrity and management of town finances.

Assistant Town Manager – Finance and Administration (ATM-F&A)

- Acts as Town Manager upon direction from and in the absence of the Town Manager, and assists the Manager in the administration and operation of the town, including the formulation of collective bargaining and legal strategies and management of other confidential information.
- Coordinate the daily operations of the Finance and Administration Department.
- Monitor trends and make recommendations regarding policies, procedures, operations and the administration of overseen divisions, including the Town Clerk-Tax Collector, Assessor, Information Technology, and General Assistance.
- Effectively and efficiently administer and manage the financial resources of the town to include accounting, tax and fee collections, assessing, payroll and personnel systems, capital and operating budgets, risk management, procurement, management information systems, cash management, investments, accounts payable and receivable, debt service, etc...
- Coordinate investments, bank relations, capital generation plans and other financial needs of the town with the Town Manager, the Council and Town Treasurer.
- Coordinate, administer and evaluate the purchasing and revenue collection processes of the town.
- Prepare routine and cyclical reports as required to provide a record of operations and the financial status of the Town, and to comply with town, state and federal reporting requirements.
- Prepare, present and oversee annual Town budget process.
- Supervises the administration of all benefits programs for Town personnel. Interprets, counsels and advises Town staff and management regarding availability, eligibility, provisions, employee contributions, etc., for all benefit programs offered by the Town to include federally-mandated programs.
- Review, establish and/or revise employee related policies including no smoking, internet and phone usage, petty cash procedures, etc.

- Assists Department Heads/Committee Chairs by preparing financial reports.
- Supports CIP Committee with preparation of financial documents and spreadsheets.
- Prepares information for annual independent audit including CAFR.
- Prepares information for annual workers compensation audit.
- Processes weekly wire payments.
- Coordinates payroll tax administration including State and Federal quarterly tax filings, W-2's, unemployment compensation and workers compensation.

Town Controller

- Creates and maintains financial records of appropriations, expenditures and revenues.
- Prepares and maintains a variety of records and reports of an accounting and fiscal nature for both internal and external reporting.
- Performs internal auditing functions.
- Reconciles all funds and accounts within the general ledger and prepares financial statements.
- Maintains insurance records for the Town and possesses a comprehensive knowledge of all matters pertaining to the Town's insurances.
- Maintains a general accounting system in accordance with generally accepted accounting principles.
- Assists the Assistant Town Manager – F&A in budget preparation and presentations.
- Assists and advises the Assistant Town Manager – F&A on all fiscal matters regarding current trends and discussions of future courses of action.
- Prepares, maintains, and monitors all financial information for federal grant reporting and processing.
- Prepares, maintains, and monitors all financial information for impact fee and escrow accounts.
- Prepares all deposits for all funds.
- Maintains the fixed asset accounting system.
- Records cash receipts and warrants reported by Town Clerk/Tax Collector and Assessor.

- Prepares and records general journal entries.
- Prepares monthly analyses of various general ledger accounts for internal control purposes.
- Reconciles cash accounts to monthly bank statements.
- Oversees contractual ambulance fee billing and collection services.
- Conducts special cost studies and projects at the request of the Assistant Town Manager – F&A.
- Assists with preparation of MHT invoice.

Accounts Payable Clerk

- Creates purchase orders and enters accounts payable invoices in the Town's computer system. Processes purchase orders and invoices for payment in all funds, including distribution to Department Heads for approval. Reviews invoices for accuracy and appropriate approvals.
- Prepares accounts payable manifests, and processes and mails checks upon approval.
- Processes, sorts, and files records and other documents in accordance with established systems.
- Answers inquiries from vendors and other departments pertaining to accounts payable.
- Maintains vendor file.
- Create all miscellaneous billings (police airport invoice, miscellaneous invoices, etc).
- Prepare and send electronic files weekly/monthly.
- Research leasing information and procure leases/purchases for all office equipment in Town Hall and other departments as requested.
- Process and track Public Works and Planning Escrows including disbursements and deposits.
- Process letter of credit and bonds for Public Works and Planning Escrows including notification to financial institutions of expirations.
- Calculate tax abatements.
- Maintain all purchase orders and track balances.

- Prepares elementary financial analyses, as needed.
- Prepares federal tax Forms 1099 annually.
- Provides assistance to other Finance Department personnel, as needed.
- Provides office assistance and processes mail and Finance Department purchasing.
- Maintains compliance with the Town Purchasing Policy to insure high ethical standards in purchasing.

Payroll Clerk

- Administers complex, computerized payroll for all employees which involves data entry and proofing hours keyed, preparation of payroll checks and various reports, electronic transfers of direct deposits and payroll taxes, and other related functions.
- Processes payroll ensuring adherence to various collective bargaining agreements.
- Prepares general ledger distribution and payment of employee benefits.
- Works closely with the Town Controller to ensure proper reconciliation and integration of payroll functions into the general ledger.
- Reconciles all accounts pertaining to payroll and personnel benefits.
- Prepares and maintains all retirement accounts, including contribution updates/changes in payroll system.
- Prepares and maintains various employee services including direct deposit administration, garnishments, union and association dues, and other various employee elected benefits.
- Provides administrative assistance to the Assistant Town Manager – F&A.
- Maintains payroll-related filing systems, and assists with other departmental filing.
- Processes all incoming and outgoing mail on a daily basis.
- Performs various data entry tasks using Word and Excel.
- Provides assistance to and works with Human Resources on various interrelated tasks.
- Provides assistance to other Finance Department personnel, as needed.

- Assists with preparation of MHT invoice.

Human Resources Division Services by Position

Human Resources Manager

- Interprets, counsels and advises town staff, supervisors and managers regarding personnel regulations, policies and procedures. Provides advice regarding options, alternatives and most appropriate courses of action regarding personnel related issues.
- Conducts research and prepares reports and analyses on a variety of human resources issues.
- Directs employee presentations on various human resources issues, coordinates annual employee benefits fair.
- Supervises Employee Orientation Program to advise new employees of organizational values, resources and mission, and provides an opportunity to establish performance expectations and goals.
- Manage and implement Employee Benefits Program in a complex administrative environment due in part to the presence of six different collective bargaining units and a myriad of Federal and State regulations such as ADA, FLSA, FMLA, and COBRA.
- Assure compliance with mandated safety programs such as the Joint Loss Management Committee and promote a safe working environment for all employees.
- Reconciliation of salary administration to insure that compensation is managed according to collective bargaining agreements, review employee performances, review department functions.
- Evaluates classification of current and proposed positions, drafting and editing job descriptions as necessary.
- Provides training for Supervisors to insure a consistent process for evaluating subordinates' performance.
- Manages hiring/promotions process for most departments and coordinates process for others.
- HR/Payroll Software Maintenance
- Coordinates W/C, STD, LTD processions
- Prepares Special Reports i.e. GASB45
- Prepares quarterly newsletter.

Department Efficiencies:

The Finance and Administration Department has undergone a number of realignments over the past eight years to enhance efficiencies through the use of technology, outsourcing and collaboration. In 2004, the position of IT Manager was eliminated, and outsourced to a private firm. This action allows the Town to receive a wide range of technological expertise, develop a plan to maximize IT security and efficiencies, and insure that assistance is available on-site during normal business hours.

In 2007, the position of General Assistance Administrator was eliminated, with the statutorily required service outsourced to Community Health Services in Derry. CHS, with its knowledge of the area's social service network, has performed extraordinarily well in that role by insuring that residents in need are introduced to a wide array of assistance while minimizing general assistance expenditures from the General Fund.

In 2011, the position of Payroll Clerk was reduced to 0.8 FTE in recognition of the implementation of the Department's new software system which created additional efficiencies.

Staff has also tested the cost effectiveness of the current staffing levels. In October, 2008, a consultant reviewed the staffing levels and work processes of Finance, HR and IT; the consultant concluded that services provided and current staffing levels were appropriate for the responsibilities placed upon the Department. A second study conducted by a consultant in collaboration with the School District concluded that there were no major efficiencies or cost savings to be realized with a merger of HR, payroll or IT functions between the Town and the School District.

Benchmarking:

Recognizing that meeting statutory and best practices financial administration responsibilities are similar across municipalities, staff conducted a benchmarking survey to test Londonderry's employment levels against its peer communities. The results show that Londonderry's staffing level with a full-time Controller (3.8 FTE) is below both the average (5.5) and the median (4.5):

Community	Finance Division Staffing
Bedford	3.5
Concord	10
Derry	6
Dover	7
Hudson	4
Londonderry	3.8
Merrimack	5
Portsmouth	6
Rochester	4
Salem	6
Average	5.5
Median	4.5

We further tested the salary range for the position. All of the communities surveyed listed the Controller/Accountant position as second in command of the Finance Department, reporting to the Finance Director or Assistant Town/City Manager – Finance. The information listed below indicates that Londonderry’s pay range for a full-time position is competitive with its peer group, although slightly below both the average and median.

Londonderry	\$56,725	\$73,898
Average of Survey Group	\$57,569	\$76,354
Median of Survey Group	\$57,171	\$75,751

Summary and Recommendation:

Based upon our knowledge of the responsibilities and work product required of the Department, the efficiencies implemented in the Department, and the practices and structure of Londonderry’s peer group, it is recommended that the position be reauthorized at its current full-time level. However, an opportunity exists which will produce significant cost savings for the Town.

During periods in which the position was vacant, we’ve had an opportunity to place an individual in the position on a contractual, temporary basis that is extremely qualified, experienced and proficient.

We've had discussions with the prospective employee and can comfortably recommend that the person can fulfill the responsibilities of the position within a schedule of no more than 32 hours per week. This arrangement is convenient to the prospective employee's personal schedule and provides the Town with an opportunity to save significant benefit costs. Lastly, we anticipate this arrangement would continue over a number of years, resulting in stability and immediate and mid-term cost savings. For FY12, the proposed 0.8 FTE will cost \$71,651.00 versus a range of \$84,569 - \$102,369 for a full-time position.

RESOLUTION 2011-08

A Resolution Relative to the
***DISCONTINUANCE OF HIGHWAY
(Portion of Kimball Road)***

First Reading: 05/16/11

Second Reading/Public Hearing: 06/06/11

WHEREAS the Town Council, in accordance with RSA 231:43 has received a petition to discontinue and relinquish all public interest in a portion of Class VI highway known as Kimball Road between Tax Map 9, Lot 24 and Tax Map 9, Lot 12A; and

WHEREAS the matter of discontinuing a highway under RSA 231:43 is within the authority of the Town Council; and

WHEREAS the aforementioned highway was discontinued subject to gates and bars by voters at the 1970 Town Meeting,

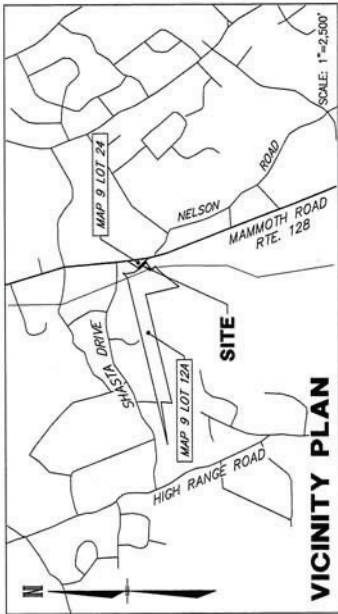
NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the discontinuance of a portion of Kimball Road as shown on the map entitled “Kelley Road Discontinuance Plan, Mammoth Road Substation” prepared by T.F. Moran, Inc., Bedford, NH, dated May 10, 2011, is hereby approved subject to the condition that the Public Service Company of New Hampshire shall indemnify and hold harmless the Town of Londonderry from any claims arising from the Town Council’s decision to discontinue said portion of Kimball Road.

Sean O’Keefe, Chairman
Town Council

(TOWN SEAL)

Marguerite Seymour
Town Clerk/Tax Collector

A TRUE COPY ATTEST:
Adopted xx/xx/xx



VICINITY PLAN

REFERENCE PLANS

1. TAX MAP 9, LOTS 12A & 2A, BOUNDARY PLAN MAMMOTH ROAD SUBSTATION, LONDONDERRY, NEW HAMPSHIRE, OWNED BY AND PREPARED FOR PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, DATED FEBRUARY 27 2007, LAST REVISED 8/21/07.

NOTES

1. OWNER OF RECORD OF 9-12A & 9-24: PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, PO BOX 330, MANCHESTER, NH 03105.
DEED REFERENCE TO PARCEL 9-12A IS R.C.D. BK. 2315 PG. 119 & BK. 1988 PG. 356
AREA OF PARCEL 9-12A = 1,833,141 S.F. ± OR 42,0831 ACRES
AREA OF PARCEL 9-24 = 62,866 S.F. ± OR 1.4391 ACRES
AREA OF PARCEL 9-24 = 62,866 S.F. ± OR 1.4391 ACRES
2. [MAP 9 LOT 12A] INDICATES TAX MAP AND LOT NUMBER.
3. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON AN ON THE GROUND SURVEY PERFORMED BY TFMORAN INC. DURING JANUARY AND FEBRUARY 2007.

CONTROL USED: NHDOT DISK 289-480 A STANDARD NHDOT DISK LOCATED AT THE INTERSECTION OF RTE 128 AND WESTMINSTER DRIVE
N: 147744.655
ELEV: 330.41
HORIZONTAL DATUM: NAD 83/86
PROJECTION: NH STATE PLANE
UNITS: US SURVEY FEET

4. THE PURPOSE OF THIS PLAN IS TO SHOW THE DISCONTINUANCE OF A PORTION OF KELLEY ROAD WHERE IT ABUTS LOTS 9-12A & 9-24 OWNED BY PUBLIC SERVICE CO. SAID DISCONTINUANCE OF KELLEY ROAD IS TO REMOVE PUBLIC INTEREST IN THIS PORTION OF KELLEY ROAD. THE DISCONTINUED PORTION WILL BE CONSOLIDATED WITH ADJACENT PUBLIC SERVICE LAND THROUGH A NOTICE OF MERGER AND NOT REMAIN AS A SEPARATE LOT. PRIVATE RIGHTS MAY STILL EXIST IN THIS PORTION OF KELLEY ROAD.

**TAX MAP 9 LOTS 12A & 24
KELLEY ROAD DISCONTINUANCE PLAN
MAMMOTH ROAD SUBSTATION
337 MAMMOTH ROAD
LONDONDERRY, NEW HAMPSHIRE
OWNED BY AND PREPARED FOR
PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE
P.O. BOX 330, MANCHESTER, NH 03105
MAY 10, 2011
SCALE: 1"=100'**

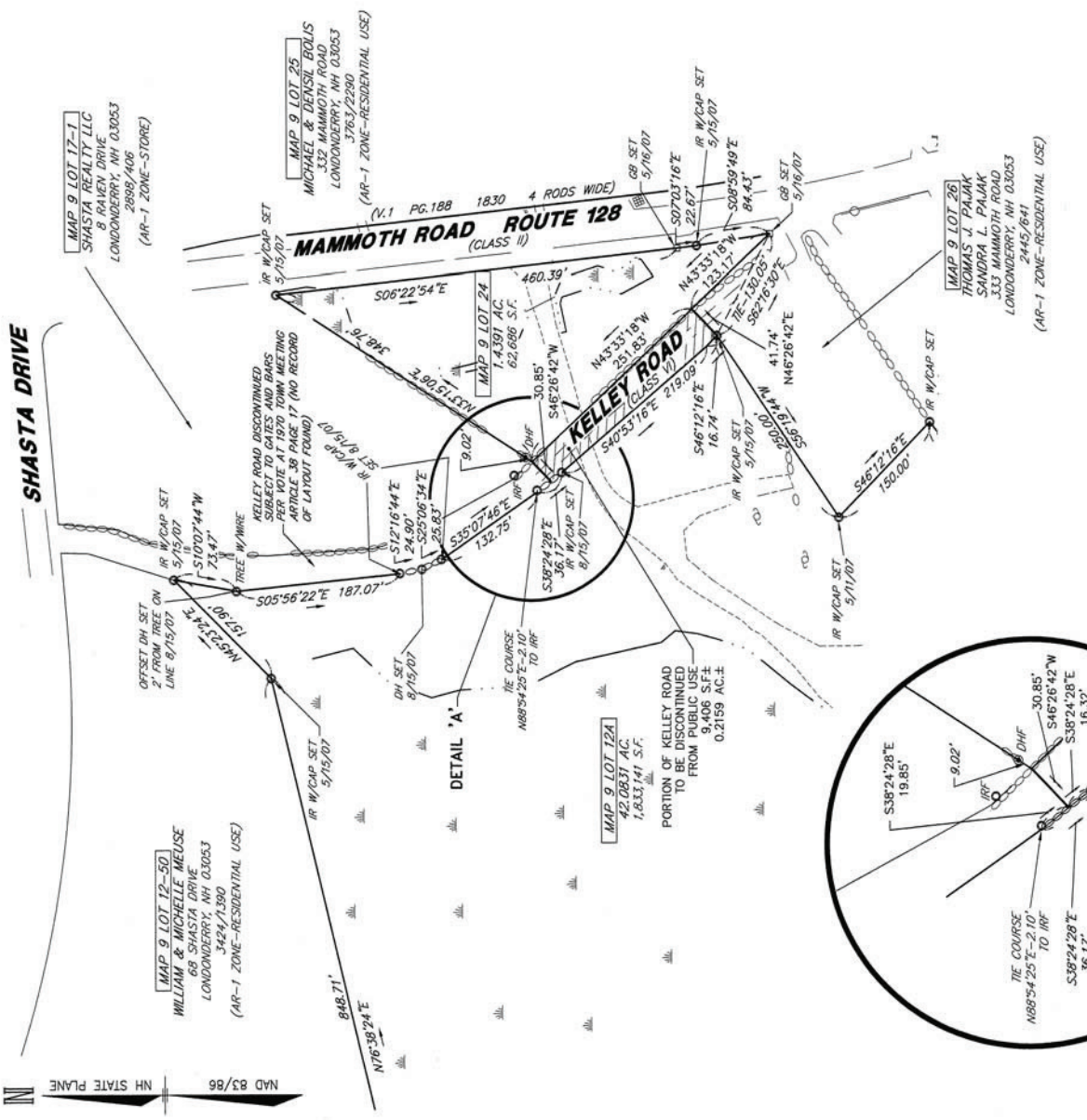


Civil Engineers
Professional Surveyors
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists

48 Constitution Drive
Bedford, NH 03110
Phone (603) 472-4488
Fax (603) 472-9747
www.tfmoran.com

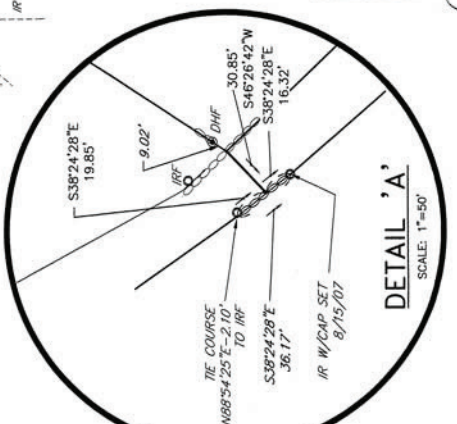
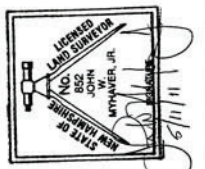
17298.00	IR/WBL	FR	17298-02	Discont
	CK	JWM	CAH/PL	

SHEET 1 OF 1



CERTIFICATION

I HEREBY CERTIFY, TO MY KNOWLEDGE, INFORMATION AND BELIEF, THAT THIS PLAN SHOWS THE RESULTS OF AN ON THE GROUND SURVEY PERFORMED BY TFMORAN INC. FOR THE DISCONTINUANCE OF A PORTION OF KELLEY ROAD WHERE IT ABUTS LOTS 9-12A & 9-24 OWNED BY PUBLIC SERVICE CO. SAID DISCONTINUANCE OF KELLEY ROAD IS TO REMOVE PUBLIC INTEREST IN THIS PORTION OF KELLEY ROAD. THE DISCONTINUED PORTION WILL BE CONSOLIDATED WITH ADJACENT PUBLIC SERVICE LAND THROUGH A NOTICE OF MERGER AND NOT REMAIN AS A SEPARATE LOT. PRIVATE RIGHTS MAY STILL EXIST IN THIS PORTION OF KELLEY ROAD.



DETAIL 'A'

SCALE: 1"=50'

TOWN COUNCIL MEETING
May 02, 2011

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

PRESENT: Town Council: Chairman Sean O’Keefe; Vice Chairman Joe Green; Councilors: John Farrell, Tom Dolan, Tom Freda; Town Manager Dave Caron; Executive Assistant, Margo Lapietro.

CALL TO ORDER

Chairman O’Keefe 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 fighting for our country.

PUBLIC COMMENT

Councilor O’Keefe read a memo from Town Clerk/Tax Collector Meg Seymour that May is the final opportunity to register dogs in Town. He proceeded to list the registration fees and reminded people that they would incur additional fees if their dogs were not licensed.

Boards/Committees/Commission Updates

Londonderry Housing & Redevelopment Authority – Paul Donehue, Chair of the Londonderry Housing & Redevelopment Authority reviewed their history and their mission which is to take underused parcels of land in the industrially zoned area south of the airport and put them to more productive use. Their plans this year involve developing land on Harvey Rd. They are also involved in the discussion of the area around Pettengill Rd. He informed Council that they are funding the summer intern for the Community Development Office. Councilor Farrell asked if there was any update on a bus depot, P. Donehue said their interest waned. Chairman O’Keefe thanked him and his committee for their service to town.

Recreation Commission – Art Psaledas, Director of the Recreation Commission was in attendance. He noted when and where they meet, he explained what the volunteers do, and stated that there was a little drop in numbers and it parallels the school enrollment. The fields are in great shape right now. He explained the median cost for Parks and Recreation is \$65 in the US, in Londonderry we are between \$5.00 & \$6.00. He explained that Sid Kerr, the maintenance person drives around the fields using his own old truck which might not pass inspection. In the future they will be looking for a pick-up truck that can pull a trailer. Councilor Farrell said we have an efficient leasing program have you explored that. A. Psaledas responded we have not reached the stage we are at now. Councilor Farrell asked Council if it is acceptable for the Town Manager to pursue obtaining a vehicle and the consensus was to do it.

47 **PUBLIC HEARING**

48
49 **Councilor Farrell made a motion to open the Public Hearing, second Councilor Dolan.**
50 **Council’s vote was 5-0-0.**

51
52 **Resolution #2011-06 – Relative to the Renaming North Perimeter Road, South Perimeter**
53 **Road, and East Perimeter Road** – **Councilor Freda made a motion to adopt, second**
54 **Councilor Farrell.** Chairman O’Keefe asked if the abutters were contacted. Town Assessor
55 Karen Marchant said the committee was approached by the Manchester/Boston Airport, they had
56 a meeting with them and the other owners and abutters. No. Perimeter Rd will be the only
57 Perimeter Rd. remaining in Londonderry; there are no actual properties that are taxable within
58 our jurisdiction that have frontage on it. So. Perimeter will become Commerce Way; E.
59 Perimeter Rd. will become Navigator Rd. Other roads in the area are airport roads that will be
60 re-named and some of the old names will be brought back. She said they have only received
61 positive feedback. GIS Manager John Vogl said they have been in contact with the Engineering.
62 Dept. at MHT and the Project Manager of the Access Rd. at DOT. They have support from both.
63 **Council’s vote was 5-0-0.**

64
65 **Councilor Farrell made a motion to close the Public Hearing, second Councilor Green.**

66
67 **OLD BUSINESS**

68
69 **FY12 Goals and Objectives** – **Councilor Dolan made a motion to postpone the discussion on**
70 **FY12 Goals and Objectives to the 5/16/11 meeting, second Councilor Green.** **Council’s vote**
71 **was 5-0-0.**

72
73 **NEW BUSINESS**

74
75 **Resolution #2011-07 – Relative to an Inter-Municipal Agreement with the Town of Derry**
76 **to provide Fire/EMS Dispatch Services** - Councilor Farrell read the first reading/public
77 meeting and held his motion because the Town Manager had a presentation and he recommended
78 yielding to the public and hearing from them first before Council adds their comments.
79 Councilor Green questioned if we had an amendment to the Resolution. Councilor Farrell
80 responded and read it. “and further to recommend to the voters at the 2010 meeting to allocate
81 savings realized from this agreement to increase expenditures for fire emergency personnel in the
82 form of additional personnel or overtime.” Chairman O’Keefe questioned the Councilors if they
83 agreed to yield to the Town Manager and they all agreed. Town Manager Caron said the
84 Resolution is presented for the following reasons: it aligns with the Council’s goal to provide a
85 cost-effective government to achieve greatest value at the lowest cost as directed by the Council
86 in the last goal setting process last April and May. It enhances public safety by ensuring that at
87 least 2 telecommunicators will be on duty 24/7 at Derry. It also address concerns heard during
88 the FY12 budget process regarding the proposed combination of police/fire dispatch lacked the
89 necessary synergy with different procedures between the police and fire, the terminology was
90 different and was not a really good match. It would provide the Council with an opportunity to
91 realistically relocate resources in the FY13 budget for emergency personnel. In FY08 the Town
92 agreed to an IAFF goal to reduce the work week from 48 to 42 hours. With that agreement the
93 Town then needed to fill 4 shifts as opposed to three; consequently the Town has only enough
94 personnel to fill the recommended minimum staffing of 10. Any vacant shifts caused by

95 illness/vacation/training/injuries would have to be filled by overtime. At that time the Fire Chief
96 estimated that an additional \$189,000 was needed for overtime which the Town Meeting voters
97 approved as part of that collective bargaining agreement. The firefighter/ambulance overtime
98 budget was increased to \$455,680 at that time and currently stands in the new FY12 at \$410,535.
99 Actual overtime expense peaked in FY09 at \$485,621. The proposal offers the opportunity to
100 relocate resources to fund emergency personnel. Chief MacCaffrie estimates that an additional
101 \$105K is needed to fully fund the 10 personnel/shift target. The anticipated FY13 savings would
102 be \$106,805. He reviewed the proposed agreement that also requires review and approval by the
103 State Attorney General's Office. The main points to the agreement are that Derry Fire will
104 provide fire/EMS dispatching for Londonderry as they currently provide for Windham, Chester,
105 Hampstead and Auburn. It is a proposed 5 year term, it requires that the center be staffed 24/7
106 by 2 telecommunicators. It proposed to loan some dispatch hardware to Derry to hold down
107 costs, which would make it easier to re-establish fire dispatch in Londonderry should a future
108 Council make that determination. Derry would be responsible for maintaining the hardware; if it
109 becomes obsolete Londonderry will replace it which will allow Londonderry some flexibility to
110 resume service in the future. Cost may be re-opened to address additional unforeseen
111 circumstances. It will address those situations and costs which would result in an additional
112 burden to whichever entity is providing that service. We do not anticipate re-opening
113 negotiations for issues that are currently funded such as salaries, benefits and other operating
114 costs. The time frame is targeted for implementation on 7/1/11 if the Resolution is approved. If
115 implementation takes place after 7/1 the first year expenses will be pro-rated with the Town of
116 Derry.

117
118 Cathy Wagner, 7 Fiddlers Ridge Road asked why this was not brought up at Town Meeting; she
119 stated it should have been brought up. She asked where the directive came from to cut dispatch.
120 Town Manager Caron responded it was the directive of the Town Council during the budget
121 process to make our services as efficient as we can at the least cost. During the FY12 budget
122 process the Council concurred that combining Police and Fire dispatch was not appropriate and
123 they directed him to continue to seek opportunities both within and outside of town government.
124 K. Wagner asked if it was the directive of the prior or present Town Council, the Town Manager
125 Caron responded the prior Council. She said she had a memo dated 2/2/10 and wanted to know
126 why this was not brought up at Town Meeting. She stated that an amendment was presented at
127 Town Meeting to put \$400K back in the budget because we were afraid of cuts and
128 overwhelmingly people did not want any more cuts on safety issues. Council confirmed that
129 they were not going to cut anymore. K. Wagner stated that if Councilor Green did not think that
130 dispatch services at the fire department were a safety issue he is wrong. He responded he didn't.
131 Councilor Farrell said a study was done that it was not financially feasible at that time to
132 combine the communications center for both fire and police. It was decided to explore all
133 opportunities. The Town of Derry came forward and said they could offer fire/dispatch and the
134 Council said at that point they should explore all opportunities. K. Wagner said she is angry
135 because she found out last Thursday that we have a contract and tomorrow night the Derry
136 Council is voting on it. Chairman O'Keefe responded it is only a done deal if the Council votes
137 on it tonight. K. Wagner said Council is gutting the fire department and she wants to know why.
138 Councilor Freda said we are not cutting the service; that will be provided by Derry, right now we
139 have a service performed by one dispatcher per shift, it will be 2 per shift by using Derry. The
140 questions you should be asking is if this service is safer or not; better or not. K. Wagner said it is
141 a safety issue. Councilor Freda said there is a problem with overtime, it is not being funded and
142 this is a manner to do that, we can't continue to unfund that. K. Wagner questioned where we

143 came up with the fees for the operating costs. Town Manager Caron responded they estimated
144 the cost to add 2 additional dispatchers for \$235K using figures from the most completed years.
145 K. Wagner said Derry has the right to adjust fees based on unforeseen circumstances, population
146 increases or calls going up. She asked if the Access Rd., Woodmont, and Pettengill Rd. were
147 considered with these fees. She said she does not think that we are saving as much money as we
148 think. Councilor Freda agreed, it is never what is estimated and Derry has the option to re-
149 negotiate. She asked if we are trying to save money to spite ourselves. Councilor Freda said he
150 has gotten e-mails from residents questioning if Londonderry should establish a regional dispatch
151 center. K. Wagner said she agreed with that 100%. Councilor Freda said it is therefore a
152 revenue issue not a safety issue. K. Wagner said it is still a safety issue because it is staying here
153 in the community. Councilor Freda stated that safety is his concern and in the studies that he has
154 seen they have said that the real safety issue is single person dispatch centers. Councilor Green
155 said that there are 227 local fire departments in NH; 6 are self-dispatch, 98% of the communities
156 are already on this and they are a lot larger than us. He said he does not see them saying this is
157 an unsafe condition.

158 Town Manager Caron clarified that the financial analysis in the memo did not include any
159 increases in costs to Londonderry if the service was maintained; he stated that in reality
160 expenditure increases will track closely because they are predominantly funding personnel costs.
161 There is no requirement of the Londonderry Council to act on this this evening or else the deal is
162 taken off the table. Londonderry will proceed with its review at its own pace as will the Derry
163 Town Council. Councilor Dolan had a question on the term; it is a 5 year contract that
164 terminates in 2016. If Derry and Londonderry agree to move forward with this contract and if at
165 the deliberative session the taxpayers want to have the dispatch reverted back to Londonderry are
166 there any options we have to get out of the contract. Town Manager Caron responded absent of
167 a breach of contract, each community can remove themselves from the contract anytime with a
168 one year notice. Councilor Dolan then said if at the deliberative session the vote is to get out of
169 the contract than we would not be out of it until spring of 2013, the Town Manager responded
170 that was correct. Keith Tharp, 235 Winding Pond Rd. said he is 100% against it and said he does
171 not understand why Council keeps targeting the fire department, there are other places to make
172 cuts. Derry is dispatching for 4 towns what happens when they add us as the 5th and they realize
173 they need more personnel for increased call volume and will re-negotiate and we say no we don't
174 want to pay that money. We then have to wait a year to get out. Councilor Freda responded that
175 sounds right. Town Manager responded under that particular scenario Derry will notify
176 Londonderry by 8/1 and if the parties don't reach agreement by 9/1 then the contract terminates
177 as of the next fiscal year. K. Tharp asked are the start-up costs considered in this price and have
178 we thought about the cost of re-installing it back into this town if we decide we don't like the
179 arrangement. Town Manager Caron responded that he is sure there may be some transition and
180 hiring costs should we decide to return to Londonderry. K. Tharp stated that the fireman do a lot
181 of volunteering in the community over and above what is required and he said he is against this.
182 Councilor Green stated that there is a very big difference between a call center and a firefighter;
183 we are not talking about front line firefighters.

184 Mike Brown, 5 Carousel Court said this is not a new goal, from FY11 the Council goal was to
185 streamline costs and give a level funded tax rate. There was talk in the fall of 2010 about
186 combining the Londonderry Police Dept. and the Londonderry Fire Dept. communications center
187 which did not work out as part of the FY12 budget. The Council agreed to have the Town
188 Manager pursue other opportunities for consolidating fire dispatch and to keep it at the forefront
189 of the Council's goals for the following year. This direction was given to the Town Manager at
190 the Town Council meeting on 1/17/11 and included a memo that is still online addressing that.

191 The Town Manager followed up his directive and tonight is what resulted from that directive.
192 Research has found that having more than one fire department dispatched from a central location
193 is not a novel premise in the State of NH or nationwide. Approximately 98% of the fire
194 departments in this state already successfully use some form of central/regional dispatch. 9
195 communities dispatch through their local police which is the model the Town Manager
196 previously investigated and found that they couldn't do. Several others communities joined
197 together in small regional dispatch centers like the one being proposed with Derry. A significant
198 number have joined one of the three large regional dispatch centers that handle between 23-40
199 fire departments each to cut costs. There are only 6 communities that self-dispatch, Londonderry
200 being one of them. Londonderry will gain 2 full time dispatchers 24/7, it is an enhancement to
201 safety. Infrastructure costs and the synergy issues listed with the previous merger are eliminated
202 with this agreement; we generate savings in the 1st year after the one-time costs are taken out. He
203 said he supports re-investing the savings which will be an average of \$93K per year into the front
204 line responder funding it is a good idea instead of putting it into the General Fund. The
205 agreement is in line with Council's goals set up for the last 2 years and he is in favor of it.
206

207 Capt. Jim Rogers, 5 Crosby Ln. said he appreciated what the Town Manager is doing with
208 consolidation of town operations, it makes sense. He had issues with our equipment that cost
209 \$95K going to Derry; Derry will be charging \$300 per commercial call boxes that would amount
210 to about \$57K of revenue that goes go Derry. He said the fire department gets a lot of calls from
211 citizens all the time for all reasons other than for emergencies. He said Mark Tetrault wanted to
212 charge \$150 per box for supervisory purposes. The Council at that time said it was not a good
213 idea. Now it is OK for Derry to charge \$300 to our customers in Londonderry. Capt. Rogers
214 said we in Londonderry have administrative controls, if that control does not fit the situation the
215 dispatchers are instructed to ask the Captain. The Captain in the Chief's absence runs the fire
216 department. He proceeded to relay what happened with the fire at 38 Hemlock St. He said on
217 the way to that fire he received critical information and as the commander he requested an
218 additional Derry engine to the scene. Not a mutual aid but to lay a supply line 800 ft. away from
219 their hydrant. It took 23 minutes, which would not have happened with the Londonderry
220 dispatch because he would have gotten the closest engine to the scene. He said he has had the
221 opportunity to talk to other Chiefs and they are not totally happy with Derry as a regional
222 dispatch. He said it is more of a common sense thing. Our dispatch is 42 square miles, they
223 know the town and what is going on in it; they communicate well with the shift commander who
224 has the responsibility of not only the firefighters but the public as well. He said he asked Chief
225 MacCaffrie today if they have a problem in Derry how are we going to handle it. He said he will
226 talk to George Klauber. Derry fire was over last week to the Londonderry fire department and
227 Capt. O'Brien asked if a problem that occurred on the 13th had been corrected, it has not. He
228 said we have a good system here, it is the right way, it works for us. Councilor Freda said
229 Londonderry has single dispatch, what happens if a dispatcher is incapacitated; Capt. Rogers
230 responded a firefighter will take over. Councilor Freda then asked what would happen if the
231 firefighters are out on a call; Capt. Rogers said if the dispatcher recognized his signs or symptoms
232 he will notify LPD and they will fill in for us. Councilor Freda said having just one dispatcher is
233 a recurring issue in all the studies that he has read including the Derry Fire Study and the US Fire
234 Administration. He asked Capt. Rogers if that would be his concern and he responded it is a
235 concern. We have a great relationship with LPD, we have a back-up plan. Councilor Freda said
236 they would therefore encounter a delay. Capt. Rogers said it is only travel time just going from
237 one building to another. Councilor Freda said when the LFD was applying for the SAFER Grant
238 they said more hands are better at a scene so wouldn't the same logic apply at a dispatch center.

239 Capt. Rogers said all our dispatchers live in town and they respond off-duty to all emergencies;
240 people are our number one resource. He said we are 42 square miles, the town is growing and
241 we only have 9 on staff tonight. Chairman O’Keefe responded that what they are proposing
242 tonight is the ability to fund the deficit. Capt Rogers said Derry fire is not flexible enough,
243 Londonderry dispatch handles calls with more technology than Derry. Councilor Freda stated
244 that the Councilors have received e-mails from people suggesting that Londonderry start its own
245 regional dispatch center. Capt Rogers said if we did become a regional dispatch center it would
246 still have a personal touch and might require increases in staffing.

247
248 Mary Wing Soares, 2 Gail Rd. pointed out at the last Town Meeting the taxpayers had cuts to the
249 fire department put back into the budget. Councilor Farrell stated that according to the figures he
250 had tonight, we are actually going to lose money because it is getting interesting when you start
251 adding in the \$58K per year. M. Soares said we are losing more than the money, we value our
252 town environment, we would lose the personal touch. If we have a regional dispatch it will keep
253 it in town, we will never have the personal touch with Derry. Chairman O’Keefe said the growth
254 is a concern; we have 1 person per shift which is a safety issue. Councilor Farrell said he took
255 the outsourcing costs and added the \$58K into each year so over a five year period on the
256 revenue side Derry will take in \$1.726M. He said if he took the fiscal year \$378K number and
257 increased it by 8% per year we would be at \$2.028M. If we charged \$58K a year for radio boxes
258 we would be at \$1.738M. If we outsourced it we would save \$12K. Councilor Freda asked if the
259 \$58K was added into the contract. Councilor Farrell responded he did not know, he just knows
260 that they are going to charge \$58K and we have the ability to do the same. He said he knows
261 exactly how central stations work because he closed 80 and reduced the number to 6. There are
262 standards in place for “dead man” back-ups.

263
264 John Grenich, Jewell Court, #14 said this is not a safety issue. He said he listened to a
265 Londonderry Dispatcher correcting a Litchfield tanker truck that was going to the wrong address
266 and Londonderry immediately corrected them. The dispatchers are first responders. When
267 Derry goes to the wrong address in Londonderry the dispatcher in Derry is not familiar with
268 Londonderry to make a timely correction. We are giving our money to Derry, and when they
269 are running short they will ask for more money. He said we are making a mistake, this is
270 misguided. Margaret Saur, 4 Mountain Home Rd. gave an example where she called 911 while
271 in front of Mack’s and was required to give the closest “mile marker” to the 911 dispatcher. She
272 then called the LFD and the dispatcher was helpful with the medical situation they encountered
273 and knew exactly where they were. Robert Saur, 4 Mountain Home Rd. talked about the Alpine
274 Software used at the dispatch center at LFD and his experience in the IT field. He said that in
275 the contract it states that the software will be transferred to Alpine Software but in the start-up
276 costs he said it does not state what the start-up costs are if a third party can use it, most licenses
277 are not transferable. Councilor Farrell stated that we still own the software we are only letting a
278 third party use it so the question should be is whether a third party can use it not if it is
279 assignable. R. Saur stated that Council is being asked to make a decision on this tonight and you
280 don’t have all the answers yet. It could be a significant cost. He questioned the right to retain
281 dispatch, how can you maintain dispatch at a reasonable cost if you are transferring all your
282 resources to Derry? He asked if we have done a comparison study to see what training and staff
283 certification we have and what Derry has Town Manager Caron responded that one significant
284 difference is that Derry does not provide Emergency Medical Dispatch (EMD), they rely upon
285 the 911 system. Londonderry provides that duplicate service of EMD. Councilor Green said
286 that he said that we are talking about dispatch versus first responders and budgets. Everybody

287 realizes the short-fall coming from the state, we are all looking for ways to fund dispatchers, he
288 meant that this is a possible solution. R. Saur relayed his experience on I-93 at the Montvale exit
289 in Stoneham MA. He called 911 and was asked for the location of the “mile marker”. The local
290 knowledge of dispatchers is critical; having dispatch in your own town is a safety issue. He
291 asked which towns that are larger than Londonderry in terms of population and business served
292 and square mileage use a regional dispatch located outside of their jurisdiction. Having dispatch
293 in your own town is a safety issue. Councilor Farrell said the regional dispatch will offer the
294 same service but it is very different. B. Saur said the amendment speaks to staffing full time fire
295 positions. Councilor Freda replied it is for filling overtime to fund 10 per shift. R. Saur said this
296 is a quality of life issue in Londonderry. Gene Jastrem, 19 Horseshoe Ln. a firefighter in
297 Londonderry asked how many actual departments dispatch for themselves. He said the majority
298 are in Southern NH. They are Londonderry, Salem, Hudson, the Cities of Nashua and
299 Manchester. Councilor Green responded that North Hampton and Seabrook do as well. J.
300 Gastram said we get about 3,500 calls per year. Councilor Green said Derry does 4,240. J.
301 Gastram said there is redundancy in the system, if the phones are not answered they go to Derry.
302 He explained that if they call their own dispatch and there is no answer they will immediately go
303 to the dispatcher but it will be manned maybe with a delay. Central has been staffed for 33 years
304 24/7 – if Derry handles the calls there won’t be anyone there – that is a major safety issue.
305 Councilor Farrell said he is interested in charging for call boxes. J. Gastram said if we decide we
306 don’t want this service in Derry it will cost us more money to move the equipment back to
307 Londonderry. He said there is a lot of capacity in our system. He said he has an issue with
308 \$400K going to Derry.

309
310 Paul Leishner, 3 Shady Lane, who is not an employee in town said the employees who work in
311 town should have an opinion. He said it is a huge mistake to send dispatch services to Derry.
312 Derry Fire is doing this to increase their revenue, don’t use our tax money to fund Derry. He
313 said it is not a valid point to have 2 dispatchers. Councilor Green said studies around the nation
314 have many incidents of problems with a single dispatcher. 98% of NH communities use the 2
315 dispatcher type of dispatching, there is a cost savings involved. Over \$500K over 5 years will be
316 saved and used to hire more firefighters. Councilor Farrell said the balance we will save will be
317 \$460K; if we charge for fire boxes like Derry does the balance we save is \$170K. P. Leishner
318 asked why we are not charging businesses for fire boxes in Londonderry. Councilor Farrell said
319 charging for fire boxes has been poised to Council in the past but their decision is that we do not
320 charge and it is provided as a service as taxpayers. Councilor Green asked the Town Manager
321 how many fire boxes we have in town; he responded roughly 200 and at \$300.00 each it would
322 generate about \$60K. P. Leishner suggested charging businesses for call boxes to generate
323 revenue. He wants the dispatcher to be EMD qualified. He is against giving the revenue to
324 another community and letting another community whose dispatchers are not as qualified as ours
325 handle our calls. Brian Young, 8 King Dr. an employee of the fire department asked what the
326 other towns pay to the Derry dispatch center and he wanted to make sure that we were going to
327 be charged an equitable amount compared to the other towns. He said he is against this and
328 explained he has worked in other regional dispatch centers as well as non-regional dispatch
329 centers. He said a lot of the towns he has worked with have a lot of volunteers and he wanted to
330 make sure that the citizens of Londonderry are protected. He stated he does not want his tax
331 dollars going to another town. If our dispatch center is underfunded then we should
332 appropriately fund it. He explained that regional dispatch centers do not provide the same
333 attention that we get in Londonderry, a regional system will have 4-5 calls ahead of you and that
334 your call will have to wait. He said the transmissions that occurred with the Hemlock St fire

335 from the time of dispatch to the time of under control had 472 radio transmissions that those
336 dispatchers were responsible for. Londonderry does a great job now, it is not broke, don't fix it.
337

338 Cindy McCann, 28 Bancroft Rd. said she has been a resident of Londonderry for almost 36
339 years. She has been a town employee, dispatch supervisor for LPD for the last 23 years as
340 supervisory almost 26 as a town employee. She said almost 16 years ago the budget committee
341 asked about combining the dispatch centers. She met with the budget committee and brought
342 along numerous studies that were done about combining the two departments. She said she is
343 not now and never has been against combining dispatch centers. She is against combining
344 dispatch centers with too much speed and in an ill advised manner. When you look at combining
345 dispatch centers purely for a short term financial gain, and you don't look at all the intricacies of
346 combining those dispatch centers the chain of command, the span of control, and everything else,
347 you are dooming that combination to failure. She asked the Council if they knew how many of
348 the communities that have the combined dispatch centers have done it in less than a year, how
349 many did it six months later. In most cases they do a study that takes a year or two. In the
350 contract it states that the towns that contribute the financial resources to Derry will have a chance
351 to give their input but they have no control. Sec 5.3 of the contract says "The Town of Derry Fire
352 Chief shall have the responsibility of managing and operating and shall have complete control
353 over the emergency dispatch services and personnel." She said she thinks we need to establish a
354 committee, we need input from the public and consider this for a year or two before
355 implementing this plan. It is a disaster waiting to happen the way you are trying to do it.
356

357 Keith Tharpe said Londonderry Fire also dispatches for ALERT and explained that will be gone
358 if this goes to Derry. He also stated that you can't make this decision tonight. Steve Young, 7
359 Fiddlers Ridge Rd. said we don't have all the facts. One is how many people Derry is currently
360 serving. Councilor Green said 101,265. S. Young said it is also important to know what the
361 other towns are paying. He asked what is the difference between dispatch at LFD and LPD when
362 the LPD runs with one dispatcher and it is not a safety issue with them. Consider the value of
363 the Derry dollar, the tax rate is unreasonable in Derry so what do we get for our dollar there.
364 Derry has run out of developable land, we have more land. The amendment is on the floor
365 tonight but we did not hear about that on the floor, how we have an amendment when we did not
366 have a meeting. Town Manger Caron said if the Council wants to adopt the amended Resolution
367 they would have to make an amendment to the original Resolution. Anne Gaffney, 28 Tokanel
368 Drive stated when you know the people you are working with you get better service all around,
369 you are able to give better service because you know the people you are helping. We can't lose
370 this just because everyone else does it. Lisa Whittemore, 40 Griffin Rd. a member of the Budget
371 Committee said during the budget season with its numerous meetings and at town meeting a
372 number of questions were asked and this is the first time that those questions were responded to
373 with the idea of going with Derry. She stated that this Council has the responsibility to listen to
374 the voters, give people the opportunity to speak about this proposal. Councilor Freda said we
375 got a lot of questions today that need answers. He would like some answers too: he did not
376 realize that the Londonderry dispatchers had a higher level of training than Derry and wants to
377 know what the effect is; he said he wants to know some of the answers to the contract questions.
378 He does not like subsidizing other towns because we may have more money than them; he would
379 like a definite answer on the call box issue. He said people have asked questions and they
380 should have an answer. He said he would be interested in continuing this until we got some
381 answers. He said he would like to continue this hearing. Councilor Freda said he would like to
382 see what we are going to buy into if we do buy into it. Councilor Farrell said it will be about

383 40% of what it will cost them to run their center. Councilor Farrell said we are going to take all
384 of equipment and put it over there, they can use our equipment and throw theirs away, we just
385 did them a really big favor. Councilor Dolan had questions: why does Derry host regional
386 dispatch and why don't we; he would like to have more options. If the Town doesn't need the
387 antennas on the cell towers for dispatch does that have an impact with the cell tower company
388 which could negatively impact the \$20K revenue we receive from that company; who will do
389 burn permits if dispatch is gone. He asked how many of the 40K calls received in the past 15
390 years were substandard due to a single dispatcher being in place. If the answer is none than there
391 should be no change. The Council dealt with a difficult budget this year and the taxpayers said
392 cutting deeper into public safety elements was no longer acceptable. We have hit the line with
393 public safety. He said he would like to see a "soup to nuts" review on what happened that day
394 starting with the dispatch calls for Hemlock Dr. all the way through to body recovery. Until that
395 is done he thinks it is irresponsible for us to move forward with this. If this should be a debate
396 about public safety infrastructure is fire dispatch a core item that we want to retain in the
397 community or should we outsource it to another community. Councilor Green thanked everyone
398 for coming out tonight, they raised a lot of good questions. The studies that he read proved that
399 this was more of a safety issue for him, it was safer to go to a 2 person dispatcher with a cost
400 savings which is the way he looked at it. There are language issues with call centers; having a
401 centralized call center helps with that when you are doing mutual aid issues. We need more
402 facts; he said he does not feel comfortable making a decision tonight and said he would like to
403 move this to a later date. Chairman O'Keefe said he has a lot more questions than answers that
404 he would like to see answered before he is comfortable voting on this issue and at this point he
405 would like to take a motion. **Councilor Green said he would like to make a motion to move**
406 **this Resolution to at least 6/6/11 possibly 6/12/11.** Councilor Farrell asked Councilor Green to
407 amend his motion to table it because we don't know how long it will take to get the report from
408 the fire department. Capt Rogers explained how they produce the report and said it will take
409 another month and a half to get the report. Councilor Farrell asked if it would be available by
410 6/20, Capt. Rogers responded if you need it done by then it will be done. Councilor Freda
411 asked if the report has to be reviewed by the state causing further delay, Capt. Rogers responded
412 no it is basically observations. Councilor Green said it sounds like we could have it by 6/20, he
413 would like to have ample time to review it. He said he wouldn't be interested in tabling the issue
414 and he would like to move it to the 7/18 meeting to get more information in by 6/20. Chairman
415 O'Keefe asked what we are trying to do by waiting for the report. Councilor Green said that
416 according to research he had done some procedures are different with call centers. He said we
417 are going over to the Derry call center which is less educated than Londonderry and that doesn't
418 make any sense at all. If we do move the dispatchers out are they going to work for Derry. K.
419 Wagner asked if people still have questions can they contact Councilors with the questions,
420 Chairman O'Keefe responded absolutely. K. Wagner then brought up the issue that the
421 attendance is low in the summer, don't rush it through. Councilor Freda summarized the
422 questions:

- 423
- 424 What are the call volumes for all the towns in the Derry System?
- 425 What is the level of training the Derry dispatchers have compared to ours?
- 426 What are the additional licenses going to cost from Alpine
- 427 What are the costs of contracts from various towns and get a unit cost based on the call volume
- 428 What is the transition time it takes to get on-line – will we have to run our system for a while
- 429 while we are paying for the Derry system
- 430

431 Councilor Farrell said there is nothing in the contract about redundancy systems.

432
433 Chairman O'Keefe said his question is the feasibility of Londonderry being a dispatch center.
434 Mary Soares said the question is if we can bring other fire districts into our district.
435

436 Councilor Dolan said this is such a significant change; we need more input from the public he
437 recommends tabling it in a time period that would allow us to actually go through one election
438 cycle. He has never been in favor of putting opinion polls on our ballot. Citizens might want to
439 put it on the ballot to get a wider opinion of the community. We would be looking at a two year
440 commitment to back out of it. **He recommended we table this indefinitely through the next
441 deliberative session and elections, Councilor Farrell seconded it.** Councilor Farrell asked
442 Councilor Dolan if he was asking for a Councilor's privilege, he responded yes. Councilor Dolan
443 said he is not asking this to be delayed by one meeting he is suggesting the Council table this
444 indefinitely through next spring. Chairman O'Keefe said before he gets a vote on this he stated
445 he does not support it; he does support getting these questions answered. A lot of work went into
446 this Resolution and he would like the Town Manager to get them answered. Councilor Farrell
447 stated there is no motion for a vote. Councilor Farrell stated he seconded the Councilor's
448 privilege to table, we don't vote on Councilor's privilege. Councilor Dolan said he did not make
449 a motion he would like the Council to consider tabling the issue until next Spring. He did not
450 want to shut off discussion with a motion. Councilor Farrell asked Councilor Dolan if he is
451 evoking Councilor's privilege to table. Councilor Dolan responded if he did that he thinks it is
452 for only one meeting and he might do that. He said he is suggesting a timeframe for tabling it.
453 Councilor Green said he heard very clearly that there was a motion to table and he thought he
454 heard a second. Councilor Dolan asked the secretary to read back what was said resulting in
455 **Councilor Farrell withdrawing his second, motion dies.** Councilor Freda said we are
456 looking at continuing this matter until 7/18 and hopefully the fire department will have their
457 action report done. We have questions for the Town Manager to answer. **Councilor Freda
458 made a motion to continue this matter until the 7/18/11 Council meeting, second Councilor
459 Green.** Councilor Dolan said we will get an incident report probably the end of June, at that
460 point we should pull it apart and start examining it and proceeded to list exactly what he wanted
461 to look at. The answers to reading the report will take some time and moving it into a July time
462 period will not give us the opportunity to get the answers he and the public are looking for. A lot
463 of people will be out on vacation, he said he does not see the reason why we are hurrying
464 forward with this. Once Derry finds out we are putting this off a few months they are going to
465 have to change their priorities because they are looking for revenues for the next fiscal year. We
466 are not going to be in a position to provide that to them if we delay to July. He said he can't
467 support the motion on the floor because we don't have enough time to get the input from the
468 public. **Councils vote was 3-2-0.** Al Baldasaro, State Representative said there is a mandate
469 that is put on business in this town for fire boxes, is it proper to put a tax on the boxes and give
470 that tax to another town. Chairman O'Keefe responded the Town Manager will get an answer
471 for him.

472
473 At this point in the meeting Councilor's took a five minute break.
474

475 **Ordinance #2011-03 – Relative to Amendments to the Municipal Code – Councilor Farrell**
476 **made a motion to scheduled for a public hearing on 5/16/11. Council's vote was 5-0-0.**
477

478 **Staffing Levels – Community Development and Senior Affairs** – Andre Garron, Dir. Of
479 Community Development and Richard Canuel, Sr. Building Inspector/Health/Zoning and Code
480 Enforcement Officer were in attendance. A. Garron explained that John Gilcreast retired as the
481 Assistant Building Inspector in February of this year and the position is currently open. There
482 used to be 4 in that department but due to the Code Enforcement Officer’s retirement the position
483 was assigned to R. Canuel. He explained the increase in activity which supports filling the
484 Assist. Building Inspector position and he proceeded to list all the developments being proposed
485 in town. He explained our staffing levels compared to other communities are low with just two
486 in the department; the third is the Fire Marshall who does some aspects of the inspections. The
487 Council asked us to look at the Municipal Codes to see if there were any inefficiencies or
488 redundancies that can be address and R. Canuel did that. A mechanical review was particularly
489 reviewed. Councilor Farrell asked if the position was full time, A. Garron responded yes.
490 Councilor Farrell asked if they looked at an outside contractor that we would not pay benefits to.
491 R. Canuel responded a few years ago they looked at having Municipal Resources do some work
492 and it was expensive. To contract on an as-needed-basis would be very difficult. Councilor
493 Farrell asked if there was a way to generate more revenue. R. Canuel said when he did an
494 efficiency review he found out many of the building services are duplicated by the fire inspector.
495 The Building Dept is taking on some of those inspection duties. Implementing mechanical
496 permits could generate some significant revenues for us but it could get to a point where permit
497 fees are enormous, it would discourage people from getting permits. Councilor Dolan said in
498 2010 the fees went up 35 – 40% showing increases in permits. R. Canuel said activity did go up
499 in the quantity of permits. A. Garron said Londonderry always maintains a moderate level of
500 development with a fair amount of activity. Councilor Dolan asked if our fees are in line with
501 other communities, R. Canuel responded we are in the middle. Councilor Dolan verified that
502 these are just building inspection fees, A. Garron responded that is correct. Councilor Dolan
503 asked if they can look at seeing if our fees could be increased without going up too much. A.
504 Garron said we did that a few years ago but they could look again. Councilor Green asked if the
505 new person could do more code enforcement and generate more revenue with fines. R. Canuel
506 said fines are done through the court with violation fines. Councilor Dolan said the primary goal
507 of code enforcement is compliance. Councilor Farrell asked R. Canuel if he was experiencing
508 any delays with the permitting process, R. Canuel responded yes. He also stated that code
509 enforcement never goes away and gets worse with the bad economy. The consensus was to fill
510 the position.

511
512 **Economic Development Update -** Community Development Director Andre Garron reviewed
513 key employment sectors; primary industries; employment comparison; industry segments;
514 economic development focus. He said the Londonderry Housing and Redevelopment Authority
515 is funding a summer intern which was cut from the budget. The intern will be working on
516 furthering the business retention effort, updating our current inventory of existing businesses in
517 the town; putting together a survey to find how better we can serve the business in town and
518 what their needs are, etc. He gave a background of Economic Development in Londonderry. He
519 talked about the upcoming projects in town and having an Economic Development Committee
520 and a Master Plan. Funding for the Pettengill Rd. project for the EDA application was not
521 successful. Councilor Dolan suggested a walking tour of the Access Rd. for an upcoming
522 meeting, Councilor’s agreed. A. Garron said they will be re-submitting our application for the
523 6/10/11 funding round. We need a plan in place for the funding for the roadway itself because
524 an item on the rejection letter was concern if funding was in place for the roadway. He said he
525 was seeking guidance from Town Council on how they could seek funding for the Pettengill

526 roadway. He talked about the prospects in town and listed them. Councilor Freda asked if there
527 have been losses with business in town within the past 6-8 months, he responded no. He
528 explained in the Marketing area staff is replacing the present site selector feature. He explained
529 they are tapping into the NH Commercial Real Estate database which should be up by mid-May.
530 Councilor Green said he wants to see how successful we have been in bringing in tax revenue
531 sources A. Garron said he has that information and he can provide it for the last two years. He
532 said we have the land but don't have the existing buildings. Discussion ensued about bringing
533 in roads into the Pettengill area and applying for more grants. Councilor Dolan said he liked
534 Councilor Green's idea about charging the Economic Development Committee with finding
535 revenue techniques the other idea he has is to organize them into "capture team" activity to help
536 A. Garron to try to accelerate some development.

APPROVAL OF MINUTES

537
538
539
540 **Councilor Dolan made a motion to approve the Public Meeting Minutes of 04/18/11, second**
541 **Councilor Freda. Council's vote was 5-0-0.**

OTHER BUSINESS

542
543
544
545 **Liaison Reports** – Councilor Green attended the Recreation Commission meeting and he told
546 them about cutting expenses. They discussed the fields and decided to keep them up because
547 they are an investment. Councilor Dolan said the only fields we maintain are at West Rd and
548 another field, the rest are maintained by volunteers. Councilor Green said they have had to cut
549 \$12K from their budget.

550
551 **Town Manager Report** - Town Manager Caron stated there will be a public hearing on 5/16/11
552 about the chloride reduction and the meeting will be about a grant for \$65K to buy the equipment
553 needed. It will be a 20% local match funded through the Capital Reserve Fund.

Board/Committee Appointments/Reappointments –

554
555
556
557 Resignation of Nancy Irwin from the Elder Affairs Committee, term expiration 12/31/12.
558 **Councilor Farrell made a motion to accept the resignation, second Councilor Dolan.**
559 **Council's vote was 5-0-0.**

560
561 Appointment of Deb Nowicki to the Demolition Delay Commission, Ad Hoc position.
562 **Councilor Dolan made a motion to appoint, second Councilor Farrell. Council's vote was**
563 **5-0-0.**

564
565 **Councilor Dolan made a motion to go into a Non-Public Session according to RSA91-A:3 II**
566 **(b&c), at 11:22 PM. Aye Councilor John Farrell, Aye Councilor Tom Dolan, Aye**
567 **Councilor Sean O'Keefe, Aye Councilor Tom Freda, Aye Councilor Joe Green.**

568
569 During the Non-Public Session the Council discussed hardship abatements and a personnel
570 matter. **Councilor Dolan made a motion to exit non-public session at 11:27PM, second by**
571 **Councilor Green. Council's vote was 5-0-0.**

572

573 Councilor Farrell moved to grant hardship abatements for the 2011 tax year to properties
574 9-32; 6-99-106; and 12-560-62 in amounts equal to the elderly exemptions if the property
575 owners were otherwise eligible, second by Councilor Green. Council's vote was 5-0-0.
576

577 Councilor Freda made a motion to adjourn at 11:29 PM, second by Councilor Farrell.
578 Council's vote was 5-0-0.
579

580 Notes and Tapes by: Margo Lapietro Date: 05/02/11

581
582 Minutes Typed by: Margo Lapietro Date: 05/05/11

583
584 Approved; Town Council Date: 05 /11

DRAFT