

TOWN COUNCIL AGENDA
January 21, 2019
7:00 P.M.

The Town Council meeting will be held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth Road, Londonderry, NH. Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. 7:00 PM.

A. CALL TO ORDER

B. PUBLIC COMMENT

- 1.) **Retirement of Captain Paul Fulone from LPD**

C. PUBLIC HEARING

- 1.) **Ordinance #2019-01 – An Ordinance Relative to the Zoning Amendment for a Special Exception**

D. OLD BUSINESS

- 1.) **FY20 Budget Workshop Discussion and Adoption of Warrant Articles**

E. NEW BUSINESS

- 1.) **Order #2019-02 – Expenditure of Maintenance Trust Fund for Various Projects
Presented by Steve Cotton**
- 2.) **Appointment of Tax Collector Effective 01/28/19
Presented by Kevin Smith**
- 3.) **Appointment of Finance Director Effective 04/1/19
Presented by Kevin Smith**
- 4.) **Resolution #2019-02 – A Resolution Relative to the Elderly Exemption Policy
Presented by Rick Brideau**

F. APPROVAL OF MINUTES

Approval of January 7, 2019 Town Council Minutes

G. APPOINTMENTS/REAPPOINTMENTS

- 1.) Interviews for year-end Board/Committee open spots.
 - a. Resignation of Delores Stoklosa from the Senior Resources Committee
 - b. Appointment of Suzanne O’Gara from an Alternate to a Full-Time member on the Senior Resources Committee.

H. OTHER BUSINESS

1. Liaison Reports
2. Town Manager Report
3. Assistant Town Manager Report

I. ADJOURNMENT

J. MEETING SCHEDULE

- A. Town Council Meeting – 02/04/19 Moose Hill Council Chambers, 7:00PM
- B. Town Council Meeting – 02/18/19 Moose Hill Council Chambers, 7:00PM
- C. Town Council Meeting – 03/04/19 Moose Hill Council Chambers, 7:00PM
- D. Town Council Meeting – 03/18/19 Moose Hill Council Chambers, 7:00PM

Introduced: 01/7/19
Public Hearing: 01/21/19
Adopted: 01/21/19

ORDINANCE 2019-01
AN AMENDMENT TO THE SPECIAL EXCEPTION
CRITERIA OF THE ZONING ORDINANCE

WHEREAS it was determined that the Zoning Ordinance has no established criteria for the granting of a special exception to allow specific uses despite the reference to such within the Ordinance; and

WHEREAS Town Staff have prepared language consistent with the intent of the Ordinance; and

WHEREAS the Planning Board has voted to recommend Town Council adoption of the proposed amendments;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that Section 8.1.5 of the Zoning Ordinance shall be amended as posted.

To become effective upon passage of this Ordinance.

John Farrell, Chairman
Londonderry Town Council

A TRUE COPY ATTEST:

Sherry Farrell - Town Clerk
01/21/2019

Town Seal

Special Exceptions:

As outlined in the Table of Uses and throughout this ordinance, specific uses may be allowed in certain zoning districts through the process of obtaining a special exception from the Zoning Board of Adjustment. The Zoning Board of Adjustment may grant such special exceptions in appropriate cases and subject to appropriate conditions so as to be in harmony with the general purpose and intent of the Zoning Ordinance where the applicant(s) can demonstrate to the satisfaction of the Zoning Board of Adjustment the following:

- A. Such use will not be detrimental to the health or safety of residents;
- B. Such use will not create undue traffic congestion or a traffic safety hazard in the vicinity of the proposed development;
- C. Such use will not be incompatible with surrounding neighborhood;
- E. Such use will not be a detriment to property values in the vicinity of the proposed development with consideration given to the location or scale of buildings, structures, parking areas, or other access ways;
- F. No nuisance will be created by such use by way of emission of odors, smoke, gas, dust, noise, glare, heat, vibration, or other pollutants; or the unsightly outdoor storage of equipment, vehicles, or other materials;
- G. Such use will not create a hazard to the public or adjacent property on account of potential fire, explosion, or release of toxic materials;
- H. Such use will not result in the degradation of existing surface and groundwater quality standards, nor will it have adverse effects on the natural functions of wetlands on the site which would result in the loss of significant habitat or flood control protection;
- I. Adequate and appropriate facilities will be provided for the intended use; and
- J. All necessary state and federal permits will be obtained.

The Board of Adjustment may attach such conditions as it deems necessary to the granting of the special exception if the Board determines that such conditions are necessary to maintain the essential character of the neighborhood and/or to protect the health, safety and welfare of the Town and its residents. Such conditions may include but are not limited to the site plan review and approval from the Planning Board which includes review and comment from the Conservation Commission and Heritage Commission.

A special exception must be acted upon within two years or such special exception will be deemed to have expired and/or be lost by abandonment.

ORDER #2019-02

An Order Relative to

EXPENDITURE OF

MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 01/21/2019

Adopted: 01/21/2019

WHEREAS voters since 2003 have approved funding for the maintenance and repair of public buildings and grounds in the town; and

WHEREAS by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$9,445.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$9,445.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

John Farrell, Chairman
Town Council

Sharon Farrell
Town Clerk

A TRUE COPY ATTEST:

01/21/2019

**Expendable Maintenance Trust TC Order Request
for Town Council Meeting "1/21/19"**

| Description | Vendor | Amount |
|--|-----------------------------|--------------------|
| Winter Maintenance - Town Hall, LPD, Library & Access Center | Shady Hill - Invoice # 8686 | \$ 1,095.00 |
| Plowing, salting, and shoveling on 12/27, 28, 29, and 12/31/18, 1/1, and 1/3/19 at our various town buildings. This EMTF request is for the materials and labor for winter maintenance for the parking lots, walkways, steps, fire lanes at our buildings. | Shady Hill - Invoice # 8685 | \$ 865.00 |
| | Shady Hill - Invoice # 8683 | \$ 845.00 |
| | | <u>\$ 2,805.00</u> |
| Boiler Repair - LPD | | |
| One of the two boilers at the LPD is leaking and needs repair. This EMTF request is for the materials and labor to replace two sections in the boiler. The boiler was installed in 2004, the warranty has expired. | RTH Mechanical - Quote | \$ 6,640.00 |
| | | <u>\$ 6,640.00</u> |
| Total Town Council EMTF Order | | \$ 9,445.00 |

RESOLUTION #2019-02

A Resolution Relative to the

ELDERLY EXEMPTION POLICY

First Reading: 01/21/19

Hearing/Second Reading: 02/04/19

Adopted: XX/XX/XX

WHEREAS The Londonderry Town Council, at its meeting of February 24, 1997, adopted Resolution 97-2, which enacted Chapter XII - the Elderly Exemption Policy; and

WHEREAS The Town Council is desirous of reviewing exemption levels and making adjustments to insure that the eligibility criteria is appropriate for current economic conditions; and,

WHEREAS The Town Council may, pursuant to the provisions of RSA 72:27-a consider and act upon the question in accordance with its normal procedures for passage of resolutions, ordinances and other legislation;

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Londonderry, that the provisions of ***Title VI - Town Policy, Chapter XII - Elderly Exemption Policy*** are hereby adopted and modified as set forth herein and shall become effective April 1st, 2019 and reviewed periodically thereafter.

John Farrell - Chairman

A true copy attest:

Sherry Farrell - Town Clerk
Dated: XX/XX/2019

(TOWN SEAL)

Chapter XII - ELDERLY EXEMPTION POLICY

SECTION I PURPOSE

- A. To adopt the provisions of RSA 72:39-A and RSA 72:39-B and establish qualifications for the optional adjusted elderly exemption.

SECTION II QUALIFICATIONS *and* DEFINITIONS

- A. To qualify the person must have been a New Hampshire resident for at least three (3) years, own the real estate individually or jointly, or if the real estate is owned by such person's spouse, they must have been married for at least three (3) years.
- B. In addition, the taxpayer must have a net income of not more than ~~\$39,600~~ **\$40,800** if single or widowed, or if married, a combined net income (as defined in RSA 72:39-A I (b)), of not more than ~~\$48,800~~ **\$50,300** and own net assets not in excess of ~~\$133,700~~ **\$137,000**, excluding the value of the person's residence up to two (2) acres.

SECTION III BENEFITS

- A. The elderly exemption from property tax in the Town of Londonderry based on assessed value for qualified taxpayers shall be as follows, and shall be reviewed annually:
- | | |
|---|------------|
| For a person of 65 years of age, up to 74 years | \$ 98,900 |
| For a person of 75 years of age, up to 79 years | \$ 123,600 |
| For a person of 80 years or older | \$ 164,800 |
- B. The exemption under this section shall apply only in taxable years on the residential real estate for which the exemption is claimed on April 1 in any given year.
- C. Whenever the selectmen or assessors refuse to grant an applicant an exemption to which he/she may be entitled under this section, said applicant may appeal the decision in accordance with RSA 72:34a.
- D. An exemption granted under this section shall have no effect on an applicant's eligibility for other exemptions as authorized under this chapter.

~~End of Policy~~

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1 **January 7, 2019**

2
3 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall,
4 268B Mammoth Road, Londonderry, NH.

5
6 Present: Chairman John Farrell; Vice-Chairman Joe Green; Councilor Tom Dolan, Jim
7 Butler and Ted Combes; Town Manager Kevin Smith; Assistant Town Manager Lisa
8 Drabik; Executive Assistant Kirby Brown;

9
10 **CALL TO ORDER**

11
12 Councilor Dolan stated that there are a few councilors stuck in traffic but will be here
13 shortly. Councilor Dolan called the Town Council special meeting to order and led the
14 Pledge of Allegiance. This was followed by a moment of silence for all those who serve us
15 here and abroad.

16 **PUBLIC COMMENT**

17
18 Chad Franz, 1 Sunflower Lane, thanked the Council for passing the veterans credit and
19 increased it up to the \$4,000. Franz stated that he just retired from the Marines and he
20 thanked the Council for having his back.

21
22 Tom Freda, 30 Buckingham Drive, Town moderator stated that due to a media problem at
23 the last election, voters were in line earlier than the polls were open. The voters were
24 interested in having the polls open earlier than 7 AM. Freda suggested extending the
25 voting hours and opening the polls at 6 AM. Freda stated that the Town Council can
26 increase the hours.

27
28 Vice Chairman Joe Green entered the meeting at 7:11 PM.

29
30 The Council took a vote to extend the hours from 6 AM until 8 PM. Councilor Dolan
31 voted and Councilor Butler second the motion. Chair votes 4-0-0.

32
33 Chairman Farrell interested the meeting at 7:25 PM.

34
35 Vice-Chairman Green invited up representatives from Melanson Heath & Company to

LONDONDERRY TOWN COUNCIL MEETING MINUTES

36 present the audit for FY18. Scott McIntire and Alina Korsak, Audit Manager, presented
37 the audit.

PUBLIC HEARING

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39
40 Motion to open Public Hearing on Resolution #2019-01, a Resolution relative to the
41 service-connected total disability tax credit policy, made by Vice-Chair Green and second
42 by Councilor Butler. Chair votes 5-0-0. Assistant Town Member Lisa Drabik presented.
43 There was no public comment. Motion to approve Resolution #2019-01 made by Vice
44 Chairman Green. Second by Councilor Butler. Chair votes 5-0-0.

45
46 Motion to close Public Hearing made by Vice Chairman Green and second by Councilor
47 Dolan. Chair votes 5-0-0.

OLD BUSINESS

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51 Chairman Farrell invited up Finance Director Doug Smith to present more on the FY20
52 budget. The Council discussed the new SRO officer and the ideas for the School District
53 building. The Council went over the budget. Smith went over the Warrant Articles as
54 well.

55
56 Tim Siekmann and Christine Patton with the Budget Committee discussed the money
57 awarded to charities this year in the budget. They presented the Council with the
58 numbers.

NEW BUSINESS

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62 Chairman Farrell introduced Order #2019-01, the expenditure of Maintenance trust Fund
63 for various projects in the amount of \$1,055.00. Steve Cotton presented. Motion to
64 approve Order #2019-01 made by Vice Chairman Green and second by Councilor Butler.
65 Chair votes 5-0-0.

66
67
68 Chairman Farrell introduced Ordinance #2019-01, an Ordinance relative to the Zoning
69 Amendment for a special exception. This is the first reading. Motion to waive the first
70 reading and schedule a public hearing for the next Council meeting made by Vice
71 Chairman Green and second by Councilor Butler. Chair votes 5-0-0.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

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APPROVAL OF MINUTES

Motion to Approve Town Council minutes from December 17, 2018 made by Councilor Dolan. Second by Councilor Butler. Chairman Farrell was absent last meeting. Chair votes 4-1-0.

APPOINTMENTS/RE-APPOINTMENTS

The Council did the appointments of Planning Board, Zoning Board, Recreation Commission and Housing Authority.

Chairman Farrell stated that the conflict of interest with Jake Butler on the Planning Board, his Father Councilor Jim Butler would have to step down as the Council liaison.

Motion to appoint Jake Butler as a member, Leith Reilly as an alternate member, and Scott Benson as a member on the Planning Board made by Vice Chairman Green and Councilor Dolan. Chair votes 5-0-0.

Motion to appoint Neil Dunn as a member and Mitchel Feig as an alternate member made by Councilor Dolan and second by Councilor Butler. Chair votes 5-0-0.

Motion to appoint William Manning as a full member and Jim Loiselle as an alternate member made by Vice Chairman Green and second by Councilor Dolan. Chair votes 5-0-0.

Motion to appoint Chris Powers as a full member of the Housing Authority made by Councilor Dolan. Second by Vice Chairman Green. Chair votes 5-0-0.

Motion to accept the resignation of Tiffany Richardson from the Zoning Board of Adjustments made by Councilor Dolan and second by Councilor Butler. Chair votes 5-0-0.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

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TOWN MANAGER UPDATE

NONE

ASSISTANT TOWN MANAGER UPDATE

NONE

ADJOURNMENT

The Council changed the Planning Board Liaison to Councilor Ted Combes. Motion to adjourn made by Vice Chairman Dolan and second by Councilor Butler. Chair votes 5-0-0.

| | | |
|---------------------|--------------|------------------|
| Notes and Tapes by: | Kirby Brown | Date: 01/07/2018 |
| Minutes Typed by: | Kirby Brown | Date: 01/10/2018 |
| Approved by: | Town Council | Date: 01/21/2019 |