

TOWN COUNCIL MEETING
June 1, 2009

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

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

CALL TO ORDER – PUBLIC SESSION

Chairman Farmer opened the meeting at 7:00 PM with the Pledge of Allegiance led by Eagle Scout Ryan Zins. This was followed by a moment of silence for the men and women fighting for our country, firefighters and police officers serving this community and around the country.

Chairman Brown reminded the public about the final process for dog licensing. Approximately 3, 680 dogs are registered with the Town, approximately 900 have not yet been licensed. Councilors will sign warrant for civil forfeitures for un-registered dogs on June 15. The fees will be \$25.00 for each dog in addition to the certified and late fees.

Tax bills have been mailed. Chairman Brown informed new homeowners if they don’t receive their bills by 6/5 to call the Tax Collector.

PUBLIC HEARING

Cable Television Renewal Franchise – Dottie Grover, Director of the Cable Access Center was in attendance and reviewed the changes in the new contract. She stated that the majority of provisions are dictated by federal law. The Town has no jurisdiction over the pricing of the different tiers.

1. I-LOOP services will remain as it has been provided in the current and previous contracts.
2. Comcast agreed to the current franchise fee of 5% of gross revenues.
3. Comcast will continue to provide free television service similar to what they are providing now to town and school buildings. In addition, the Digital Zero tier will be provided at no charge.
4. Channel 28 (Bulletin Board) will be eliminated within two months of contract signing with announcements to be broadcast over the other access channels.
5. The four remaining analog channels will migrate to the digital tier by 2012.
6. The Town will receive \$280K in PEG support over the next 10 years, an increase from the \$150K in the current contract.
7. Comcast will discontinue reimbursement of ½ of a full-time position at the Access Center.

Councilor O’Keefe asked D. Grover if 10 years is the norm for a contract with Comcast, she responded it is the average. Councilor Farmer asked Town Manager Caron if the Town will

pick-up the salary and benefits for the employee that had Comcast paying half of their salary. He responded the cost would be about \$25K for FY10; the Town anticipated losing this benefit, and it has been incorporated into the Cable Division Special Revenue Fund and cash flow. Chairman Brown asked if the salary for the full-time employee will be paid out of the PEG support grant – D. Grover responded it will be paid out of user fees. He asked if we are tied into an exclusive contract for the next 10 years, D. Grover responded no, other providers can approach the Town with a contract to provide service in the community. Town Manager Dave Caron said that RSA 53:C is the controlling statute for cable franchise agreements and by law the Council cannot grant a franchise until they consider the eight items listed in the statute which he proceeded to read. He said that based upon Comcast’s past performance, documentation of financial position and surety provided, the firm does possess those technical and other requirements and abilities to adequately execute the provision of the franchise agreement. Steven Ayotte, Old Nashua Rd, asked if other communities are tied in to the head end with Londonderry; D. Grover responded the same communities are still tied in. He asked if Comcast will be improving the technology and was it going to be standardized. D. Grover said they are indicating they want to make it more standardized. He asked if the I-LOOP includes internet and phones, D. Grover responded no. **Councilor DiMarco made a motion to approve the 10 year cable TV renewal franchise as presented. Seconded by Councilor O’Keefe, Council’s vote 5-0-0.**

PUBLIC COMMENT

Ryan Zins – Eagle Scout Recognition – Janusz Czyzowski, Public Works Dir. explained that Ryan, along with members of Troup 109, repaired and improved the trails and walkway by Nelson Field for his Eagle project. Chairman Brown presented Scout Zins with a Certificate of Recognition for his work on the project.

OLD BUSINESS

NEW BUSINESS

Long Term Debt Strategy – Town Manager Caron outlined three options for managing long-term debt. He recommended that it should be used as a planning tool to manage future debt.

1. Limit future debt to the current debt service payments;
2. Target the outstanding principal at a certain percentage of the Town’s assessed evaluation. State law allows Towns to issue debt up to 3% of the Town’s assessed evaluation which is between \$90M and \$100M currently. Currently the Town is at approximately 0.75% of assessed value. This limits taxpayer investments in capital projects at a set level and takes advantage of future growth in the assessment base. This approach is the most consistent because it utilizes the anticipated 1.5% increase in the tax base, as well as retiring debt;
3. Maintain the current level of annual principal payments, which is currently at \$1.954M.

Options 1 and 3 depend predominantly on the retirement schedules of current debt outstanding. Debt service payments will be fairly level for the next two or three years, followed by significant reductions which creates the capacity to borrow additional funds. Councilor Farmer said it provides more information as a planning tool. Chairman Brown asked if this information is shared with the CIP committee. Town Manager Caron responded it has been shared with the

Committee in the past. Consensus of Council is to send copies to the CIP. Chairman Brown announced the deadline for submission of CIP projects is 7/24/09.

Order #2009-09 – Relative to the Expenditure of Maintenance Trust Funds for Remediation Activities at North Fire - Councilor Farmer made a motion to adopt; seconded by Councilor DiMarco, Council’s vote 5-0-0.

Ordinance #2009-02 – Relative to an Amendment to the Municipal Code, Title IV Chapter V, Solid Waste Recycling – Motion by Councilor O’Keefe to accept the first read and move to a public hearing on 6/15, seconded by Councilor Wagner. Councilor Wagner said she has heard from seniors and disabled veterans concerned about rolling 65 gallon cans down driveways. Town Manager Caron stated that 32 gallon containers will be available. Councilor Wagner said the communities we compared ourselves against have a transfer station while we don’t so they have a place for overflow. Will the drop-off center be available year round and how much will it cost. Councilor O’Keefe said that larger families are being penalized a usage fee for extra barrels. This has not been addressed, and may not save the town money. Councilor Farmer said he shared the same concerns. We have defined the amounts that we use for solid waste service. He suggested we take a good hard look at it before we adopt the new fees. Councilor O’Keefe said it will even out in town if we waive the fee. Councilor Wagner said if we waive the fees everyone is going to insist they need a second container. Councilor DiMarco asked if the extra bags are going to be able to repel animals. J. Czyzowski said he will check into the quality of the bags for the June 15 meeting. Consensus was to display the proposed fee schedule on the website before the 6/15/09 meeting. Chairman Brown stated the contract was also designed to encourage a higher rate of recycling. The discussion on the 15th will be only about the amendment to the municipal code; the decision has already been made to sign the contract. Town Manager Caron asked Councilors to forward any concerns or question to him for response on 6/15; Public Works is distributing between 50 and 75 additional recycling bins a week. **Council’s vote 5-0-0.**

APPROVAL OF MINUTES

Minutes of Council’s Public Meeting of 5/18/09. Councilor DiMarco had two minor corrections. Line 59 had a spelling error “Poligrapher” should be spelt “Polygrapher”. Line 379 mentioned the “Manchester Airport Authority Representative” when it should read “Manchester Airport Master Plan Representative”. M. Lapietro made those corrections. **Councilor DiMarco made a motion to accept the meeting minutes of 5/18/09 as amended, seconded by Councilor O’Keefe, Council’s vote 5-0-0.**

OTHER BUSINESS

Liaison Reports – Councilor O’Keefe attended the Budget Committee last week, they reviewed the Workforce Housing Project.

Councilor Farmer attended the CIP; they elected officers. The packets requesting information on projects will be sent out shortly, they are due back on 7/24 for scoring. Concerts on Common begin on 6/8/09.

Chairman Brown attended the Heritage Comm. on 5/28; had a design review of Stonehenge Rd, called the “MacGregor Cut”. There was a discussion on the Town Common/Forest from Deb Lievens about invasive plants in that area. Also, officers for the Heritage Comm will remain the same.

Councilor DiMarco attended the Manchester Airport Authority meeting last Thursday; a demo from the civilian bomb K-9 team was presented. Budget is down from prior fiscal year, however, MHT is still in good financial shape. They now have a DART helicopter stationed at the airport. Don Jorgenson was elected as the secretary for MAA. Warren Jennings, the Town’s new representative was in attendance, not officially appointed yet. Councilor DiMarco thanked Steve Young for his 8 yrs. service on MAA. The Manchester Airport Master Plan will have a representative from Londonderry.

Councilor Wagner said the seniors will meet with the Council on 6/15 to ask the Town for land to build housing for the elderly. Documentation will be sent by Stacy Thrall to D. Caron. OHD is short on sponsorships, looking at ways to cut back. “Space Blast” will be new event this year for kids on Saturday and there will be a train on Kid’s Night for the kids to ride.

Chairman Brown asked if we have sprayed for mosquitoes. Town Manager Caron stated usually if there is an incident of EEE in the surrounding towns around the first of August, after which the Town common areas are sprayed.

Town Manager Reports – Town Manager Caron said he attended a meeting at the SO NH Planning Comm with representatives from Bedford, Litchfield, and the City of Manchester about collaborative efforts for regional fire service. They discussed mutual aid, building combined station, etc. The group concurred that area fire chiefs should meet to discuss adequate response time before anything else is planned.

The grant applications for fire stations through ARRA are due in July; he said he will meet with LFD Chief and the architect next week to further refine the application.

The schedule of Town Council meetings and budget meetings was discussed.

Board/Committee Appointments/Reappointments -

Reappointment of Sharon Carson, Arthur Rugg and Donald Moskowitz to a five year term on the Southern NH Planning Commission, terms to expire 6/2014. Discussion ensued if these openings should have been posted. Town Manager Caron explained that D. Moskowitz was appointed last year, S. Carson has ties into the state level and A. Rugg ties into the Planning Board. These connections have worked out quite well for the Town. **Councilor Wagner made a motion to re-appoint, seconded by Councilor DiMarco. Council’s vote 5-0-0.**

Appointment of Earle Rosse to the Manchester Airport Study Advisory Committee as Londonderry’s representative. **Councilor Farmer made a motion to appoint Earle Rosse to the opening, seconded by Councilor O’Keefe, Council’s vote 5-0-0.**

ADJOURNMENT

Councilor Farmer made a motion to adjourn at 8:25 P. M and adjourn to a non-meeting to discuss collective bargaining issues, seconded by Councilor O’Keefe, Council’s vote 5-0-0.

Notes and Tapes by: Margo Lapietro Date: 06/01/09

Minutes Typed by: Margo Lapietro Date: 06/02/09

Approved; Town Council Date: 06/15/09