

TOWN COUNCIL /BUDGET MEETING

March 04, 2013

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

PRESENT: Chairman, John Farrell; Councilors: Joe Green; Tom Freda; Acting Town Manager, LPD Chief William R. Hart; Executive Assistant Margo Lapietro.

Absent: Vice Chairman Tom Dolan; Jim Butler.

Call to Order

Chairman Farrell opened the meeting at 7:00PM with the Pledge of Allegiance. This was followed by a moment of silence for the first responders and those in service here and abroad.

Public Comment

Interviews of Ann Chiampa and Al Sypek for an opening on the Planning Board - Ann Chiampa, 28 Wedgewood Drive made a statement about her interest in being on the Planning Board and in her involvement with the town over the years. She stated that she does not have a prejudice against Woodmont Commons and she is not an abutter. She wants her concerns made know. She attended every meeting and has made her various concerns know to the developer. She brought up the point that we should retain the suburban nature of the town and the school system and objected to the fact that the word “suburban” is stricken from the Master Plan. Chairman Farrell pointed out that we are not talking about the Master Plan tonight; we are here tonight to talk about why she should be on the Planning Board. Councilor Green said if you are on the Planning Board with some preconceived notions how do you get along with the other members. A. Chiampa responded she does not have preconceived notions; she wants the board to take into consideration the residents. Councilor Freda asked for clarification of her residential location. She responded she is not an abutter. Councilor Freda asked her if he heard her correctly that she was in favor of Woodmont, she responded yes. Councilor Freda asked her if she wasn’t supposed to have an opinion, you are supposed to wait to hear all sides. He said his concern is that she is for the project and felt that she is pre-judging it. As a Planning Board member you can ask questions and point out problems with the applicant but you shouldn’t be a supporter or non-supporter of it you are supposed to be impartial. Councilor Freda said that his concern is that she would have to recuse herself from Woodmont issues because she has expressed a preconceived opinion. A. Chiampa said she would not see a need to recuse herself from Woodmont issues and she did not agree with that. She stated that she thinks it could be very beneficial to the town if..... Councilor Freda pointed out that there apparently was a misconception by people that she was against the project but now it seems the opposite. Chairman Farrell asked her if she had any conflicts with being a fair and partial member of the board, she responded no. Chairman Farrell said it makes it difficult for him to look at it from the Planning Board view to see if she can be candid about it. He congratulated her on the work she has done for the community. A. Chiampa asked the Council if she had the right to come back on the 18th and continue the interview when the other two Councilors will be in attendance. It was decided that she could come back. Al Sypek, 86 Constitution Drive gave his history with the

town. He explained he was on the Londonderry Fire Department for 31 years and retired as Chief in 2003. While the LFD Chief he served as the ex-officio on the Planning Board for 2 years. He was on the Conservation Commission; and was an Ad Hoc member to the IT Committee. He served on the Water Commission and has volunteered 9 years at the Access Center. He stated that if he was going to volunteer for any board it might as well be one that he actually sat on before. Councilor Green asked if he had any conflicts that would hurt his impartiality on the board, A. Sypek responded none at all. Councilor Green asked what his past experience will bring to the Planning Board. A. Sypek responded you are working with the public and the Planning Board is totally governed by state law. Everything is looked at subjectively. Councilor Green asked him what he felt about Woodmont. Councilor Freda reworded the question and asked him if he has made any public statements about Woodmont, he responded he has not made any public statements. You look at everything to see if it meets the requirements and he has no personal opinion on Woodmont. Chairman Farrell asked if he is willing to come back on the 18th when the other two councilors will be attendance; he responded no problem. The consensus was to move this to the public comment agenda on 3/18/13.

Chairman Farrell stated that Steve Homsley sent an e-mail to Council expressing his regards to activity in the Musquash including shooting. The Londonderry Police Department (LPD) was in attendance to answer any questions. S. Homsley stated that they were having shooting incidents from early in the morning until dusk. Chairman Farrell asked him if he was aware of the meetings held at Council meetings and at the Musquash. He explained that some officers visited the Londonderry Fish & Game as well as had consultations with our town attorney. He asked Capt. Dussault to explain the actions the LPD took. Capt. Dussault explained they talked about this at the 10/4/12 meeting. He provided data from a 3 year period beginning 3/1/10 – 3/1/13. In that time they had 27 calls about shooting complaints in the Musquash area. They had 39 calls that could be loosely associated with the Musquash areas. He proceeded to provide a detailed report of that time period. No one was charged with a crime and there was no criminal activity observed. Chairman Farrell asked what other actions did we take. Capt. Dussault responded they had officers patrol the area looking for shooting. Acting Town Manager/LPD Chief Hart responded they put up hand bills in the area for gun safety and gun safety courses at all common entrances. Chairman Farrell explained to S. Homsley that we have been active within the confines of the law. S. Homsley said the activity is growing and expressed his concern. Chairman Farrell said we have no control over the Londonderry Fish and Game per Counsel. Councilor Green said he is trying to keep everyone happy but we have to keep people safe and abide by laws. He asked S. Homsley what he would do. S. Homsley said we have Ordinances in place so that our residence's quality of life is not diminished; this seems to be like a free-for-all with all the loud noises that are not in a controlled environment. Councilor Green explained the LPD is going out there and they are not finding any issues; he explained we are trying to be proactive. Councilor Freda asked Mr. Homsley if he is differentiating between target shooting and hunting and he responded yes. Councilor Freda said the town has had Counsel look at it and it is okay for hunting and he referred to RSA 159, Sec. 26. Chairman Farrell said the noise he gets is probably from the Fish & Game. He said the Council has tried to do everything under the law, everybody has taken it seriously; we don't want anybody to get hurt.

Public Hearing

None

Old Business

Ordinance #2013-01 – An Amendment to the Zoning Ordinance Relating to Rezoning Map 6, Lots 37 & 38, Mohawk Drive – Tim Whinnings the applicant was in attendance and explained he wanted more uses for the property to make it more attractive for development. Councilor Freda noted that the Planning Board recommended this zoning change. Chairman Farrell read the, second reading. Councilor Green **made a motion to accept, second Councilor Freda. Councils vote 3-0-0.**

Resolution #2013-01 – A Resolution Relative to Re-Addressing Properties on Highlander Way - Chairman Farrell dispensed with the second reading. Town Assessor Karen Marchant and GIS Manager John Vogl were in attendance. Karen Marchant explained there was a 911 call and they were unable to access the five buildings on the rental property. Highlander Way was blocked off part way and they had to go through Brown off of Manchester in order to access the properties. She said they have an e-mail from the airport supporting the re-naming of this street. Councilor Green asked how many residences there were and John Vogl said they had no idea of how many residences there were in the buildings. John Vogl provided a map and showed that there is a driveway that provides access to the five structures and they are just looking for a name to formalize the driveway with an Elm Way address. J. Vogl read an e-mail from the airport who is the owner, expressing their support. Councilor Green asked how the tenants were going to be notified; J. Vogl responded the notices would be sent to the owner, they do not notify the renter's. Chairman Farrell suggested the Acting Town Manager notify the Capt. Of the Police Department so they could intervene and let everyone at the airport know that they let all the renter's know what is going on. K. Marchant said it is her understanding that the buildings are rented to the pilots; therefore there are no permanent residents who receive mail. **Councilor Freda made a motion to accept, second Councilor Green. Councils vote 3-0-0.**

NEW BUSINESS

Resolution #2013-02 – Elderly Exemption Policy – Chairman Farrell read the first reading; second reading/public hearing scheduled for 3/18/13, **and made a motion to adopt, second Councilor Green. Councils vote 3-0-0.**

Resolution #2013-03 – Disabled Persons Exemption Policy – Councilor Green read the first reading, second reading/public hearing scheduled for 3/18/13 **and made a motion to adopt, second Councilor Freda. Councils vote 3-0-0.**

Resolution #2013-04 - Blind Tax Exemption Policy – Councilor Freda read the first reading, second reading/public hearing scheduled for 3/18/13 **and made a motion to adopt, second Councilor Green. Councils vote 3-0-0.**

Order #2013-07 – Distribution of Expendable Maintenance Trust Funds – Chairman Farrell read the first reading/public hearing. **Councilor Freda made a motion to adopt, second Councilor Green. Open for discussion. Councils vote 3-0-0.**

Ordinance #2013-02 – Amendment to the Municipal Code Relating to the Regulation of Secondhand Dealers and Pawnbrokers – Acting Town Manager/LPD Chief Hart explained that Det. Sean Doyle headed up dealing with identity and stolen property for the department and would explain the reason for the change to the Ordinance. Det. Doyle proceeded to explain the

current procedures which are time consuming, labor and material costs are intensive and the fact that the information is only available to detectives who use the New England State Police Information Network (NESPIN). He investigated other software systems used for the process and found that Business Watch International (BWI) was the clear choice. They will save the town time and resources, increase efficiency; and the system can be accessed by all officers. The vendors will enter all the information required rather the police department; the webcam will take pictures of the required information. He explained that our fees will be in compliance with other towns, and the systems will free up detective time. The system saves searches and can flag items to be held without going to the store. The system also automatically runs information against the sex offender registry and helps with auditing the regulated businesses. Det. Doyle proceeded to review the changes he wanted made to the amendment. Open for discussion. Councilor Green asked if this was an additional cost to the pawnshop owners. Det. Doyle responded no they are provided with the software. LPD provides the first camera and the maintenance is the responsibility of the customer who is responsible for additional cameras. Councilor Green asked if we are having difficulty with compliance now is it due to paperwork and will the computerized system make it easier for them. Det. Doyle said it will make it easier and 3 out of the 4 currently cooperate; the 4th one he is working with them. Councilor Green asked if BWI matches with other towns and the state? Det. Doyle responded everyone who shares with NESMIT will share with BWI because they are working on an agreement with them. Councilor Freda talked about a customer buying back their items. Chairman Farrell asked Det. Doyle to come back after 6 months' time to see how it is working. Chairman Farrell read the first reading, second reading/public hearing scheduled for 3/18/13. Councilor Green **made a motion to move this to the second reading on 3/18/13 and to adopt, second Councilor Freda. Councils vote 3-0-0.**

APPROVAL OF MINUTES

Council meeting minutes of 02/11/13 – Councilor Freda made a motion to approve, second Councilor Green. Council's vote 3-0-0.

OTHER BUSINESS

Liaison Reports – Chairman Farrell said he had a conversation with a member of the School Board about a combined School Board and Town Council Deliberative Session. Councilor Freda recommended having this discussion. The consensus was to direct the Acting Town Manager to approach the School Board about having a discussion to see if we can enhance coverage at the Deliberative Session.

Town Manager Report – Acting Town Manager/LPD Chief Hart said they looked at the possibility of having an ATM machine installed at Town Hall for the convenience of our residences. It is not feasible; it would cost the town significantly more than it is worth.

Bi-Weekly Payroll – He said he had been asked to look into bi-weekly payroll; it didn't make sense cost wise. When this was looked at some years ago the change in payroll processing software allows for things to be done much more routinely. Most of the employees opted against it and since there was no cost savings to the town we put it to rest.

Credit Card/E-Registration – He said within the next 4-8 weeks we will be online for all fees. E-reg will be first followed by property tax payments and, sewer fees on line.

The purchasing policy will be looked at and they are recommending increasing some threshold numbers to be consistent with state statutes. That will be brought back to the Councilors again.

He announced that “March Madness” is here, the LPD officers have beards.

Chairman Farrell explained they have re-started the Town Manager process and are looking at a 7/1/13 start date. They are trying to find the best person for Londonderry.

Board/Committee Appointments/Reappointments –

Re-Appointment of Karen Gigure as a Full Member on the Londonderry Arts Councilor, Ad Hoc Position.

Appointment of Steven Sullivan as a Full Member on the Londonderry Arts Council, Ad Hoc position.

Councilor Freda made a motion for the above, second Councilor Green. Councils vote 3-0-0

Resignation of Stacy Thrall as a member of the Elder Affairs Committee and her appointment as the Senior Affairs Liaison to the Elder Affairs Committee.

Councilor Green made a motion, second Councilor Freda. Councils vote 3-0-0.

Councilor Green said the town meeting is on 3/12/13 and asked when the Councilors will have their organizational meeting. Chairman Farrell responded we will vote at the Council meeting on 3/18/13.

Chairman Farrell stated he got an e-mail from the Town Clerk that the polls are open on 3/12/13 from 7:00AM – 8:00PM

Reed Clark, Stonehenge Drive asked everyone to come out and vote.

ADJOURNMENT

Councilor Freda made a motion to adjourn at 8:43 PM, second Councilor Green. Council's vote 4-0-0.

Notes and Tapes by: Margo Lapietro Date: 03/04/13

Minutes Typed by: Margo Lapietro Date: 03/08/13

Approved by: Town Council Date: 03/18/13