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<p style="text-align: center;"><u>TOWN COUNCIL</u> <u>MEETING MINUTES</u> <u>October 21, 2013</u></p>
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10 The Town Council meeting was held in the Moose Hill Council Chambers, Town Hall, 268B Mammoth
11 Road, Londonderry, NH.

12 Present: Vice Chairman Tom Dolan; Councilors Joe Green, Jim Butler, Tom Freda; Town Manager
13 Kevin Smith; Executive Assistant Kirby Wade; Absent: Chairman John Farrell

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CALL TO ORDER

19 V. Chairman Dolan opened the meeting with the Pledge of Allegiance led by Councilor Green. This was
20 followed by a moment of silence for all the women who have dealt with Breast Cancer, for Breast
21 Cancer Awareness Month.

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PUBLIC COMMENT

- 26 • Approval of Minutes for September 23rd, motion Councilor Freda, second Councilor Green. Chair
27 votes 4-0-0
- 28 • Approval of Minutes for October 7th, motion Councilor Freda, second Councilor Green. Chair Votes
29 4-0-0
- 30 • Jason Williams, 85 Litchfield Rd, Chairman of the Londonderry Arts Council. Londonderry Arts
31 Council is in its 9th year presenting 3 shows a year, November 'Art in Action' hosted at Macks
32 Apples and Shady Hills. 'Art in the Commons' takes place in September. 'Art in Action' also takes
33 place in May. Williams stated the Arts Council also hosts a concert series each summer on the
34 Common. They bring in all acts around the area to enrich the community through music. The Arts
35 Council is expanding and growing shows and the Council is in talks with the NH Theater Factory,
36 trying to bring in a professional theater group into Londonderry. Williams stated they are looking for
37 new and more venues for events. At the Leach library the Art Council showcases one artist for a
38 month, a solo show. The Art Council is also expanding on social media. Vice Chairman Dolan stated
39 that Londonderry appreciates everything that the Art Council does.

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PUBLIC HEARING

- 43 • Motion to open Public Hearing, Councilor Freda motion, Councilor Butler. Chair cotes 4-0-0

- 41 • Vice Chairman Dolan introduced the Second Reading and the Public Hearing for two resolutions,
42 2013-11, a Resolution to Establish a Municipal Economic Development Revitalization District.
43 Resolution 2013-12, TIF, Tax Incremental Financing, around the airport district.
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45 Stu Arnett, Arnett Development Group, Londonderry's Project Manager for Economic Development.
46 Arnett is working to best get private investment into the Airport area, in addition to the Pettingale Rd.
47 TIF is when the town uses new incremental tax revenues received to buy private investment, paying
48 property tax, new revenue and nothing from existing, and apply it against any bonding it did in that
49 district until such time as that's paid off. The Airport Tax Increment Finance (TIF) district has two
50 goals, one is economic development and the second, is by using a TIF you can accelerate the bond pay
51 down.
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- 53 • Every year the bond is opened it's costing \$37,500.00 per every 1 Million borrowed.
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55 **[Gave presentation with power point]**
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- 57
58 • Arnett stated the public policy decisions that are coming up are to enable the Airport area district
59 itself, which is one of the two Resolutions. One of the Resolutions is to adopt the ability to have any
60 district and the other one is to adopt this specific district. The TIF does not commit the town to
61 spending anything and the possible uses for the district are road improvements and sewer intercept.
62 There's more that may happen depending on how time goes.
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- 64 • Arnett stated a parallel program which is not part of the two resolutions, its coming later, and
65 Economic recovery zone (ERZ) expansion. Londonderry has two ERZ's now. Arnett stated one of
66 them will be asked to expand. This is to increase the size of an existing zone, thereby increasing the
67 number of Londonderry business's that are eligible and allows those business to apply for a state tax
68 credit against their BET or BPT. The ERZ has to be in place by the end of the calendar year.
69

70 **[Presenting a map that changed from the one presented a few years ago. There were concerns that**
71 **it was bigger than it needed to be and from property owners that included agricultural and**
72 **residential land. Some revisions were made and a big piece off the eastern portion was removed.]**
73

- 74 • Town Manager Kevin Smith stated State officials from DREAD met with him about the TIF and
75 they were very much supportive.
76

77 **[Arnett continues presentation of PowerPoint]**
78

- 79 • Arnett stated that sewer will be 4.5 million on the bond and there is an existing 2 million dollar
80 escrow in the sewer fund capital budget. Some of it will be used.
81
82 • Arnett stated actions needed going forward the TIF District adoption has to be done before April 1st
83 the latest because that's when the new assess values are issued.
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85 • Bond vote will be March of 2014 and/or it could be in subsequent years for subsequent phases. It
86 doesn't have to be all done in the first year.

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- Arnett stated they only act after the ‘Rights of Way’ are secured. ‘Rights of Way’ will need to be secured with some time conditions.

[Attached is the PowerPoint for your viewing]

- Councilor Butler asked what the investment to date is. Vice Chairman Dolan stated that there’s he impact studies that have been done. Janusz, Public Works Director, stated the investments so far is the design of the road \$236,000.00. Councilor Butler asked if the 8 million for the road was designed for 2 lanes or 4 lanes. Janusz stated it was for 4, 2 major intersections on Industrial Drive and the next one in the middle.
- Janusz stated that if the TIF didn’t pass for four lanes and they wanted to do it, they are looking into how they can reduce the cost of the TIF. Arnett stated that they will look into the traffic generation numbers so that there will be more updated traffic numbers.
- Kevin Smith, Town Manager stated that it’s important to remember that we are looking to stay tax neutral or tax positive with this. A lot of it is being driven by how quickly the development goes in. If the development can support full buildup in year 1, 2 and 3 it makes sense to do that but if it doesn’t the town will not go for full build out right away.
- Vice Chairman Dolan asked if we are in the right order voting on the TIF resolution tonight. Arnett stated after the second reading. Vice Chairman Dolan asked Arnett if the school or county hearings done prior to voting. Smith stated that there’s nothing in the process that binds the Council to have to wait for the hearings. At any time you can amend this district and do away with this district.
- Ann Chiampa, 28 Wedgewood Dr., asked what the status of the 8.2 million dollar grant for Pettengill Rd. area and would it affect the TIF. Arnett stated that they have not heard and the ones that have been awarded have heard. The premise is that it’s not good news. In the possible sources of funds, DOT Grant was one and that’s why if we got 8.4 than we would be at the zero option. We haven’t heard no, but are anticipating no because everyone who got a yes heard 2 months ago.
- Ray Breslin, 3 Gary Dr., asked what the necessity is from the Towns stand point of assisting in developing this roadway. How will it benefit the town? Vice Chairman Dolan stated that in general it will help accelerate development and would control what development look like.
- Vice Chairman Dolan stated that as part of the deal if the voters turned down the bond, the grant would be lost. The approval would be contingent upon the match.
- Town Manager Smith stated that as he’s been meeting with the developers and talking about the design and construction of Pettengill Rd. both he and Stu have been upfront in letting them know that we expect to have it be a private public partnership and not a sole public endeavor. Smith stated he will go to the Council at some point with what the buy in for the private side will be because it should be a partnership.
- Town Manager stated that from not having Pettengill Rd., Londonderry has lost the Carpet Door

- 133 Restaurant, which is now on 101 buy the Bedford Village Inn, a Dunkin Donuts, Credit Union and
134 so much more. All of it was slated for Pettengill Rd. The developers who had a hand in that have a
135 hand in Pettengill and they wanted to bring it to Londonderry but because the road is not build and
136 the time frame in dealing with bringing business into the areas they have to go with what is
137 available. Londonderry missed out on that opportunity. Smith stated the longer we wait to build the
138 road the more opportunity for development we will continue to miss out on. Smith stated that there
139 needs to be buy in from the private side as well.
140
- 141 • Vice Chairman Dolan stated not everything can be discussed in public about the developers but there
142 have been active discussions with larger developers who are interested. Vice Chairman Dolan stated
143 that they Council will not support the effort going forward if it is not cash neutral or cash positive to
144 the community.
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 - 146 • Vice Chairman Dolan stated that it may not be tax positive but it will at least be tax neutral and it
147 will not be tax negative. On the commercial land up by the airport, which is the largest undeveloped
148 block of land of that type in the state, right next to two highways and the airport, the potential from
149 others tell us that it is a ‘goldmine’ and if it can be unlocked and bring it to market it is a potential to
150 help contribute to tax revenues and potentially lower the amount of property taxes being paid by
151 residential tax payers by having more tax money being paid by industrial/commercial tax payers.
152 Ray Breslin stated that is the desire.
153
 - 154 • Ray Breslin discussed the issue of water and sewer. He asked the Council to take that into effect.
155 Arnett stated that it all has to go through a permit process. Arnett
156
 - 157 • Vice Chairman Dolan stated that the two Resolutions that are in front of the Council tonight, one is
158 to establish an Economic Revitalization District which will help the business owners in that district
159 to apply for tax credits and reductions with the State, not with the Town. The other Resolution is to
160 establish the TIF district. Dolan stated that at a later time the Council may put a vehicle on the ballot
161 to fund sum amount for the TIF. This is not what is being voted on tonight. There still needs to be
162 more information before it goes forward. Town Manager Smith stated the first Resolution is the
163 enabling Resolution to be able to declare a particular area a TIF district. The ERZ will come at a
164 later Council meeting to expand that for the businesses.
165
 - 166 • Ray Breslin asked if exit 5 is a prime development area is well. Vice Chairman Dolan stated that yes
167 it there is a lot going in there. Breslin asked if this was an area for a proposed TIF as well. Vice
168 Chairman Dolan stated there are no proposals for a TIF in that area. There is a lot of development
169 going on around Vista Ridge Apartments.
170
 - 171 • Vice Chairman Dolan stated there is no PUD for the TIF. Breslin asked if there could be a PUD
172 applied. Arnett stated the district has no effect on planning regulations whatsoever. What’s there is
173 there. Any owner can do what the Planning regulations allow today. Has no effect on the regulations
174 of land use.
175
 - 176 • A motion to accept the Resolutions tonight. Councilor Green motioned to accept Resolution #2013-
177 11Second by Councilor Butler. Chair votes 4-0-0. Resolution passes
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- 179 • A motion to accept the Resolutions tonight. Councilor Butler motioned to accept Resolution #2013-
180 12. Second by Councilor Freda. Chair votes 4-0-0. Resolution passes.
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- 182 • Motion to close Public Hearing, motioned by Councilor Freda and second by Councilor Green. Chair
183 votes 4-0-0.
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185 **OLD BUSINESS**

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187 None

188 **NEW BUSINESS**

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- 191 • Vice Chairman Dolan introduced a new Impact Fee Ordinance, #2013-06. Dolan stated it will be
192 introduced tonight and a public hearing will be held on November 4th, 2013. Dolan read the
193 Ordinance. Dolan stated that the Council will not vote on adopting the Ordinance tonight.
194
- 195 • Councilor Green motioned to schedule the Public Hearing for November 4th. Councilor Freda second
196 the motion. Chair votes 4-0-0.
197
- 198 • Vice Chairman Dolan introduced Resolution #2004-11A, a Resolution Relative to the Collection and
199 Distribution of Rental Fees for the Mayflower Grange. Town Manager Smith stated the reason for
200 this resolution is to revise the previous resolution and bring it more in compliance with the funds that
201 are collected can be used for. The senior center is in this building and this is bringing the Resolution
202 up to date with how the funds can be used. The funds are collected from the rental fees.
203
- 204 • Councilor Green read the Resolution.
- 205
- 206 • Motion to accept first reading and to adopt the Resolution. Councilor Green motion. Councilor Freda
207 second.
208
- 209 • Councilor Freda asked if when rental money comes in does the town cut the Senior Center a check
210 or are they getting the money directly. Smith stated the money comes to the town first, to the finance
211 department.
212

213 **LIASON REPORT**

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- 215 • Councilor Green attended the Recreation Committee meeting. They talked about looking to get
216 things more organized when it comes to background checks and taking in upon themselves to house
217 background checks for sports across the town. Looking into legality's with that and to see if that can
218 be done, as well as updating all the Charters. Councilor Green stated it will be a good step in keeping
219 our kids safe.
220
- 221 • Councilor Freda attended Planning Board. There was a conceptual presentation involving Restaurant
222 Depot which would be located in the area located behind Café Theresa. The problem is that the
223 building is almost double the size of the area he has to build. It's not a retail business it's a wholesale
224 business.

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- Vice Chairman Dolan had a meeting with the Merrimack Valley Water District Commission. Dolan stated that he turned down the Chairmanship but he did accept the position of Vice Chair. Dolan stated that we should expect a reimbursement of the dues that have been paid in the last decade. Dolan estimated somewhere between \$30,000.00- \$40,000.00 pay back to the town.

TOWN MANAGER REPORT

- Smith stated going off the Restaurant Depot that Councilor Freda brought up, stated that at the Planning Board level there needs to be a review discussion on that area, to look at whether or not the performance overlay district is still serving the town well, whether or not it needs to be revised or reformed in any way. The Council needs to recommend the Planning Board look at that area again. Vice Chairman asked if the Council should take a vote and the Council gave the 'ok'. Art Rugg, Chairman of the Planning Board stated that it is a good idea. Vice Chairman Dolan stated to use the Master Plan as their guide. Dolan stated that there should be a periodic update where the staff is moving forward with the growth management ordinance.
- Smith shared that the LGC (Local Government Center) has recently agreed to pay back its members an additional 33 million dollars total for FY13. Londonderry will be receiving another payment at some point. It will be distributed in the same manner that the previous have been.
- A Veterans breakfast will take place on November 9th hosted by the High School Pay It Forward club. Open to all Veterans from 8 AM – 10 AM at the high school cafeteria. Free to veterans and one guest. Guests can make donations and the parade will be after.
- Councilor Green stated that they want to start talking about the PUD and the PUD has just been finished with Woodmont. There have been concerns about the process and the Planning Board was asked to take a look at it. Councilor Green stated that there are some items that need to be changed.

BOARD COMMITTEE APPOINTMENTS/RE-APPOINTMENTS

- Resignation of Robert Ramsay from the Greater Derry Cooperative Alliance for Regional Transportation Board of Directors (CART), motion made by Councilor Freda second by Councilor Green. The Council thanked Robert Ramsay for his service.
- Nancy H. Michaels, Candidate for the Londonderry International Exchange and Ann Chiampa, candidate for the Heritage Commission, motion made by Councilor Freda, second by Councilor Green.
 - Dan Bouchard, Meredith, addressed the Council about Linda Bates and the Elderly Affairs Committee. Shared some concerns about Linda with the Council. The Council requests that they interview Linda at the next Council meeting. Councilor Freda motioned, second by Councilor Butler.
- Vice Chairman stated the Budget season is starting and the introduction to the Budget will be on November 4th Town Council meeting.

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ADJOURNMENT

- Motion to close the meeting made by Councilor Green and second by Councilor Freda at 9:50 PM.
Council's vote 4-0-0.

Notes and Tapes By:	Kirby Wade	Date: 10/21/13
Minutes Typed By:	Kirby Wade	Date: 10/28/13
Approved By:	Town Council	Date: xx/xx/13