

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1 April 17, 2017

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

5
6 Present: Chairman Tom Dolan; Vice-Chairman John Farrell; Councilors Jim Butler, Joe Green and Ted
7 Combes; Town Manager Kevin Smith, Assistant Town Manager Lisa Drabik and Temporary Executive
8 Assistant Stacie Street.

9
10 CALL TO ORDER

11
12 Chairman Dolan called the Town Council meeting to order at 7:01 PM. Chairman Dolan led the Pledge
13 of Allegiance. This was followed by a moment of silence for servicemen/women, here and abroad, who
14 were unable to be home for Easter/Passover, and away from their families, so we can be safe.

15
16 Before opening public comment, Vice-Chairman Farrell asked to discuss the education/training of boards
17 and newly appointed chairpersons. As the leadership of the town, Vice-Chairman Farrell suggested that
18 the Town Council work with the Town Manager and the Assistant Town Manager to come up with a
19 process that can be followed so people know when/how to bring up concerns. Chairman Dolan suggested
20 to Town Manager Smith that they come up with some bullet points to help boards, specifically the
21 Chairman, along with the help from Assistant Town Manager Lisa Drabik, to create a training session that
22 includes rules and guidelines as well as how to engage the public. Chairman Dolan would like the
23 atmosphere at meetings to be more inviting to the public, he stated that he did not want the public to be
24 intimidated. Chairman Dolan went on to explain that the Council would accept Public Comment twice
25 during this meeting, once during Public Comment (where any resident could speak on any topic) and again
26 during the Public Hearing when there will be a specific discussion on the water ban, in regards to
27 Ordinance 2016-07A. The public was reassured to relax, and take their time if they came forward during
28 Public Comment. He also reminded the residents to sit by the microphone state their name, and address
29 for the public record/minutes.

30
31 PUBLIC COMMENT

32
33 Fire chief Darren O'Brien began by acknowledging that this was National Public Safety
34 Telecommunicators Week. He was present to honor all Londonderry dispatchers. Dispatchers for the Fire
35 Department; Elizabeth Mahon (20 ½ years), Gerald Johnson (19 ½ years), Robert Simard (15 years) and
36 Christopher Schofield (5 ½ years). These men and women are the unseen heroes of what firefighters do.
37 They provide details and vital information that firefighters needs to keep them safe while doing their job.
38 Gerald Johnson was present to accept his award. Gerald received a round of applause and shook hands
39 with all sitting at Council table as a way of thanks. Next to speak was Lt. Chris Gandia. Chief Hart was
40 not able to attend the meeting due to a loss in the family. On behalf of Chief Hart, Lt. Gandia asked all
41 police dispatchers to join him, in attendance were TCO Supervisor Bobby Jones (29 years of service and
42 5 as supervisor), TCO Jason Penault (16 years), TCO Megan Moran (2 months). Not present were Maria
43 Shatt (22 years), Cindy Tuck (15 years), Amelia McKeaver (5 years), and Corey Nader (3 years). Lt.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

44 Gandia was excited to announce Megan as the newest dispatcher as she is the future of the department.
45 Lt. Gandia continued to say that the dispatchers are the human connection between those in need and
46 emergency services as they respond. Their voices are always heard, their words are often felt and their
47 faces are never seen. Lt. Gandia presented all dispatchers with a Proclamation from Governor Sununu
48 which was presented to the Town Council, he then read a statement: “You probably won’t recognize these
49 heroes on the street, they don’t wear a badge or carry a gun. They don’t drive a firetruck, an ambulance
50 or patrol car, but they are among us. They work around the clock, holidays and birthdays. They often miss
51 family functions, school activities and are at work when most people at home asleep. Their pictures don’t
52 usually make the papers unless the call went bad and the only record of it is a recorded 911 call. They are
53 the lifeline between someone who needs help and someone who responds to give it. 911 operators and
54 dispatchers are the unseen heroes of emergency services.” There was a round of applause and all present
55 approached the Town Council table for a handshake acknowledgment.

56
57 Eversource was invited by Chairman Dolan to present an update on their project. John Troyano and
58 Anthony Johnson presented on behalf of Eversource. John spoke about the Transmission Reliability
59 Program. A presentation was passed out (and included at the end of the minutes). The presentation is meant
60 to give snapshot view of the project. One focus is structure replacement which is part of the maintenance
61 program. Wooden structures may suffer from decay or woodpecker damage, these are replaced with steel
62 structures. John then referred to slide 2, all of the right of ways going through Londonderry. He pointed
63 out the activity that would be happening and where. Tony Johnson was reintroduced, he is the manager of
64 vegetation maintenance. Tony started with slide 4 and the 3 times Eversource takes care of when they
65 refer to maintenance vegetation work; 1. The mowing of the brush, 2. The trimming of encroaching trees,
66 and 3. The removal of “hazardous” trees. This is done on a 4 year basis. Refer to highlighted areas on page
67 2 of slide show. Tony stated that maintenance is critical, they are monitored federally and they are all
68 connected through New England. Disruption to lines = disruption to service and could potentially cause
69 rolling black outs (like in 2003). Tony stated that most vegetation issues come from trees outside the
70 maintenance corridor. After storms of 2011, FERC (Federal Energy Regulatory Commission) audited
71 Eversource. They found that they were compliant with regulations but may not be addressing hazard trees
72 as well as they should. This began the process of what they could maintain and control in regards to
73 vegetation maintenance and The Right of Way Reliability Program (TRRP). Tony referred to pages 6 and
74 7. After 27 years in the system, Tony said they are seeing critical vegetation maintenance due to growth
75 over time. 10% more is being spent on maintenance due to growth and age, trees are more prone to injury.
76 Tony stated that 10 trees per year fall into their system and FERC has dictated that they consider trimming
77 easements to their full width. Slide 8 was referred to as to what will be maintained. Clearing will generally
78 be to one side of easement. In Londonderry, the 2 main projects will be the 360 line (SW corner of town)
79 and the I158 line (NE corner, up to Manchester). Tony stated that the trimming will seem drastic, they
80 will be going 150 feet from the outside conductor. The reason for this is that white pines can grow to 100
81 feet and white pines are prominent in NH. Chairman Dolan asked if Eversource was removing trees
82 outside the right of the way? Eversource replied, “yes” with permission from property owners and if they
83 are a hazard. Chairman Dolan then asked if they met with property owners? Tony replied that they follow
84 a process when contacting property owners, even though they have the right by easement. Vice Chairman
85 Farrell commented that Eversource was not very popular with homeowners in these discussions as he has
86 been involved with many of the discussions. Vice Chairman Farrell asked about the process of contacting
87 the homeowner. Tony said that this is why they are having the meetings. Step one is to inform the
88 town/Town Council. Step 2 is to notify property owners which is done in stages. First the property owner
89 is notified of a survey. Next they notify and meet with them personally. They discuss what is to be done

LONDONDERRY TOWN COUNCIL MEETING MINUTES

90 with the wood. In NH, they also have to consider Timber Tax. Vice Chair Farrell is concerned that in
91 regards to Eversource, the best predictor of future of behavior is past behavior, and after survey crews do
92 their job, he will receive phone calls of concern from residents. Vice Chairman Farrell suggested that there
93 must be a better way. Tony stated that if he understood Mr. Farrell, that Eversource should contact property
94 owners first and THEN do the survey? He then commented that Eversource liked to know the details of
95 the job before talking to the property owners, so they could answer all questions asked. Vice Chairman
96 Farrell said that if Eversource wanted to do it right, they should consider property owners. Tony defended
97 the path that Eversource took when talking to property owners. Chairman Dolan added that
98 communication is the key and you can never over communicate. He added that it was also help with
99 acceptance and understanding by residents. Tony admitted to understanding, thanked both Councilors for
100 their input and admitted to learning from mistakes they made last year. Tony added that they have
101 contractors, such as John Troyano, that help with community outreach so that Eversource employees are
102 not the only face to the project. John Troyano offered additional information about the notification process.
103 He stated that 2 sets of letters go out. The first letter introduces the project and that flaggers will be out on
104 the property. Also, door hangers are hung and phone calls are made. Chairman Dolan asked if there was
105 concern that property owners mistook the mailers as junk mail. John replied that they took special attention
106 to design them so that this would not happen. If all methods to contact property owner have failed, they
107 Eversource will send it certified. Chairman Dolan recommended that they put the letter in with the bill.
108 Tony said that might be difficult since so many more people received bills that need the letter and it could
109 be a tough task. Vice Chairman Farrell referred to slide 9 and recommended they use that to say that
110 Eversource is cutting down trees on their property, slide 9 is an attention getter. John stated that the letters
111 sent out have a dedicated hotline number and e-mail address for questions. Tony stated that a lot of effort
112 goes into discussing work with property owners and no work is done until they make contact, mainly
113 because they need to know what to do with the wood. Chairman Farrell stated that his hope was that
114 Eversource was truthful to property owners and didn't let them think they had a choice... Tony replied
115 that Eversource is trying to do better by discussing every detail with property owners, giving updates,
116 remediation... all things they are not required to do but do so in hopes of appeasing the situation. Tony
117 referenced that 2 other projects in NH have done well with the current process, they are both success
118 stories. At this time John reiterated the outreach process; meet with the town, introductory letter, phone
119 calls, door hangers, and certified letter. Councilor Joe Green asked about press releases. John said they do
120 not do them. Councilor Green asked what the last ditch effort was if after all the outreach, the property
121 owners were not reached? John answered that the last ditch effort is the certified letter. John stated that
122 they were pretty successful in contacting property owners who live right on the land being maintained.
123 Councilor Green asked if contractors knock on doors before cutting and John satted that it is all part of
124 their outreach. Councilor Green also stated that he understands the importance of TRRP but hopes they
125 can eliminate the surprises to home owners that come along with the project. John finished by stating that
126 mapping is not finished on the I158 but the overview can be found on slide 12. Finalized maps will be
127 shared once they are done. Councilor Joe Green suggested that we post the information shared on our
128 town web-site and Chairman Dolan also suggested that any new information be given to Town Manager
129 Smith for additional updates as they arise for outreach support. There were no questions from the public
130 about the project and Eversource was thanked for coming.

131

132 Eversource Slide Show Follows...

133

134

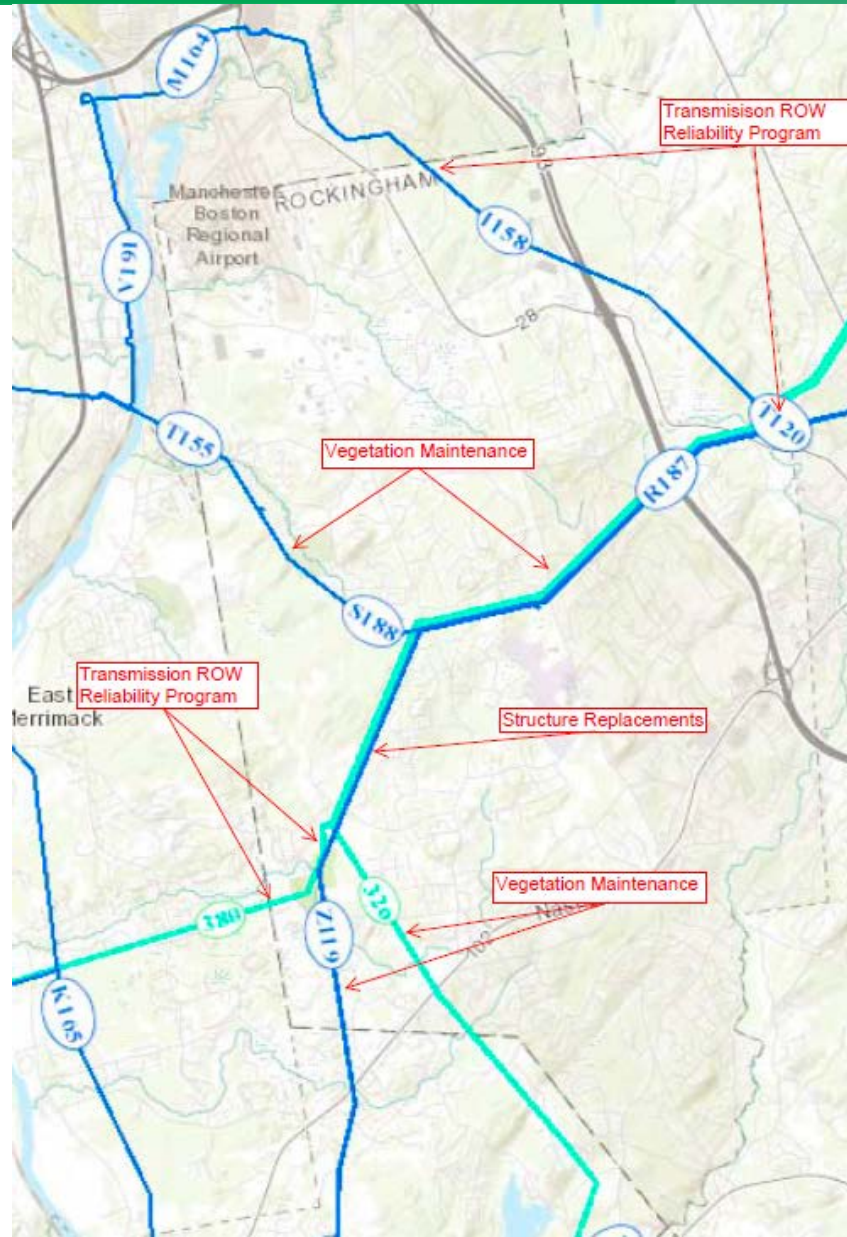
2017 Work in Eversource Transmission Rights-of-Ways

**Town of Londonderry
April 17, 2017**

- Introductions
- 2017 Right-of-Way Work in Londonderry
 - Structure Replacements
 - Vegetation Maintenance
 - Transmission Right-of-Way Reliability Program (TRRP)



2017 Eversource ROW work in Londonderry





- As part of our continuing effort to deliver reliable energy, Eversource continually evaluates the condition of existing transmission structures across the system.
- Based on the condition of the structures on the 380 Line.
- This existing line crosses West Rd, Wiley Hill Rd, Mayflower Dr, High Range Rd, Davis Dr, Mammoth Rd, Bancroft Rd, South Parrish Dr, West Parrish Dr, Harry Rd, Hovey Rd, I-93, and Rt. 28.
- Making the work site safe for the necessary equipment may require mowing, brush removal, making improvements to an access road, and bringing in gravel or wood timber mats.
- Areas disturbed by construction will be restored once the work is complete.



- ROW Brush Control: Removal of vegetation within the cleared areas of the ROW.
- Side Tree Trimming: Management of vegetation encroachments into the ROW – involves pruning of trees and branches to maintain electrical safety clearances.
- Hazard Tree Removals: Removal of trees identified as being a risk to the transmission system. The trees might be within or outside of the easement limits. If the tree is outside the easement limits property owner permission is obtained.
- This work will be occurring in various locations throughout the year.





Transmission ROW Reliability Program



Our approach to vegetation management

- Clear trees and other vegetation that may potentially interfere with the operation of the transmission facilities, including substations, structures and wires.
- Make the transmission corridor a sustainable, diverse habitat, with grasses, shrubs and low-growing trees that can safely coexist with transmission lines.

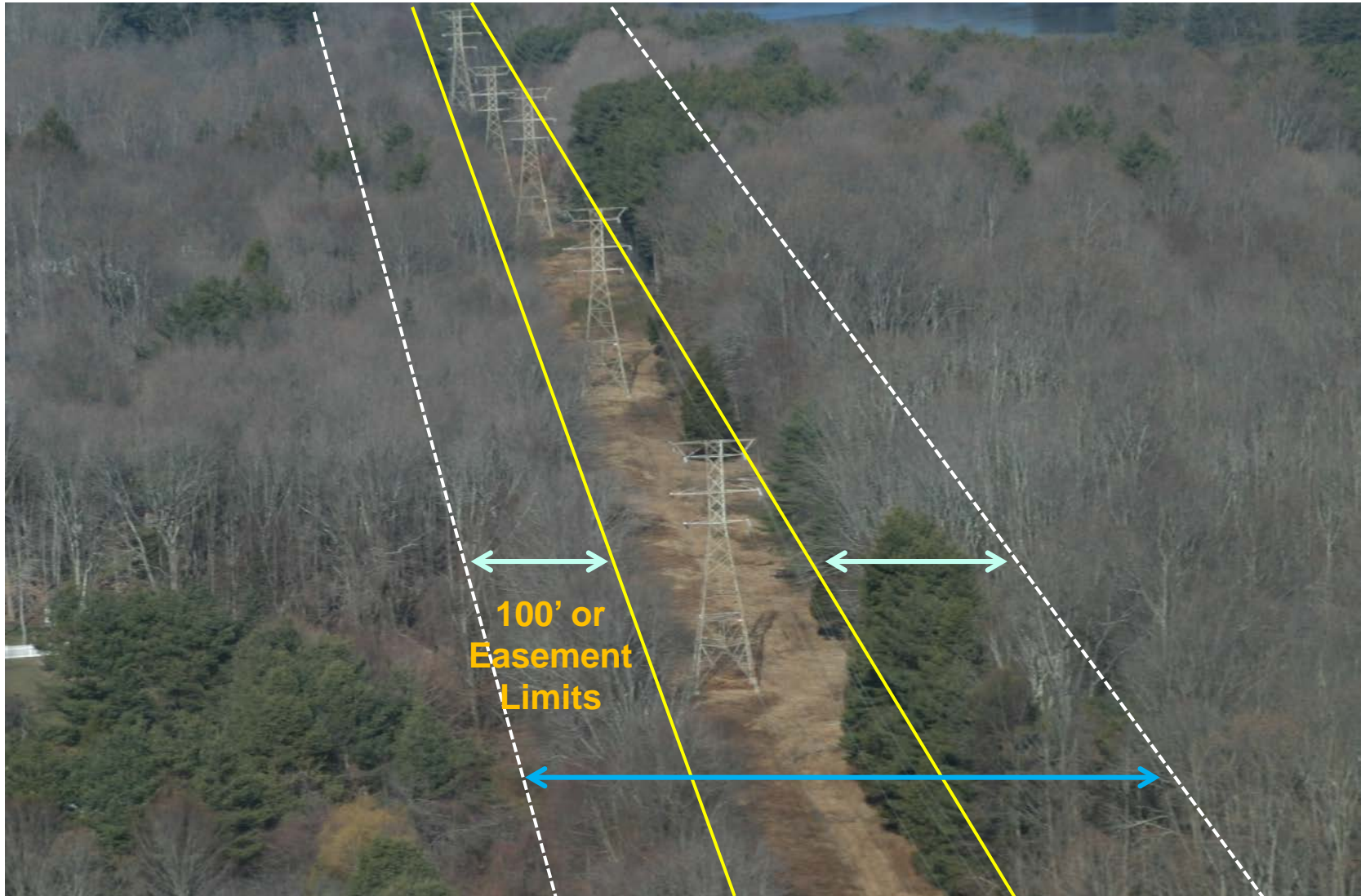
Transmission Right-of-Way Reliability Program (TRRP)

Why is this work needed?

- To protect the electric system, we will be removing tall-growing tree species thereby expanding the cleared area of the transmission rights-of-way.
 - These trees pose a serious safety hazard if they contact energized equipment.
 - Vegetation contact with transmission facilities may lead to power outages that could impact thousands of electric customers.
 - The clearing of trees in the rights-of-way will improve system performance, especially during severe weather.



TRRP - Typical clearing scenario



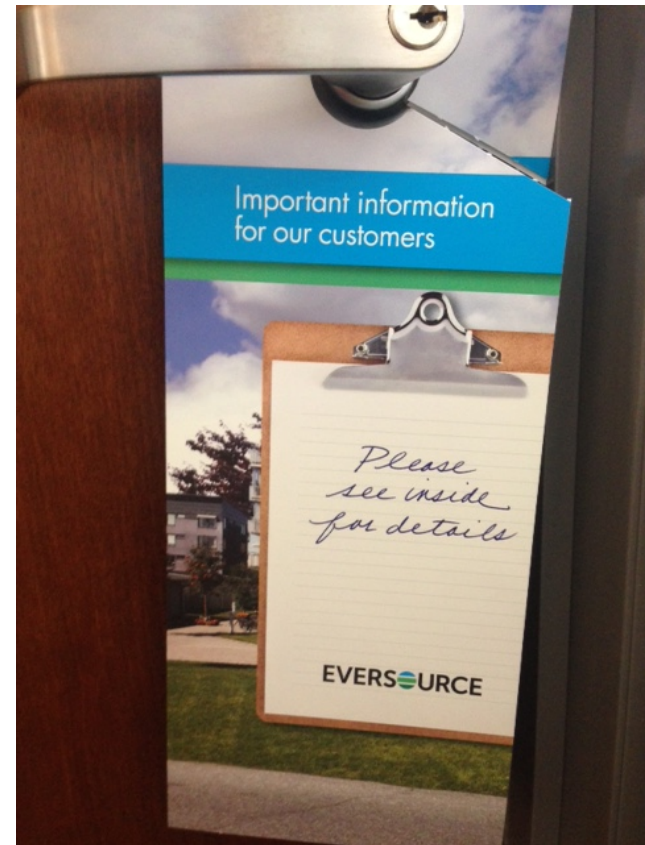
- Eversource will work closely with property owners to explain the impacts of the new clearing limits.
- Property owners can retain all or a portion of the wood from trees removed from their property.
- Any wood requested by the property owners will be left along the edge of right-of-way



Typical way wood is left for property owners

- Key stakeholders
 - Property owners/residents
 - Businesses
 - Local officials
 - State officials

- How we will communicate with key stakeholders
 - Briefings, presentations
 - Letters
 - Emails
 - Door hangers
 - Field meetings

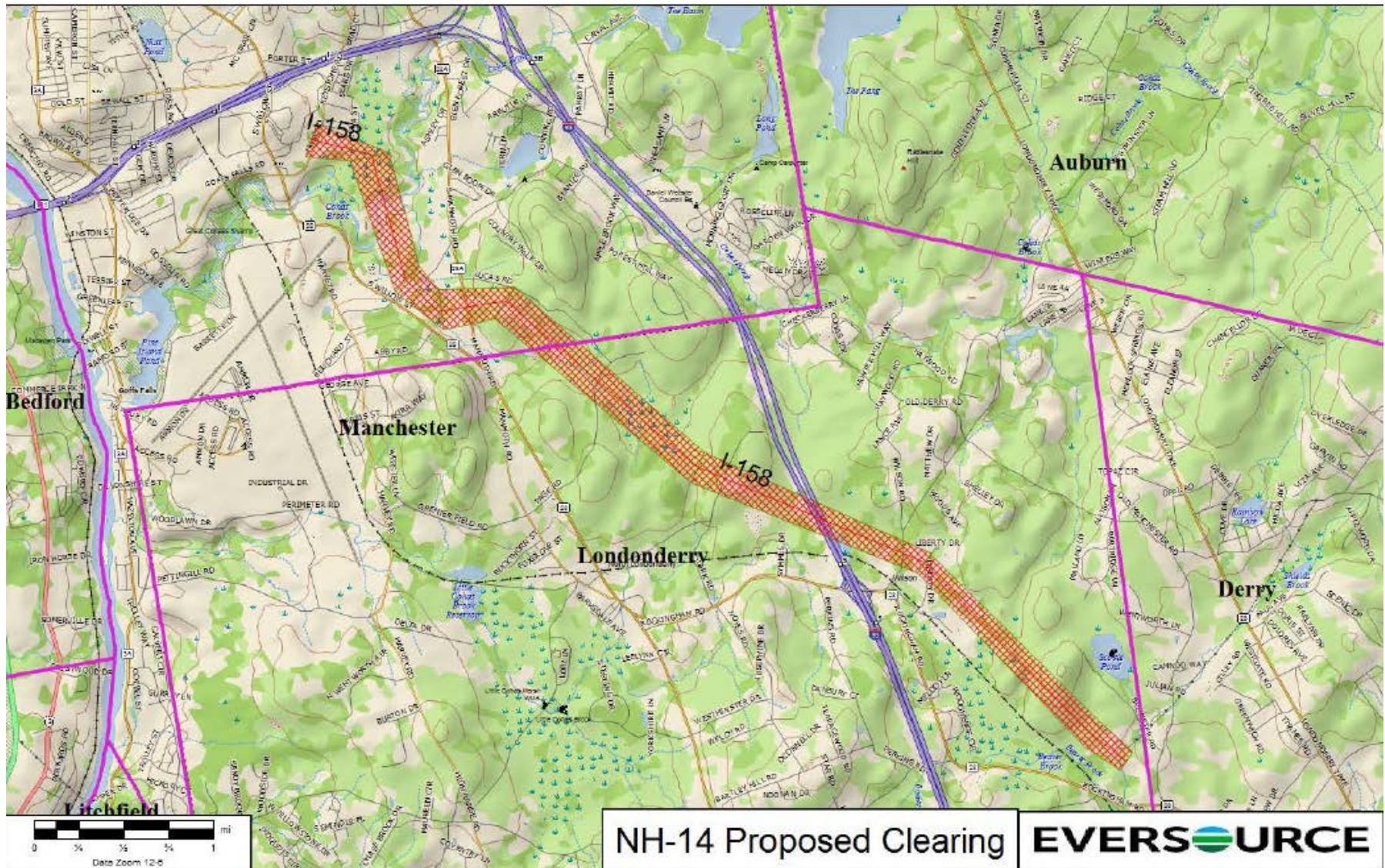


TRRP Project timeline

- Brief municipal officials:
April 2017
- Outreach to property owners:
April 2017
- Begin TRRP tree clearing:
May/June 2017



TRRP work to occur this fall in Londonderry



NH-14 Proposed Clearing

EVERSOURCE

Community Relations
Elizabeth LaRocca
603-345-0083
elizabeth.larocca@eversource.com

For Transmission Reliability Right-of-Way Program (TRRP):
John Troiano
203-379-7640

For the Public:
Hotline Number: 888-673-9943
Email: NHVegMaintenance@Eversource.com

Questions & Discussion

EVERSOURCE
ENERGY



LONDONDERRY TOWN COUNCIL MEETING MINUTES

135 Reed Paige Clark, 79 Stonehenge Rd. Offered congratulations to newly voted Councilor Ted Combes and
136 re-elected Councilor Joe Green. Mr. Clark stated that although his flowers have come up beautifully, but
137 there are more beer cans than daffodils and more Dunkin Donuts than crocuses. Town Manager Smith
138 offered that Beautify Londonderry is looking for volunteers. They will start town clean-up on weekends
139 from April 22 (Earth Day) – May 21. Mike Byerly can be contacted through our web-site, Boards and
140 Commissions, Beautify Londonderry. The beer cans and Dunkin Donut cups will be taken care of.

141
142 Deanne Mele, 8 Valley Street. Wanted to discuss the water ordinance on the agenda. Councilor Dolan
143 suggested she wait to bring this up in the public hearing. She went on to note the way California does
144 water bans, referring to time of day and how long lawns can be watered and she did not see this in
145 Ordinance 2016-07A. She also wanted to know when there would be a discussion about taking water from
146 rivers and streams. Town Manager Smith offered that there is a separate ordinance that prohibits taking
147 water from public water supplies. This ordinance will be revisited after Ordinance 2016-07A is revised.
148 Chairman Dolan stated that the within the next 2 meetings the other water ordinance will be discussed.
149 Ms. Mele wants to be available for this discussion. Chairman Dolan told Ms. Mele to check the agenda
150 for updates to see when that discussion would happen. She suggested again that amount of time and time
151 of day should be considered. Ms, Mele finished by thanking Vice Chairman Farrell for making the
152 statement about the public feeling comfortable in speaking and presenting facts.

153
154 Amy Wheeler 11 Darrow Way, stated by thanking the Council for making her feel comfortable when
155 voicing a concern, she is new to town and learning the process. Ms. Wheeler wanted to know how the
156 public added items to the TC agenda. She referred to a discussion at the Planning Board meeting regarding
157 the GMO. She finds it difficult that other meetings don't allow for public discussion. She hoped that the
158 TC could listen to the concerns and bring them up for discussion. Chairman Dolan explained the process
159 and the up flow of information. He mentioned that the only people who could approve an Ordinance was
160 the Town Council, other boards make recommendations. The up flow of information starts in the town
161 offices, planning department – who then discusses with planning board, they hold hearings, get
162 information and deliberate/modify and make recommendations to the Council. The Ordinance comes to
163 TC where a Public Hearing is held. At this time, edits are made or it is passed. Ordinances can be read
164 directly into the record or the reading can be waived. At the next meeting, usually in 2 weeks, the Public
165 is encouraged to speak. An Ordinance is brought up twice. Some do not require a public hearing but the
166 TC forces one when the subject is interesting or of high value to the Public. Chairman Dolan stated the
167 the Council tries to be deliberate and careful when getting information so mistakes are not made. If
168 mistakes are made, they can go back and make amendments. Councilor Joe Green suggested that if the
169 public has a concern, they could contact the town manager or to Chairman Dolan to be brought up during
170 Public Comment. Chairman Dolan stated that the Town Manager and he work together to come up with
171 the meeting agendas. The public is welcome to ask for items to be placed on the agenda and if Council
172 agrees that there is enough public interest, it could be added. Ms. Wheeler stated that she did ask and that
173 is why she was here for public comment, and in regards to the sensitivity to Stonehenge, the town growing
174 and the GMO being presented that there are a lot of questions. Chairman Dolan acknowledged Ms.
175 Wheeler's interest and suggested she visit the Town Manager and also fill out a Talent Bank form as there
176 are many open board positions. Ms. Wheeler again stated that the Boards are intimidating and Vice Chair
177 Farrell reassured her not to be. He also stated that she should keep in mind that it takes 3 of the 5 councilors
178 to make anything happen. When/if things get heated, the topic can be tabled. He suggested it can be
179 intimidating but everyone wants the same thing. Ms. Wheeler thanked the Council.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

180 Deanne Mele, 8 Valley Street. Additional feedback in regards to Amy Wheeler, asked if she could write
181 a letter than could be read at a Council Meeting? Chairman Dolan stated that yes, that can always be done.

182
183 Kerri Stanley 112 Hardy Road. Asked if the town had a contingency plan if the McGregor's Cut is passed
184 on May 3rd, she believes it will pass. Chairman Dolan asked in regards to what? Ms. Stanley replied that
185 the Council had previously stated that their hands were tied, procedures and ordinances were in place, and
186 it has to go through. She brought up the traffic issue that has been discussed and the roads that are in or
187 near failure. Does the town have some plan to mitigate this traffic issue that the development will bring?
188 Chairman Dolan answered that it is part of the contract that roads will have to be changed, widened, street
189 lights, these are usually part of the plan. He continued that if there is a severe negative impact, that is part
190 of the approval process. Ms. Stanley noted that this has been gone through already, ZBA, Planning and
191 Council had all discussed this. Chairman Dolan noted that the Stonehenge decision does not go through
192 Town Council but it did go through a Traffic Council. Ms. Stanley asked if it started with the Traffic
193 Council and did they address all of the concerns? Chairman Dolan stated that it starts in the planning
194 office, and then the developer would bring a conceptual plan to the planning board. He added that because
195 this is an old plan, they are working to an old set of rules. They are grandfathered to the old set of rules.
196 Ms. Stanley understood this but, as the face of Londonderry, wanted the Council to represent those really
197 affected the traffic burden. Chairman Dolan stated that the town will continue to work with the developer
198 directly to see if there is some other accommodation that can be made between the town and the developer.
199 He mentioned that the Town Council did not have the authority to do anything and if the decision involved
200 money, it had to a vote in the March election. Chairman Dolan said they there is a discussion being held
201 that cannot be talked about publicly as it is a legal matter. To discuss it would be inappropriate and
202 improper. Town Manager Smith asked Ms. Stanley if her question was, what will be done to mitigate the
203 traffic issues if the development was passed. She confirmed it was and also stated that the state had
204 confirmed that the state confirmed they would not do anything to Stonehenge for 10 years. Mr. Smith
205 confirmed that there are 3 intersections that would potentially be impacted by this project; Stonehenge
206 and 28, Mammoth and Stonehenge, and Hardy and Stonehenge. Town Manager Smith stated that the town
207 has most control over is Hardy and Stonehenge, and that is something that can be handled at a Traffic
208 Safety Committee level. He continued that the other 2 intersections will need continued pressure from the
209 town to do something about them before their current 10 year plan. Currently the SNHPC requires the
210 town to submit a list of intersections that are problems and Londonderry has already submitted these
211 intersections. Ms. Stanley asked if the town could force the state's hand in regards to requiring the town
212 to have certain amounts of workforce housing, to get their assistant to ease the burden of fixing the roads?
213 Town Manager Smith stated they he believes the town will try to do everything in their legal power, as
214 congruently as possible. The state has admitted road failure and the road fixture needs to be accelerated,
215 if the project goes through because it will become a worse problem. Town Manager Smith stated that the
216 town would use every contact possible, all the way up to the Governor's office. Ms. Stanley then referred
217 to Vice Chairman Farrell's mention of a tie doesn't mean defeat and that a defeat, she asked if the project
218 had passed, would this reconsideration be happening? Chairman Dolan explained that because it was a tie,
219 the motion failed. He suggested that what should have happened was after the tie, the planning board
220 should have taken it back up again to see if the planning board wanted to approve to decline the plan. The
221 motion failed, the plan did not fail. He agreed that it was confusing. Vice Chairman Farrell explained,
222 upon being questioned about the vote, that the planning board chair, Mary Wing Soares could have
223 accepted other motions... points of order, and once those are accepted, it's over. Vice Chairman Farrell
224 stated that someone would need to bring an action to Superior Court to move on the decision. For example,
225 had it failed 2:4, the developer could bring an action to Court to reconsider that vote. Chairman Dolan

LONDONDERRY TOWN COUNCIL MEETING MINUTES

226 added that it is the Council's belief that had the developer taken it to court, the judge most likely would
227 have remanded it back to the Planning Board to reconsider. Ms. Stanley's final statement was that it could
228 be predicted what will happen on May 3rd.

229
230 Deb Paul 118 Hardy Road. Ms. Paul spoke directly to Chairman Dolan, both being at the last Planning
231 Board meeting and said she found it very uncomfortable for the people in the audience and what they had
232 to go through. She was glad someone told, but surprised she didn't know that the people in the audience
233 could speak. Ms. Paul asked how could they get Public Comment added to the agenda at Planning Board
234 meetings? She wanted people to be able to bring concerns up to them. It was recommended that she go to
235 Town Council. She thought the GMO was a big deal and a workshop to help others understand but not
236 documents were on hand to back up anything. Residents are angry because they can't get information.
237 People are being told different things about who to talk to. It is frustrating and the path isn't clear. She
238 applauded the Town Council for finally looking at the process and making sure there is a clear path. She
239 then spoke about the GMO and it's need for a vigorous discussion. She is scared by the increase in resident
240 numbers. Both Councilors Farrell and Dolan discussed open space and new numbers of master plan. Ms.
241 Paul stated that one concern is that the residents do not want Londonderry to change, right now
242 Londonderry is convenient. Our roads are not made for the volume of traffic it is currently seeing, we are
243 becoming inconvenient and Londonderry is losing its charm. She fears for the future and asked again for
244 a vigorous conversation in regards to Growth Management. Chairman Dolan said in regards to the process,
245 they are looking into better citizen friendly interaction. He reiterated that they will work to make it better.

246

247

248

PUBLIC HEARING

249

250 Motion to open Public Hearing made by Councilor Green. Second by Councilor Butler. Motion Approved
251 5-0-0.

252

253 Chairman Dolan introduced Ordinance 2016-07A, an amendment to Ordinance 2016-07 which is relative
254 to the restriction on outside water use. Assistant Town manager Lisa Drabik began by stating the current
255 ordinance has been in effect since last October, given the greater than severe drought we had been
256 experiencing. Drought maps have been consistently monitored and we had been downgraded to "severe"
257 drought conditions. According to the latest drought map, dated April 11th, we have been downgraded
258 again and we are in "moderate" drought conditions. She continued with a proposal to end the water ban
259 to the extent that watering could happen on odd/even days. Houses that end in an odd number would
260 water on Sun/M/W/F and even number homes would water on T/Th/Sat. She stated the drought
261 management team is still encouraging the conservation of water, Spring is a peak time for ground water
262 recharge. If Council decides to approve the amendment, Asst. Town Manager Drabik reminded the
263 Council of the amendments to the amendment; 1. To update the date of the latest map and 2. Change
264 drought conditions from "Severe" to "Moderate." She mentioned that the penalties would stay the same.

265

266 Councilor Green referred to Deanne Mele's comments about timing of water use. He asked if there is a
267 way the Council could put in a restriction that limits the length of time per day water is used. (ie. No
268 longer than 2 hours a day.) Asst. Town Manager Drabik questioned the ability to monitor a time
269 restriction.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

270 Deanna Mele, 8 Valley Street. Ms. Mele began by referring to CA and their water ban of many years.
271 CA allows for 5 minutes of water use and it was monitored quite well and took it seriously. She stated
272 that the environment is changing and we should be concerned about our water, it is essential to life. She
273 recommended that the amendment include watering be done after sunset and prior to sunrise. She also
274 stated that water use will be different depending on land size, amount of sprinklers and time of use should
275 be considered. This needs to be communicated so the residents are aware. Ms. Mele questioned why we
276 had to be told by the Governor that there is a drought? As adults, this is our town and we should be able
277 to make these decisions. She is hopeful that the subjects she has brought up will be added to the Ordinance
278 (time, when, how much). Councilor Combes asked if this Ordinance was only for people with wells?
279 Chairman Dolan stated that is was people with wells as well as those with city water, all homeowners but
280 not businesses. Councilor Combes asked about kids who do carwashes and Chairman Dolan stated that
281 it was for lawn watering only. Vice Chairman Farrell replied, stating that CA has been a drought for 10
282 years. They have an extensive software system to monitor water usage. He agreed that Ms. Mele had
283 made great points but wanted the Council to be careful in adopting an ordinance that would be impossible
284 to enforce. Chairman Dolan and Vice Chairman Farrell discussed the way CA repurposes its water and
285 the different systems they have for drinking water and other use water. Asst. Town Manager Drabik was
286 asked what the changes to the Ordinance were and she reminded the Council that in paragraphs 3 and 6,
287 “severe” would become “moderate.” Councilor Joe green stated that he was under the assumption that
288 this Ordinance would not be changed until Londonderry was out of a drought situation. He stated that he
289 would not be in favor for changing it since we are still in a drought situation. With the newly added
290 amendments, Chairman Dolan asked the Council what it would like to do?

291
292 Vice Chairman Farrell made a motion to set the amendments as suggested by the Assistant Town Manager
293 and as a part of the motion, Chairman Farrell requested the Ordinance be moved to May 15th, to see what
294 drought conditions are by the end of April. Second by Councilor Green. Chairman Dolan stated the
295 motion again for clear understanding, with a reminder that it is being tabled until May 15th where the
296 tabled Ordinance would be voted on. Councilor Green asked if the time limits (time of day end length
297 of watering) were going to be added. Vice Chairman Farrell stated no, it was being moved for the reason
298 of new drought data. Councilor Jim Butler suggested asking local landscapers for their opinion on a water
299 schedule. Chairman Dolan stated that this could all be discussed again at the May 15th meeting. Town
300 Manager Smith clarified that the current water ban is still in effect. Councilors agreed they wanted more
301 information so they could make the right decision. No further discussion. Motion Approved 5-0-0.

302
303 Motion to exit Public Hearing made by Councilor Green. Second by Councilor Butler. Approved 5-0-0

304
305 Chairman Dolan reminded the audience that there are no more opportunities for public discussion.

306 307 **NEW BUSINESS**

308
309 Chairman Dolan introduced Order #2017-13, An Order Relative to the Expenditure of Maintenance Trust
310 Funds. Due to a conflict, Councilor Butler stepped down. Administration Support, Steve Cotton presented
311 what hopes to be the final 3 invoices for winter maintenance, totaling \$3170.00. Motion to Approve made
312 by Vice Chairman Farrell. Second by Councilor Green. Approved 4-0-1.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

313 Chairman Dolan introduced Orders 2017-11 and 2017-12, Orders Relative to the Withdrawal from the Fire
314 Truck Capital Reserve. Finance Director, Doug Smith presented. Mr. Smith stated that the fire department
315 vehicles are transitioning into a capital lease program. In this case, both vehicles are in the budget but also
316 covered by estimated revenues that come from Capital Reserve. Moving forward, these vehicles will be a
317 budget line item. Both orders request approval for capital reserve funds to reimburse the general fund.
318 Motion to approve both orders made by Councilor Joe Green. Second by Councilor Butler. Motion
319 Approved 5-0-0.

320
321 Town of Londonderry finance update presented by Finance Director, Doug Smith. Mr. Smith passed out
322 an outline of discussion items:

FINANCE DEPARTMENT – FINANCIAL UPDATE

APRIL 17, 2017

DISCUSSION ITEMS

- 331 • **FY 2017 BUDGET STATUS**
 - 332 ○ Expenditure and Revenue Reports Attached
 - 333
- 334 • **ROCKINGHAM COUNTY FISCAL YEAR CONVERSION UPDATE**
 - 335 ○ General Discussion
 - 336
- 337 • **CELL TOWER LEASE – LEASE AMENDMENT/BUYOUT OPTIONS**
 - 338 ○ General Discussion
 - 339
- 340 • **EXIT 4A PROJECT EXPENDITURES UPDATE**
 - 341 ○ Expenditure Summary Attached
 - 342 ○ Bond Issue Discussion
 - 343
 - 344
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 - 350

Revenue by Source

General Fund-Fiscal Year 2017

March 31, 2017 - 75.00% of Fiscal Year

Description	Original Budget	Adjusted Budget	Revenue This Period	Revenue Year To Date	Revenue Due	% Recvd
Land Use Change Tax	-	-	-	-	-	#DIV/0!
Yield Taxes	5,000	5,000	3,773	14,045	(9,045)	280.90%
Payment in Lieu of Taxes	659,486	659,486	-	-	659,486	0.00%
Excavation Taxes	5,000	5,000	-	11,283	(6,283)	225.66%
Interest & Costs on Late Property Taxes	300,000	230,000	26,171	125,621	104,379	54.62%
Business Licenses & Fees	6,000	6,000	115	2,045	3,955	34.09%
Motor Vehicle Permits	6,404,000	6,850,000	1,083,799	5,654,006	1,195,994	82.54%
Building Permits	400,000	500,000	22,592	577,857	(77,857)	115.57%
Dog Licenses	15,000	15,000	1,098	4,074	10,926	27.16%
Marriage Licenses	5,000	5,000	682	5,405	(405)	108.10%
Reclamation Fees	16,000	16,000	1,978	12,124	3,876	75.78%
Other Licenses and Permits	1,500	1,500	-	(11)	1,511	-0.73%
Meals & Room Tax	1,168,802	1,287,101	-	1,287,101	(0)	100.00%
Highway Block Grant	569,118	591,600	118,320	473,280	118,320	80.00%
Water Pollution Grant	40,000	40,196	-	40,196	-	100.00%
Other State Grants	8,000	8,000	-	-	8,000	0.00%
Zoning Review	30,000	30,000	8,574	47,700	(17,700)	159.00%
Police Department	36,500	36,500	3,303	18,616	17,884	51.00%
Fire Department	635,000	635,000	(23,016)	370,338	264,662	58.32%
Public Works Department	90,000	90,000	1,262	69,015	20,985	76.68%
Cable Department	425,000	475,000	-	392,107	82,893	82.55%
Recreation Department	5,000	5,000	-	4,990	10	99.80%
Senior Affairs Department	2,200	2,200	299	1,524	676	69.27%
Interest on Investments	25,000	25,000	-	46,328	(21,328)	185.31%
Insurance Reimbursements	50,000	50,000	-	-	50,000	0.00%
Other Miscellaneous Revenue	50,000	50,000	(36,409)	48,492	1,508	96.98%
Transfers from Special Revenue Fund	415,000	415,000	-	-	415,000	0.00%
Transfers from Capital Reserve Fund	299,752	299,752	-	118,919	180,833	39.67%
Total Revenue	11,666,358	12,333,335	1,212,541	9,325,055	3,008,280	75.61%

FY 2016 - 81.48%

TOWN OF LONDONDERRY, NEW HAMPSHIRE

Expenditures by Department
General Fund - Fiscal Year 2017

March 31, 2017 - Unaudited - 75.00% of Fiscal Year

Description	Original Budget	Adjusted Budget	Expenditures This Period	Expenditures Year To Date	Enc.	Available Budget	% Expended
Town Council	12,099	12,099	-	12,896	-	(797)	106.59%
Town Manager	404,037	475,245	44,024	357,319	21,329	96,597	79.67%
Budget Committee	1	1	-	-	-	1	0.00%
Town Clerk	461,947	464,585	50,851	334,683	-	129,902	72.04%
Finance	630,160	630,592	55,872	583,034	-	47,558	92.46%
Personnel Health Insurance Holdings	20,600	368,137	2,196	13,678	-	354,459	3.72%
Assessing	402,749	408,190	29,169	237,208	-	170,982	58.11%
Information Technology	375,340	375,340	17,470	325,609	-	49,731	86.75%
Legal Expenses	174,500	174,500	6,999	83,850	-	90,650	48.05%
General Government	506,514	506,514	27,104	300,543	-	205,971	59.34%
Cemetery	35,000	35,000	605	23,002	-	11,998	65.72%
Insurance - Property & Liability	205,840	205,840	(1,000)	196,895	-	8,945	95.65%
Conservation Commission	3,300	3,300	86	2,289	-	1,011	69.37%
Police	8,554,356	8,396,102	769,086	5,925,697	26,314	2,444,091	70.89%
Fire	7,553,533	7,438,950	562,325	5,201,404	9,621	2,227,924	70.05%
Building	382,817	385,161	29,491	276,326	-	108,835	71.74%
Highway Administration	2,091,521	2,105,234	181,154	1,506,725	-	598,509	71.57%
Highway Operations	1,230,882	1,230,882	103,414	819,945	17,556	393,381	68.04%
Solid Waste-Waste Collection & Recycling	2,020,299	2,020,299	113,251	1,077,193	-	943,106	53.32%
Social Services	46,687	46,687	-	46,687	-	-	100.00%
Welfare	78,000	78,000	6,827	44,360	-	33,640	56.87%
Cable	286,496	286,639	20,022	198,477	-	88,162	69.24%
Recreation	153,125	153,125	5,522	98,620	-	54,505	64.40%
Library	1,344,327	1,329,057	114,393	985,021	-	344,036	74.11%
Senior Affairs	55,020	55,020	6,105	38,294	-	16,726	69.60%
Community Development	475,125	477,930	33,411	287,545	-	190,385	60.16%
Debt Service	2,086,753	2,086,753	-	2,077,041	-	9,712	99.53%
Capital - Vehicles, Machinery & Equipment	-	-	-	-	-	-	#DIV/0!
Capital - Buildings	350,000	350,000	288	345,404	-	4,596	98.69%
Capital - Other	1,248,000	898,000	-	895,827	-	2,173	99.76%
Transfer to Special Revenue Fund	-	350,000	-	-	-	350,000	0.00%
Transfer to Capital Reserve Fund	724,000	724,000	-	724,000	-	-	100.00%
Taxes Paid to County	-	3,685,744	-	3,685,744	-	-	100.00%
Taxes Paid to School District	-	57,744,466	4,375,000	43,375,000	-	14,369,466	75.12%
Total Expenditures	31,913,028	93,501,392	6,553,666	70,080,316	74,820	23,346,255	75.03%

FY 2016-74.96%

TOWN OF LONDONDERRY
EXIT 4A CAPITAL PROJECT FUND
EXPENDITURE SUMMARY

DATE	VENDOR	AMOUNT
02/08/16	CLD CONSULTING ENGINEERS	\$ 65,822.22
03/07/16	CLD CONSULTING ENGINEERS	\$ 29,577.79
06/21/16	CLD CONSULTING ENGINEERS	\$ 11,953.07
08/19/16	CLD CONSULTING ENGINEERS	\$ 36,422.71
09/19/16	CLD CONSULTING ENGINEERS	\$ 44,039.95
10/31/16	CLD CONSULTING ENGINEERS	\$ 63,646.77
11/21/16	CLD CONSULTING ENGINEERS	\$ 57,460.36
12/23/16	CLD CONSULTING ENGINEERS	\$ 50,228.64
02/06/17	CLD CONSULTING ENGINEERS	\$ 42,167.20
03/09/17	CLD CONSULTING ENGINEERS	\$ 29,737.19
03/21/17	CLD CONSULTING ENGINEERS	\$ 36,846.25
Total to Date		<u>\$ 467,902.15</u>

Note: CLD contract amount is \$1,166,598.54

LONDONDERRY TOWN COUNCIL MEETING MINUTES

351 Mr. Smith spoke to the budget status attached, as of March 31st, the status of the general fund revenues and
352 general fund expenditures. Chairman Dolan commented that as we are 75% through the year, we are 75%
353 through the budget. Mr. Smith confirmed that was correct. Mr. Smith then gave an end of the year
354 projection, starting with revenues, sitting at .61% over the benchmark for ¾ of the way through this fiscal
355 year, he pointed out a few items. Building permits and zoning review, revenue due is a bracketed number
356 which means we've already surpassed the projected revenues for this year. No surprise when looking at the
357 buildings being developed in Londonderry. Mr. Smith projected for year end, approximately a \$750,000
358 surplus in revenues to end the fiscal year. Mr. Smith spoke to the Land Use Change Tax which cannot be
359 projected. There is a formula and the Conservation Commission gets the first \$100,000 of that tax each
360 year. Then town shares, we get 60% and the commission gets 40% of the excess. As of March 31st, we are
361 already \$40,000 to the general fund. Chairman Dolan asked at what point the Change Tax becomes due.
362 Town Manager Smith said it is the moment they put a shovel in the ground ☺ In regards to expenditures,
363 the town is right on target for the fiscal year. Looking at schedule, beginning with Capital and through to
364 taxes paid to school district, eliminating those, it is what Mr. Smith considers the operating budget and that
365 shows we are actually at 70% expended. By further eliminating things not controlled by our departments;
366 (personal health insurance, insurance property liability, and debt service), we are under 70% expended. Mr
367 Smith stated that we are trending in a surplus return bottom line. Chairman Dolan remembers freezing
368 trends at this point in past fiscal years and asked if Mr. Smith anticipated a need for that? Mr. Smith stated
369 that he did not see a need. He also reminded Chairman Dolan that there was not one last year as well. Mr.
370 Smith stated that during the final ¼ of the year, they really monitor spending with each department and
371 they would react if necessary. From a return to surplus projection, it is a little less bold on the revenue side
372 but it looks to be anywhere from a \$500,000 to \$750,000 surplus appropriations as well. Chair Dolan asked
373 if there were other obligations for the following fiscal year that could encumber funds that could help
374 manage the surplus? Mr. Smith stated that if there were times left unattended to date, the surplus funds
375 could be used. Town Manager Smith added that one thing that was done last year with Winter Maintenance
376 Surplus was to use them for roadway maintenance. Town Manager Smith referenced a surplus in Public
377 Works (Solid Waste) that may be encumbered for roadway maintenance. Finance Director, Doug Smith
378 finished by stating that if there were any questions, he could be contacted at any time to answer them.

379
380 Moving on to item 2, Mr. Smith brought up the changes to the Rockingham County Fiscal Year. There has
381 been legislation filed to move from a calendar year to a fiscal year. The concern is cost and if there will be
382 an added cost to the town, Mr. Smith wants to be prepared.

383

384 8:40 PM, Councilor Joe Green dismissed himself from the meeting.

385

386 Mr. Smith continued that he did not believe there would be undue burden placed on the individual
387 communities if this change happens. There may be debt service costs accrued. There is currently some
388 transition with the legislation, he is following it closely and will have updates for the Council when they
389 are available. Town Manager Smith added that although it may not sound significant, but 150% assessment
390 of a current tax rate that is 98 cents, take half of that and add it on top, that's adding almost 50 cents to the
391 tax rate for one round, which would be rather significant. Town Manager Smith stated that this is why they
392 were pushing them hard, that if they are going to do it, that debt does not incur.

393

394 Item 3 is the cell tower lease, related to the failed warrant article for the communications project this past

LONDONDERRY TOWN COUNCIL MEETING MINUTES

395 March. As potential finance mechanisms are discussed for this project, and as we discuss a better solution,
396 we have been contacted by companies who have interest in buying out, in a lump sum, our current revenue
397 stream on our cell tower lease or to amend our revenue stream to accelerate the revenue. Mr. Smith stated
398 he is getting offers from companies and he is requesting dollar amounts so they can add this to the
399 discussion. The current cell tower lease runs 20 years out, and we have \$900,000 that will be accrued over
400 those years. One example is a company who offered the current buy out, if we took it today, would be
401 \$450,000. This brings the money to a more present value. By taking a lump sum to dedicate to the project
402 or taking a revenue stream, money could be provided for debt services or lease payments, related to the
403 communications project. This could perhaps reduce net taxable cost to our tax payers. Chairman Dolan
404 recognized that this was very strategic financial planning. Mr. Smith stated that with the budgetary process
405 not too far off, he wanted to offer this information to consider.

406
407 The final item for Mr. Smith is an update on the Exit 4A project. He wanted to be sure there wasn't a
408 significant time lapse in expenditure of funds and reimbursement to the general fund for such. The included
409 schedule, shows that as of the end of March, total money spent on this project since we were last reimbursed
410 is \$467,902.15. All of these expenses are related to the ongoing environmental studies. The current contract
411 with CLD plans to run through early next Spring. The contract is for @ \$1.2-\$1.3 million dollars. A main
412 goal is that when the debt issued, it is kept in a non-taxable debt situation. Mr. Smith tried to be clear,
413 keeping terms simple; looking at a Bond issue in the Spring, to cover \$1.2 or \$1.3 we should be in no
414 danger of not being able to issue tax exempt debt and put us in a pretty good breaking point in terms of
415 settling the environmental impact study of the project and being fully reimbursed to the extent that next
416 phase of the project starts and we start over when the calendar starts over. Chairman Dolan asked at what
417 part of the \$5 million obligation we were at? Mr. Smith stated that we had \$3.3 million left when we last
418 reimbursed ourselves, we've used about \$1.2 additional, which leaves us with about \$2 million. Chairman
419 Dolan asked if Derry was tracking the same way? Mr. Smith stated that they were and that they were at the
420 same level of debt as Londonderry is. Each invoice is 50% to Londonderry and 50% to Derry. Mr. Smith
421 stated that if timing makes sense, we should be considering it in relation to our fiscal year 19 budget to
422 make sure that the debt service costs are covered. Chairman Dolan suggested taking a deeper look into this
423 when budget season arrived. There were no further questions. Chairman Dolan thanked Mr. Smith for the
424 update.

425

426

APPROVAL OF MINUTES

427

428 Approval of Town Council minutes from April 3, 2017 made by Vice Chairman Farrell and second by
429 Councilor Butler. Minutes Approved 4-0-0.

430

431

LIAISONS REPORT

432

433 Chairman Dolan had a few updates to share. He offered that he had attended a Planning Board meeting and
434 there is a consideration for a consolidation of Zoning. It's rather technical and he had handouts if anyone
435 wanted to know more. Secondly, in reference to the GMO, people confuse Growth Management and
436 Growth Management Ordinances. They are two different things. A GMO is a technical device that uses
437 various triggers in the law, if we want to put the law in place, that we have reached a state of unsustainable
438 growth. We do not have a current GMO. There is discussion of whether should we put one in place. There

LONDONDERRY TOWN COUNCIL MEETING MINUTES

439 is emotion in our town about growth. Growth Management refers to open space preservation, water shed,
440 different things where the town intercedes with developers and buys down developments. It is very different
441 from what the planning board looks at. It is easy for the public to misunderstand these 2 things. Chairman
442 Dolan stated that it is important for the council to keep educated the public on these items. GMO's are
443 black white, very technical and not things that can be appealed to the Planning Board. Vice Chairman
444 Farrell added that the GMO was written in the early 2000's. The triggers that we currently have, that have
445 been studied and are in the ordinance, are right from the stand point that you can't trigger... because of the
446 way they are written. We need to step back and look at ways the ordinance can be rewritten. Vice Chairman
447 Farrell thinks we are lacking the questions, in asking what those things are. Chairman Dolan added that a
448 major trigger is school (declining enrollment currently). The original ordinance covered stresses on the
449 police, and the fire station, schools that were over crowded. Vice Chairman Farrell asked if the ordinance
450 could be based on 27 failed intersections... not enough ambulances... age and need of community? These
451 questions need to be addressed, Vice Chairman Farrell was unsure if the GMO was the right mechanism to
452 address the questions but he felt strongly that they needed answers. Chairman Dolan asked if the Council
453 would the Planning Board to come to a meeting to give an update. Town Manager Smith replied that it
454 would be good for them to explain the criteria they are using because the Planning Board needs to suggest
455 looking at it differently than they did 10 years ago. He stated that they are using the formulas that are in
456 place, but agreed with Vice Chairman Farrell that they could not be the right criteria anymore. Chairman
457 Dolan suggested taking community steps and offering Growth Management workshops. He further
458 suggested asking the Planning Board to come in and brief the Council about what the criteria is and other
459 criteria there might be and maybe see what other communities are doing in regards to GMO. Vice Chairman
460 Farrell brought up current Superintendent's belief that the high school is not a problem but there may be a
461 need for another elementary school... Chairman Dolan stated that was in the CIP. He also confirmed that
462 Town Manager Smith would look into this.

463

TOWN MANAGER REPORT

464

465

None.

466

467

ADJOURNMENT

468

469

470 Motion to adjourn made by Councilor Butler and second by Councilor Combes. Chair votes 4-0-0,
471 meeting adjourned at 8:59 PM.

472

473 Notes and Tapes by:	Stacie Street	Date: April 17, 2017
474 Minutes Typed by:	Stacie Street	Date: April 19-21, 2017
475 Approved by:	Town Council	Date: May 1, 2017