

TOWN COUNCIL MEETING
February 1, 2010

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: Sean O’Keefe; Paul DiMarco; Town Manager Dave Caron; Executive Assistant, Margo Lapietro. Absent: Brian Farmer

CALL TO ORDER – PUBLIC SESSION

Chairman Brown opened the meeting at 7:01 PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country.

PUBLIC HEARING

Chairman Brown pointed out the emergency fire exits. He also mentioned that the Councilors’ attended a promotions ceremony next door at the Londonderry Police Department.

Chief Hart – Police Department Promotions – Chief Hart of the Londonderry Police Department was in attendance in addition to Captains Gerard Dussault and Steve Tatham. The recent promotions were:

Paul Fulone from Lieutenant to Captain
Tim Jones from Sergeant to Lieutenant
Adam Dyer from Detective to Sergeant
Patrick Cheetham from Detective to Sergeant
Scott Balukonis from Patrolman to Detective
Joseph Bellino from Patrolman to Detective
Kristen Gore from Patrolman to Detective

Officers recently named to the Southern New Hampshire Special Operations Unit are:

Garrett Malloy
Eric Arel
Jason Teufel

Londonderry Police Department has recently hired Nicholas Pinardi as a patrol officer

A motion was made by Councilor DiMarco to open the public hearing, second Councilor Wagner. Council’s vote 4-0-0.

Citizen’s Petition Requesting Constitutional Amendment on the Definition of Marriage.

Chairman Brown reviewed the rules of the meeting. The Council respects the rights of all its citizens and residents to voice their opinion on matters of public policy. We expect that all participants in this process voice their opinions in a respectful manner and to respect those who may have differing views. We are going to acknowledge a spokesperson for the petition and we allow public comments from that person at the start of the hearing. We will offer Londonderry residents an opportunity to give us public comment and then from non-residents if time allows. When you come to the microphones please state your name and address before offering your

comments. No personal attacks of any kind will be allowed against any individuals, or against the Council. All public comments should be limited to the petition itself. Comments regarding statements made by individuals in other venues will not be addressed during this public hearing. Please keep your comments brief and to the point to the best of your ability so everyone has an opportunity to speak tonight. If another speaker has offered comments similar to yours we would request that those not be repeated. Town Manager Caron recapped the petition. He said under NH state law if you submit a petition with 25 signatures of registered voters that petition is brought forth to Town Meeting. In most towns that includes both budget and non-budgetary items. In 1996 Londonderry voters approved a charter which transferred a lot of the responsibilities that were previously held by Town Meeting to the Town Council. Town Meeting did reserve the right to still approve the annual budget. For non-budgetary items if you submit a petition with 25 signatures that goes to Town Council which acts upon those petitions as if they were the voters at Town Meeting. The framers of the Charter did allow for some issues to go directly to the voters; those issues essentially need to prompt a large number of voters to act and that is the process we are operating under this evening. Under Article 7 of the Town Charter if the Council receives a petition containing the signatures of at least 1% of the registered voters, then a public hearing will be held, which is being accomplished this evening, then the Council acts on that petition. The issue being requested to be acted on this evening is to “see if the Town will vote to approve the following Resolution to be forwarded to our State Representative(s), our State Senator, the Speaker of the House and the Senate President; Resolve that the citizens of NH should be allowed to vote on a amendment of the NH Constitution that defines marriage”. If the Council approves the petition this evening they will still be wearing their legislative body hat and will send a letter to those state officials asking them to take action on that issue at the state level. If the petitioners who want to vote on this issue at town meeting are dissatisfied by the Council’s action, they can submit a referendum petition which per the Town Charter must contain the signatures of at least 5% of the registered voters of the community. The Referendum Petition has to be submitted within 30 days of this date of the action being taken, presumably this evening. If that happens then that referendum petition has the same power as a 25 signature petition in a traditional Town Meeting. In other words if the Council receives a referendum petition and it is validated that at least 5% of the registered voters have signed it, the petition will automatically go before the voters at a Special Election. Due to the scheduling process in the Charter if a referendum petition is received prior to February 9th it will appear on the March 9th regular Town Meeting. If received after that date then the Council is required by Town Charter to schedule a special election sometime this spring for that sole purpose.

Marty Bove, 3 Tinkham Lane said he was here on behalf of Rep. Al Baldassarro. He stated that the petition is being looked at across the state, some communities have already put it on the ballot, some have not. The citizens have the right to put it on the ballot; citizens have the right to vote. He stated that he is asking the Council to give the petitioners that opportunity to put it on the ballot so that the voters can voice an opinion. He explained that the state legislature has decided not to address these issues and the only way to address it is to let them know that the majority of people in the state feel that it is an issue that should be addressed and voted on. That would result in a constitutional amendment. A constitutional amendment needs 60% of the voters to pass. He encouraged the Council to listen to individuals who was in attendance tonight with different opinions. M. Bove said he was here tonight to strictly argue to put this petition on the ballot. He told the Council that if they decide not to put this issue on the ballot they are working on getting the additional names for the next petition. He asked Council to consider saving the people a lot of effort by approving this petition. Michael Dente, 13 Pleasant Drive

said he is representing an organization that was put together by Scott Feinberg. It is an organization called NH Students for the Protection of Gay Marriage. He said that his organization does not believe that this is something that the majority of people should be voting on. Marriage is a civil right. It should not be under the privy of the majority rule. He stated that if the majority of the populous in the past had been allowed to decide the civil rights of a few then many of the things that make us Americans proud wouldn't have taken place. He proceeded to give examples of civil rights, women's suffrage. He said to let the elected officials make the decision, not the majority rule. He stated that the students of NH do not want to grow up in a state that allows the majority to decide the rights of a few. He asked the Council to take that into consideration and look to the broader implications. It is not just about the right for homosexuals to marry it is about the right for minorities to be protected from the majority. Lynn Cina, 8 Lantern Lane said this issue is about civil rights and we are all equal under the law. It is not right to take away the rights granted by the state. Voting on it will create second class citizens. Chairman Brown clarified that this Council has two choices tonight, pass the petition which then will not go on our warrant, but the Town Council consensus will be forwarded to the state; or the Council can deny the petition and the petitioners that may feel aggrieved by that decision can then take advantage of 7.2 in our Charter. They will have to come up with enough validated registered voter signatures, and that question will go to the voters. Council is voting on the petition we have in front of us tonight, we are either going to pass it and it won't go to Town Meeting or we are going to deny it and the Council could on it's own put it on the Town Warrant but that discussion has not yet taken place. Councilor Wagner further stated that we are not voting to repeal gay marriage. Our decision is to allow the petition to be on the ballot or send a letter to the state saying that we agree with the petitioners. It is a non-binding referendum so we are not going to have any say in what the state will do. At this point in time the Town Manager re-read the petition. Chairman Brown re-stated that if Council passes the petition this evening it will go to the state and not to the Town Meeting; if we deny it and the petitioners who feel aggrieved could get enough signatures by 2/9 it would go on the ballot at Town Meeting as a non-binding question, or Council could make a motion to put it on the warrant. Town Manager Caron said if an additional petition is submitted to get it on this year's traditional Town Meeting it would have to be received by 2/9/10 however, petitioners have 30 days from the day the decision is made to submit a petition. If that occurs it would go to the voters at a special election determined by the Council. Sharri Radzelovage, 34 Litchfield Rd, said that the Councilors represent the voters and people have expressed their opinion that they want to vote on the issue. Lynne Laval-Yeh, 3 Lane Four, said some people are hoping to undue what was done at the state house. She said she is an ordained clergy and said there is nothing Jesus says in the bible to condemn same sex relationships. It is important for the process but the attempt is a do-over. Anne Ducharme, 100 Chase Rd. said marriage equality is a civil right, separate church and state. Christopher Spencer, 18 Hall Rd., said the message that would be sent to business looking to relocate here is that we are an intolerant community, don't send the motion to Concord. Kathy DePiero, 86 Hovey Rd., asked Council to reject Al Baldasaro petition, she said we need to put our energies to better use. Rejecting this is the right thing to do morally and socially for the greater good of Londonderry. Jim Radzelovage, 34 Litchfield said there are two components to a traditional marriage, spiritual and civil. Nobody has a right to an opinion of a legitimate marriage. It is a set of privileges that society agrees to put on a marriage. It is up to the people to decide what rights and privileges they want to grant as a result of being married. The state has no right deciding whether or not you are married. If it is recognized legally it is an entirely separate issue and he would like to send the petition to Concord. John Loker, 34 Parmenter Rd. said he is an ordained minister and quoted scripture that stipulates that marriage between a man and women is ordained by God. He said that we vote our officials into office to represent us. He

said 34 legislatures didn't vote, maybe they were not up to the task. He said he would like to see the petition go forward and let the people vote. Nancy Norton Hendricks, 14 King John Dr. urged Council to reject the petition. Democracy worked and the people of NH have spoken. We should be concerned about vacant homes, businesses, loss of jobs, income, etc. We should be focused on economic growth and development; it is time for us to move on. The issue has been already settled. She does not support using taxpayer dollars over an issue that has already been settled. She urged the Council to reject the petition, let democracy stand on its own merit; the people in NH have spoken for the equality of all. Lisa Drabik, 21 King Arthur Dr. said the petition is vague. She spoke about the separation of church and state. The Constitution guarantees the freedom to exercise individual religions convictions but prohibits us from forcing our beliefs on others. She urged Council to deny the petition. She proceeded to quote Supreme Court decisions, anti-discrimination law and current cases in different states. She said the Council should be focused on the economy and jobs and urged the Council to deny the petition. Lisa Ferrsch, 8 Checkerberry Lane urged Council to reject the petition. A. Baldasaro should listen to his constituents and drop the issue. She also referenced laws for equal rights. L. Ferrsch asked the Council to reject the petition and show Londonderry that we will not stand for a vote to discriminate. Donna Andronico, 24 Colonial Dr., said there is no greater fundamental right than the right to vote. Send the petition forward for all people to vote. The rights of the majority overrule the minority. Send the message to the representatives in Concord who represent us. Approve the petition avoid the special meeting. Delores Stoklosa 6 Kelly Rd., asked the Council to reject the petition. If Council does send this petition forward then they are setting a precedent to send all other petitions to the state. Let the petitioners prove that this is what people want. Greg DePasse, 21 Welch Rd. asked Council to not allow the petition to go forward. He said the goal of the petition is to create a second class of people, that is not the NH way. Chris Melcher, 4 Bancroft Rd. stated that the people in NH do not have the right to referendum; it is not in our constitution. He proceeded to explain the constitutional process. He stated that this is really about politics. It is about changing the balance of power in November. The students who were outside tonight told the public what they thought, they are our future, they will be in power in 10-15 years. He urged the Council to reject the petition. Gordon Headley, 43 Forrest St. urged the Council to vote for the petition and send it to Concord. It is a political ploy. Allow the people to vote on it. Marie Carrasguillo, 21 White Plains Ave. said she is speaking on behalf of the students who were picketing and the founder of the NH Students for the Protection of Gay Marriage, Scott Feinberg. She reminded Council that the students who were here tonight will be the ones Council decisions will be affected by in the future. She stated that if there are that many kids who say they don't support the petition, it should not go through. They need the Town Council and the state to listen to them and understand that they don't believe this is right. It shouldn't be passed. Rep. Al Baldasaro is not representing the people in town correctly. Gay marriage is a civil right and should be given to everyone. She stated that her organization does not believe that A. Baldasaro is representing many people in this town the way they want to be represented. They requested that this petition not go through. Alicia Dooley, 9 Colonial Drive, asked Council to reject the petition. She spoke about the separation of church and state and referenced house bills related to marriage. Economically marriage is big business. We don't approve voting on someone else's rights, we respect everyone equally. Reject the petition, don't put it on the ballot it is not appropriate. Deb Nowicki, 89 Fieldstone Dr. a Budget Committee member, said she called Al Baldasaro and he said it is the people's right to vote. She asked M. Bove how this petition came about. He responded that A. Baldasaro said the vote was so close and at first it was no, then someone decided to change their vote to yes and then there were 34 people who did not vote. The intent of the petition is to change something that was already voted on. We have enough challenges in the town regarding budgets and

economic development wise. She advised Council to reject the petition, the people have spoken. Kenneth Rahilly, 1 Ridgemont Dr. said the Council should allow the petition to go forward; the people have a right to speak on this and not be censored. He said he objected to gay marriage. The petition re-defines his marriage and he takes it personally and would like to put a stop to it. At this point in the meeting Chairman Brown announced that they would hear the folks in line and end the discussion because of other matters needing discussion at tonight's meeting. Bob Speigelman, Windsor Blvd. said we vote on representatives to represent us in Concord. If we put this on the ballot it would set an awfully bad precedent for this town. He urged the Councilors to reject the petition. Patricia Fenster, 2 Isabella Dr. said she wants to express her voice to vote. Liz Nevile, 5 Isabella Dr. said she wants the opportunity to vote on this matter. Kathy Getchell, 15 King Henry Dr. wants Council to support the petition and send a letter to Concord. She also stated she wants to be able to vote on the petition and does not want a Special Election because the town cannot afford it. Wayne Getchell, 15 King Henry Dr. urged Council to avoid the Special Election and send a letter to the state house. Gwen Pascarelli, 35 South Rd. wants the right to vote on this petition and wants everyone to have the ability to vote on it as well. Greg Carson, 19 Tokanel Rd. said that everyone should have the right to vote. The majority voted in Concord to enact the legislation. He asked Council to reject the petition let the people in Londonderry submit a referendum petition and bring it to a warrant so people can vote. The letter is just asking the legislature to do or not do something next year. Chairman Brown thanked everyone for being respectful and civil during the discussion this evening. Town Manager Caron summarized the Town Charter Section 7.1D which deals with the petition discussed this evening. Following the public hearing the Council may pass or deny the petition and referred the petitioners to Section 7.2. That is the referendum petition which requires that another petition be submitted with signatures of at least 5% registered voters (855). Chairman Brown stated that Councilor Farmer had a medical emergency but sent an e-mail which the Chairman read. He does not support the effort, but sought to ensure that the process was known and clear to all and Council followed the process. This matter is up to the petitioners to complete by gathering the remaining signatures required to force this onto the ballot. He does not support the Council intervening to do it for them. He supports the Legislature's decision. Councilor O'Keefe said he is a fiscal conservative it is not his job as a Councilor to be the conscience of the people. He said he believes in free speech. He will not support the petition. Councilor DiMarco said he heard a lot of opinions tonight and thanked the citizens and the students for coming. He said he heard a lot about democracy tonight. The Councilors are a republic. He said rights are not limitless; a great responsibility comes with those rights. We are voting on whether we send a letter to Concord about a non-binding referendum. We are a non-home rule state, the state tells us what we can and cannot do as a town. This is one of the things we cannot do, it is an opinion poll. He said he will not support this; the people can still get 5% and go forward with this non-binding referendum. Councilor Wagner said 1% of the voters in Londonderry have spoken. She said her vote tonight is to preserve the Charter which is more important. She said her job as a Councilor is to follow the Charter; this is a social issue, not a town issue. She would like to see the 5%, and will not support the petition. Chairman Brown stated we have our form of government called the Charter. There are a lot of other communities that don't have this form of government. It went through easier in other towns. Londonderry has a higher bar to have to achieve 5% of registered voters. If they get enough signatures it will be on the warrant or at a special meeting. He said he agrees with his fellow Councilors and is denying the petition. Councilor DiMarco questioned Town Manager Caron about disposing the original petition. Town Manager Caron recommending moving the tabled item to the 2/8/10 meeting or handling it tonight. **Councilor DiMarco made a motion to deny the petition and refer the petitioners to Section 7.2 of the Town Charter, second Councilor Wagner. Council's vote 4-0-0. The**

current petition is denied. Town Manager Caron clarified if there is a referendum petition to be submitted it has to be submitted by 3/3/10. If there is a referendum petition submitted to be considered for the March 9 Town Meeting it needs to be received and certified by the Town Clerk by Saturday, 2/6/10. The legal deadline per our Charter is 3/3/10; the deadline to be considered by the voters on 3/9/10 is 2/6/10.

Ordinance 2009-04A – Relative to an Amendment to the Zoning Ordinance Regarding Workforce Housing

– Chairman Brown explained this is the last public meeting to review the changes on the final draft from the 1/18/10 meeting. Community Development Dir. Andre Garron and Town Planner Tim Thompson were in attendance. Pauline Caron, 369 Mammoth Rd. said at the last meeting she brought up the issue of density and asked if that has changed. Town Manager Caron said our legal counsel advised that if the density were to be reduced for this ordinance from 24 to 16 units, it should be reduced for all developments. Counsel's recommendation is to consider and act upon the ordinance as presented and should the Council concur, direct staff and the Planning Board to expeditiously review the issue and bring back a recommendation to reduce the density from 24 to 16 for all multi-family developments in Londonderry. If the Council is reducing the density it has to go through the public hearing process to make all those changes. Council has recommended looking at it again. P. Caron said the people who live in the area would like it to be reduced and she would like the town to reduce it. Martin Srugis, 17 Wimbledon Dr. said he is against the density as well. He spoke about the increase in traffic in a residential area. He said he would prefer 10-12 homes with a commercial zone as a buffer area. Deb Paul, 118 Hardy Rd. questioned is it correct that the state can't do anything to us if we decide not to do an ordinance for workforce housing. Tim Thompson said the state would not come after us it is up to the developer, they would have to make a case against the ordinance. D. Paul stated that right now we meet the 51% requirement of the state for workforce housing. She asked why we need to put workforce housing into the ordinance mix with multi-family, duplex, condo and single family ordinances why do we need to put one more in the mix for workforce housing. Why is it mandatory if we are reaching the 51% and we give plenty of opportunity to the developers to develop in this town and there is nothing the state can do to us? Andre Garron said when this issue was brought up with our legal counsel it is a misnomer to think we meet the state statutes. We have to meet single as well as multi-family requirements. We don't meet the multi-family housing for the state statute; we are about 1,000 units short. The way the ordinance is now written we have an ordinance that just barely meets the minimum two-prong requirements of the state statute. T. Thompson quoted statute RSA 674:59 for Workforce Housing and a memo he sent to the Town Council in November. Discussion ensued about how many properties in town would be available for multi-family development. D. Paul said we should re-think the ordinance; it does not take up all the commercial property in town because only a few lots have sewer and water. T. Thompson stated that the town is currently powerless to prevent conversion of an apartment project from rental to condo. The state law basically says that unless you have restrictions built into your ordinances, the town is powerless; you cannot deny something purely based on form of ownership. The provision of rental housing is an important component of the workforce housing statute. That is something we are not currently covered in under our existing ordinances. Pauline Caron, 369 Mammoth Rd. said the statute says "reasonable" the Town of Londonderry has "reasonable" housing to meet the apartments as well as the units. Don't approve it now and change the density. Greg Carson, Dir. of Housing and Urban Development (HUD) at the NH field office said that people are trying to infer that workforce housing is Section 8 housing. Section 8 housing is not workforce housing and HUD does not build them anymore. He said there are towns that are paying legal fees for not having an ordinance in place for workforce housing. He

said years ago he worked on a committee to purchase large parcels of land in town to prevent building large developments in town. It was a good idea in principal but not a good idea in practice. Without a well defined ordinance when the town goes to court and the ordinance is vague we will always lose. He said he would like to have some kind of workforce ordinance in place to protect us. Paul Morin from Weare, NH who is a builder/developer, had comments about section 2.3.8.1.6 which dealt with inclusionary housing. He spoke about the fact that 100% of the units will have a price cap on them and there were no inducements offered. He asked the Council to look at those issues. T. Thompson said the conversion of elderly to workforce has become narrowed in scope so that it no longer has the density requirements that the multi-family section had. The compromise position that town counsel, the Planning Board and Town Council have come up with is that the density would remain at 6 units per acre and all units would have to be workforce. P. Morin said there has to be some give and take. He said you are making it more expensive and less likely that it is going to happen because you have price caps on them. T. Thompson said the town attorney said because we are allowing the inclusionary housing for single family and multi-family the provision for the conversion of elderly housing projects was a position of the Planning Board that they wanted to move forward to the Council. The Council had a different opinion on how that should take place. The compromised position was to leave the density alone in terms of total number of units that would be permitted, it had to be 100% elderly. Marty Bove, 3 Tinkham Lane, said the ordinance has evolved over a long time. Londonderry has positioned itself to deal with planning for these kinds of issues with their progressive thinking. This is something we need, it is a positive move. John Michels, 11 Nutfield Dr. explained that people with money can sue in a low economy without an ordinance they will win. Going without an ordinance does not make sense. John Carr, 6 Faye Lane said the issue is with the larger developments. The statute is poorly written and it is not clear. He said potential abutters can challenge the statute as well. We are running out of space to put workforce housing in. He asked if AR1 will be factored in, T. Thompson responded yes. Deb Nowicki, 89 Fieldstone Dr, asked about the updated study from the Southern NH Planning Commission. A. Garron said it is being done shortly and the new study will probably show we will not meet our need. D. Nowicki asked why not wait until the new study comes out in a few months what is the risk if we wait. Chairman Brown responded that the legal counsel advice is to move forward with the ordinance currently provided. Councilor DiMarco said any zoning ordinance can be changed. Chris Paul, 118 Hardy Rd said the density issue has been brought up a number of times for the past 6 months. All along they were just looking to bring the units down to 12 and they have been ignored. The density in a residential area is a major issue for him.

Councilor DiMarco clarified that the original apartments in a building were 36 then it was brought down to 24. Councilor O'Keefe said we can get sued all the time, he would like it dropped down to 16 units from 24. Chairman Brown said the original ordinance is significantly different from what we have now. All the changes were from direct feedback we got from taxpayers. Our legal counsel advised moving forward with the current ordinance. He said he wants to move forward with it as presented and discuss the density issue. **Councils vote to adopt, 4-0-0.** Discussion ensued about reducing the density for both workforce and conventional family housing. Councilor DiMarco said he agrees that we should give the Ordinance back to the Planning Board to work it out. T. Thompson questioned if the first proposed ordinance that was tabled be dismissed, Chairman Brown said it will be done under "Old Business". The consensus was to begin the process to reduce the density from 24 to 16 both for workforce and non-workforce housing. Andre and Tim had concerns about issues that are currently in front of the Planning Board. Chairman Brown expressed the Council consensus

for the Planning Board to expeditiously begin the process of reducing the density from 24 to 16 units per building for all projects; it is up to the Planning Board how they do that. Councilor DiMarco thanked A. Garron, T. Thompson and the Planning Board for all their hard work.

Reed Clark from Stonehenge Rd. said he heard three comments that were brought up at tonight's meeting and said it was important that people tell the council what they think. One was "thanks for letting me speak" the second was "do more important things that affect peoples' lives", and "important that the people tell the Council what they think". All three comments are important.

Deb Paul said it is sad day when Councilors fear developers and lawyers more than their own constituents.

Councilor Wagner made a motion to come out of public hearing, second Councilor O'Brien. Council's vote 4-0-0.

PUBLIC COMMENT

OLD BUSINESS

Councilor DiMarco made a motion to take Ordinance 2009-04 off the table, second Councilor Wagner. Council's vote 4-0-0.

Councilor DiMarco made a motion to pass Ordinance 2009-04, second Councilor O'Keefe. Council's vote 0-4-0. Ordinance 2009-04 failed.

Councilor DiMarco made a motion to take the original signed petition with 25 signatures that was tabled on 1/25/10 off the table, second Councilor Wagner. Council's vote 4-0-0.

Councilor DiMarco made a motion to accept the original petition of 25 signatures requesting that the State Legislature allow a popular vote on the definition of marriage, second Councilor Wagner. Council's vote 0-4-0; motion failed.

NEW BUSINESS

Resolution #2010-05 – Relative to Renaming Alamogordo Avenue and Barksdale Avenue
Councilor DiMarco read the first reading tonight, the second reading public hearing is scheduled for 3/1/10. **Councilor DiMarco made a motion to accept, second Councilor Wagner. Council's vote 4-0-0.**

APPROVAL OF MINUTES

Minutes of Councils Public Meetings of 01/18/10. Councilor O'Keefe had a change on line 353 read ".....a forum" it should be amended to read "quorum". **Councilor DiMarco made a motion to accept the meeting minutes of 01/18/10 as amended, second Councilor Wagner. Council's vote 4-0-0.**

OTHER BUSINESS

Liaison Reports – Councilor Wagner attended Old Home Day and it is moving along. Elder Affairs meeting was cancelled due to the weather.

Councilor DiMarco said the Manchester Airport Authority had a meeting last week during business hours and he was unable to attend.

Chairman Brown attended the Heritage Commission meeting and they asked him to ask Town Manager to look into replacing the “Apple Way” signs. Town Manager Caron said he will get the status from the Public Works Director

Town Manager Reports – Town Manager Caron said the bid opening for the N/W Fire Station will be tomorrow at 2:00PM. He said he was notified on Thursday by FEMA that according to a grant condition we have to complete an environmental assessment report on the property. EnviroSense will streamline the time needed to complete. The last public hearing on the FY11 Budget will be this Thursday at 7PM. The Warrant will be reviewed including a citizen’s petition that asks for the majority of the Land Use Change Taxes be re-directed to the General Fund. Any other budgetary Town Meeting petitions have to be submitted by 5:00 PM on February 2. Chairman Brown questioned voting on one item on the warrant. Town Manager Caron responded that Council has taken their votes, they can re-vote. Chairman Brown said that one item needs to be re-voted so that we have all five Councilors votes. Town Manager Caron said there are three Warrant Articles that only 4 votes are recorded. You can re-vote on those and on any other articles. On articles that have already been voted, there is no requirement to vote on those. The Citizens petition will be Article 14 so it will have to be voted on at the Budgetary Town Meeting. The Budget Committee will be here on Thursday night to vote.

Board/Committee Appointments/Reappointments -

None

ADJOURNMENT

Councilor DiMarco made a motion to adjourn at 10:15PM, second, Councilor O’Keefe. Council’s vote 4-0-0.

Notes and Tapes by: Margo Lapietro **Date:** 02/01/10

Minutes Typed by: Margo Lapietro **Date:** 02/05/10

Approved; Town Council **Date:** 03/01/10