

**TOWN COUNCIL MEETING**  
**April 19, 2010**

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

**PRESENT: Town Council: Chairman Paul DiMarco: Vice Chairperson, Sean O’Keefe; Councilors: Mike Brown; Tom Dolan; John Farrell; Town Manager Dave Caron; Executive Assistant, Margo Lapietro.**

**CALL TO ORDER**

**Chairman DiMarco opened the meeting at 7:00 PM by reviewing the emergency exits and with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country.**

**PUBLIC COMMENT**

**Dana Coons, Planning Board Candidate** – Dana Coons, 2 Aspen Circle, said he would like to get back on the Planning Board because most of the development will be in North Londonderry. Due to the fact that he lives in that area he stated he would like to have some input in the process. Councilor Brown asked him what thoughts he has on the small Master Plan, and the development on Exit 5. Dana said traffic is a major concern, particularly around the Exit 5 area. Councilor Dolan said he has served with D. Coons on the Planning Board and know him to be of good strong character. Everyone welcomed him back because most Councilors had served on the Planning Board with him.

**Jay Hooley, ZBA Candidate** – Jay Hooley, 25 Yellowstone Dr, said this is another opportunity to volunteer. He said he was interested in the board when he finished the Leadership Londonderry course. Councilor Brown asked what he knew about the ZBA and how the process worked. J. Hooley proceeded to discuss what he had learned from the website and his understanding of RSA’s, variances and special exceptions. Councilor Dolan said “JJ” has unquestionable character; he served with him on other boards. Everyone welcomed him.

**OLD BUSINESS**

**Economic Development Update – Andre Garron** - Andre Garron, Community Development Director presented his monthly update. At the last meeting the Council requested the new website ownership be transferred to the Town, which has been completed. The Page Rd/Rt 28 intersection construction has started. Staff and legal counsel are currently working on Right of Way (ROW) issues. All permits are in hand and staff is currently working out the language of the ROW with the owners. A concept that the Metro Center group is working on is a program that was recommended by the target industries report completed by consultants hired from the NH Planning Commission. The target industries looked at industries prevalent in this area and recommended that Southern New Hampshire Planning Commission (SNHPC) look into a certified site program. It is a marketing tool; after a project goes through the normal site review process it will have another process if it meets the criteria established by SNHPC. The town will have to have separate regulations for those that meet the criteria that will give them a 5 year

window for their approval for financing and marketing for that particular site. All the NHDES permits are predicated on a 5 year window; The Metro Center is looking into establishing a certified site program. Chairman DiMarco asked if we decide to go forward with this does the Town need to do with the existing ordinances for subdivision and zoning. A. Garron said subdivision and site plan regulations would be needed. Right now it is administered thru the sub-division site review process and would be an addendum to those processes. It will go through the regular process but a set of criteria will be established for whatever SNHPC comes up with. The Town will be required to adopt additional regulations. Chairman DiMarco asked if the Planning Board will still have control over the projects, A. Garron responded yes; he added that if no work is done in a year the project would be null and void. It is an optional program and he wanted Council to be aware of it. Councilor Farrell said he wants to hear from the Planning Board Chair since they have to administer it. Art Rugg, Chair of the Planning Board said it is worth exploring though he has not thought it all the way through yet. We should evaluate it carefully. Councilor O'Keefe said it is worth looking into more and he would feel more comfortable with having the Planning Board look into further. Chairman DiMarco said it has merit; he would like to see the Planning Board look into it. A. Garron said he will return with more information. A. Garron said Gary O'Neil is working on Phase II of the contract which is to develop marketing and trade show material. A. Garron will have that information by the next update. He did offer that trade shows do generate good leads. He suggested developing an Economic Development Council to refocus economic development with a long term committee for assistance. He talked about the roadway and sewer components of Pettingill Road. The grant to the EDA for the sewer component was going to be submitted late summer, but it has been decided to submit it late June or early July. Sen. Sheehan's office will support this application. He introduced Eric Skinner from Trimmers Landscaping who had submitted a site plan to build a 16K sq. ft. structure off Aviation Drive in Londonderry. He submitted his application on 1/20/10 and it was approved 4/7/10. Councilor O'Keefe asked what attracted him to Londonderry. He said he is a resident of Londonderry and would like to keep tax dollars here and supported the town. He said the Pettingill Road area has the potential for a lot of growth in the area. Councilor Dolan asked him what his business model was, what his business plan is and what is his customer base. E. Skinner responded he is a full service landscape construction and maintenance company; they do a lot of commercial maintenance. They have a fairly aggressive growth plan and the new facility is part of that plan. Councilor Dolan asked if he had any suggestions/comments on the site plan process; Eric said staff is very professional and Londonderry is known as a tough town, but he said he found the opposite. His biggest concern was the length of time that it took to go through the process; it was long but getting better. His experience was that for him the process was quicker than he expected. He suggested streamlining the process which makes it more cost effective. Councilor Farrell questioned how many employees were employed during peak periods. Eric responded 26-28 employees. Councilor Brown said we are looking for some frank feedback and he appreciated it. He asked if there is anything that is unnecessary or do we have the process right where you think it is. Eric said the Town is making big strides a lot of the feedback comes from the engineering end. Londonderry is more expensive in the development standpoint. He said he would recommend to the staff that they get updated with DES; they made big changes in storm water management this year that the engineers have to get updated on. Councilor Brown asked him if we could use him as a reference, Eric responded yes. Chairman DiMarco thanked him for coming in and asked where is he moving from. Eric responded they were leasing a building in Windham.

At this point in the meeting Councilor Farrell suggested we move to “New Business” before working on the FY11 Goals and Objectives due to the fact that we had staff in attendance for these agenda items. The consensus was to advance to New Business.

## NEW BUSINESS

### Resolution #2010-12 – Relative to the Londonderry Economic Development Council –

Councilor O’Keefe **made a motion to adopt, second Councilor Tom Dolan.** Councilor Farrell said the Resolution mentioned that the Council reviewed the draft Economic Development Plan at its September 29, 2008 meeting; Community Development Director Andre Garron explained most of the updates completed over the last year were based on the recommendations of that plan. It led to the creation of the Economic Development Task Force and the plan is on the marketing website. An Economic Development Committee was established in 1992. A task force was then established to promote our marketing strategy which has been completed. A. Garron said he wants a group to help with the long term direction of economic development in town. He referenced Article 8 listing the duties and responsibilities and said if all goes well a separate corporation might be established so it can finalize some of the deals and bring those recommendations to Council to make decisions. He reviewed the charge of the group and emphasized there is a need for a long term body made up of Londonderry residents to provide direction. Councilor O’Keefe stated the residents will have direct input at the planning stages and direct access to the Council if they want to move forward with something. As far as tools, we have used the Economic Director, the Planning Dept., the Planning Board, the Council, Town Manager, and the Assist. Town Manager; we have many pieces to the puzzle. He is not in favor of having another body out there to make decisions, we have enough layers out there, adding something we really don’t need another. You have a planning staff and a planning board the residents will have direct input on what is going on. Councilor Farrell, said an Economic Development Council has latitudes that we don’t have, and the Planning Board does not have; they can do more things than Andre, they are a marketing tool of citizens. A. Garron stated they are a recommendation board to the Town Council, they are not a decision making body they are more of an idea body to promote Economic Development rather than just one voice in the Community Development office. Councilor O’Keefe said it is a conflict of interest board; there will be a fine line between influencing things and recommending things. This arm will be able to do more things than the Council and Andre can do. Councilor Farrell said he needs a clearer understanding of their by-laws and how they are going to operate. He explained that conversations a developer can have with Andre and the Chairman of the Economic Development Taskforce can not be repeated. As Councilors we have laws and guidelines we have to follow; Planning Board members have laws and guidelines to follow as well but as a marketing arm they can listen to ideas vs. a policy making board like us or the Planning Board. Andre is looking for the right mix of people in front of a community and represents them as a fair representation of Londonderry. He can work directly with them on marketing or the website; they are a vehicle for him. Councilor O’Keefe asked if the developer would be put off if they had to go in front on another board. Andre responded they are not required to go to them; the board will approach them to see if they need help. Councilor O’Keefe then asked how are the individuals selected, Andre said we will use the same process for other boards. Councilor Dolan said he sees this as an application process they are not an advocacy group they are more of a catalyst to promote economic development. Councilor Brown said he is not in a position to make a decision tonight. He said that Councilor O’Keefe brought up a good point, a vested interest can be clouded in advocacy. The Council needs to be cognizant of possibly setting up a situation where we may be

talking about things like conflict when we want to avoid that type of thing. We need to focus on Economic Development and not have it focused on other than that because of somebody's interest. Councilor Dolan said people who are advocating for Economic Development are the people we want on this board. It is an extension of our marketing efforts. He had concerns that there would be a conflict of interest with the volunteers. Councilor Farrell said they have no authority it is only a marketing arm to drive economic development. He said he is not ready to pass this yet, he would like to discuss it some more. Councilor Dolan said you need to have some developers involved; you need their expertise, he suggested not excluding people who have the experience and expertise. A. Garron said you need various backgrounds for the group. Councilor Brown asked why don't we source out for people who come from different disciplines. Reed Clark, Stonehenge Road said he is trying to get more people involved in volunteering for the town give them a chance to be informed. Councilor Farrell said he wants to table this. Chairman DiMarco said he is concerned there is a transparency and that minutes are publicized if any funds are budgeted that they are appropriately vetted. We need a dedicated committee to encourage development in Londonderry; we need the right people on this board. He said we do need to encourage more volunteers in this town and he would like to see it tabled. Councilor Dolan said the corporation statute is the model that we use for the Londonderry Housing & Redevelopment Authority (LHRA). It is authorized by state law and we should hear from them for input with this new council. It was decided that they would ask staff for options around membership and request input from LHRA. Councilor Brown suggested having LHRA come in to meet with Council to discuss the make-up, and operation of their group. It would be wise to hear that before the next meeting on this tabled Resolution. Councilor Dolan said that meeting should include a primer on RSA 292. **Councilor Farrell made a motion to table the Resolution until 6/7/10, second Councilor Brown.** Chairman DiMarco said he believes the LHRA meetings conflict with our meetings. Hopefully their schedule could be adjusted. **Council's vote was 5-0-0.**

**Resolution #2010-13 – Relative to the Restructuring of Support Services Within the Londonderry Police Department** – **Councilor Dolan made a motion to adopt, second Councilor Farrell.** Chief Bill Hart reviewed the Resolution. Technical Sgt. Russ Goodnow has managed 24 vehicles on a 24 hr basis each year. He is retiring after 30 years. He is suggesting using a non-uniformed fleet manager on a part-time basis eliminating the Technical Sgt. position entirely. A patrolman would be promoted to a sergeant as supervisor of the department's services operations. The vacant patrolman's position would not be filled until the FY12 fiscal year. It would save about \$18-\$20K, as the part-time position will not have benefits. We are not adequately staffed in services a supervisory position would be better in services. Councilor O'Keefe said he would like to put on hold moving the sergeant position over from technical to services. He said we are just moving the sergeant position over so there would be no savings. The Chief explained that Sgt. Goodnow is at the top step as a Technical Sgt. The Sgt. being promoted into the new position will not start at that step so we will save some money. The vacant patrolman's position will also save money. The salary for a fleet manager as a part-time fleet manager versus a full-time will save money. In the first year we will save money with the part-time fleet manager and the empty patrolman position. In the next budget cycle if the Council allowed the additional patrolman we would still save money with having just a part-time fleet manager. In this current budget cycle we would see savings in two places, first payment of the sergeant at a lower step and second the reduction if cost between a full time employee and a part-time employee without benefits. Councilor O'Keefe asked what the salary for the part-time fleet manager is; Chief Hart responded the average salary based on research is between \$65K-85K. This position would be offered at between \$49-\$59K. Councilor Dolan asked for an

explanation of the savings the fleet manager does by doing work in-house. Chief Hart responded the majority of the fleet is used on a 24 hour basis requiring on-going maintenance. Services include routine oil changes, routine maintenance. He said Russ has relationships with local vendors. The service provided has resulted in high residual value on the 17 rental cars. Councilor Brown said that the Chief is proposing two options in the memo to the Town Manager and asked for an explanation. Chief Hart said yes there are two options, add head count this year or put off the addition of head count for a year which is his recommendation. The second option would be not adding a head count this year, do not hire a patrol officer; wait for the budget cycle to make a decision in the FY12 budget. Councilor Dolan asked the Town Manager if there was an opportunity for a COPS grant to hire the new officer in FY12 so we could delay cost. Town Manager Caron stated they had just received notification about the next grant round; Chief Hart will present to Council within the next 8 weeks. Councilor O'Keefe asked what would it mean if the Council took no action tonight. Chief Hart said it would delay the decision to fill the position, time is short; Sgt. Goodnow wants to retire at the latest by 7/10 of this year. If no one is in place the services will be outsourced, resulting in more money spent, we do not have a back-up. Councilor Farrell asked the Chief if he will come under budget or on plan with this savings. Chief Hart responded he anticipated at least coming in on budget or under budget. Councilor Brown asked the Chief if the Resolution before us captured not adding to head count, the Chief responded yes, it is option 2. He will request a patrol officer in the FY12 budget. Chairman DiMarco clarified that this is part of an overall re-organization. He said he supports the Resolution. Everyone thanked Sgt. Goodnow for his years of service. **Council's vote was 5-0-0.**

**Order 2010-09 – The Withdrawal of Capital Reserve Funds for Fire Department Rescue Vehicle – Councilor Dolan made a motion to accept, second Councilor Brown.** Londonderry Fire Capt. Doug Cardwell explained this is part of the replacement vehicle program. They received 6 bids and Pierce Fire Apparatus/Minuteman Fire & Rescue Apparatus was the recommended bid. Capt. Cardwell provided a bid analysis to the Councilors. Councilor Brown asked about the vehicle lasting for 15 yrs of service. Capt. Cardwell said 15-20 years is an estimate. The current vehicle has been outgrown and is 13 years old. The trade value is \$50K on the old 13 year old vehicle. Councilor DiMarco asked who manages the fleet. Capt. Cardwell responded he is the fleet manager; all maintenance is done in house. It consists of 20 vehicles. Councilor Brown asked the Town Manger what the balance is now and how it relates to the go forward plan. Town Manager Caron responded after the funds are deposited on 7/1/10 for the FY11 budget there will be about \$15K remaining in this account. Between temporarily reducing contributions to capital reserve due to economic conditions, the increase in cost of equipment and the town not being able to accelerate its contributions, the department and town will have to get more creative to extend the life of its trucks to allow our contributions to catch up over the next 3-5 years before we purchase our next truck. The Town will be able to do that successfully, the only major question mark is the future replacement of the ladder truck. If we take the \$1M ladder truck purchase out of the equation the customary replacement schedule will serve the Town well. We have to look hard at the money we use in the Capital Reserve Fund to allow us to replace the ladder truck which has been in use now for 7 years; it is halfway through its life span. Councilor Dolan asked if we can spend impact fees on trucks. Town Manager Caron responded affirmatively to use Capital Reserve Funds, however impact fees are reserved for investment physical structures. **Council's vote was 5-0-0.**

**OLD BUSINESS (Cont'd.)**

**FY11 Goals and Objectives** - Chairman DiMarco said he would like to go through each one minus the reading.

Objective 1- Provide a cost effective government to achieve greatest value at lowest cost. There were 6 goals listed. Councilor O’Keefe stated that the Council and the Town Manager did a good job encompassing everyone’s views. Councilor Farrell stated that Goal 1 is rather “lofty” but it is what we said. Chairman Paul said goal #3 is already covered under Objective #2 and he suggested striking it. Councilor Farrell said he thought it was under article “4” and he agreed with striking it. Councilor Farrell stated that he reviewed the accounts payable with the Finance Director and it was quite a learning experience to understand where the money goes and does not go. This will result in a great deal of discussion of services provided when we face the economic impact from the state. He said everyone should be very well vested in Goal #4. The consensus was to strike goal #3.

Objective 2 – To accelerate economic development efforts to drive tax revenue, thereby reducing tax burdens while preserving Londonderry’s quality of life. Councilor Farrell said that items #3, 4, and 5 can be accomplished with Andre’s Economic Development Council. Councilor O’Keefe asked where they would be moved to, Councilor Farrell said keep them where they are. Councilor Farrell also suggested moving Goal #6 to Goal #1. Councilor Dolan said he did not look at the list as any priority, Town Manager Caron said that was not the intent. It was decided to leave #6 as is.

Objective 3 – Continue the agenda management process implemented in FY10 which usually resulted in the completion of Town Council agenda items by 10:00 PM. Councilor Dolan said the intent is for townspeople to interact in an efficient and common sense manner in a timely and appropriate manner. Chairman DiMarco said the intent is to keep our meetings more efficient. Councilor Farrell suggested stating that we will strive to complete our meetings in an efficient manner while still being available to our constituents at all times. Councilor Brown did not agree, the feedback he got the past year was that the meetings were managed better than they used to be managed. The people who attended the meetings were getting home at a some what decent hour and we went beyond 10:00 PM whenever we needed to. He said we should keep it, but if the consensus is to eliminate it then OK but this has worked well. Councilor Farrell said he disagreed because the feedback he got was the opposite. Chairman DiMarco stated he would like the 10:00 PM in because it makes it measurable but Councilor Farrell brings up a good point, just work it differently. Councilor Dolan said the objective is to run public friendly meetings and when we do that we get out earlier. The stated purpose sounds like it is to get out by 10:00 PM. The stated purpose is to run an efficient, crisp, meeting process. Councilor DiMarco requested a consensus on how to capture the specific goal wording. Councilor Dolan said the objective is to encourage the Council to conduct their business in a crisp and efficient manner with the goal to complete the meeting by 10:00 PM. Reed Clark, Stonehenge suggested leaving the time out of it entirely. Councilor Farrell said the School Board Agenda lists a start time and a couple of other times and the last time listed is 9:20 PM with no deadline. Chairman DiMarco pointed out that Council had an issue where we had times on the agenda. We had a situation where we went through the agenda quicker than expected and had people who showed up at the particular time listed on the agenda only to find it was already discussed. It was decided at that time to pull the time off the agenda. Chairman DiMarco said if the consensus is to remove it he is OK with it but he will strive for 10:00 PM. Councilor Dolan suggested they review what Margo types at the next meeting and reserve the right to continue to edit it if it is not what they like. Councilor O’Keefe said he has not heard any complaints about adjourning at

10:00 PM. Everyone agrees they want to do an expeditious job, have a good meeting and we are here until our work is completed. Chairman DiMarco responded if we remove 10:00 PM from the goal and it gets us to where we need to be he is fine with it, Councilor O'Keefe agreed. The consensus was to remove 10:00 PM from the goal.

Objective 4 – Empower a Committee to review the 2006 Open Space Task Force Report for the purpose of reviewing and assessing whether the goals and objectives outlined in that report are in line with current community goals and the Town's financial position. Councilor Dolan said we are not ready to charge that committee, it will be determined later. Councilor O'Keefe suggested a timeline of maybe July. He stated that maybe if we have something formed it will have some input to the CIP and Budget season.

Objective 5 – With the Community Development Department, develop a timeline for updating the Town Master Plan and determine the appropriate time to plan and sponsor a community engagement process to increase citizen input to the community planning process. Councilor Dolan said the last time we completed a Master Plan it was cost \$75K for consulting services. Councilor Dolan stated this should be included in a future budget expense as a line item in the Planning Department in FY12 or FY14. Chairman DiMarco reiterated that this is just a timeline it is not the Master Plan.

Task #1 –Identify the cost to residents desiring to upgrade their current 65 gallon waste container with a 96 gallon container; investigate the cost to provide additional disposal options during the holiday season, develop a timeline and cost for expanding hours/services at the Drop-Off-Center. Chairman DiMarco said that the Chair of SWAC wants to be included in the decision process. Councilor O'Keefe asked if we have any financial information as to what this will cost. Town Manager said the Environmental Engineers are currently investigating the different options for costs. That information will be coming shortly. Chairman DiMarco said this will be discussed at an upcoming meeting.

**Councilor Dolan made a motion to adopt the FY11 Goals and Objectives as modified, second Councilor O'Keefe. Council's vote was 5-0-0.**

### **APPROVAL OF MINUTES**

**Minutes of Councils Public Meetings of 04/05/10. Councilor Dolan made a motion to adopt, second Councilor O'Keefe. Council's vote was 5-0-0.**

### **OTHER BUSINESS**

**Liaison Reports** – Councilor Farrell said the Planning Board is moving forward to a public meeting on the Exit 5 POD.

Councilors O'Keefe and Dolan had no reports.

Councilor Brown said the Solid Waste Advisory Committee met 4/8 they had a representative from Allied Waste come in. They got an update on a pilot at the Middle School to recycle milk

cartons. This might be the first pilot program in NH and it is going well. The Committee requested that Allied Waste consider funding a quarterly newsletter that Public Works used to publish. They were also asked if they might fund 25 re-cycle signs at the LAFA fields and they will consider it. Beautify Londonderry started this past weekend and will run through 5/16, the volunteers are doing a great job

Chairman DiMarco said he will have Don Jorgenson stand in for him at the MAA as an Alternate. He said he and his son cleaned up the South Rd. dump site. He said it is a disgrace that people dump in that area. LPD does patrol the area.

**Town Manager Reports –** Town Manager Caron said he talked to Janusz about extending the berm along South Road to discourage illegal dumping. The bids for the cemetery will be out in mid May; they had a meeting tonight with the Trustees to discuss the project budget. The Governor re-aligned his budget for FY11 which impacts the Town in two ways: the Town will be receiving \$110K less in Rooms and Meals Tax for this year which will impact the tax rate, and the State cost-share for Fire and Police Department employees is being reduced from 25% to 20%. That means that those two departments will collectively have to re-allocate about \$80K in expenses to cover those expenses starting on 7/1/10. Councilor Farrell said with what we cut at Town Meeting plus \$110K, plus \$80K it was adding up. Town Manager Caron said the \$80K in retirement expenses will have to be reallocated from other areas of the budget, as the FY11 budget has already been set at Town Meeting. The departments are going to have to restructure their budgets to cover that. The loss of revenues essentially brings our estimated tax rate on the town side to an increase of 1.97%. Chairman DiMarco stated this is about a 2-3 cent increase in taxes. Councilor O’Keefe asked if we are looking at a bigger increase than we approved at Town Meeting, Town Manager responded the Town will have less revenues so the consequence is about a 3 cent difference in what we anticipated and what is actually going to occur. That number typically moves 1-2 cents a year depending on state revenues and outside revenues.

**Board/Committee Appointments/Reappointments -**

**Councilor Farrell made a motion to appoint Alternate Chris Davies to the Planning Board to a Full position, term to expire 12/31/10, second Councilor O’Keefe. Council’s vote was 5-0-0.**

**Councilor Farrell made a motion to appoint Dana Coons as an Alternate to the Planning Board term to expire 12/31/10, second Councilor O’Keefe. Council’s vote was 5-0-0.**

**Councilor Farrell made a motion to appoint Jay Hooley to an Alternate position to the ZBA, term to expire 12/31/11, second Councilor O’Keefe. Council’s vote was 5-0-0.**

**ADJOURNMENT**

**Councilor Dolan made a motion to enter into a non-public meeting, second Councilor O’Keefe at 9:21 PM. Aye Michael Brown, Aye Tom Dolan, Aye Sean O’Keefe, Aye John Farrell, Aye Paul DiMarco.**

**At 10:20 PM, Councilor Farrell made a motion to come out of Non-Public Session, and seal the minutes, second Councilor O’Keefe. Council’s vote was 5-0-0.**

**At 10:25 PM, Councilor Farrell made a motion to adjourn the meeting, second by Councilor O'Keefe. Council's vote was 5-0-0.**

**Notes and Tapes by: Margo Lapietro Date: 04/19/10**

**Minutes Typed by: Margo Lapietro Date: 04/ 21 /20**

**Approved; Town Council Date: 05/03/10**