

1 The Annual Deliberative Session of Monday, February 06, 2012 was called to order at 7:00 PM at  
2 the Londonderry High School Cafeteria, Londonderry, New Hampshire by Moderator Cynthia Rice  
3 Conley.  
4

5 **MEMBERS OF THE MEETING PANEL**

6  
7 Moderator..... Cynthia Rice Conley

8 Asst. Moderator..... John Michels

9 **Panel Members:**

10 Sean O’Keefe ..... Chairman - Town Council

11 Joe Green ..... Vice-Chairman- Town Council

12 Tom Dolan ..... Councilor

13 John Farrell ..... Councilor

14 Tom Freda..... Councilor

15 David R. Caron ..... Town Manager

16 Susan Hickey..... Assistant Town Manager – Finance & Administration

17 Bart Mayer ..... Town Counsel

18 Marguerite Seymour..... Town Clerk/Tax Collector

19 Margo Lapietro ..... Executive Assistant

20 **Budget members:**

21 Todd Joncas ..... Chairman

22 Richard Dillon..... Vice Chairman

23 Lisa Whittemore..... Secretary-Absent

24 John Curran..... Budget Member

25 Dan Lekas ..... Budget Member

26 Chris Melcher..... Budget Member

27 Tom Dalton ..... Budget Member  
28  
29

30 **OPENING REMARKS**

31  
32 Moderator Conley introduced the head table and the Budget Committee. The Londonderry High  
33 School (LHS) Band Colorguard consisting of Danielle Garrand, Carly Anderson, Melanie Lantagne,  
34 and Shannor Coburn presented the colors. The Pledge of Allegiance was followed by the singing of  
35 the National Anthem by LHS vocalists Cailey Blatchford, Erin Conti, Stephanie Conti and Rachel  
36 Hansen. Town Council Chairman Sean O’Keefe introduced the Citizen of the Year, Band Director  
37 Andy Soucy, and presented him with a granite state shaped award.  
38

39 Moderator Conley explained the Moderator makes the rules as they go along. Any ruling of the  
40 Moderator may be challenged by a majority vote before the Moderator moves onto the next item of  
41 business. She explained the use of voter cards and coupons. All Warrant Articles will be brought

42 up for discussion and open for amendments. All amendments must be in writing and given to her or  
43 Mr. Michels and will be done one at a time. The amendment cannot be added in subject and no  
44 Article can be tabled. No more than one amendment will be allowed on the floor at a time. Moving  
45 an Article to the ballot does not require a vote at the Deliberative Session. A secret ballot on an  
46 Amendment will be taken if five (5) voters request it before we vote. A recount will be taken on a  
47 non-secret ballot if seven (7) voters make the request. Moving the previous question requires a 2/3  
48 majority to pass, however, if you are in line at the microphone and wish to speak for the first time it  
49 will be accepted as long as the subject has not been discussed for half an hour. A motion to Restrict  
50 Reconsideration is permitted after the Article has been placed on the ballot. All non-voters are in  
51 their designated area and may not vote. She said the procedure for the Deliberative Session will be  
52 reviewed throughout this meeting. If you have questions, please free to ask them.

53

54

### **STATE OF THE TOWN ADDRESS**

55

56 Town Manager Caron delivered the “*State of the Town*” address. He stated that “under our revised  
57 budget approval process as adopted by the voters this past March, the Council is responsible for  
58 submitting a recommended operating budget, which can be amended at this Deliberative Session.  
59 The voters in March would then vote to approve or reject the budget; if rejected, the Town would  
60 operate under the Default Budget.

61

62 The Council’s recommended budget for FY13 is the same amount as the Default Budget, which  
63 reflects an expenditure increase of 2.3% over this year’s operating budget. There are several  
64 initiatives in this year’s warrant to begin addressing equipment and staffing needs in the Fire  
65 Department, and a continuation of the reserve programs for vehicles, heavy equipment and town  
66 building maintenance which promotes tax rate stability.

67

68 Although the economy is improving, it is improving at a very slow pace, and we expect that to  
69 continue for the foreseeable future; however, staff continues to work on projects that will position  
70 the Town to capitalize on growth in the non-residential sector when economic conditions do  
71 improve. Last November the State opened the Airport Access Road, and with that milestone comes  
72 a greater appreciation by state and federal officials of the strategic location and abundance of  
73 commercial/industrial land at Pettengill Road. Town staff continues to receive a growing number of  
74 inquiries about the area’s development potential while also working with state and federal officials to  
75 secure non-local funding for the project which would reflect the Pettengill Road project’s anticipated  
76 benefits accruing to the region and the entire state.

77

78 Again this year I would like to direct your attention to the Town’s website; a feature which should  
79 be of particular interest to citizens is E-Alert, which allows residents and taxpayers to automatically  
80 receive as much information as desired, including emergency alerts, meeting agenda and minutes,  
81 road closures and similar pieces of information. We believe E-Alert will help us keep all of you  
82 better informed about the activities of your town government.

83

84 On behalf of the town staff, we thank you for your support and assistance.”

85 Town Moderator Conley proceeded to read Article 2

86

87 **ARTICLE NO. 2:**     ***[BOND ISSUE FOR HIGHWAY RECONSTRUCTION]***

88

89           To see if the Town will vote to raise and appropriate **FIVE HUNDRED THIRTY-SEVEN**  
90 **THOUSAND DOLLARS (\$ 537,000)** for the reconstruction of roads.

91

92           Said sum to be raised by the issuance of serial bonds or notes not to exceed **FIVE**  
93 **HUNDRED THOUSAND DOLLARS (\$500,000)** under and in compliance with the provisions of  
94 the Municipal Finance Act (NH Revised Statutes Annotated Chapter 33) and to authorize the Town  
95 Council to issue and negotiate such bonds or notes, to determine the rate(s) of interest thereon and to  
96 take such other actions as may be necessary to effect the issuance, negotiation, sale and delivery of  
97 such bonds or notes as shall be in the best interest of the Town of Londonderry, and to authorize the  
98 Town Council to accept any funds from the State of New Hampshire, the Federal Government, and  
99 private sources, as may become available, and pass any vote relating thereto and **THIRTY SEVEN**  
100 **THOUSAND DOLLARS (\$37,000)** for the first year's interest payment and bond issuance costs on  
101 said bond and to authorize the transfer of the June 30 fund balance in that amount for this purpose.  
102 (60% approval required)

103

104           **(If passed, this article will require the Town to raise \$0 in property taxes, resulting in a tax**  
105 **rate impact of \$0.00 in FY 13; \$68,750 in property taxes, resulting in a tax rate impact of \$0.02**  
106 **in FY 14; and \$66,875 in property taxes, resulting in a tax rate impact of \$0.02 in FY15, based**  
107 **upon projected assessed values.)**

108

109 *The Town Council unanimously recommends a yes vote; the Budget Committee unanimously*  
110 *recommends a yes vote.*

111

112 Councilor Farrell made a **MOTION** to accept Article No. 2 as read for discussion.

113 **SECOND** by Councilor Dolan.

114

115 Town Manager Caron said the Council recommends support for a \$500,000 bond issue which in  
116 conjunction with Article 17 will begin the process to transition funding for road reconstruction  
117 activities from long-term bonds to property tax support. The Town has approved road bonds during  
118 each of the past five years for a total investment of \$5.7M, and if approved by the voters, the Council  
119 plans to continue this transition into FY14. He directed the voters to look at a slide matrix that  
120 showed the 10 year transition of bond and debts.

121

122 Budget Committee Chairman Todd Joncas stated that the Budget Committee supports Article 1, 7-0-  
123 0.

124

125 Open for discussion. Barb Stadtmiller, 14 Crestview Circle questioned if the June 30 Fund Balance  
126 covered all warrant articles in the past. The Town Manager explained historically the Council at  
127 Town Meeting has supported one time use expenses to be paid out of that fund. B. Stadtmiller asked

128 if all of the Warrant Articles passed this year will be covered. Town Manager Caron responded three  
129 are funds available. Mike Brown, 69 Carousel Court pointed out that the tax impact of each Article  
130 is noted on the bottom of the each slide presentation. He said the current tax rate for FY11 is \$4.74,  
131 this Article has a "0" tax impact but we are already at .21 cents and asked for an explanation. The  
132 Town Manager explained the tax rate, first is the veteran's exemption which the Council increases  
133 each year which has two components with a maximum of \$500.00. That incremental increase was  
134 completed 4-5 years ago and to fund that amount is .15 cents on the tax rate. The second component  
135 is .6 cents on any errors in the assessment list and abatement to make up for the lost revenues. Both  
136 of those add up to .21 cents for this particular item. Gregory Warner, 10 Pendleton Lane supports the  
137 bond because the roads do need repair. Mary Soares 2 Gale Road asked the Town Manager to  
138 explain the difference between fund balance and the undesignated fund balance. She asked if the  
139 fund balance is money left over from last year's budget. Town Manager Caron explained it adds to  
140 that, the overall fund balance is larger. The undesignated fund balances are funds that are available  
141 for expense but only a small portion is recommended. It is recommended that we retain a certain  
142 amount of the fund balance for cash flow purposes. If we have excess revenues from the  
143 undesignated fund balance they go into the fund balance and need approval to spend from the voters  
144 at the Deliberative Session. She asked what is the balance in the left over fund balance; he  
145 responded we have \$4.25M. Bruce Campbell, 7 Willow Lane asked for all the names of the roads  
146 being repaired with this Article. Public Works Director Janusz Czyzowski said we have 14 miles of  
147 roads that need repairs and the estimated cost for that is approximately \$19M. \$500K does not give  
148 him very much. Sections of Litchfield from Misty Lane to Meadow is the one they will start on.  
149 Auburn Rd. and Stokes are top priority roads. Al Baldasaro, 41 Hall Road asked if there is an RSA  
150 that identifies the 5% of whatever you are maintaining or is there a policy that comes up with that  
151 figure. Town Manager responded to his knowledge there is not a RSA but a policy as recommended  
152 by the Department of Revenue Administration (DRA) as established by the tax rate.

153

154 **Moderator Conley stated that Article 2 is moved to the ballot.**

155

156 Anne Gaffney made a **MOTION** to restrict reconsideration.

157 **SECOND** by Mary Soares.

158

159 **VOTE IN THE AFFIRMATIVE, ARTICLE 2 IS RESTRICTED FROM**  
160 **RECONSIDERATION.**

161

162 Town Moderator Conley proceeded to read Article 3

163

164 **ARTICLE NO. 3: [EXPENDABLE MAINTENANCE TRUST FUND]**

165

166 To see if the Town will vote to raise and appropriate the sum of **TWO HUNDRED THOUSAND**  
167 **DOLLARS (\$200,000)** to be placed in the Town's Maintenance Trust Fund created by the voters at the  
168 2003 Town Meeting for the purpose of repairing and maintaining town facilities and to authorize the use  
169 of the June 30 Fund Balance in the amount of \$100,000 towards this appropriation.

170

171 (If passed, this article will require the Town to raise \$100,000 in property taxes, resulting in a tax  
172 rate impact of \$0.03 in FY 13 based upon projected assessed values.)  
173

174 *The Town Council by a vote of 4-1 recommends a yes vote; the Budget Committee by a vote of 1-6*  
175 *recommends a no vote*  
176

177 Councilor Freda made a **MOTION** to accept Article No. 3 as read for discussion.  
178 **SECOND** by Councilor Green.  
179

180 Town Manager Caron said the Expendable Maintenance Trust Fund is used to maintain town  
181 facilities such as repairing HVAC, plumbing and electric systems in various town facilities;  
182 purchase of equipment for the Recreation Division, such as bleachers and lighting; replacing the  
183 roof on Leach Library; and improvements at the Highway Garage.  
184

185 Budget Committee Chairman Todd Joncas stated the Budget Committee does not support Article  
186 3, 1-6.  
187

188 Open for discussion. Greg Warner, 10 Pendleton Lane said he does not agree with the Budget  
189 Committee. He agrees with spending the money to maintain facilities. Greg Carson, 19 Tokanel  
190 Drive asked why the Budget Committee did not support this Article. Chairman of the Budget  
191 Committee Todd Joncas said they are trying to save money due to the economic times.  
192

193 **Moderator Conley stated that Article No. 3 is moved to the ballot.**  
194

195 Meg Seymour made a **MOTION** to restrict reconsideration.  
196 **SECOND** by Ann Gaffney.  
197

198 **VOTE IN THE AFFIRMATIVE, ARTICLE 3 IS RESTRICTED FROM**  
199 **RECONSIDERATION.**  
200

201 Assistant Moderator Michels explained that due to this being the first Deliberative Session the voters have  
202 to understand that the budget is a bottom line budget so if you want to eliminate or change something it is  
203 from the bottom line. Basically the Council can change where it wants.  
204

205 Assistant Moderator Michels proceeded to read Article No. 4  
206

207 **ARTICLE NO. 4: [FISCAL YEAR 2013 TOWN OPERATING BUDGET]**  
208

209 Shall the Town raise and appropriate as an operating budget, not including appropriations by  
210 special warrant articles and other appropriations voted separately, the amounts set forth on the budget  
211 posted with the warrant or as amended by vote of the first session, for the purposes set forth therein,  
212 totaling \$26,741,721? Should this article be defeated, the default budget shall be \$26,741,721, which is  
213 the same as last year, with certain adjustments required by previous action of the Town or by law; or the

214 governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the  
215 issue of a revised operating budget only.

216

217 **(If passed, this article will require the Town to raise \$15,638,250 in property taxes, resulting in a**  
218 **tax rate impact of \$4.59 in FY 13 based upon projected assessed values.)**

219

220 *The Town Council unanimously recommends a yes vote; The Budget Committee unanimously*  
221 *recommends a yes vote.*

222

223 Councilor O'Keefe made a **MOTION** to accept Article 4 as read for discussion.

224 **SECOND** by Councilor Farrell.

225

226 Town Manager Caron explained that Article 4 funds the operation of town government for the year  
227 beginning July 1, 2012, for such departments as Police, Fire, Public Works, Finance & Administration,  
228 Recreation, Tax Collection & Administration, Debt Service Payments, General Assistance, Planning,  
229 Library, Cable and Economic Development. The Town Councils proposed FY13 Budget is the same  
230 amount as the default budget and represents a 2.3% increase in recommended appropriations for the FY12  
231 budget. In order to meet the Councils goal to first fund critical services and staffing responsibilities to the  
232 town, resources were re-directed to fully fund new accounts and police and snow removal overtime. The  
233 FY13 budget includes more funding for part-time salaries which were previously classified as full-time  
234 positions as the town attempts to consolidate and economize all positions wherever possible. With this  
235 budget proposal along with the request in Article 9 it will allow the town to continue to provide a level of  
236 safe services which the residents have become accustomed to. In order to accomplish this, the Council is  
237 recommending a re-allocation to the Library in the amount of \$64K and to the Cable Division in the  
238 amount of \$101K. These resources along with operating the cost deductions of other departments  
239 contributed to a transfer of \$94K to budget actual fuel usage, \$139K for replacement police coverage,  
240 \$50K for emergency snow removal and DPW overtime and \$15K for replacement for the fire departments  
241 emergency response vehicle. Employee benefits cost increased \$138, 829. 00 overall and debt service has  
242 increased \$29,456.00 from the current year. The Council is recommending increases in overtime  
243 accounts as it is more cost effective to fill shifts with overtime rather than hire additional employees  
244 considering the increasing cost of employee benefits. This system also provides maximum scheduling  
245 flexibility to enhance efficiencies.

246

247 Budget Committee Chairman Todd Joncas stated the Budget Committee supports Article 4 unanimously.

248

249 Open for discussion: Al Baldasaro, 41 Hall Road asked if everything else passes tonight is it all in the  
250 budget. Town Manager Caron said a lot of the separate articles carry their own tax rate. This article deals  
251 with the operating budget only which addresses town services but is not inclusive of other town services.  
252 A. Baldasaro asked if there is any way you can tell the audience what that will happen to their property  
253 taxes if everything passes tonight. Town Manager Caron said the slide presented shows the current tax  
254 rate for 2011 is \$4.74. The cost of this Article is \$4.59 per thousand. As of this point in the meeting the  
255 \$4.83 will be the tax rate for FY12. A. Baldasaro asked if this Article passes tonight what will it cost the  
256 taxpayer on a \$300K home. Town Manager Caron responded if all the Articles pass tonight it will be  
257 \$4.98 which is a .24 cent increase. The total tax impact on a \$300K house is \$1,495.00. Cindy Eaton, 16  
258 Clark Road said other articles will be adding to the tax rate. She said she would like to move Article 4 to

259 come after some of the other warrant articles that have tax impacts. Assistant Moderator Michaels said  
260 we are in the midst of the discussion of the Article already. If this passes we will have a number and as  
261 we progress we can have an idea of the tax rate. We are at \$4.98 if this passes. If we don't pass  
262 something we are cutting from that number; if we add things we are adding to that number. At this  
263 moment you know where you are. C. Eaton said she might have a motion that will actually reduce the  
264 budget, if we have already voted on the budget how can we reduce it. Assist. Moderator Michaels  
265 responded once we vote on it we can't change it. Councilor Farrell said since this is a new process what  
266 C. Eaton is saying is that there may be people who want to add or take away from the budget depending  
267 on what happens with the other articles. They are looking for guidance from the Moderator, should they  
268 make their motions now. Assist. Moderator Michaels responded we are discussing the budget at the  
269 moment; now is the time if you want to raise or lower the budget. If a motion to restrict reconsideration is  
270 made we can't discuss it again. If we discuss it now, and we don't restrict reconsideration later we can  
271 bring it up again. If you want to move it off, the time to ask for that was before we started this discussion.  
272 Pauline Caron, 369 Mammoth Road said she objected to putting off Article 4 because it has already  
273 started. If people had read the Warrant they would have noticed there are different figures for each article  
274 and they are not included in Article 4. She said it is up to the taxpayers to read what is before them and  
275 understand it before they try to change the process. Gene Jastrem, 19 Horseshoe Lane questioned the  
276 ballot process and Assist. Town Manager Michaels explained it to him. Mike Brown, 5 Carousel Court  
277 said the budget as presented tonight is increasing 2.3%, he asked the Town Manager to explain how a  
278 default budget increases. Town Manager Caron explained that under state law if the voters reject the  
279 budget in March it goes to the default budget which is simply the budget under which we are currently  
280 operating this year. It is increased due to contractual obligations or decreased by one-time expenses. A.  
281 Baldasaro asked if we can move Article 4 to the end and overrule the Moderator. Assist. Moderator  
282 Michaels responded you can always overrule the Moderator. **A. Baldasaro made a Motion to overrule**  
283 **the Moderator and move Article 4 to the end in the best interest of the taxpayers, second by Anne**  
284 **Gaffney.** A. Baldasaro said he wants it at the end so people will have a chance to keep their tax rate  
285 down. Councilor Dolan said he objected to the motion because traditionally we have around 300 people  
286 at the Town Meeting; tonight we have 133. People at the end of the night leave which results in very little  
287 people left in the audience. 90% of the budget will be left in the hands of a very few people, he said he  
288 feels this Article should be discussed now when the greatest number of people are in attendance when the  
289 greatest amount is going to be discussed. He suggested that the motion be rejected. Budget member  
290 Chris Melcher agreed with Councilor Dolan, we should discuss the budget now. Greg Warner, 10  
291 Pendleton Lane, said he is against the motion for the same reason and he said we do have a number to  
292 discuss. Dave Ellis, 1 Wilshire Dr. agreed with continuing the discussion. Barb Stadtmiller, 14  
293 Crestview Circle suggested moving this article to after Article #9 because the prior articles have the  
294 biggest impact. A. Baldasaro seconded that. Assist. Town Moderator Michaels said we have a Motion  
295 on the floor to overrule the Moderator to move the Article to the last item. **Councilor Farrell moved the**  
296 **question, second by Steve Young. Vote on the motion to move the question was in the majority.**  
297 **Next was to vote on overruling the Moderator, the motion fails. B Stadtmiller made a Motion to**  
298 **overrule the Moderator and move Article 4 to after Article 9, second by A. Baldasaro.** No  
299 discussion. **Assist. Moderator Michaels called for the vote to overrule the Moderator and move**  
300 **Article 4 to after Article 9, it fails.** No further discussion.

301  
302 **Assistant Moderator Michels stated that Article 4 is moved to the ballot.**

303

304 Councilor Freda made a **MOTION** to restrict reconsideration.  
305 **SECOND** by Councilor Green.

306  
307 Cindy Eaton said she has an amendment to article 12 that will reduce the budget and if Article 4 is  
308 restricted she won't be able to do that.

309  
310 **VOTE IN THE AFFIRMATIVE, ARTICLE 4 IS RESTRICTED FROM**  
311 **RECONSIDERATION.**

312  
313 Assistant Moderator Michels proceeded to read Article No. 5.

314  
315 **ARTICLE NO. 5: [APPROPRIATE FUNDS TO CAPITAL RESERVE FUNDS TO REPLACE**  
316 **AMBULANCES, HIGHWAY HEAVY EQUIPMENT, FIRE TRUCKS AND**  
317 **HIGHWAY TRUCKS]**

318  
319 To see if the Town will vote to raise and appropriate the sums set forth below to be placed in  
320 capital reserve funds already established, and to authorize the use of the June 30 Fund Balance in the  
321 amount of \$255,000 towards this appropriation:

322	Ambulances	\$ 75,000
323	Highway Trucks	\$ 100,000
324	Highway Heavy Equipment	\$ 0
325	Fire Trucks	<u>\$ 335,000</u>
326		<b>\$ 510,000</b>

327  
328 **(If passed, this article will require the Town to raise \$255,000.00 in property taxes, resulting in a**  
329 **tax rate impact of \$0.07 in FY 13 based upon projected assessed values.)**

330  
331 *The Town Council unanimously recommends a yes vote; the Budget Committee unanimously*  
332 *recommends a yes vote.*

333  
334 Councilor Dolan made a **MOTION** to accept Article 5 as read for discussion.  
335 **SECOND** by Councilor Freda.

336  
337 Town Manage Caron explained this appropriation allows the Town to plan for the replacement of its  
338 Highway and Fire Equipment without overburdening the tax rate in any one year. It also allows the  
339 Town to avoid issuing long-term debt to purchase vehicles. The Town maintains a replacement  
340 schedule over an eight year period to forecast future purchases. Generally highway trucks are  
341 replaced every seven to ten years, ambulances every three and fire trucks every twelve years.

342  
343 Budget Committee Chairman Todd Joncas said the Budget Committee supported Article 5 by 7-0-0.

344  
345 Open for discussion – No discussion

346  
347 **Assistant Moderator Michels stated that Article 5 is moved to the ballot.**



348 Anne Gaffney made a **MOTION** to restrict reconsideration.  
349 **SECOND** by Kathy Wagner.

350  
351 **VOTE IN THE AFFIRMATIVE, ARTICLE 5 IS RESTRICTED FROM**  
352 **RECONSIDERATION.**

353  
354 Moderator Conley proceeded to read Article No. 6.

355  
356 **ARTICLE NO. 6: [ESTABLISH CAPITAL RESERVE FUND – FIRE DEPARMENT**  
357 **EQUIPMENT]**

358  
359 To see if the Town will vote to establish a Capital Reserve Fund under the provisions of RSA  
360 35:1 for the purpose of replacing various fire, emergency medical and communications tools and  
361 equipment (such as IV Pumps, Ventilators, Rescue Tools, Protective Clothing and Portable Radios) and to  
362 raise and appropriate the sum of **ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000)** to be  
363 placed in this fund; to authorize the use of the June 30 Fund Balance in the amount of \$100,000 for this  
364 purpose; and to designate the Town Council as Agent to Expend. (Majority vote required).

365  
366 **(If passed, this article will require the Town to raise \$50,000.00 in property taxes, resulting in a tax**  
367 **rate impact of \$0.01 in FY 13 based upon projected assessed values.)**

368  
369 *The Town Council unanimously recommends a yes vote; the Budget Committee unanimously*  
370 *recommends a yes vote.*

371  
372 Councilor Farrell made a **MOTION** to accept Article 6 as read for discussion.  
373 **SECOND** by Councilor Dolan.

374  
375 Town Manager Caron explained that this Article recommends the creation of a new fund to plan for  
376 the purchase of emergency equipment required by the Fire Department to perform its duties. The  
377 goal is similar to other reserve funds, to avoid spikes in the tax rate resulting from the purchase of  
378 expensive equipment in any given year. He pointed out a listing of the equipment that was displayed  
379 on the slide presentation.

380  
381 Budget Committee Chairman Todd Joncas stated that the Budget Committee supports Article No. 6,  
382 7-0-0.

383  
384 Open for discussion. Mike Brown, 5 Carousel Court asked the Town Manager to explain the new  
385 fund and why it was chosen this year. He asked if this fund will be an annual policy decision going  
386 forward. Town Manager Caron explained that he expects staff to make recommendations to  
387 appropriate funds to this fund on an annual basis. He explained that a lot of these needs have been  
388 neglected in past, we have been lucky to get some grants but staff expressed serious concerns about  
389 their needs for this equipment. Bruce Campbell, 7 Willow Lane asked how old is the equipment.  
390 Londonderry Fire Chief Kevin MacCaffrie explained they are at the end of the life cycle on some of  
391 the items; they are mainly concerned about the Life Paks some are at the 10 year end of cycle. He

392 explained they were able to get grants for some of the other equipment and said now is the time to  
393 put money away in increments to replace them. Greg Warner, 10 Pendleton Lane recommended the  
394 fund be established.

395

396 **Moderator Conley stated that Article No. 6 is moved to the ballot.**

397

398 Meg Seymour made a **MOTION** to restrict reconsideration.

399 **SECOND** by Kathy Wagner.

400

401 **VOTE IN THE AFFIRMATIVE, ARTICLE 6 IS RESTRICTED FROM**  
402 **RECONSIDERATION.**

403

404 Moderator Conley proceeded to read Article No. 7.

405

406 **ARTICLE NO. 7: [FUND SPECIAL REVENUE ACCOUNT]**

407

408 To see if the Town will vote to raise and appropriate **FIVE HUNDRED SIXTY FOUR**  
409 **THOUSAND TWO HUNDRED FORTY FOUR DOLLARS (\$564,244)** from the Police Outside  
410 Detail Fund already established. Such appropriation shall be used for the purpose of covering Police  
411 Outside Details and shall be funded from users of Police Outside Detail Services. Any surplus in  
412 said fund shall not be deemed part of the General Fund accumulated surplus and shall be expended  
413 only after a vote by the legislative body to appropriate a specific amount from said fund for a specific  
414 purpose related to the purpose of the fund or source of revenue.

415

416 **(These services are funded through user fees and require no property tax support.)**

417

418 *The Town Council unanimously recommends a yes vote; the Budget Committee unanimously*  
419 *recommends a yes vote.*

420

421 Councilor Green made a **MOTION** to move Article 7 as read for discussion.

422 **SECOND** by Councilor Freda.

423

424 Londonderry Police Chief Bill Hart explained this “is an in and out fund.” Vendors hire police  
425 officers to handle outside details; the vendors pay all, there is no tax payer support. He explained  
426 what is new this year is that they put a premium on the detail which will allow them to fund a portion  
427 on the lease for new police interceptor vehicles in 2013.

428

429 Budget Member Chairman Todd Joncas stated that the Budget Committee supports Article No. 7, 7-  
430 0-0.

431

432 Open for discussion. Pauline Caron, 369 Mammoth Rd asked if there is any surplus where  
433 would it be put – Town Manager Caron responded it stays in the fund. She asked if there was  
434 any surplus from last year. The Town Manager responded we currently have \$122K from all

435 previous years.

436

437 **Moderator Conley stated that Article 7 is moved to the ballot.**

438

439 Anne Gaffney made a **MOTION** to restrict reconsideration.

440 **SECOND** by Mary Soares.

441

442 **VOTE IN THE AFFIRMATIVE, ARTICLE 7 IS RESTRICTED FROM**  
443 **RECONSIDERATION.**

444

445 Moderator Conley proceeded to read Article No. 8.

446

447 **ARTICLE NO. 8: [FUND SEWER FUND]**

448

449 To see if the Town will vote to raise and appropriate **THREE MILLION THREE**  
450 **THOUSAND SEVEN HUNDRED SIX DOLLARS (\$3,003,706)** for defraying the cost of  
451 construction, payment of the interest on any debt incurred, management, maintenance, operation and  
452 repair of newly constructed sewer systems. Such fund shall be allowed to accumulate from year to  
453 year, shall not be commingled with town tax revenues, and shall not be deemed part of the  
454 municipality's general fund accumulated surplus, all in accordance with RSA 149-I.

455

456 **(These services are funded through user fees and require no property tax support.)**

457

458 *The Town Council unanimously recommends a yes vote; the Budget Committee unanimously*  
459 *recommends a yes vote.*

460

461 Councilor O'Keefe made a **MOTION** to move Article 8 as read for discussion.

462 **SECOND** by Councilor Green.

463

464 Director of Public Works, Janusz Czyzowski explained this is a self funding fund there is no tax  
465 payer support. The fund is totally supported by sewer fees and user fees.

466

467 Budget member Chairman Todd Joncas stated that the Budget Committee supports Article No. 8, 7-  
468 0-0.

469

470 Open for discussion. Al Baldasaro, 41 Hall Road said last year this fund was combined with other  
471 things and asked why this year it was separate. Town Manager Caron said that last year it was  
472 incorrectly classified as a Special Revenue Fund. By state law you have to make sure that those  
473 funds have to be segregated so we put it out as a separate Warrant Article this year. Pauline Caron,  
474 369 Mammoth Road asked what the accumulated surplus is. Town Manager Caron said currently it  
475 is \$4.1M. We have been notified for the past 5-6 years that Manchester will be making some  
476 significant upgrades to their wastewater treatment facility which is where most of our waste ends up.  
477 We have been gradually adjusting the rates due to the increases.

478 Moderator Conley stated that Article 8 will be moved to the ballot.

479  
480 Ann Gaffney made a **MOTION** to restrict reconsideration.

481 **SECOND** by Kathy Wagner.

482  
483 **VOTE IN THE AFFIRMATIVE, ARTICLE NO. 8 IS RESTRICTED FROM**  
484 **RECONSIDERATION.**

485 Moderator Conley proceeded to read Article No. 9

486  
487 **ARTICLE NO. 9: [FIRE DEPARTMENT PERSONNEL COSTS AND STAFFING LEVELS]**

488  
489 To see if the Town will vote to raise and appropriate **TWO HUNDRED FORTY**  
490 **THOUSAND ONE HUNDRED FIFTEEN DOLLARS (\$240,115)** for the purpose of maintaining,  
491 as much as practicable, the following Fire Department staffing levels:

492  
493 Additional Overtime Expenditures for 10 personnel per shift - \$76,565  
494 Funding Four Additional Fire Personnel to increase coverage level to 11 per shift - \$163,550  
495 \$240,115

496 **(If passed, this article will require the Town to raise \$240,115.00 in property taxes, resulting in a**  
497 **tax rate impact of \$0.07 in FY 13 based upon projected assessed values.)**

498  
499 *The Town Council unanimously recommends a yes vote; the Budget Committee by a vote of 3-4-0*  
500 *recommends a no vote.*

501  
502 Councilor Farrell made a **MOTION** to move Article No. 9 as read for discussion.  
503 **SECOND** by Councilor Dolan.

504  
505 Open for discussion. Londonderry Fire Chief Kevin MacCaffrie explained this Article raises the  
506 level of safety personnel on duty each day. He explained currently we are at 10 men per shift every  
507 day and that sometimes drops down to 9-8 personnel for days off, sick time, training time, injuries,  
508 etc. The extra personnel will allow them to have 10 on duty. He explained that according to national  
509 standards they are supposed to be at 14 by now. Adding staff will raise their efficiency level by 35%  
510 for each person they put on per shift. It takes an average of 16 people to do all the jobs on a fire  
511 scene; we are only putting 9-10 to do all those tasks. He asked the taxpayers to give them the  
512 opportunity to serve the town in a more effective, efficient and safe manner.

513  
514 Budget Committee Chairman Todd Joncas stated the Budget Committee does not support Article No.  
515 9, 3-4-0.

516  
517 Open for discussion. Anne Gaffney, 28 Tokanel Dr. asked why this is separate and not part of the  
518 operating budget. Councilor Freda responded generally when you are adding personnel it has to be  
519 voted on at Town Meeting. A. Gaffney then responded why was the Budget Committee divided on  
520 it. Budget member Rich Dillon said it was a split decision. He said he found a fundamental problem

521 with the way the article was written. The overtime seems to build up year after year and there is no  
522 insight here how to change that in the long run. He stated that he is not against more firemen; he  
523 would like to see more personnel rather than have more overtime. A. Gaffney asked is he  
524 recommending hiring more full time personnel. R. Dillon responded no – not according to this  
525 article. A. Gaffney recommended going with safety. Gene Jastrem, 19 Horseshoe said he does not  
526 understand why the \$76K for additional overtime for 10 personnel per shift was not put in the  
527 operating budget. He said right now they are understaffed. R. Dillon said there is overtime already  
528 in the operating budget, almost 20%. This article is asking for another \$76K to add to that which is  
529 why he is against that. R. Dillon said there are other ways to address staffing levels. G. Jastrem said  
530 that is his question. R. Dillon said you are looking to backfill up to 10 with overtime and then add a  
531 staffing level of 11. G. Jastrem asked why wasn't the \$76K put in the operating budget that keeps  
532 the goal at 10 on staff. Budget member T. Joncas explained the \$76K is not in the budget because  
533 it is associated with this particular article for bringing on the additional personnel. G. Jastrem said  
534 isn't it cheaper to pay overtime? T. Joncas replied that is part of the debate. The Budget Committee  
535 wanted to reduce overtime and increase coverage. Councilor Dolan stated that the overtime element  
536 is complicated. The basic intent of this article is to add four firefighters. The community said  
537 throughout the budget process that they wanted a higher degree of public safety and we were  
538 teetering on being unsafe and providing services to the community. Originally it was in the amount  
539 of \$400K. The Council decided on working out a staggered hiring schedule that staggered the hiring  
540 of the four additional firefighters which lowered the cost by \$160K for the first year. Budget  
541 member Chris Melcher said the Budget Committee all wanted more "boots on the ground" but the  
542 problem was the overtime. He pointed out that overtime is still underfunded even without this  
543 article. Budget member Dan Lekas said increasing staffing should decrease overtime, that is the  
544 problem he had with the article. Mike Brown, 4 Carousel Court said he is okay with this as a  
545 separate article. He agreed with Councilor Dolan and said funding four firefighters is not really  
546 \$163K it is \$327K. He asked the Town Manager what the real costs are if approved what it means  
547 for the default budget going forward. Town Manager Caron explained it and said the  
548 recommendation is to put this in the operating budget this year. Dave Ellis, 1 Wilshire Drive said he  
549 is concerned about the overtime which is a regular happening. He questioned if it would be more  
550 effective to hire more people and use the overtime as the exception. Councilor Farrell explained the  
551 reason we are looking at overtime in our budget is if we are short staffed, if someone is hurt, if they  
552 are on vacation. The benefits that we pay for our employees is about 30 cents on the dollar. If we  
553 hire additional personnel it costs us \$1.30. We use overtime to keep our costs down. It costs more  
554 to hire more people. Budget member John Curran did not vote for this article because he said we  
555 voted to keep up with the equipment. He said that should bring down the number of people that are  
556 required in the department. The additional people you are asking for is double the amount on an  
557 annual basis. Madeline Demeule, 29 Airport Road asked to hear more from the Fire Chief where he  
558 mentioned safety is a concern and wants the department staffed at what research says it should be.  
559 She said public safety is more important than equipment. Londonderry Fire Department (LFD) Chief  
560 MacCaffrie said the NFTA says we should have 16 personnel for a town our size. He said we  
561 consider 14 as a minimum base. Councilor Dolan presented a scenario and asked LFD Capt. Rogers  
562 what happens with 2 firefighters to a truck when they show up at a house fire. Capt. Jim Rogers, 5  
563 Crosby Lane talked about the fire at Hemlock St., and medical calls and the possibility of putting a

564 third ambulance in place rather than calling for mutual aid which takes 16 minutes. He urged the  
565 voters to vote for the article. A. Baldasaro, 41 Hall Road asked if the fire safety codes and standards  
566 for NH are the same for NY, MA, etc.; he responded yes. A. Baldasaro asked about mutual aid and  
567 response time. He asked if there were any other major issues the past few years that required 4  
568 firefighters. He said the national standards are for big cities. The Chief replied the figures are data  
569 driven, it is not determined by the population of the town, and it is what it takes to do the job that is  
570 why it is called national standards. A. Baldasaro suggested bringing out the call firefighters if there is  
571 a large fire. Pauline Caron, 369 Mammoth Road said she objects to this article because of the  
572 construction of the article. The overtime should not be in with the hiring of 4 firefighters. The  
573 overtime will be a continuing thing if you add 4 firemen you will have higher overtime. If we  
574 approve this article your taxes are up \$4.78 and recommended that the taxpayers keep that in mind  
575 with the upcoming articles. Town Manager Caron clarified that the reason there is overtime in this  
576 article is that it is a policy decision of the Council to see whether we should increase the preferred  
577 minimum staff level per shift to 11 for the Fire Department. From his perspective it didn't make  
578 much sense for the Council to assume that policy decision if we didn't budget adequately for  
579 overtime to ensure as much as possible of getting to the level of 10 because without the additional  
580 overtime if the voters didn't approve the additional personnel there would be many times we could  
581 have 11 per shift we would have 10. To go from 10-11 you have to go to 10 first and that is what is  
582 represented in the additional overtime expenditures. Reed Paige Clark, 79 Stonehenge Road said  
583 safety is important, vote for the article. Barb Stadtmiller thanked the Council and Budget Members.  
584 She said we are only talking about \$40 more tax dollars on a house, it is a good idea. Ann Gaffney  
585 talked about the national safety issues – the Chief needs 14 and we are only talking about 11. **She**  
586 **made a motion to move the question. Moderator Conley asked for a vote, the article passed.**  
587

588 **Moderator Conley stated that Article 9 will be moved to the ballot.**  
589

590 Mary Soares made a **MOTION** to restrict reconsideration.  
591 **SECOND** by Anne Gaffney.  
592

593 **VOTE IN THE AFFIRMATIVE, ARTICLE No. 9 is restricted from reconsideration.**  
594

595 Moderator Conley proceeded to read Article No. 10  
596

597 **ARTICLE NO. 10: [APPROPRIATION OF LAND USE CHANGE TAXES TO THE**  
598 **CONSERVATION FUND AND THE GENERAL FUND]**  
599

600 To see if the Town will vote pursuant to the provisions of RSA 79-A:25 IV, to place  
601 annually One-Hundred percent (100%) up to One-Hundred Thousand (\$100,000); then Forty (40%)  
602 percent of revenues received in excess of One-Hundred Thousand (\$100,000) from the Land Use  
603 Change Tax in the Conservation Fund; currently, one hundred percent (100%) of the revenues  
604 received from the Land Use Change Tax are placed in the Conservation Fund. (By Citizens'  
605 Petition)  
606

607 (If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax rate  
608 impact of \$0.00 in FY 13 based upon projected assessed values.)  
609

610 *The Town Council unanimously recommends a yes vote; the Budget Committee by a vote of 6-1*  
611 *recommends a yes vote.*  
612

613 Councilor Farrell made a **MOTION** to move Article No. 10 as read for discussion.  
614 **SECOND** by Councilor Freda.  
615

616 Petitioner Jay Hooley, 25 Yellowstone Drive said this year the Londonderry taxpayers have an  
617 opportunity to re-direct a portion of the Land Use Change Tax (LUC) to the General Fund for use to  
618 pay town operating costs. The Conservation Fund currently has \$1.1M in their account and those  
619 funds currently in their account will not be impacted by this article. It will be impacted moving  
620 forward only. On average the LUC has increased that fund by \$180K per year since the 1996 vote to  
621 move it into the operating fund. The breakdown for \$180K would be \$132K to the Conservation  
622 Fund and \$48K to the General Fund. Anytime that the LUC is at a level of \$100K or less it goes  
623 only to the Conservation Fund. Over the past ten years, revenues from this source have totaled  
624 \$1.88M, from a low of \$0 in FY03 to a high of \$699K in FY07. It is reasonable to re-direct a portion  
625 of the LUC so that it might be used for police, fire, highway and the other items before us tonight.  
626

627 Budget Chairman Todd Joncas stated the Budget Committee supported Article 10, 7-0-0.  
628

629 Open for discussion. Mike Speltz, 18 Sugarplum Lane recommended a no vote on the article. He  
630 had a PowerPoint slide that displayed a diagram that showed the LUC receipts by fiscal year  
631 averaging about \$180K per year. He said that this fluctuates year from year. He proceeded to  
632 provide the history of the tax. The income from that tax has gone to the Conservation Fund since  
633 1989 to protect Open Space in town. He stated that we have made great progress, but are not  
634 finished. The question to the taxpayer is do you want to continue Open Space which is protected  
635 forever. He said the amount you would save in an average year is about \$3-\$4 on a \$300K house it  
636 could make a big difference over the long term and allow investments in Open Space. Mike Brown,  
637 4 Carousel Court disagreed with M. Speltz. He said this article is a reasonable compromise, the  
638 Town will also receive a portion, and it strikes a reasonable balance between the Town and Open  
639 Space. Greg Warner, 10 Pendleton opposes it because it sets a precedent for using special taxes to  
640 fund general revenue. He wants the money to be kept in the Conservation fund. He does not want to  
641 have special fund revenue shared with the rest of the town budget. Martin Srugis, 17 Wimbledon  
642 Drive said he was on the Open Space Taskforce and according to the report we are close to having  
643 the 39% that was the Open Space goal, we currently have 33%. This is a good idea and would like to  
644 see a stewardship trust fund established. Deb Lievens, 105 Gilcreast Rd. shared the history and  
645 philosophy of the LUC. She said it was the only money they got for Open Space. They have given  
646 \$50K to the General Fund to go against debt service. She said the funds from the LUC should be put  
647 back into the Conservation Commission to make up for the land lost to development. Greg Carson,  
648 19 Tokanel Road talked about the LUC coming in from the Woodmont revenues. This is money  
649 back in our pockets and should be supported. A. Baldasaro agreed with Brown and Carson. He

650 stated that the landowners reap the benefits and said that this is a great article. Barb Stadtmiller  
651 asked for clarification of the article. J. Hooley explained the first \$100K each year that comes in  
652 from the LUC will continue to go to the Conservation Commission. Anything in excess of \$100K;  
653 40% goes to the Conservation Commission and 60% goes to the town. Barb said she cannot support  
654 40%. Pauline Caron, 369 Mammoth Road said she supports the article; they get the first \$100K and  
655 40% after. She said that M. Speltz stated at another meeting that he estimated over \$700K would  
656 come in from Woodmont alone. The Conservation Commission is not getting short changed.  
657 Councilor Freda said they took the numbers from 1977 to 2011 and if you applied J. Hooley's  
658 formula the town would get 32% of the LUC and the Conservation Commission would get 68%.  
659 Paul DiMarco, 38 Holstein said he supports the article. If the petitioners were selfish they would  
660 take all of it. Town Manager Caron clarified that Woodmont is not in current land use, the vacant  
661 property near the airport is not in current land use they are currently paying taxes on the fair market  
662 value. Anne Chiampa, 28 Wedgewood Drive said she heard the figure of \$700K is that for a  
663 particular part. Councilor Farrell said the assessor has not yet put a value on that land; it will come  
664 out in pieces. As individual site plans come in and when it comes out of current use that is when it  
665 will happen. It depends on that and how they develop it. A. Chiampa asked is this the last time this  
666 article can come up. Town Manager Caron said if the formula is changed it becomes effective the  
667 following year. Town Counsel Bart Mayer explained there are different rules depending on what  
668 type of development you are dealing with. Trying to explain how Woodmont Commons comes out  
669 of current use is way too complicated. Town Assessor, Karen Marchant explained when the property  
670 comes out of current use it is determined what the market value is at that time. Woodmont is not  
671 going to be developed at the same time. It will come out either lot by lot or section by section and  
672 that penalty will be determined at that time. They paid \$7M for the Woodmont property. **Barb**  
673 **Stadtmiller amended the Article from 40% to 80%. Second by Anne Gaffney.** B. Stadtmiller  
674 said it can be revisited in the future. Dave Ellis, 1 Wilshire Drive said he opposes the amendment.  
675 Greg Carson, 19 Tokanel explained the original idea came up to reduce the amount of taxes that we  
676 would pay on property taxes. It would reduce the number of homes on open space so homes  
677 wouldn't be built, so no more kids would be in school. We have a revenue generator and if we  
678 change it we will miss the opportunity. He recommended voting against the amendment, leave it at  
679 40% and re-visit it next year. Mike Brown, 4 Carousel Court favors the original article for the same  
680 reasons given by G. Carson, he is against the amendment. He said we have a reasonable compromise  
681 in the article. Jay Hooley, 25 Yellowstone said he opposes the amendment. Any money going to the  
682 general fund can be used for the Conservation Commission or other purposes determined by voters.  
683 **Councilor O'Keefe moved the question, second by Bruce Campbell. Moderator Conley called**  
684 **for the vote on the amendment, the amendment fails. Moderator Conley called for a vote to**  
685 **move the question, the question is moved.**

686

687 **Moderator Conley stated that Article 10 will be on the ballot.**

688

689 **VOTE IN THE AFFIRMATIVE, ARTICLE NO. 10 PASSES.**

690

691 Councilor O'Keefe made a **MOTION** to restrict from reconsideration.

692 **SECOND** by Councilor Tom Freda.



693 **VOTE IN THE AFFIRMATIVE, ARTICLE NO. 10 IS RESTRICTED FROM**  
694 **RECONSIDERATION.**

695  
696 **Mary Soares made a motion to speak to Article 12 before Article 11, second Barb Stadtmiller.**  
697 **Moderator Conley called for a vote and the motion fails; 53 opposed 49 for.**  
698

699 Moderator Michaels proceeded to read Article No. 11.

700  
701 **ARTICLE NO. 11: [ESTABLISH A CAPITAL RESERVE FUND FOR CABLE DIVISION**  
702 **EQUIPMENT]**

703  
704 To see if the Town will vote to establish, pursuant to RSA 35:1, a Capital Reserve Fund for  
705 future equipment replacement at the Cable Access Center, to raise and appropriate **TWO**  
706 **HUNDRED THOUSAND DOLLARS (\$200,000)** for said purpose, to authorize the use of the June  
707 30 Fund Balance for this purpose, and to designate the Town Council as Agents to Expend. If  
708 Article #12 passes, this article will be null and void.

709  
710 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax**  
711 **rate impact of \$0.00 in FY 13 based upon projected assessed values.)**

712  
713 *The Town Council unanimously recommends a yes vote; the Budget Committee by a vote of 2-5-0*  
714 *recommends a no vote.*

715  
716 Councilor Dolan made a **MOTION** to move Article 11 as read for discussion.  
717 **SECOND** by Councilor Freda.

718  
719 Town Manager Caron explained that the Town recently discovered that voters never legally  
720 established the Special Revenue Fund for Cable Revenues, therefore Cable revenues, expenses and  
721 fund balance have been moved to the general fund. The Council recommends that cable expenses  
722 should remain in the general fund and be subject to the same funding justification and prioritization  
723 for public funds as all other Town needs such as police and fire protection. The Council does  
724 recommend that a portion of the fund balance generated by past cable revenues be transferred to this  
725 new Capital Reserve Fund to plan for future equipment replacement at the Cable Access Center.

726  
727 Budget Committee Chairman Todd Joncas stated the Budget Committee does not support Article No.  
728 11, 2-5-0.

729  
730 Open for discussion. Mary Soares, 2 Gail Road urged people to vote against this article because the  
731 taxpayers have voted for the past several years to establish a cable revenue and now know it was an  
732 illegal vote. That fund was specifically for cable funds. It allowed us to pay salaries and buy  
733 equipment. This article only pays for equipment it does not have anything to do with salaries and is  
734 a zero impact to our town. She urged the taxpayers to maintain it the way it was and the way it has  
735 been voted on for many years. Tom Provencher, 75 South Road said it needs to be done as in years

736 past. Greg Warner, 10 Pendleton Lane said he is opposed to the Council putting their hands on  
737 money he paid through his cable fees. It should go to cable only and not decrease cable service.  
738 Budget member Chris Melcher said the cable money allows Comcast to put wires throughout town.  
739 Even if we don't have a cable studio they will still have to pay the fund in their cable bills. Most of  
740 the Budget Committee would like to see it as a general fund item. Gene Jastrem, 19 Horseshoe said  
741 the operating budget has the cable salaries in it already. What are we doing tonight, why are we  
742 spending all this time because the voters will decide in March on all these articles. He said he does  
743 not understand this whole process. Cindy Eaton, 16 Clark Rd. said she has an amendment to Article  
744 **12. Mary Soares made a motion to amend Article 12 to "0", second by Cindy Eaton.** Moderator  
745 Conley read the amended Article and opened it up to discussion on the amendment. Councilor  
746 Farrell explained that a citizen came during the budget process and said we were not treating the  
747 funds properly. At the direction of the Council the Town Manager went to our town attorney and he  
748 advised us that the citizen was correct. There was \$535K in that fund. That money was immediately  
749 moved to the general fund. This Article is saying that we are now funding the cable group out of the  
750 general budget. Comcast does pay a fee to use the Right-of-Way to bring that service to your home.  
751 This article is saying that we are taking \$200K of that \$535K and putting it back in to continue  
752 operating the cable group and continue to buy more equipment. We were told what we had to do to  
753 comply with the RSA's of the state. Chairman of the Budget Committee T. Joncas said he would  
754 hate for us to take away the opportunity for the voters to vote on this article. He said don't change  
755 the article put it before the voters. Budget member John Curran asked if we can legally create a  
756 situation by petition to put the \$200K back into that fund. Attorney Bart Mayer said what is being  
757 said is that there was a certain amount of money and now the question is the disposition of those  
758 funds. The proposal is saying whether to establish a capital reserve fund to handle some of the funds  
759 that have been freed up – there is nothing illegal with doing that. Marie Newman, 26 Otterson Road  
760 said the current amendment is to zero out the article and if Article 12 does not pass in March then  
761 there will be no funds for equipment. She cautioned the voters to not put the amendment through as  
762 it is worded. Cindy Eaton said the \$200K is for equipment only, usually the line item is less than  
763 \$30K. This is not the same revenue fund that they had in place. Greg Carson, 19 Tokanel said if this  
764 article is amended to zero the RSA says no dollars can be appropriated. The next article comes up  
765 and asks for money for a Capital Reserve Fund for the Cable Department how can that be done.  
766 Attorney Bart Mayer said the content of the article that he is debating would be applicable. We have  
767 a Capital Reserve question where they are trying to establish the funding. There is also funding in  
768 the budget for cable services. This article is to set aside money you have available right now for  
769 future purchase of equipment. Those two do not cancel each other out nor does he think establishing  
770 a revenue fund would be inconsistent with establishing or not establishing a capital reserve fund or  
771 funding cable services in the budget. There are three different things going on, there is nothing  
772 legally inconsistent. Councilor Dolan said there are a couple of ways to zero this fund out; support  
773 the amendment to zero it out, if the voters vote for article 12 it will also zero it out because it is null  
774 and void. The money was moved to the general fund when it was found to be illegal and will find its  
775 way to the undesignated fund balance at the end of the year. That money is gone. This is our only  
776 opportunity to create a capital reserve fund to put money aside for equipment. A. Baldasaro asked  
777 what is the difference between capital reserve and a special revenue fund. Town Manager Caron  
778 explained a special revenue fund is a process where you take ongoing revenues to pay for a specified

779 expense. Capital Reserve Fund is either a onetime or the voters can add to it in subsequent years  
780 and put money away in a bank account to pay for specific equipment replacement. A. Baldasaro  
781 stated that the Cable Revenue Fund in Article 12 takes the authorization from the legislative body to  
782 spend it. Town Manager Caron explained in the FY13 budget that is explained in Article 4 there was  
783 a new line item called the “Cable Division” so the annual revenues from the franchise fees are the  
784 operating budget for the Cable Division. He explained the funds have to be spent for the purpose of  
785 the article. It has to be spent on equipment. **Paul DiMarco, 30 Holstein called the question on the**  
786 **amendment, second Greg Warner. Moderator Conley called for the vote on the question and it**  
787 **passed. Moderator Conley then called for the vote on the amendment and the amendment**  
788 **failed. Greg Carson made a motion to move the question, second by Councilor O’Keefe.**

789

790 **Moderator Conley stated that Article 11 is moved to the ballot.**

791

792 Councilor O’Keefe made a **MOTION** to restrict reconsideration.

793 **SECOND** by Councilor Green.

794

795 **VOTE IN THE AFFIRMATIVE, ARTICLE NO. 11 IS RESTRICTED FROM**  
796 **RECONSIDERATION.**

797

798 Assistant Moderator Michaels proceeded to read Article No. 12.

799

800 **ARTICLE NO. 12: [ESTABLISH A SPECIAL REVENUE FUND FOR CABLE**  
801 **DEPARTMENT]**

802

803 To see if the Town of Londonderry will vote to adopt the provisions of RSA 31: 95-c to  
804 restrict all the franchise fees and any other revenues from the Cable provider to expenditures for the  
805 purpose of all Cable Department and PEG Access purposes. Such revenues and expenditures shall be  
806 accounted for in a Special Revenue Fund to be known as the Cable Special Revenue Fund, separate  
807 from the general fund accumulated surplus and shall be expended only after a vote by the legislative  
808 body to appropriate a specific amount from said fund for a specific purpose related to the purpose of  
809 the fund or source of revenue. (By Citizens’ Petition)

810

811 **(If passed, this article will prevent the Town from utilizing \$105,000 in franchise free revenues to**  
812 **help defray General Fund Operating expenses, resulting in a tax rate impact of \$0.03 in FY 14**  
813 **based upon projected assessed values.)**

814

815 *The Town Council unanimously recommends a no vote; The Budget Committee unanimously*  
816 *recommends a no vote (0-6).*

817

818 Councilor Green made a **MOTION** to move Article No. 12 as read for discussion.

819 **SECOND** by Councilor O’Keefe.

820

821 Open for discussion. Petitioner Cindy Eaton said for the past 9-10 years the taxpayers have  
822 supported the Cable Special Revenue Article for the Access Center. It supported the entire  
823 department. When it was found out that the funds were not legally established all the monies that  
824 were collected from the franchise fees were put into the Undesignated Fund Balance. The  
825 Council did not present this article so she did. She stated that 85% of the town uses cable and  
826 they have a franchise fee tax that went to a special cable revenue fund. Until a few years ago all  
827 5% was to self fund the Access Center. They moved the money and there is nothing to fund the  
828 Access Center except they did put it in the budget. She said they are raising taxes to fund it;  
829 there was no tax before with the revenues that came in.

830

831 Budget Chairman Todd Joncas stated that the Budget Committee does not support Article No. 12, 0-  
832 6-0.

833

834 Open for discussion. Martin Srugis clarified that the fee is the fee from Comcast for the privilege to  
835 run lines in the town. Town Manager Caron stated that is correct. M. Srugis asked if this article  
836 were to pass it would fund the whole Cable Department, if all their costs are met where do the extra  
837 funds go and can they be used for anything else. Town Manager Caron responded the extra monies  
838 stay in the Special Revenue Fund and according to the language in the article the funds would have  
839 to be used for that particular purpose. M. Srugis asked if there is a limit to how much money can  
840 accumulate in that fund. Town Manager Caron responded not that he is aware of. M. Srugis then  
841 asked if we pass this article what kind of empire is the cable studio going to build because they have  
842 all this money. He said he is against the article; the cable studio should be part of the general fund.  
843 Town Manager Caron clarified that he understood C. Eaton say that currently in the general fund  
844 taxes pay for the cable studio. Due to the Special Revenue Fund both the revenues and the expense  
845 will move to the General Fund so there is still no tax impact. David Ellis, 1 Wilshire Dr. asked for  
846 clarification of the revenue fund and the legal ramifications. Attorney Bart Mayer explained the  
847 history of how the fund was established. D. Ellis stated that this article is unnecessary and he would  
848 like to propose an amendment to it. Moderator Conley stated we already have an amendment that  
849 she was given, D. Ellis said he would wait to hear that amendment first. Budget member T. Joncas  
850 explained the current way in which the Cable Department is funded puts less of a risk on the Cable  
851 Access to continue versus the risk of funding it if this particular article does not pass. The current  
852 method maintains the money for the cable fund; the new method will reserve funds that can only be  
853 used for the Cable Division and the concern there was it could potentially accumulate into a very  
854 large reserve that could not be used anywhere else. The current methodology allows some flexibility.  
855 The proper way to do it is funds' flowing in and out of the general fund and that is the way the  
856 Budget Committee felt. Tom Provencher, 75 South Road said the idea of a gigantic surplus is  
857 whacky, that won't happen. Mary Soares, 3 Gail Road said for years we have been voting on the  
858 special revenue fund thinking that it was legal. Only in the past few years the town has been  
859 reaching into the funds. As a town we decided to fund the Access Center and buy equipment; many  
860 of us want a funded Cable Access Center. If it is changed now we will not have what we want. We  
861 pay taxes to get what we want and what we need. Jerry Connor, 1 Lance Avenue asked why are we  
862 changing this when we wanted a special fund. Councilor Farrell said we did not initiate the change.  
863 We were asked a legitimate question; the answer we got back was that we established a Special

864 Revenue Fund prior to the law that was allowing us to do that. The only remedy given to us was that  
865 we do what we did; we have to transfer the money to the general fund. The Council took \$200K and  
866 gave it back to the Cable. It takes \$260K to run the Cable Dept. That is \$460K of the \$535K. We  
867 are using the same money just accounting for it a different way, we are trying to do the right thing. J.  
868 Connor asked if any jobs are being lost. Town Manager Caron explained all departments except  
869 cable have had personnel reductions due to the economic times. The FY12 budget which is the  
870 current budget we are in the Council supported to reduce staff in the Cable Department from 3 to 2  
871 but deferred that decision until FY13 out of respect to the Cable Director who announced a year ago  
872 she would retire in 2012. This budget does include a reduction in full time staffing from 3 to 2  
873 which we found is consistent with other cable operations throughout the state. J. Connor asked  
874 which position they were looking at. The Town Manager responded what they usually do is look at  
875 the roles and responsibilities and we prioritize those and upon review we will have two positions  
876 called the "Director of Cable and Technical Operations" and "The Training Coordinator, Customer  
877 Assistant Representative." These proposals have to be brought forth to the Town Council for their  
878 review and approval under our Charter process for reorganization. J. Connor asked if this is  
879 something the town will be voting on; the Town Manager responded this is a policy decision for the  
880 Town Council. J. Connor said he opposes reducing the staff level; maintain it at the level of service  
881 it is currently at. Anne Gaffney, 28 Tokanel Drive said there is \$75K that was moved into the  
882 general fund that is not being used for the Cable Department as proposed in Article 12. The Town  
883 Manager explained that \$535K was transferred into the general fund, \$200K is recommended to use  
884 for future equipment replacement which leaves a balance of \$335K which still sits in the fund. The  
885 operating budget is about \$265K for FY13 which comes regularly from Comcast; the expenses are  
886 offset by revenues. A. Gaffney said we have the money to fund the 3<sup>rd</sup> position. Town Manager said  
887 if the town continues to dedicate revenue funds exclusively for cable you have enough revenues for  
888 three positions. What the Councils recommended budget is to consider all revenues which are not  
889 restricted by law and prioritize those and look at public safety, road maintenance, libraries, etc. A.  
890 Gaffney asked are we authorizing the Councilors to make the decisions about where that money goes  
891 or are we restricting them to a special fund that will maintain the level of services that we have in the  
892 past. Councilor Freda said right now all cable funds are headed to the general fund in Article 4. If  
893 Article 12 passes those funds are no longer going to the general fund. This article will make us short  
894 about \$380K because it was moved from the general fund to a special revenue fund. One of those  
895 line items is the cable, you take it out, and you have to raise property taxes by \$380K which is the  
896 revenue item. The expenditure items have the expenses for cable in the budget. The tax impact will  
897 be 12-13 cents per thousand. Councilor Farrell said if we are \$380K in the hole we lay off 4 people.  
898 A. Gaffney asked if we could shift costs budgeted in the budget to the Special Revenue Fund for  
899 Cable. Councilor Freda said no there is no money. Attorney Bart Mayer said there is no money in  
900 that fund. Discussion ensued. Budget member Dan Lekas said this particular article asks for all the  
901 franchise fees to go to the cable. Those fees are contracted and eventually that contract runs out;  
902 what happens when there are no franchise fees how will you fund the cable then. Mark Elliott, 107  
903 Gilcreast Road said he fully supports this article; it should have a standalone budget which  
904 guarantees a first amendment, freedom of the press. Cindy Eaton, 16 Clark Rd said the special  
905 revenue fund was never legally established. Counsel told the Town Manager to legally establish it  
906 she said she had a letter from the attorney and proceeded to read a section from it. She said she

907 would like to make an amendment to the article. Paul DiMarco, 30 Holstein Avenue said he is a  
908 Comcast user and he has no problem with the monies going into the General Fund. He said he won't  
909 support the article. Dottie Grover, 537 Mammoth Road, Director of the Cable Studio said she is  
910 retiring in 2012 but does not have a date yet. She explained the history of the cable revenue funds  
911 and explained building up the funds to have 2 years reserve of monies in case the cable fees  
912 disappear. She said the Town Manager has said the cable revenues can't support 3 people. That is  
913 not true. She said as of 6/11 there is \$535K in the fund which will support 3 people. If they continue  
914 taking \$104-\$105K out each year it eventually will not be able to support the 3 people. **Cynthia**  
915 **Eaton made a motion to amend Article 12, to appropriate \$327K from the undesignated fund**  
916 **balance for the purpose of self-funding the Londonderry Access Center including salaries for 3**  
917 **employees to be established July 1, 2012. Second by Mary Soares.** A. Baldasaro, 41 Hall Road  
918 said this is already part of the budget and voted on. If the amendment passes are we responsible for  
919 coming up with this money. Greg Carson called for point of order and said this article was not  
920 properly warranted therefore it is not valid; the Department of Revenue Administration (DRA) will  
921 throw it out. It is an invalid amendment. Attorney Bart Mayer stated he was in agreement with that  
922 observation and several others that it was invalid. The form of the question is prescribed by statute.  
923 The statutes say you may not amend the form of a question prescribed by statute. You can't do this.  
924 Secondly no one knew that you were going to appropriate money into the account and it is not  
925 properly worded. G. Carson asked the Moderator to declare it invalid to take it off the table for a no  
926 vote. Moderator Conley responded we can't go forward with the amendment as the attorney just  
927 explained. **Cynthia Eaton said she has another motion to amend. She said she would like to**  
928 **add to that amendment at the end to read "related to the purpose of the fund or source of**  
929 **revenue to be established July 1, 2012."** Attorney Bart Mayer reiterated that you can't amend the  
930 question when the form is prescribed by statute, so you can't add that. Secondly, the effective date is  
931 the prerogative of the Council. C. Eaton said she was told as long as it doesn't change the intent of  
932 the article she can introduce that. Moderator Conley asked to take a 2 minute break to talk to  
933 Counsel. After the brief break Moderator Conley said according to law we can't change the wording  
934 of the article. If that were done and we send it to DRA they will send it back. The amendment is  
935 out of order. **Councilor Dolan suggested amending the language and change the words "to**  
936 **restrict all the franchise fees" to read "to restrict 70% of the franchise fees.** Asst. Town  
937 Moderator Michaels said state statute allows that change. **Greg Carson seconded the new**  
938 **amendment.** Steve Young, 7 Fiddlers Ridge Road asked if the amendment were to pass can the  
939 Council take a vote on whether they will support it or not. Attorney B. Mayer said that is correct.  
940 **Councilor Farrell moved the question, second by Councilor Green.** M. Soares asked when does  
941 it take effect? Councilor Dolan said Council needs advice from the Town Manager and Finance  
942 Director so as not to make a hole in the budget. Budget member John Curran asked what is the tax  
943 implication. Town Manager Caron said the FY13 revenues are in the operating budget to pay cable  
944 expenses until 7/1/13. The funds should be transferred as of that date; Council will take a vote on it.  
945 If that sequence of events happens; the tax impact will be zero. **Councilor Farrell made a motion**  
946 **to move the amendment. Second by Councilor Green. Vote to move the amendment passed.**  
947 **Moderator Conley called for a vote on the amendment and it passed.**  
948  
949 **Moderator Conley stated that Article 12 as amended is moved to the ballot.**

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Councilor Dolan made a **MOTION** to restrict reconsideration.  
**SECOND** by Councilor Green.

**VOTE IN THE AFFIRMATIVE, ARTICLE 12 IS RESTRICTED FROM RECONSIDERATION.**

**Greg Carson made a motion to move to Article 18 at this point, second Al Baldasaro.** G. Carson said he wants to address that article now while people are still here to vote on it. Steve Young said the same could be said for the union votes, we should stick with the order as presented.

**Assistant Moderator Michaels asked for a vote to move to Article 18. Vote to move to Article 18 fails.**

Assistant Moderator Michaels read Article 13.

**ARTICLE NO. 13: [RATIFY COLLECTIVE BARGAINING AGREEMENT BETWEEN AFSCME Local 1801 and THE TOWN OF LONDONDERRY]**

To see if the Town will vote to approve the cost items included in the collective bargaining agreement reached between the Town of Londonderry and the American Federation of State, County and Municipal Employees (AFSCME), Local 1801, which calls for the following appropriations for salaries and benefits over what was raised under any current agreements and policies for the employees of the Union:

<u>Year</u>	<u>Cost Increase From Prev. FY</u>	<u>Tax Increase From Prev. FY</u>	<u>Total Estimated Cumulative Cost</u>	<u>Average Pay Rate Incr.</u>
FY 13	\$ 6,764.00	\$ 0.00	\$ 6,764.00	0.00%
FY 14	\$ 23,557.00	\$ 0.01	\$ 30,321.00	2.00%
FY 15	\$ 24,800.00	\$ 0.01	\$ 55,121.00	2.00%

and further, to raise and appropriate the sum of \$ **6,764.00** (<\$0.01 on the tax rate) for the FY 13 expenses, such sum representing the additional cost attributable to the increase in salaries and benefits over those of the appropriation at the current staffing levels paid under any existing agreements. (AFSCME Local 1801 represents 19 full time and 2 part time employees, consisting of Public Works employees and Town Office staff support positions.)

**(If passed, this article will require the Town to raise an additional \$6,764.00 in property taxes, resulting in a tax rate increase of <\$0.01 in FY 13 based upon projected assessed values.)**

***The Town Council unanimously recommends a yes vote; The Budget Committee unanimously recommends a yes vote (6-0).***

993 Councilor Farrell made a **MOTION** to move Article 13 for discussion  
994 **SECOND** by Councilor O'Keefe.

995  
996 Town Manager Caron explained the proposed agreement covers a three year period, from July 1,  
997 2012 through June 30, 2015. The parties have agreed to the following:

- 998
- 999 • Cost of living adjustments at 0% in FY13, 2% in FY14 and 2% in FY15
  - 1000 • Employees will continue to pay 20% of their health care premium costs
  - 1001 • Employees have agreed to defer some end of service payments in order to help the Town
  - 1002 avoid any supplemental retirement assessments issued by the New Hampshire Retirement
  - 1003 System
  - 1004

1005 If you are on a step system and you are under an expired contract you cannot move to the next step.  
1006 The amount of money that is being requested to be raised is to allow the 5 of the 21 employees in  
1007 this unit to receive their step increases.

1008  
1009 Budget member Chairman Todd Joncas stated that the Budget Committee supported Article 13, 6-0-  
1010 0.

1011  
1012 Open for discussion – No discussion

1013  
1014 **Moderator Michels stated that Article 13 is moved to the ballot.**

1015  
1016 Anne Gaffney made a **MOTION** to restrict reconsideration.  
1017 **SECOND** by Kathy Wagner.

1018  
1019 **VOTE IN THE AFFIRMATIVE, ARTICLE 13 IS RESTRICTED FROM**  
1020 **RECONSIDERATION.**

1021  
1022 Assistant Moderator Michels proceeded to read Article 14.

1023  
1024 **Councilor Freda made a motion to waive the reading of the Article, second by another voter.**  
1025 **Assist. Moderator Michels called for a vote to waive the reading and the vote passed.**

1026  
1027 **ARTICLE NO 14: [RATIFY COLLECTIVE BARGAINING AGREEMENT BETWEEN**  
1028 **AFSCME LAEA – PUBLIC SAFETY and THE TOWN OF**  
1029 **LONDONDERRY]**

1030  
1031 To see if the Town will vote to approve the cost items included in the collective bargaining  
1032 agreement reached between the Town of Londonderry and the Londonderry Administrative  
1033 Employees Association (Public Safety), and in doing so, to approve the cost items within said  
1034 Agreement, which calls for the following appropriations for salaries and benefits over what was  
1035 raised under any current agreements and policies for the employees of the Union:



*Town of Londonderry*

*Deliberative Session-Budgetary Session*

*February 06, 2012*

1036		Cost Increase	Tax Increase	Total Estimated	Average
1037	<u>Year</u>	<u>From Prev. FY</u>	<u>From Prev. FY</u>	<u>Cumulative Cost</u>	<u>Pay Rate Incr.</u>
1038					
1039	FY 13	\$ 756.00	\$ 0.00	\$ 756.00	0.0%
1040	FY 14	\$ 27,762.00	\$ 0.01	\$ 28,518.00	2.0%
1041	FY 15	\$ 28,441.00	\$ 0.01	\$ 56,959.00	2.0%

1042  
1043 and further, to raise and appropriate the sum of **\$ 756.00** (<\$0.01 on the tax rate) for the FY 13  
1044 expenses, such sum representing the additional cost attributable to the increase in salaries and  
1045 benefits over those of the appropriation at the current staffing levels paid under any existing  
1046 agreements. (AFSCME, LAEA-Public Safety represents 15 full time management and professional  
1047 positions in the Fire and Police Departments.)

1048  
1049 **(If passed, this article will require the Town to raise \$756.00 in property taxes, resulting in a**  
1050 **tax rate increase of <\$0.01 in FY 13 based upon projected assessed values.)**

1051  
1052 *The Town Council unanimously recommends a yes vote; The Budget Committee unanimously*  
1053 *recommends a yes vote (6-0).*

1054  
1055 Town Councilor Tom Dolan made a **MOTION** to move Article 14 for discussion.  
1056 **SECOND** by Councilor Green.

1057  
1058 Town Manager Caron said this is also a three year agreement with the same cost of living  
1059 adjustments. In addition to the concession made in the prior agreement they have agreed to a  
1060 reduction in the maximum amount of sick leave to be paid upon separation by 50% and the merit  
1061 review eligibility levels have been further decreased. The \$756 cost represents the employees who  
1062 these members supervise have a benefit in their agreement in which they receive a life insurance  
1063 policy from the town in the amount of one year salary up to \$100K. This unit currently has a  
1064 maximum of \$50K so we have agreed to increase that to \$100K. The cumulative cost of all the  
1065 employees is \$756 in FY 13.

1066  
1067 Budget member Chairman Todd Joncas stated that the Budget Committee supported Article 14, 6-0-  
1068 0.

1069  
1070 Open for discussion – None

1071  
1072 **Assistant Moderator Michaels stated that Article 14 will be on the ballot.**

1073  
1074 **VOTE IN THE AFFIRMATIVE, ARTICLE 14 PASSES.**

1075  
1076 Anne Gaffney made a **MOTION** to restrict reconsideration.  
1077 **SECOND** by Kathy Wagner.

1078

1079 VOTE IN THE AFFIRMATIVE, ARTICLE 14 IS RESTRICTED FROM  
1080 RECONSIDERATION.

1081

1082 Assistant Moderator Michaels proceeded to read Article 15

1083

1084 Anne Gaffney made a motion to not read the narrative. Second by Kathy Wagner.

1085

1086 **ARTICLE NO 15:** [RATIFY COLLECTIVE BARGAINING AGREEMENT BETWEEN  
1087 AFSCME LAEA – TOWN ADMINISTRATIVE PERSONNEL and THE  
1088 TOWN OF LONDONDERRY]  
1089

1090 To see if the Town will vote to approve the cost items included in the collective bargaining  
1091 agreement reached between the Town of Londonderry and AFSCME LAEA-TAP and in doing so, to  
1092 approve the cost items within said Agreement, which calls for the following appropriations for  
1093 salaries and benefits over what was raised under any current agreements and policies for the  
1094 employees of the Union:

1095		Cost Increase	Tax Increase	Total Estimated	Average
1096	<u>Year</u>	<u>From Prev. FY</u>	<u>From Prev. FY</u>	<u>Cumulative Cost</u>	<u>Pay Rate Incr.</u>
1097					
1098	FY 13	\$ 0.00	\$ 0.00	\$ 0.00	0.0%
1099	FY 14	\$ 17,176.00	\$ 0.01	\$ 17,176.00	2.0%
1100	FY 15	\$ 17,636.00	\$ 0.01	\$ 34,812.00	2.0%

1101

1102 and further, to raise and appropriate the sum of \$ 0.00 (\$0.00 on the tax rate) for the FY 13 expenses,  
1103 such sum representing the additional cost attributable to the increase in salaries and benefits over  
1104 those of the appropriation at the current staffing levels paid under any existing agreements. (LAEA-  
1105 TAP represents 11 full time and 1 part time management and professional positions in six  
1106 Departments.)

1107

1108 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a**  
1109 **tax rate increase of \$0.00 in FY 13 based upon projected assessed values.)**

1110

1111 *The Town Council unanimously recommends a yes vote; The Budget Committee unanimously*  
1112 *recommends a yes vote (6-0).*

1113

1114 Councilor Tom Freda made a MOTION to move Article 15 for discussion

1115 SECOND by Councilor O’Keefe.

1116

1117 Town Manager Caron – said this has the exact same explanation as the previous agreement except  
1118 that these employees have not requested an increase in their life insurance coverage’s. The FY13  
1119 cost is zero.

1120

1121 Budget Committee Chairman Todd Joncas said the Budget Committee supported Article 15, 6-0-0.

1122  
1123 Open for discussion – No discussion.

1124  
1125 **Assistant Moderator Michaels stated that Article 15 will be on the ballot.**

1126  
1127 Kathy Wagner made a **MOTION** to restrict reconsideration.  
1128 **SECOND** by Anne Gaffney.

1129  
1130 **VOTE IN THE AFFIRMATIVE, ARTICLE 15 IS RESTRICTED FROM**  
1131 **RECONSIDERATION.**

1132  
1133 Assistant Moderator Michaels proceed to read Article 16

1134  
1135 **ARTICLE NO. 16: [AUTHORIZATION FOR SPECIAL MEETING ON COST ITEMS]**

1136  
1137 To see if the Town will vote, if any of Articles 13-15 is defeated, to authorize the Town  
1138 Council to call one special meeting, at its option, to address Article 13-15 cost items only.  
1139 (This article, if passed will have no tax impact.)

1140  
1141 *The Town Council unanimously recommends a yes vote; the Budget Committee unanimously*  
1142 *recommends a yes vote*

1143  
1144 Town Councilor John Farrell made a **MOTION** to move Article 16 for discussion.  
1145 **SECOND** by Councilor O’Keefe.

1146  
1147 Town Manager Caron explained this Article will allow the Town Council to schedule one Special  
1148 Town Meeting without having to petition Superior Court for approval should the voters reject either  
1149 of the proposed Agreements in Articles 13-15.

1150  
1151 Budget Committee Chairman Todd Joncas said the Budget Committee supported Article 16, 7-0-0.

1152  
1153 Open for discussion – Anne Gaffney asked if we had to have a special town meeting do we need to  
1154 have a separate meeting for each article or can we have one for all 3. Attorney Bart Mayer said the  
1155 one special meeting will cover all contracts.

1156  
1157 **Moderator Conley stated that Article 16 is moved to the ballot.**

1158  
1159 Pam Jorgenson made a **MOTION** to restrict reconsideration.  
1160 **SECOND** by Kathy Wagner.

1161  
1162 **VOTE IN THE AFFIRMATIVE, ARTICLE 16 IS RESTRICTED FROM**  
1163 **RECONSIDERATION.**

1164

1165 Moderator Conley proceeded to read Article 17

1166

1167 **Anne Gaffney made a motion to move the reading, second by Kathy Wagner**

1168

1169 **ARTICLE NO. 17: [ESTABLISH ROADWAY MAINTENANCE TRUST FUND]**

1170

1171 To see if the Town will, pursuant to RSA 31:19a, vote to establish an Expendable Trust  
1172 Fund, to be called the Roadway Maintenance Trust Fund, for purpose of maintenance, replacement,  
1173 removal or improvement of the Town's roadways and to raise and appropriate the sum of **TWO**  
1174 **HUNDRED FIFTY THOUSAND DOLLARS (\$250,000)** to be placed in this trust fund; to  
1175 authorize the use of the June 30 Fund Balance in the amount of \$250,000 for this purpose; and to  
1176 designate the Town Council as Agent to Expend (Majority vote required).

1177

1178 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax**  
1179 **rate impact of \$0.00 in FY 13 based upon projected assessed values.)**

1180

1181 *The Town Council unanimously recommends a yes vote; the Budget Committee unanimously*  
1182 *recommends a yes vote.*

1183

1184 Councilor Freda made a **MOTION** to move Article 17 for discussion.

1185 **SECOND** by Councilor Green.

1186

1187 Town Councilor Freda said this Article is in concert with Article 2 and it is proposed to begin the  
1188 process to transition funding for Road Reconstruction activities from long-term bonding to the  
1189 property Tax Support. It is the Council's intent to request an increase in funding for this purpose  
1190 during each successive fiscal year, including any available funds resulting from the Town's declining  
1191 debt service obligations.

1192

1193 Budget Committee Chairman Todd Joncas said the Budget Committee supported Article 17, 7-0-0.

1194

1195 Open for discussion – No discussion.

1196

1197 **Moderator Conley stated that Article 17 is moved to the ballot.**

1198

1199 Anne Gaffney made a **MOTION** to restrict reconsideration.

1200 **SECOND** by Dan Lekas.

1201

1202 **VOTE IN THE AFFIRMATIVE, ARTICLE 17 IS RESTRICTED FROM**  
1203 **RECONSIDERATION.**

1204

1205 Moderator Conley proceeded to read Article 18.

1206

1207 **ARTICLE NO. 18: [RE-DISTRICTING COMMISSION]**

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Shall Londonderry establish a re-districting commission to divide the town into 2 or more districts for the purpose of electing representatives to the General Court? (By Citizens' Petition)

Councilor John Farrell made a **MOTION** to support Article 18 with discussion.

**SECOND** by Councilor O'Keefe.

The Petitioner was not in attendance. A. Baldasaro said we re-district every 10 years after the census. The legislative body already voted on re-districting, this should have been brought up 2 months ago. We can't re-district for another 10 years in Concord. He said he would make a motion to amend from "the town into 2" and put "0". Attorney Bart Mayer said he can't change it. Marilyn Hoffman asked the voters not to decide anything. We are the largest polling place in the state. Anne Chiampa, 28 Wedgewood Drive said she is not clear on what it means. Councilor Farrell said the Council was asked to put this on the ballot and we did not want to do that so the petitioner went and got the required signatures. The way it was explained is that it is a vote to establish a commission like the Charter Commission. The Council will have to appoint people to that commission to decide if it is feasible to have wards. Councilor Dolan said this is a vote to create a commission not to do any re-districting. If that commission comes back with a recommendation it will be at least a year away. Councilor Green said if we divide the town it will have extra costs. Greg Carson 19 Tokanel Drive said he is the Secretary of the State Republican Committee, the sentence says divided into 2 or more districts. He said cities divide up cities in the state no towns in the state do that and stated that the petitioner gave false information. You can break up into two districts so that the people can vote in two different places which is what happens in Derry and Salem. They don't elect their state representatives by one part of town and the other part of town – they are all at-large just as we do in Londonderry. The way the law stands today we can't do it. The only reason this article is coming forward is because the minority party in Londonderry wants to be able to divide the town up so they can concentrate their activity to get one Democrat state representative elected. All it is doing is trying to get rid of a state representative. This petition should fail. Jerry Connor, 1 Lance Ave. said if this is an attempt to get a Democrat elected he said he doesn't think it will happen. He said all this is doing is forming a commission. He asked the Town Manager if this article was run pass the Secretary of State. Town Manager Caron responded yes it was. They recommended if the community wanted to vote in the commission and if their vote is to re-district then it is up to the Secretary of State's office. Tim Siekmann, 89 Hovey Rd. said it is just a study group it is up to the townspeople. Councilor Green asked the Town Clerk if it will cost more money to re-district and she confirmed it will be additional costs if the town decided to move forward to re-districting. **Marilyn Hoffman** explained why the proposal came up and stated it is a very long process. **She moved the question**, Bruce Campbell, 7 Willow Lane asked to get this back on track.

**Town Moderator Conley stated that Article 18 will be moved to the ballot.**

Councilor O'Keefe made a **MOTION** to restrict reconsideration.

1251 **SECOND** by Councilor Green.

1252

1253 **VOTE IN THE AFFIRMATIVE, ARTICLE 18 IS RESTRICTED FROM**  
1254 **RECONSIDERATION.**

1255

1256 Reed Page Clark said 133 people came today. He proceed to say that at the 1946 Town Meeting and it  
1257 had over 100 people voting but they had enough time to have a baked bean supper afterwards and asked if  
1258 we had time to go out for supper. Moderator Conley said we are done with the meeting but we will not  
1259 adjourn until the Budget Committee can vote on the amended Article.

1260 Budget Chairman Todd Joncas asked for a vote on Article 12 as amended. They voted unanimously for a  
1261 no vote on Article 12 as amended, 0-6-0.

1262

1263 **MOTION TO ADJORN** by Councilor Farrell.

1264 **SECOND** by Councilor Green.

1265

1266 **VOTE IN THE AFFIRMATIVE TO ADJORN THE TOWN DELIBERATIVE SESSION**  
1267 **AT 11:34 PM.**

1268

1269 Respectfully Submitted:

1270

1271 Marguerite Seymour

1272 Town Clerk/Tax Collector