

TOWN COUNCIL MEETING
March 26, 2012

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

PRESENT: Town Council: Councilors: Tom Dolan, John Farrell, Tom Freda, Vice Chairman Joe Green, Jim Butler; Town Manager Dave Caron; Executive Assistant, Margo Lapietro.

Call to Order

Vice Chairman Joe Green opened the meeting at 7:02 PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country.

Public Comment

Town Council Election of Officers - Vice Chairman Green nominated Tom Dolan as Chairman, second Councilor Butler. Councilor Dolan respectively declined the nomination due to job commitments. Vice Chairman Green withdrew his nomination; Councilor Butler withdrew his second. Councilor Dolan nominated John Farrell, second by Councilor Butler. Council's vote was 5-0-0. Councilor Butler nominated Councilor Tom Dolan for the Vice Chair position, second Councilor Green. Council's vote was 5-0-0.

Town Planning and Urban Design Collaborative-Master Plan Process - Community Development Director Andre Garron introduced the planning consultants who have been hired to update the comprehensive Master Plan. The Master Plan Sub-Committee selected Town Planning & Urban Design from the many proposals that they received. Brian Right and Cara Wilber were in attendance to provide an overview. He explained their approach; they are focusing on fundamental principles and relevant data application. He explained how their presentation/design team is organized and what they would be doing during their week long collaboration with the town. He explained the need for local expertise and how they would obtain input from the townspeople. They have created a Facebook page for information and postings. They are calling the program "Get it Right Londonderry". Councilor Dolan suggested striking the words "urban and city" out of the conversation. Chairman Farrell suggested they approach the parents at the LAFA fields to get their input.

Interviews for Manchester Airport Authority Representative -

Nick Codner, 162 Litchfield Rd expressed his interest in serving the community on the Authority. Councilor Butler asked him if he was familiar with the airport, and he responded he was. Councilor Green asked him what he could bring to the committee. He said he has lived in Londonderry since 1974, owns a construction company, had constructed the band stand on the Town Common and is a pilot familiar with the airport. He said the growth in town has been managed well. He said 2/3 of the airport is located in Londonderry, we have been good neighbors and he would like to see it stay that way. He said he will keep the town apprised of the direction and intent of the airport and at the same time informing the airport administration of any concerns the town has. Councilor Freda asked what his views on further expansion at the

airport are. He responded that there was not much room for expansion; the runways are at their limit. The expansion will be industry around the airport which is beneficial to the town. Councilor Dolan asked him if he sees this appointment as a way to keep the airport aware of our ideas on the development around the airport. He responded that is exactly what is entailed in the position; he would keep both sides connected. Chairman Farrell asked if he talked to the Airport Director, Mark Brewer. N. Codner responded he has not. Chairman Farrell explained the process to make an appointment; Council makes a recommendation to the Airport Director, he takes it to the Manchester Alderman who make the appointment. Whoever is recommended by Town Council will have an interview by the Airport Director. He explained that M. Brewer is looking for people who have a lot of experience/interaction with the airport over the years.

Mike Boyle, 6 Angela Lane – Councilor J. Boyle asked him what is his view on development at the airport and Pettengill Rd. M. Boyle responded the new infrastructure was important. Councilor Green asked him what his qualifications were and what did he have to offer. M. Boyle responded he is a long term resident, he was a candidate for School Board, he has been a military pilot for 30 years and started landing at the airport in 1986 and explained the types of aircraft he flew. He further stated that he is retiring from the military and will have time to volunteer his services to the town. Councilor Dolan thanked him for volunteering and asked him what noise mitigation can be done for the people around the runways. He mentioned the air craft have changed their arrival patterns, they have quieter engines; most modifications have already been completed. Chairman Farrell asked him if he talked to Mark Brewer, he responded he has not but he is currently reading a book that details the history of the airport. Chairman Farrell said one problem that the airport has encountered recently is the decline of business passengers; they have to bring in more.

Chairman Farrell also said there are additional openings on other boards, so both of them should contact Margo. The consensus was to make the appointment at the 4/2/12 meeting

Cable Director, Dottie Grover informed Council that she is retiring on 6/30 and intends to volunteer her services to the Cable Department. Council congratulated and thanked her for her years of service to the town.

Councilor Dolan made a motion to open the Public Hearing, second Councilor Freda. Council's vote was 5-0-0.

Public Hearing

Resolution 2012 – 02 – Relative to Renaming Kelly Road - Councilor Green made a motion to waive the reading, second Councilor Freda. Council's vote to waive the reading was 5-0-0.

Community Development GIS Manager John Vogl, Town Assessor Karen Marchant, Londonderry Fire Department (LFD) Fire Marshall, Brian Johnson were in attendance. Councilor Freda asked if he will know of the name change to the street in his GPS system. J. Vogl responded unless you update the GPS, it will not be reflected. They do provide updated

information to the GPS people. J. Vogl said there was a question at the last meeting about a letter from Mrs. Beal regarding the historical nature of Kelly Road. One property was built in 1851; the Kelly family purchased it in 1920. He said he contacted the Historic Property Task Force and found that there were 2 properties that were deemed to have historical importance on Kelly Rd. Councilor Dolan asked about the letter received from the airport regarding Kelly Avenue. Chairman Farrell responded it was reviewed at the last meeting. J. Vogl had a map indicating Kelly Avenue and Kelly Road on display. He said they did receive a petition signed by 107 residents in opposition to staff recommendations. J. Vogl said this name change is based on a letter received in 2009 from E-911 identifying numerous roads that were inconsistent with their standards. He said so far they have changed address for more than 400 properties. The Street Naming Task Force was formed to correct known errors which if not acted upon could result in liability. Chairman Farrell asked the Town Manager about a case involving rescue crews responding to the wrong address. Town Manager Caron responded the incident was in Swanzey and the town was held liable for a resulting death. LFD Fire Marshall Brian Johnson said at the last meeting he was questioned if there has been a problem with Kelly Ave. and Kelly Rd. Since then he has spoken to some Captains in the department and they did bring up a few incidences and he sighted one incident. Changing Kelly Ave at the airport might cause problems; the Kelly Ave gate is LFD's access to the runways. Councilor Dolan asked J. Vogl where did the suggestion for Horizon Rd. come from, J. Vogl responded from the residents. He explained they have had 2 workshops with the residents. Stage Coach was also suggested but it was not received warmly. Councilor Freda asked if the insurer for the town has said anything about declining coverage if we don't take action on this. Town Manager Caron responded he has not had that conversation; he can follow up on it. Councilor Green asked about having the homeowners sign a waiver to not hold the town responsible if the name was not changed. Town Manager Caron responded he would have to contact our carrier and counsel. Ryder Daniels, 22 Kelly Rd thanked J. Vogl and his team for all the work they have done. He said another issue in Swanzey is that the street signs were out of date. Look at facts in addition to liability, there will always be safety concerns; 911 calls are subjective. Kelly is a common name. GPS shows Kelly Rd. is mostly in Manchester. He stated there have been no problems and asked the Council to look at the details. He said he has a small software business in his house and it will be costly for him to change his address. Delores Stoklosa, 6 Kelly Rd. said she wants the Council to be sensitive to the residents and the costs to the homeowners. Dr. Melissa Nemon, 7 Kelly Rd. has a home business; she has a lot of contracts like Ryder does. She said it will cost her money for her small business to change her road name. She said with the restructuring going on around the airport, the name Kelly Ave. could possibly be changed. Lisa Travaline 10 Kelly Rd. said she has lived there for 27 years, and has not encountered any problems with emergency vehicles getting there. Deborah Lack, 22 Kelly Rd. explained that only 30 percent voted for the top two names, Horizon is really not a choice because no one wants to change the name. She clarified that there are 2 historical homes on the road. She explained there will be delays in receiving checks from their business clients if they change the name. David Nemon, 7 Kelly said the signage for rally points at the airport for the LFD & LPD don't list the name on the streets; the signs just have different colors. Changing the name will cause more problems. Bob McCarther, 19 Kelly Rd. didn't want the name changed. Fire Marshall Brian Johnson said his concern is safety that is why he brought it up, if a person calls with a medical issue they might not be able to speak clearly. Tim Scott from the Bureau of Emergency Communications, E-911 explained they are going through the entire state with recommendations that are based on the most common problems with mutual aid situations. He said there are multiple Kelly streets in Manchester and they are on the list of multiple street names like Londonderry. He clarified that the Post Office

default time is 12 months for mail forwarding. Councilor Green asked him why you think Kelly Rd and Kelly Ave sound the same. T. Scott explained per national guidelines it is the same with just a different suffix. Councilor Dolan asked T. Scott if there were any data of incidents of confusion on these two roads, he replied he does not have those statistics. Councilor Dolan responded it would be helpful if his agency could have data where confusion happens; hard data makes it easier to make decisions. Councilor Freda asked if the Council has denied changing a street name. J. Vogl responded yes, Harvey, Hovey, Hardy were not changed. Councilor Butler said 911 calls from residents are more difficult to understand than a business call. He would like to hear what legal counsel has to say on it. David Nemon asked T. Scott how long has this been going on and he responded since 1994. Fire Marshall B. Johnson talked about other roads in town that were changed. R. Daniels asked T. Scott why Manchester has not re-named the part of Kelly Ave that is located in Manchester why don't they just change their section. T. Scott said Manchester has been informed of their identical street names already and they have not changed them. Chairman Farrell said the direction he has heard tonight is to talk to legal counsel and talk to our insurance carrier. It was also requested to have LFD Capt. Cardwell talk to Council about the 2008 issue. **Councilor Dolan made a motion to close the public hearing and continue the discussion on Resolution #2012-02 to 4/16, second Councilor Freda. Council's vote was 5-0-0.**

Resolution 2012-03 – Relative to Election Campaign Videos Policy - Councilor Dolan read the Resolution and made a motion to adopt, second by Councilor Green. Councilor Dolan recommended amending Section I B – strike 1 B it is frivolous. Section III G remove the word “tape”, it should be “video” and Section H the first word should be “Video” rather than Tapes. **Councilor Dolan made a motion to accept those amendments, second by Councilor Green. Council's vote was 5-0-0. Councilor Dolan made a motion to accept Resolution 2012-03 as amended, second Councilor Freda.** Cable Director D. Dottie amended Section 3 E - we should put the words “Citizen Petition warrant article instead of “Warrant article”. Section IV A change “6:00 PM” to “5:00PM”. **Councilor Dolan withdrew his motion and Councilor Freda withdrew his second. Councilor Dolan made a motion to amend the Resolution as noted, second by Councilor Green. Council's vote was 5-0-0. Councilor Dolan made a motion to accept the Resolution as amended, second by Councilor Green. Council's vote was 5-0-0.**

Councilor Dolan made a motion to close the Public Hearings, second Councilor Freda. Council's vote was 5-0-0.

Old Business

(None)

New Business

USACE Study - Town Manager Caron talked about the flooding in the Beaver and Black Brook watersheds. The town requested assistance from the Army Corps of Engineering in 2006 after significant flooding events. The Army Corps of Engineers now has funds to assist with a study identify options available to us. Steve Cotton has secured funding to elevate the 4 homes at the end of Brookview Drive, however, there are still some issues and staff would like to complete a

study to identify possible preventative measures in this area and other areas in the community, and work with the Town of Windham which borders the two brooks. There are no funds currently available for remediation. He said he will return to Council with a scope of work. Consensus was to proceed, 5-0-0.

Order 2012 – 03 – Relative to the Expenditure of Maintenance Trust Funds for Various Projects - Councilor Green made a motion to waive the reading, second Councilor Freda. Chairman Farrell requested clarification on the amount of \$10,476.10 for the security system at the Central Fire Station. Town Manager Caron explained it was a 50/50 matching grant that fire department personnel were successful obtaining to update security improvements. The town's share is from the Expendable Maintenance Trust Fund and the rest of the expenses listed are fairly routine. **Council's vote was 5-0-0.**

2012 Town Meeting Review/FY 13 Budget – Town Manager Caron explained as a result of the town meeting the voters did not support the continuation of the Expandable Maintenance Trust Fund for 2013. This has resulted in placing a hold on the improvements to the highway garage. The Cable Special Revenue Fund had been eliminated previously so the Cable Operating budget will remain in the General Operating Budget. The Town will be establishing the Small Equipment Capital Reserve Fund for the fire department. Staffing and overtime will be re-distributed to all three departments. The Land Use Change (LUC) tax changed was adopted, to become effective on 4/1/12. The voters rejected establishing a Capital Reserve Fund for cable equipment so the \$200K goes back into surplus and cannot be expended until Town Meeting votes to re-appropriate those funds. The voters rejected the citizens petition to establish a redistrict commission so there is no need to appoint citizens to a commission.

Town Manager Designee on the Planning Board – Town Manager Caron said that for the last couple of years Council has asked him to appoint a School Board member as his designee on the Planning Board. He is checking back to confirm the Council wants to maintain that practice. Councilor Green asked if that seat could be filled by a Council member. D. Caron said he does not know, he will check with Counsel. Chairman Farrell said Chuck Tilgner was appointed for many years. We asked the School Board to get involved and have a seat at the table. He said he understands that the School Board member has not been present at the Planning Board meetings very much. The question is do we want a different School Board member who is more committed; we already have a Council liaison who is a voting member. We have to think about what it is we want. Councilor Dolan said we should question the School Board if they still want one of their members to attend Planning Board meetings. Councilor Freda stated because of Woodmont we should have consistency. Councilor Dolan said Woodmont has the potential of putting kids into system, you would think the School Board would have an interest in it. Chairman Farrell said we should ask the Town Manager to talk to the Superintendent of Schools and state that it is imperative that that person attend the meetings.

Chairman Farrell said we should think about the liaison positions and talk about it at the next meeting. Town Manager Caron said he will ask Margo to send the list with current positions and a blank column to be filled in by whoever wants to cover a position for the next year.

APPROVAL OF MINUTES

Council Meeting Minutes of 3/5/12 – Councilor Freda made a motion to approve, second Councilor Green. Council’s vote was 4-0-1, with Councilor Butler abstaining.

OTHER BUSINESS

Liaison Reports - Councilor Dolan talked about re-organization meetings with the Deliberative Session being held before the elections. He suggested we should ask the SAU how they handle their re-organization meetings. We should probably ask the Chief Executive (Town Manager) to Chair the meetings until officers are elected and the re-organization meeting is held. That has been what the School Board has been doing for years. Councilor Green said electing a Clerk is another idea. Chairman Farrell said we can make a decision on it next week.

Councilor Freda said he attended Zachary Richard’s Eagle Scout ceremony Friday night. His project was putting in signs at the Musquash. He congratulated Zack.

Councilor Green went to the last meeting of the Master Plan Steering Committee sub-committee. The final survey will be done this Wednesday.

Chairman Farrell congratulated Jim Butler on his appointment to Council.

Town Manager Report – Town Manager Caron stated that he was contacted by Sen. Carson regarding a bill to re-name the bridge over Cohas Brook on the Airport Access Road to honor Lance Corporal Peter Sora and Private First Class Eric Currier, residents of Londonderry who lost their lives serving in the military. Senator Carson wants to know make sure the town is on board with the bill; the consensus was yes.

Chairman Farrell said there was discussion about having the default budget for the next fiscal year. The Town Manager responded he will have the information by 4/16/12 meeting.

Board/Committee Appointments/Reappointments

Appointments of Annette Stoller and Augusta Vallancourt to CART - Councilor Green made a motion to the appointments, second Councilor Freda. **Council’s vote was 5-0-0.**

Appointment of Dolores Steklosa as an Alternate Member of the Elder Affairs Committee, term to expire 12/31/14. **Councilor Dolan made a motion to appoint, second Councilor Freda. Council’s vote was 5-0-0.**

Chairman Farrell made a motion to go into a non-public session according to RSA91-A: 3II (b) at 9:05 PM. Aye Councilors Dolan, Freda, Green, Butler. The Council discussed a personal matter. Councilor Dolan made a motion to exit Non-Public Session and adjourn at 9:26 PM, seconded by Councilor Freda. Motion carried, 5-0-0.

ADJOURNMENT

Notes and Tapes by:	<u>Margo Lapietro</u>	Date: <u>03/26/12</u>
Minutes Typed by:	<u>Margo Lapietro</u>	Date: <u>04/05/12</u>
Approved by:	<u>Town Council</u>	Date: <u>04/16/12</u>