

## TOWN COUNCIL MEETING

May 07, 2012

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

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

### Call to Order

Chairman Farrell opened the meeting at 7:27PM with the Pledge of Allegiance. This was followed by a moment of silence for the men and women fighting for our country.

### Public Comment

Londonderry Police Department (LPD) Chief Hart – Chief Hart introduced his Command Staff consisting of: Capt. Gerry Dussault, Commander of Operations; Capt. Paul Falone, Commander of MHT; Capt. Bob Michaud, Commander of Services; Lt. Kevin Cavallero, Operations Watch Commander, in addition to Lt. Kearney, Lt. Tim Jones and Lt. Chris Gandia. He pointed out that the Chairman of the Awards ceremony; Sgt. Patrick Cheetham did a great job. Citizen Employee of Year is Jason Pinard, Dispatch/Communications Division; he is a multiple award winner. Jason Teufel is the Officer of the Year; he is involved in the So. NH Special Operations Unit and is a use of force trainer. Chief Hart thanked all the Councilors for attending the awards ceremony held earlier in the evening.

Conservation Commission – Alternate Position Interview – Councilor Butler asked Marge Badois where she would like to see a community garden placed; she responded anywhere in the community, as she would like to get people involved in creating their own gardens, and recognize how important the earth and environment is. Councilor Dolan asked if she would have any conflict of interest, she replied no. Councilor Freda thanked her for her interest and said he was interested in the community garden idea. Councilor Green asked her about her qualifications; M. Badois explained she has a Bachelors degree in ornamental horticulture and secondary education. She is a 12 year volunteer with UNH Cooperative Extension as a Master Gardner and has a lot of experience in community outreach and education.

Marty Srugis, 17 Wimbledon Dr. asked how the Economic Development Dept. was going to market the town. He questioned the purpose of incorporating the proposed Londonderry Economic Development Committee. Chairman Farrell responded that they would be discussing a new Resolution on this subject tonight. We are picking a starting place for discussion.

Reid Clark, 79 Stonehenge Rd. said he missed the first 3 Council meetings since Town Meeting and congratulated the new member and the new appointments.

Chairman Farrell reminded the public that dog licenses are due and they have until the end of May. He also notified the public that the Knights of Columbus were having their “Tootsie Roll” fundraiser on 5/19/12 and would be at various locations throughout town.

### **Public Hearing**

None

### **Old Business**

**Open Space Task Force Report** – Councilor Freda asked to re-visit the report and take action on it. Councilor Freda said that in 2006 the last report had a recommendation to include at least 25% of the towns land area to ensure sustainability of natural process. According to the current report (2011) on page 3 it states that the town achieved 15% permanent protection and 15.6% partially protected. Since we achieved the desired result, we should start looking at what we already have, which is significant and increase usage of it; the Town should let the public know what we have and what can be done on it instead of seeking to acquire additional properties. The Ingersoll forest is the greatest untapped resource and has very low usage. Councilor Butler said he reviewed the Master Plan Steering Committee survey which reports that 65% of people who responded are fine with the amount of Open Space the Town has acquired. Councilor Freda suggested that the Conservation Commission identify the land we do have on their website as there is a lack of knowledge on what can be done on the property; the land is underutilized. He also suggested better coordination with the Londonderry Trailways and the Conservation Commission. Councilor Dolan reviewed the report and suggested following up on the short terms that were suggested:

1. Investigate a Transfer of Development Rights (TDR) ordinance. He encouraged the Council to give direction to the Planning Board to investigate it.
2. Create an aquifer protection zone as an overlay district
3. Create a stewardship fund. We should ask the Town Manager for a method to create a source of funding for stewardship. If the funding is not apparent through tax revenues perhaps there are other sources of funding. Monies could possibly come from the Land Use Change tax.

Chairman Farrell thanked the Open Space Taskforce Committee for all their work on the report. He recapped that what he was hearing was that we should step back and see what can be accomplished short-term with the 3 suggestions from Councilor Dolan. Councilor Green suggested utilizing recreation use. Open Space Taskforce Chairman Mike Speltz was in attendance and endorsed the recommendations from Councilor Dolan. He said there are two ways to keep Open Space open: purchase land itself or the easement on it and implement regulations to protect the land. He said the Taskforce will probably support the suggestions. He suggested having the Council or Staff or a Steering Committee to oversee the recommendations in the report. They have been waiting for Council’s lead. The survey questions including whether the Town has enough land and do taxpayers want to raise taxes to get more Open Space. The survey result is that people said we have enough but they want more. He pointed out that they have done a lot of work with Trailways. Councilor Freda said the Town should focus on what we have; it is an expensive inventory and we should be utilizing it more. It is unaffordable at getting to 39% of the town as recommended in the current report. He asked why the increase

in acquisition, we should be spending the money on stewardship. Councilor Dolan said the recommendation is to focus on stewardship and the Planning Board tools that come out of the recommendation. Chairman Farrell said if a good piece of property becomes available we should identify it and pursue it. We have reached the point where we have to show people what we can do. Councilor Green talked about the water aquifer ordinances being used to protect the water rather than purchasing the land. He said water quality is important, we can have aquifer protection. Councilor Dolan spoke about the wetlands preservation we have done over the years. Chairman Farrell asked the Town Manager to talk to staff about working with the Planning Board to transfer development rights, aquifer protection and to look at the stewardship and make suggestions.

### **New Business**

**Resolution #2012-07 Relative to the Economic Development Council** Chairman Farrell dispensed with the reading. Councilor Dolan said he went to the Budget Committee meeting and talked about the Economic Development activities the Council was pursuing. Between the school and town we have \$90M dollars that has to be spent. The town has 1/3 of that while the school has 2/3. It falls on the town to raise all the \$90M of revenues. If the Council was recognizing the revenue side of the balance sheet and we were looking for greater economic development to pay attention to that \$90M; see if there are other ways other than residential tax revenues that we can add to that to provide some tax relief. Councilor Freda said he is concerned about knowing if the committee is succeeding/failing and how do we measure success. Councilor Green said he has a concern about duplication of efforts; we have staff to perform the function of getting more business in town. If we use volunteers it will not cost the taxpayer more. Based on what he is reading it is another arm that we can't afford. Councilor Butler said that Andre said he could use support; the Councilors have to get involved in helping him. Chairman Farrell said our goal as a council has been to focus on economic development but we have not had a plan. We are asking for a measurement guide in the next 6 months to tell the story of Londonderry. Why is it important, come up with a charter that is driven on revenue. Councilor Green said we have a website and we don't know if it is bringing in business, staff is paid to go out and find potential business. Councilor Dolan said he would like to ask the Town Manager what financial tools we have to use an agency to find business. How would we pay them? Would we need enabling legislation to do that? Town Manager Caron said he has begun research on this issue, which is somewhat unique as the Town is not a land owner of commercial/industrial property but seeks to compensate an independent contractor with successes bringing more commerce to Town. Chairman Farrell asked the Town Manager to talk to the Community Development Director about defined duties and their success criteria. The decision was to bring this back for more discussion at a future meeting. Marty Srugis, 17 Wimbledon Drive questioned how the committee members are going to act with the companies if they don't have any economic incentives to give them. Discussion ensued regarding duties/responsibilities/funding of the committee. Councilor Butler said we need to streamline the process; we need a clearer picture of what we want.

**Council Rules of Order – Amendments –** Town Manager Caron said there were recommendations from the last meeting for the Council's Rules of Order, which include eliminating the language regarding the initial transitional meeting of the Council when the Charter was adopted 15 years ago. It is recommended that Section B.2 be amended which will

now require the election of a Chair and Vice Chair at the first regular meeting of the Council following the election. Also, a Motion to Continue was added which allows continuing the discussion on a matter to a subsequent meeting without killing the motion as what occurs with a Motion to Table. **Councilor Dolan made a motion to accept, second Councilor Freda. Council's vote 5-0-0.**

**Order #2012-04 Relative to the Expenditure of Maintenance Trust Funds for Various Purposes** - Chairman Farrell dispensed with the reading and asked for an explanation of the \$21,450.00 charge for South Fire HVAC. Town Manager Caron explained that the system designed was not the most efficient for that size building. It made more sense to avoid future operational costs and to replace it. Councilor Dolan pointed out that North was a duplicate of South are they going to experience the same problems. Town Manager Caron explained they have made some modifications during the design and construction process which will hopefully avoid the same problem at North. **Councilor Green made a motion to approve, second Councilor Freda. Council's vote 5-0-0.**

### **APPROVAL OF MINUTES**

**Council meeting minutes of 4/16/12** – Councilor Dolan made a motion to accept the minutes, second Councilor Freda. Council's vote 5-0-0.

### **OTHER BUSINESS**

**Liaison Reports** – Councilor Green attended the Master Plan Steering Committee and they talked about the survey. “Planapalooza” is coming up and there is more information on the website. He also attended the Trustees of the Library meeting in which they were notified that circulation was up 2.5% in circulations. The Children’s Room participation in April was 2,142. The use of the library keeps increasing.

Councilor Freda attended the Planning Board meeting where a motion to continue the Woodmont completeness to 6/6/12 was accepted. They had the first reading of an amendment to waive readings on the waivers and conditions.

Councilor Butler attended the ZBA meeting where a dog kennel was denied because it is in a C-2 zone and the town does not have a defined wordage on that usage in our zoning ordinances. The Town Manager said that Building Inspector/Zoning Officer Richard Canuel is working on that.

**Town Manager Report** – Town Manager Caron reported that only one future meeting is scheduled, for 5/21/12. The summer meeting schedule is customarily modified for July and August. He pointed out that the Community Development Department is requesting the use of Moose Hill Council Chambers on 6/4/12 and asked if the Council could move that meeting to 6/11/12. Councilor Green said it is for “Planapalooza”. Chairman Farrell questioned why they do not use the community room in the Londonderry Police Department because it is underutilized. Town Manager Caron said he would check into that. If needed the next Council meeting will be held on 6/11/12. The summer schedule of 6/18, 7/9 and 7/23 were acceptable dates per the consensus of Council.

**Board/Committee Appointments/Reappointments**

Resignation of Gail Moretti from the Solid Waste and Environment Committee **Councilor Freda made a motion to accept the resignation, second Councilor Green. Council's vote was 5-0-0.**

Appointment of Marjorie Badois as an Alternate to the Conservation Commission, term to expire 12/31/14. **Councilor Dolan made a motion to appoint, second Councilor Green. Councilor's vote was 5-0-0.**

Resignation of George Herrmann from the Conservation Commission - **Councilor Freda made a motion to accept the resignation, second Councilor Green. Council's vote was 5-0-0.**

Nomination of Don Jorgensen to the Manchester Airport Authority, term to expire 3/1/15. – **Councilor Freda made a motion to appoint, second Councilor Dolan. Council's vote was 5-0-0.**

Moretti and Herrmann, Freda, second Green

**Chairman Farrell announced that Council was going into a Non-Public Session according to RSA-91-A II (a) at 9:00PM**

**Aye Joe Green, Aye Tom Freda, Aye John Farrell, Aye Tom Dolan, Aye Jim Butler. Council's vote was 5-0-0.**

The Council discussed a number of personnel matters in non-public session.

**ADJOURNMENT**

**Councilor Dolan made a motion to adjourn at 10:05PM, second by Councilor Freda. Council's vote was 5-0-0.**

Notes and Tapes by: Margo Lapietro Date: 05/07/12

Minutes Typed by: Margo Lapietro Date: 05/10/12

Approved by: Town Council Date: 05/21/12