

**Michael Malaguti**  
Town Manager

**Kellie Caron**  
Assistant Town Manager



**Town Council**  
Chair John Farrell  
Vice Chair Chad Franz  
Jim Butler  
Ted Combes  
Ron Dunn

**Town of Londonderry • 268B Mammoth Road • Londonderry, NH 03053**

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**Londonderry Town Council Meeting**  
**Monday, September 25, 2023, 7:00 p.m., Moose Hill Council Chambers**

**A. CALL TO ORDER**

**B. PUBLIC COMMENT**

- 1. Recognition of LHS Varsity Baseball Team**
- 2. Introduction of New Town Hall Employees**

**C. PUBLIC HEARINGS**

- 1. Resolution #2023-15 – Acceptance of Unanticipated Revenue 31:95-b, III(a) Grant received from the New Hampshire Department of Safety, Office of Highway Safety in the amount of \$14,400.00**  
*(Justin Campo, Finance Director)*

**D. NEW BUSINESS**

- 1. Leach Library Consortium Roadmap**  
*(Erin Matlin, Director of Leach Library)*
- 2. Order #2023-13 – The Expenditure of Maintenance Trust Funds for Fire Department Door Sensors**  
*(Dave Wholley, Director of Public Works)*
- 3. Resolution #2023-16 – Dissolve Solid Waste Committee & Reassignment of Beautify Londonderry**  
*(Michael Malaguti, Town Manager)*
- 4. Review Term Expiration List for Appointed Town Boards**  
*(Kirsten Hildonen, Administrative Support Coordinator)*

**E. OLD BUSINESS**

## **F. APPROVAL OF MINUTES**

1. September 11, 2023 Town Council Minutes

## **G. APPOINTMENTS/REAPPOINTMENTS**

1. None

## **H. OTHER BUSINESS**

1. Liaison Reports
2. Town Manager Report
3. Assistant Town Manager Report

## **I. ADJOURNMENT**

## **J. MEETING SCHEDULE**

1. October 2, 2023; Moose Hill Council Chambers; 7:00 p.m.
2. October 16, 2023; Moose Hill Council Chambers; 7:00 p.m.
3. November 6, 2023; Moose Hill Council Chambers; 7:00 p.m.

# RESOLUTION #2023-15

A Resolution Relative to the

## *Acceptance of Unanticipated Revenue Under RSA 31:95-b*

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First Reading: 09/25/23  
Second Reading: Waived  
Adopted: 09/25/23

**WHEREAS** the Town of Londonderry adopted the provisions of RSA 31:95-b with the passage of Warrant Article 18 at their March, 1994 town meeting; and,

**WHEREAS** the Town Council desires to and has complied with RSA 31:95-b, III (a) relative to unanticipated monies received in amounts more than \$10,000; and,

**WHEREAS** the Town has been awarded Highway Safety Grant by the Office of Highway Safety & National Highway Traffic Safety Administration, in the amount of \$14,400.00, with a Town match of \$3,600.00.

**WHEREAS** this award is intended to help with the funding of 6 different traffic safety programs.

**NOW THEREFORE BE IT RESOLVED** by the Londonderry Town Council to authorize the Town Manager to enter into and accept the grant mentioned in this resolution and therefore the Town Council resolves that the unanticipated revenues in the amount of \$14,400.00 are hereby accepted through the life of the grant through Fiscal Year ending June 30, 2025.

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John Farrell - Chairman  
Town Council

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Sharon Farrell - Town Clerk  
*A TRUE COPY ATTEST: 09/25/23*

(TOWN SEAL)

First Reading: 09/25/23  
Hearing/Second Reading: Waived  
Adopted: 09/25/23

## ORDER #2023-13

An Order Relative to  
***THE EXPENDITURE OF MAINTENANCE TRUST FUNDS  
FOR FIRE DEPARTMENT DOOR SENSORS***

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***WHEREAS*** voters since 2003 have approved funding for the maintenance and repair of public buildings and grounds in the town; and

***WHEREAS*** by the Town Council of the Town of Londonderry that the Town Treasurer is hereby ordered to expend \$13,826.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

***NOW THEREFORE BE IT ORDERED*** by the Town Council of the Town of Londonderry that the Town Treasurer is hereby authorized to expend up to \$13,826.00 from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

\_\_\_\_\_  
John Farrell - Chairman  
Town Council

\_\_\_\_\_  
Sharon Farrell - Town Clerk

(TOWN SEAL)

***A TRUE COPY ATTEST:***  
09/25/2023

## Quote

**Date:** August 25, 2023

**To:** Londonderry NH Fire Department – Dave Wholley

**Subject:** Door position monitors for HVAC System

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Dave, as you know, the bay heaters located in all three fire stations are constantly running when the overhead doors are opened. Currently, you are adjusting the setpoints to address this when it happens however, that can be tedious and if not done consistently, can be a waste of energy. We suggest placing door position monitors on 20 doors throughout three fire stations and then integrate to the DDC system to disable the HVAC system if any door is open. This solution will offer an automatic shut off of the bay heaters when the overhead doors open thus saving time and energy costs. ENE Systems of NH proposes the following to address this work:

### **Scope of Work**

- Furnish and install 20 magnetic door switches at the following locations
  - Central Station
  - North Station
  - South Station
- Furnish and install one new DDC controller in each fire station.
- Network the controllers to the existing building management system.
- Wire the door switches to the controller inputs.
- Program the controller to monitor each door and disable HVAC when any door is open.
- Add all new points to the graphics.

**Total Price if wiring is run in conduit.....\$ 19,840.00**

**There is a \$6,014.00 deduct if wiring is NOT run in conduit**

The price is based on work being completed during regular time labor hours of 7:30am to 3:30pm.  
The quote is valid for 30 days.  
Please call me with any questions.

Sincerely,

*Andy Gamache*

Description		Vendor	Amount
<u>Door position monitors-North, South and Central Fire Stations</u> Furnish and install 20 magnetic door switches at all 3 fire houses to prevent energy loss while overhead doors are open or left open.	ENE Systems of New Hampshire		\$13,826.00
	Lump sum price 20 doors		\$19,840.00
	Less conduit discount		(\$6,014.00)
Total Town Council EMTF Order #2023-13			\$ 13,826.00

## RESOLUTION #2023 - 16

### *A Resolution Disbanding the Solid Waste Committee*

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First Reading: 09/25/2023

Second Reading: None

Adopted: 09/25/2023

**WHEREAS** the Solid Waste Committee was created by warrant article in 1988 and amended in 2011 by charter to deal with contemporaneous trash disposal problems; and

**WHEREAS** in conjunction with the Town of Londonderry administrative staff, the Solid Waste Committee has created a durable and effective solid waste and recycling disposal program; and

**WHEREAS** the creation of the Utilities Committee in 2023, whose purview overlaps with that of the Solid Waste Committee, presents a redundancy in Town committees; and

**WHEREAS** Beautify Londonderry, an active subcommittee of the Solid Waste Committee, can be preserved as an official ad-hoc Town committee.

**NOW THEREFORE BE IT RESOLVED THAT** the Londonderry Town Council hereby dissolves the Solid Waste Committee, effective immediately, and reassigns any unfulfilled duties to the Utilities Committee.

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John Farrell, Chairman  
Town Council

(TOWN SEAL)

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Sharon Farrell  
Town Clerk

A TRUE COPY ATTEST:  
09-25-2023

**Michael Malaguti**  
Town Manager

**Kellie Caron**  
Assistant Town Manager



**Town Council**  
Chair John Farrell  
Vice Chair Chad Franz  
Jim Butler  
Ted Combes  
Ron Dunn

**Town of Londonderry • 268B Mammoth Road • Londonderry, NH 03053**

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The Town of Londonderry is seeking volunteers to serve on the following Boards:

**Conservation Commission**

Three (3) Three-Year Full Member Positions

**Heritage Commission**

Two (2) Three-Year Full Member Positions

**Planning Board**

Two (2) Three-Year Full Member Positions

**Recreation Commission**

One (1) Three-Year Full Member Position

One (1) Three-Year Alternate Position

**Southern New Hampshire Planning Commission**

One (1) Three-Year Full Member Position

Two (2) Three-Year Alternate Positions

**Zoning Board of Adjustment**

One (1) Three-year Full Member Position



**Londonderry Town Council Minutes**  
**Monday, September 11, 2023**  
**7:00 PM**  
**Moose Hill Council Chambers**

**Meeting Link:** <http://173.166.17.35/CablecastPublicSite/show/12380?channel=4>

**Attendance:** Present: Chair John Farrell; Vice Chair Chad Franz; Councilors Jim Butler, Ted Combes, and Ron Dunn; Town Manager Michael Malaguti; Assistant Town Manager Kellie Caron; Administrative Support Coordinator Kirsten Hildonen

**CALL TO ORDER**

Chair Farrell called the Town Council meeting to order at 7:00 PM. Farrell led the Pledge of Allegiance and called for a moment of silence in remembrance of 9/11.

Chair Farrell called for a roll call vote to move into a non-meeting with legal counsel.

Ted Combes	Yes
Chad Franz	Yes
John Farrell	Yes
Jim Butler	Yes
Ron Dunn	Yes

Council returned from non-meeting at 7:23pm. Chair Farrell called for a roll call vote to resume the meeting.

Ted Combes	Yes
Chad Franz	Yes
John Farrell	Yes
Jim Butler	Yes
Ronn Dunn	Yes

Chair Farrell moved up item D.1 and D.2 on the agenda.

**Confirmation of Tara Koza as Human Resources Director**

Town Manager Malaguti introduced his appointment of Tara Koza as Human Resources Director. Koza expressed her enthusiasm for her work and her gratitude to the Town leadership.

Motion to confirm Koza as Human Resources Director made by Vice Chair Franz and seconded by Councilor Dunn.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

### **Confirmation of Bo Butler as Fire Chief**

Chair Farrell called up Deputy Chief Bo Butler. Councilor Butler recused himself.

Town Manager Malaguti introduced his appointment of DC Butler. DC Butler paid his regards to DC Fred Heinrich and spoke about his background, the department, and his vision for the role of Fire Chief.

Motion to confirm Bo Butler as Fire Chief made by Vice Chair Franz, seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

### **PUBLIC COMMENT**

**Name:** Sherry Farrell, Town Clerk

Civil forfeitures for unregistered dogs will start on Wednesday, September 13, 2023. David Plaza, 207 Pillsbury Road, asked when the list of dogs was updated. Farrell replied that it was updated this year.

Councilor Butler rejoined the Council.

**Name:** Dan Bouchard

**Address:** 8 O'Connell Drive

Bouchard thanked the Town Manager for keeping the role of Fire Chief in-house.

**Name:** Ray Breslin

**Address:** 3 Gary Drive

Breslin asked about the status of a water line near his house. Chair Farrell replied that they were waiting on information from the state.

**Name:** Ann Chiampa

**Address:** 28 Wedgewood Dr

Chiampa asked if the Lithia Springs property had been purchased yet. Town Manager Malaguti replied that it had.

**Chair Farrell closed public comment.**

### **PUBLIC HEARING**

#### **Ordinance #2023-03 - An Ordinance Relative to the Rezoning of 556 Mammoth Road, Map 15, Lot 236**

Motion to open the public hearing made by Vice Chair Franz and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

Assistant Town Manager Kellie Caron presented Ordinance 2023-03. On June 7, 2023, the Planning Board voted to recommend the rezoning of 556 Mammoth Road, Map 15, Lot 236, from AR-I to C-II. The Master Plan indicates this area as part of the G-3 intended growth center that could support significant mixed-use development.

Brad Westgate, attorney, of Winer and Bennett, LLP, 402 Amherst Street Suite 302, Nashua, and Paul Chisholm, engineer, of Keach-Nordstrom Associates, 10 Commerce Park N Suite 3, Bedford, representing the applicant Page Rock LLC, presented the details of the property in

question. Westgate thanked Caron for her help in the process. Page Rock LLC owns three contiguous parcels of land at 295 Rockingham Road, 3 Page Road, and 556 Mammoth Road totaling approximately 11 acres. The first two properties are already zoned C-II, while the third one, which is approximately .341 acres, is currently zoned AR-I. All properties are serviceable by water and sewer. The current plan is to develop all three parcels together into approximately 40 multifamily housing units. Multifamily housing is allowed in the C-II district through Conditional Use Permit. Chisholm discussed the current disposition of the properties. Most of the properties are currently undeveloped with one house on the 3 Page Road parcel. Abutting parcels are zoned in a variety of ways. Chisholm acknowledged the traffic concerns and said that a study will be part of the development process. Westgate stated that the multifamily development would be a good fit within the master plan. The rezoning of the 556 Mammoth Road parcel aligns with the goals articulated in the master plan. Unified zoning across the project would make it easier for the Planning Board to analyze.

Chair Farrell asked the applicant if they were aware the Town owned the rights to the Merrill property. Westgate stated that they were not.

Chair Farrell went to the public for comment and there was none.

Chair Farrell went to the Council. Vice Chair Franz asked Assistant Town Manager Caron if staff recommended the rezoning. Caron replied that staff does not opine on zoning changes but the Planning Board voted to support it 5-1-1. Chair Farrell asked what they would do to mitigate traffic. Chisholm stated that they will follow the data and consider all options. The developer is willing to do a full traffic study even though it is not required by the Town. He declined to address specifics and stated that the Planning Board will address it when it goes in front of them. Chair Farrell stated that there are already traffic concerns in the area and it is difficult to support rezoning without that knowledge. Chisholm replied that this parcel is helpful to development but not essential and the project could move forward without the rezoning. Councilor Butler stated that he understands that they are trying to move the development farther from Rockingham Road but he wants them to move it back towards Rockingham Road and ask for an easement from the state. Councilor Combes pointed out that they are looking at different options and much of the land near Rockingham Road is wet.

Chair Farrell returned comment back to the public.

**Name:** Ann Chiampa

**Address:** 28 Wedgewood Dr

Chiampa was the dissenting vote on the Planning Board. She stated that an earlier version of this project had both entrances on Page Road. She voted no on the conceptual plan when the developer moved one entrance onto Old Mammoth Road.

**Name:** Robert Lebreux

**Address:** 76 Hall Road

He agrees with Councilors Farrell and Butler. He also pointed out that there is a school bus terminal in the area that increases traffic.

Chair Farrell stated that the applicant needs to do more research in order to gain his support and asked them to come up with some more concrete solutions. Chisholm replied that they are open to different things. Chair Farrell called Director of Engineering and Environmental Services John Trottier to the podium. Chair Farrell gave them the option of continuing and speaking with Trottier to explore options, or he would call for a motion to deny at this time.

Motion to continue the public hearing until October 2023 made by Vice Chair Franz and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

## **NEW BUSINESS**

### **Exit 4A Update**

Wendy Johnson, Project Manager, and Jay Levine, Contract Administrator, of the Department of Transportation presented the update. Johnson explained the progress on the stages of the project including the connector road, road improvements, and demolition. She explained the ramps and mitigations around them. Chair Farrell asked when the sound barriers would go up along Trolley Car lane. Johnson replied that they would go up after the sound barriers on the northbound side were complete. Levine replied that they would likely be complete by August 2024. Councilor Combes asked if the projected completion date of October 2024 for the A project would mean that it would be available for use at that point. Johnson replied that the ramps would open early if Woodmont Commons needed it, but if they do not need the ramps, they won't open until the B project is completed. The B project will start construction in summer 2024, and will take approximately two years. Town Manager Malaguti stated that Woodmont has been actively pursuing development on the east side of the parcel and would likely have updates soon. Vice Chair Franz asked the DoT and Town Manager to make sure that the Fire Department was apprised of any closures that would affect emergency response. Malaguti added that the condition of Trolley Car Lane was not due to construction, but rather due to the wet nature of the area. Levine confirmed that no heavy vehicles use Trolley Car Lane to access the construction site.

**Order #2023-12 - An Order Relative to the Expenditure of Reclamation Trust Funds**

Director of Engineering and Environmental Services John Trottier presented. The order is for \$17,000 for 200 more recycling carts for new construction and replacement. Councilor Combes asked if we track damage by the recycling service. Trottier replied they do not but the provider knows to be careful.

Motion to approve Order #2023-12 made by Vice Chairman Franz, and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

Chairman Farrell moved up Appointments/Reappointments (G) to next on the agenda.

**APPOINTMENTS/REAPPOINTMENTS**

**Budget Committee**

**Candidate:** Jason Goldman, 158 Mammoth Road

Councilor Dunn asked Goldman if he understood the time commitment involved in the Committee. Goldman stated he did. Vice Chair Franz asked him what he understood the Budget Committee to be. Goldman stated that he saw it as a review process. Vice Chair Franz asked how he would engage the community and provide transparency. Goldman replied that wanted to meet and engage with the Town. Vice Chair Franz asked if Goldman had any conflict of interest. Goldman replied no. Chair Farrell asked if he would be interested in any other committee. Goldman replied that he would be but thought that the Budget Committee would be the best fit.

**Candidate:** David Plaza, 207 Pillsbury Road

Plaza stated that he did Leadership Londonderry and now he has more time to volunteer. Councilor Dunn asked about the time commitment. Plaza said yes. Vice Chair Franz asked about the role of the Budget Committee, gathering input from the community, and conflicts of interest. Plaza replied that he sees the role as advisory and overseeing, and an opportunity for different eyes to look at the budget. Plaza prefers face to face conversations over soliciting input over social media. The only potential conflict is that Town and School buy products from his employer and he would recuse himself. Councilor Combes asked if he would be interested in

other committees. Plaza replied that he would consider them as they came up.

Budget Committee Chair Patrick Cassidy, 12 Elwood Road, thanked the applicants, urged the Council to fill the vacancies tonight, and informed them that Kate Burbidge had attended the August Budget Committee meetings as the Council had suggested.

Motion to appoint Kate Burbidge and Jason Goldman made by Councilor Butler and seconded by Vice Chair Franz.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

#### **Utilities Committee Recommendation on Twin States Energy Project**

Utilities Committee Chair Lynn Wiles presented. The Utilities Committee recommends moving forward with Freedom Energy Logistics / Colonial Power Group as the supplier of choice for Londonderry's Community Choice Power Aggregation Program. The Utilities Committee recommends that the Town Council neither support nor oppose the Twin States Energy Project, but continue to monitor it as it moves through the regulatory, engineering, and site approval process.

Council gave support to both recommendations.

#### **Disbandment of the Solid Waste Committee & Reassignment of Beautify Londonderry**

Town Manager Malaguti and Wiles presented. Wiles stated that there had been discussion in the past of integrating the duties of the Solid Waste Committee into the Utilities Committee. It is getting difficult to fill the spots on the committee. Wiles observed that Beautify Londonderry is currently a subcommittee of the Solid Waste Committee, chaired by Joy Muller. He stated that it is a well-run committee that is capable of standing alone, and recommended that it be designated as an official stand-alone ad-hoc committee. Chair Farrell suggested that it could be a subcommittee of the Planning Board or stand it up on its own. He asked if the Utilities Charter needed to be amended to add the duties of Solid Waste. Malaguti said no. Chair Farrell suggested that they return to this next meeting with a comprehensive plan after consulting with Finance.

### **APPROVAL OF MINUTES**

Minutes for the August 14, 2023 meeting and amended minutes for the July 10, 2023 meeting were presented. Motion to approve made by Vice Chair Franz and seconded by Councilor Dunn.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

Chair Farrell asked that the Executive Assistant to the Town Manager and Town Council begin attending Town Council meetings.

### **LIAISON REPORTS**

The liaisons made their reports on their assigned areas.

### **TOWN MANAGER & ASSISTANT TOWN MANAGER REPORT**

Town Manager Malaguti gave the Council his report. Assistant Town Manager Caron gave the Council her report.

### **ADJOURNMENT**

Motion to adjourn made by Vice Chair Franz and seconded by Councilor

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0. Meeting adjourned at 9:28 p.m.

Minutes prepared by Kirsten Hildonen