Mike Malaguti
Town Manager

Kellie Caron
Assistant Town Manager

Town Council
Chad Franz, Chair
Ted Combes, Vice Chair
John Farrell
Ron Dunn
Shawn Faber

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

Londonderry Town Council Meeting
Monday, December 2, 2024, 7:00 p.m., Moose Hill Council Chambers

A. CALL TO ORDER

B. PUBLIC COMMENT

C. NEW BUSINESS

1. **Commercial Industrial Tax Exemption Discussion**
   (Kellie Caron, Assistant Town Manager / Director of Economic Development)

2. **Resolution 2024-31: Acceptance of Unanticipated Revenue Under RSA 31:95-b III(b); New Hampshire State Council on the Arts**
   (Justin Campo, Finance Director)

D. PUBLIC HEARING

1. **Transfer of Map 3, Lot 149 (13 Parmenter Road) from William M. Longmaid & Patricia L. Deneault to the Town of Londonderry**
   (Mike Speltz, Conservation Commission)

E. OLD BUSINESS

1. **Budget Workshop & Determination of Bond Hearing**
   (Justin Campo, Finance Director)

F. APPROVAL OF MINUTES

1. **November 12, 2024 Town Council Minutes**
2. **November 18, 2024 Town Council Minutes**
3. **November 26, 2024 Town Council Minutes**

G. OTHER BUSINESS

1. Liaison Reports
2. Assistant Town Manager Report

H. ADJOURNMENT

I. MEETING SCHEDULE

1. December 16, 2024; Moose Hill Council Chambers; 7:00 p.m.
2. January 6, 2025; Moose Hill Council Chambers; 7:00 p.m.

In addition to the items listed on the agenda the Town Council may consider other matters not on the posted agenda and may enter a non-public session or convene in a non-meeting in accordance with RSA 91-A if the need arises.

Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053
(603) 432-1100 • londonderrynh.gov

ORDINANCE 2024-13

EXTENDING THE LONDONDERRY COMMERCIAL AND INDUSTRIAL TAX INCENTIVE PROGRAM

WHEREAS RSA 72:81 permits a municipality to adopt a new construction property tax exemption (the "Incentive") for commercial or industrial uses, or both, for the purpose of providing incentives to businesses to build, rebuild, modernize, or enlarge within the municipality; and

WHEREAS the Town Council believes it is in the public benefit to enhance the Town of Londonderry's commercial/industrial property tax base with respect to economic activity, cultural and historic character, and sense of community that contribute to economic and social vitality; and

WHEREAS it is further declared to be a public benefit to encourage the rehabilitation of underutilized commercial/industrial structures in Londonderry as a means of encouraging growth of economic, residential, and municipal uses in accordance with RSA 9-B; and

WHEREAS short-term property assessment tax relief and a related covenant to protect the public benefit as provided under this article are considered to provide a demonstrated public benefit if the same encourages new construction, substantial rehabilitation and use of qualifying structures, or the replacement of a qualifying structure; and

WHEREAS the Town Council determines that it is in the public benefit to make the Program available Town-wide; and

WHEREAS the Town Council wishes to extend the Incentive previously adopted by Ordinance 2022-05 on June 20, 2022 and amended by Resolution 2022-23 on January 9, 2023; and

WHEREAS pursuant to RSA 72:82, II, this Ordinance shall remain in effect until the earlier of (A) its recission by further action of the Town Council; or (B) the date which is *[up to five years/60 months]* after its adoption, provided, however, that for any application which has already been granted prior to recission or expiration, as the case may be, the exemption shall continue to apply at the rate and for the duration in effect at the time it was granted;

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Londonderry Commercial and Industrial Tax Incentive Program is hereby extended as set forth in Exhibit A attached hereto.

Chad Franz – Chair
Town Council

Sharon Farrell – Town Clerk

A TRUE COPY ATTEST:
01/06/2025

Town of Londonderry Application for Commercial / Industrial Tax Exemption

YOU MUST APPLY FOR EXEMPTION BEFORE STARTING CONSTRUCTION OR RENOVATION, BUT NOT AFTER DECEMBER 31 BEFORE THE BEGINNING OF THE TAX YEAR FOR WHICH THE EXEMPTION IS SOUGHT. AN APPLICATION FEE OF $150 MUST BE PAID AT THE TIME OF APPLICATION.

Date: ____________________ **Map** _____ **Lot** __________________

Name of Business: ____

Applicant/Title: ____

Address of Property: ____

____

Email: ____ **Phone:** ________________________

Project to be completed: ____ **New Construction** ____ **Addition** ____ **Renovation**

Provide a brief description of the intended construction or renovation:

____

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Start Date: ____________________ **Estimated Completion Date:** ____________________

Estimated Cost of Project on the Qualifying Property: ______________________________

Anticipated Increase in Valuation of the Qualifying Property: ____________________

Attach supporting documentation as to value

In order to satisfy the public benefit requirement necessary for approval of a project, a minimum of one of the benefits listed below must be demonstrated. Where applicable, provide an explanation of the anticipated outcomes of the project for each of the following public benefits. Attach additional sheets if necessary.

1. Enhance economic growth and increase the Town's tax base:

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2. Promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B:

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3. Increases commercial and industrial activity in the Town, including job creation:

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4. Increases the Town's commercial or industrial tax base:

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The exemption shall apply only to the municipal and local school portion of property taxes related to the increase in assessed value as a result of the project, and shall exclude the state education property tax and county tax.

After submission, the Town Council will consider your application. If approved, your project will be classified into one of three tiers: **Tier One, Tier Two,** or **Tier Three**.

In the first full tax year, **Tier One Projects** shall receive an exemption between forty (40) and fifty (50) percent of the increase in Assessed Value attributable to construction of new structures, additions, renovations, and/or improvements to existing structures, as determined by the Town Council. In the four (4) tax years immediately succeeding the first tax year of an exemption, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year's exemption, rounded to the nearest whole percent. Subsequent years will be assessed and taxed at the full value.

In the first full tax year, **Tier Two Projects** shall receive an exemption between thirty (30) and forty (40) percent of the increase in Assessed Value attributable to construction of new structures, additions, renovations, and/or improvements to existing structures, as determined by the Town Council. In the four (4) years immediately succeeding the first tax year of an exemption, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year's exemption, rounded to the nearest whole percent. Subsequent years will be assessed and taxed at the full value.

Tier Three Projects are projects of exceptional and unusual benefit to the community, and may entitle applicants to additional years of tax relief, but not more than ten years.

This exemption applies to new construction or renovations started after June 20, 2022. **You must apply for the exemption prior to starting construction or renovations or both.**

By signing below, I affirm that I have read and understand the above conditions of this exemption and am authorized to sign this application on behalf of this entity. I have read Ordinance #2022-23.

Printed Name

Signature of Applicant and Title

Date

First Reading: 12/19/2022
Second Reading/Public Hearing: 1/9/2023
Adopted: 1|9|2023

RESOLUTION #2022-23

AMENDING AND EXTENDING THE LONDONDERRY COMMERCIAL AND INDUSTRIAL PROPERTY TAX INCENTIVE PROGRAM

WHEREAS RSA 72:81 permits a municipality to adopt a new construction property tax exemption (the "Incentive") for commercial or industrial uses, or both for the purpose of providing incentives to businesses to build, rebuild, modernize, or enlarge within the municipality; and

WHEREAS The Town Council believes it is in the public benefit to enhance the Town of Londonderry's commercial/ industrial property tax base with respect to economic activity, cultural and historic character, and sense of community that contribute to economic and social vitality; and

WHEREAS It is further declared to be a public benefit to encourage the rehabilitation of underutilized commercial/industrial structures in Londonderry as a means of encouraging growth of economic, residential, and municipal uses in accordance with RSA 9-B; and

WHEREAS Short-term property assessment tax relief and a related covenant to protect the public benefit as provided under this article are considered to provide a demonstrated public benefit if the same encourages new construction, substantial rehabilitation and use of qualifying structures, or the replacement of a qualifying structure; and

WHEREAS The Town Council determines that it is in the public benefit to make the Program available town-wide; and

WHEREAS The Town Council wishes to amend and extend the Incentive previously adopted by Ordinance # 2022-05 on June 20, 2022; and

WHEREAS Pursuant to RSA 72:82, II, this Ordinance shall remain in effect until the earlier of: (A) its rescission by further action of the Town Council; or (B) the date which is twenty four (24) months after the adoption of this √ Ordinance, provided, however, that for any application which has already been granted prior to rescission or expiration, as the case may be, the exemption shall continue to apply at the rate and for the duration in effect at the time it was granted.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that the Londonderry Commercial and Industrial Property Tax Incentive Program is hereby amended and extended as set forth in Exhibit A attached hereto.

Sharon Farrell, Town Clerk

John Farrell, Chairman
Town Council

A TRUE COPY ATTEST: 1|9|2023

TOWN OF LONDONDERRY
OFFICE OF
GRANTED
1722
TOWN CLERK
NEW HAMPSHIRE

EXHIBIT "A"

LONDONDERRY COMMERCIAL AND INDUSTRIAL PROPERTY TAX INCENTIVE PROGRAM

§ 1. Adoption of program.

1.1 Pursuant to the authority granted by RSA 72:27-a, RSA 72:81, and RSA 72:82, and such other relevant authority bestowed upon it as a political subdivision of the State of New Hampshire, the Town of Londonderry ("Londonderry" or the "Town") through its legislative body, the Londonderry Town Council ("Town Council"), adopts the Londonderry Commercial and Industrial Property Tax Exemption Program for application within the geographical limits set forth below.

§ 2. Short title.

2.1 Londonderry Commercial and Industrial Property Tax Incentive Program (the "Program").

§ 3. Enabling statutes.

3.1 NH RSAs 72:27-a and 72:80-83.

§ 4. Purpose; declaration of public benefit.

4.1 It is declared to be beneficial to the public interest to enhance Londonderry's commercial and industrial property tax base to attract, promote and stimulate economic activity.

4.2 It is further declared to be beneficial to the public interest to encourage the rehabilitation of underperforming or underutilized commercial and industrial facilities in Londonderry as a means of encouraging smart growth of economic, residential, and municipal uses in accordance with RSA 9-B.

4.3 Short-term property tax relief and a related covenant to further public interest as described in this ordinance provide a demonstrated public benefit because the property tax relief and related covenant encourage new construction and use of Qualifying Structures, and replacement, substantial rehabilitation and use of Qualifying Structures. A Qualifying Structure is defined in Section 6.4 hereof.

4.4 The Town Council determines that it is in the public interest to make the Program available town wide for commercial and industrial uses as defined herein.

§ 5. Tax relief authority.

5.1 Londonderry, through the Town Council, hereby adopts RSA 72:80-83 in the manner specified under RSA 72:27-a and RSA 72:82. In addition, the Town may modify the incentive program in the same manner as hereby adopted to best suit the needs of the Town and its constituents.

§ 6. Definitions.

6.1 Assessed Value: The Assessed Value of the improvements and structures as of April 1 of the tax year to which the exemption pertains, pursuant to RSA 72:83.

6.2 Commercial Uses**:** All retail, wholesale, and service uses, including but not limited to: automobile and similar vehicle sales; automobile repair facility/garage; automobile service station; bank; brewery; brew pub; commercial performing and fine arts schools and studios; commercial service establishment; conference center; contractor; contractor's yard; funeral establishment; golf course/country club; grocery/convenience store; hospital; hotel; commercial service establishment; inn (motel); medical office; movie and recording studio; multiunit commercial establishment; nursery; office, pharmacy, printing; professional office; radio broadcasting facility; repairman; restaurant, drive-in restaurant; retail sales establishment; riding school; television broadcasting; transportation center; travel agent; tourist home, and wholesale business.

6.3 Industrial Uses: All manufacturing, production, assembling, warehousing, or processing of goods or materials for sale or distribution, research and development activities, or processing of waste materials, including but not limited to: bottling facility; building material storage yard; crematorium; equipment upfit (repair); industrial establishment; light industrial establishment; industrial repair garage; industrial supply; laboratory (medical/dental); laboratory: research, experimental, testing; light industry; light manufacturing; microbrewery; product assembly; publishing; research and development facility; research lab; sand/gravel pit; self-storage; truck terminal; warehouse, and wood/metal craft.

6.4 Original Assessed Value: The value of the Qualifying Structure assessed at the time that the governing body approves the application for Tax Relief and the owner grants to the municipality the covenant to protect public benefit as required in this ordinance.

6.5 Qualifying Area: The Qualifying Area is the Town of Londonderry.

6.6 Qualifying Structure: A structure located in the Qualifying Area built, rebuilt, modernized, or enlarged to be used for Commercial or Industrial Uses as defined in RSA 72:80 and described herein.

6.7 Replacement: The demolition or removal of a Qualifying Structure and the subsequent construction of a new structure on the same lot.

§ 7. Tax Relief.

7.1 The Tax Relief Period is the finite period of time during which the Tax Relief, as described in section 7.4 below, will be effective, and the percentage amount of new Assessed Value to be exempted, as determined by the Town Council based upon classification of the project by tier, pursuant to RSA 72:81, and in the further exercise of its discretion as set forth in sections 7.4 and 12, below.

7.2 A Tier One Project is a project in which the anticipated increase in valuation of the Qualifying Structure at the completion of construction is ten million dollars ($10,000,000) or more.

7.3 A Tier Two Project is a project in which the anticipated increase in valuation of the Qualifying Structure at the completion of construction is between five million dollars ($5,000,000) and ten million dollars ($10,000,000).

7.4 A Tier Three Project is a project in which the anticipated increase in valuation of the Qualifying Structure at the completion of construction **both** exceeds ten million dollars ($10,000,000) **and** is a project of exceptional and unusual public benefit to the community as defined herein.

Tier One and Two Projects shall be eligible for Tax Relief in the form of the exemption from taxation authorized pursuant to RSA 72:81, and more specifically defined as follows:

(1) For a Tier One Project:

a. In the first full tax year for which an exemption is granted following completion of a Qualifying Structure (the "first tax year"), an exemption of between forty (40) and fifty (50) percent of the increase in Assessed Value attributable to construction of new structures, and additions, renovations, or improvements to existing structures (the "Exemption"), as determined by the Town Council.

b. The duration of the Exemption shall be five (5) years.

c. In the four (4) tax years immediately succeeding the first tax year for which an exemption is granted, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year's Exemption, rounded to the nearest whole percent, as set forth in Attachment A.

(2) For a Tier Two Project:

a. In the first full tax year for which an exemption is granted following completion of a Qualifying Structure (the "first tax year"), an exemption of between thirty (30) and forty (40) percent of the increase in Assessed Value attributable to construction of new structures, and additions, renovations, or improvements to existing structures (the "Exemption"), as determined by the Town Council.

b. The duration of the Exemption shall be five (5) years.

c. In the four (4) tax years immediately succeeding the first tax year for which an exemption is granted, the Exemption shall decrease annually by twenty (20), thirty (30), forty (40), and fifty (50) percent of the prior year's Exemption, rounded to the nearest whole percent, as set forth in Attachment A.

(3) For a Tier Three Project:

a. Upon a finding that a project is a Tier Three Project, the Town Council may grant additional years of Tax Relief, but no more than ten years. The Town Council shall structure the exemption to decrease year-by-year in a similar fashion to Tier One and Two Projects.

§ 8. Public benefits.

8.1 In order to qualify for Tax Relief as set forth in section 7.4 above, the proposed new construction or rehabilitation must, in the reasonable discretion of the Town Council, provide one or more of the following public benefits, and the proposed Replacement must provide one or more of the same public benefits to a greater degree than would a rehabilitation of the same Qualifying Structure, as follows:

- It enhances the economic vitality of the Town;
- It promotes development of municipal centers, providing for efficiency, safety, and a greater sense of community, consistent with RSA 9-B; or
- It increases commercial and industrial activity in the Town, including job creation.
- It increases the Town’s commercial or industrial tax base.

§ 9. Covenant to protect public benefit.

9.1 Tax Relief for the construction, rehabilitation or replacement of a Qualifying Structure shall be effective upon the property owner’s grant to the municipality of a covenant ensuring that the Qualifying Structure shall be maintained and used in a manner that continues the public benefit for which the Tax Relief was granted and as otherwise provided in this ordinance.

9.2 This covenant shall be released upon the expiration of the Tax Relief Period.

9.2 The covenant shall include provisions requiring the property owner to obtain commercially reasonable casualty insurance, and flood insurance, if relevant. The covenant may include, at the Town Council’s sole discretion, a lien against proceeds from casualty and flood insurance claims for the purpose of ensuring proper restoration or demolition of damaged structures and property. If the property owner has not begun the process of restoration, rebuilding, or demolition of such structure within one year following damage or destruction, the property owner shall be subject to the termination of the Tax Relief after notice and an opportunity to be heard.

9.3 The Town shall provide for the recording of the covenant to protect public benefit with the registry of deeds. It shall be a burden upon the property and shall bind all transferees and assignees of such property for the duration of the tax relief period, but shall thereafter expire without further affect.

§ 10. Application procedure.

10.1 An owner (or authorized agent, including a prospective purchaser and developer) of a Qualifying Structure who intends to construct, rehabilitate or replace such structure, may submit an application for the Tax Relief to the Town Manager’s Office prior to construction, but not after December 31 before the beginning of the tax year for which the exemption is sought. In such cases, the Town Council may anticipatorily grant the exemption, subject to adjustment when the actual increase in Assessed Value becomes known. The applicant shall include the address of the property, a full description of the intended construction, rehabilitation or replacement, any changes in use of the property resulting from the rehabilitation or replacement, and an application fee. The application shall be on a preapproved application form provided by the Town Manager's Office.

10.2 The application for property tax exemption shall not be deemed to be complete and the governing body shall not schedule a hearing on the application as required under RSA 72:83 until all required information has been submitted.

§ 11. Application fees.

11.1 An application fee of $150, or an amount subsequently adopted by the Town Council, shall be paid at the time of application submission to the Town Manager's Office, made payable to the "Town of Londonderry."

11.2 The applicant shall also be responsible for the reasonable expenses incurred by the municipality in the drafting, review, and recording of the covenant.

§ 12. Review and decision by Town officials.

12.1 Upon receipt of a complete application, the Town Council shall consider the application in the normal course of business and notify the applicant of its decision no later than February 28 before the beginning of the tax year for which the exemption is sought. The Town Council shall determine:

- Whether the structure will be in the Qualifying Area;
- Whether the structure at issue is a Qualifying Structure;
- Whether there is a public benefit to granting the Tax Relief;
- The classification of the project by tier; and
- Within the parameters specified in section 7, above, the specific Tax Relief, if any, to be awarded for the Qualified Structure. The Town Council shall base this determination upon the extent of public benefit demonstrated by the applicant, assigning a higher percentage amount to applicants demonstrating a greater public benefit, and vice versa.

12.2 In determining the existence and extent of a public benefit, the Town Council shall also identify the costs and detriments associated with the proposed development or project, and weigh such factors against any public benefit. Only if the public benefit is found to specifically outweigh any costs and detriments shall the Town Council grant the Exemption.

12.3 After determining the applicable tier, in setting the applicable percentage, and in granting additional years of Tax Relief for a Tier Three project, the Town Council shall also factor the extent of the public benefit and the costs and detriments associated with the proposed development or project.

12.4 The Town Council may seek assistance from Town officials, legal counsel, boards or commissions in making its determinations, and shall conduct a public hearing.

12.5 After following the procedures established herein, the Town Council may grant the Tax Relief, provided:

- The Town Council finds a public benefit as defined herein; and
- The specific public benefit is preserved through a covenant as set forth above; and
- The Town Council finds that the proposed use is consistent with the applicable master plan, zoning ordinance or development regulations.

12.6 If the Town Council grants the Tax Relief, it shall identify the specific public benefit achieved as defined herein.

12.7 The burden of demonstrating the applicable tier and the public benefit shall be on the applicant. The Town Council or its agents may request such additional or updated information as is necessary to determine eligibility. Should the Town in its discretion determine that third party review or consultation is required, the applicant shall bear the associated cost. *See* RSA 72:83, III. If the Town Council determines that the applicant provided incorrect or false information during the application process or failed to provide information after such a request, the Town Council may refuse to grant the exemption without further inquiry.

12.8 If the Town Council, in its sole discretion, denies the application for Tax Relief, such denial shall be accompanied by a written explanation. The governing body's decision may be appealed either to the Board of Tax and Land Appeals or the Superior Court in the same manner as provided for appeals of current use classification pursuant to RSA 72:83; provided, however, that such denial shall be deemed discretionary and shall not be set aside by the Board of Tax and Land Appeals or the Superior Court except for errors of law or abuse of discretion.

12.9 For the purpose of determining the applicable tier for a Project, the Town Council may assign a reasonable value to factors not yet known or reflected directly in the anticipated valuation of the property after construction, including, but not limited to, significant job creation, and add such assigned value to the anticipated valuation after construction.

§ 13. Duration and limitations of property tax incentive program.

13.1 Pursuant to RSA 72:81, the exemption shall apply only to municipal and local school property taxes assessed by the municipality which shall exclude state education property taxes under RSA 76:3 and county taxes assessed against the municipality under RSA 29:11

13.2 If the municipality completes a revaluation during the period for which an exemption has been granted, the amount of the exemption shall be adjusted by the difference in equalization ratios applicable in the municipality before and after the revaluation. The amount and length of the property tax exemption shall be determined by the Town Council on a per-case basis, by categorizing the project by tier as set forth herein.

13.3 Tax Relief shall not be granted to an applicant who has begun construction. RSA 72:83, I.

13.4 The Town Council may grant waivers from this ordinance where not inconsistent with the purpose and intent of RSA 72:80-83, provided, however, that the Town Council may not waive a provision of this ordinance required by statute.

13.5 The Town may require the submission of an annual update to determine continued eligibility for, and the proper amount of, Tax Relief. The Town Council may conduct an annual hearing to review the update and may adjust the Tax Relief based upon changed conditions. If the Town Council determines that the applicant provided incorrect or false information in an annual update or failed to provide information necessary for an annual update after such a request, the Town Council may terminate the exemption upon notice and an opportunity for the applicant to be heard.

13.6 This ordinance shall expire twenty four (24) months after its passage, unless sooner terminated or extended by vote of the Town Council.

§ 14. Resumption of full tax liability.

14.1 Upon expiration of the Tax Relief Period, the property shall be taxed at its market value in accordance with RSA 75:1.

§ 15. Extent of Tax Relief.

15.1 Tax Relief granted under this ordinance shall be calculated on the Assessed Value at the time of the commencement of the Tax Relief Period in excess of the Original Assessed Value.

15.2 Tax Relief granted under this ordinance shall pertain only to assessment increases attributable to the construction, rehabilitation or replacement performed under the conditions approved by the Town Council and not to those increases attributable to other factors, including but not limited to market forces.

15.3 Nothing herein shall prohibit an owner from seeking an abatement of the original assessed value prior to any adjustment granted hereunder.

§ 16. Violations and penalties; enforcement.

16.1 If the property owner fails to maintain or utilize the building according to the terms of the covenant, or fails to restore, rebuild, or demolish the structure following damage or destruction as provided above, the Town Council shall, after notice and an opportunity to be heard, determine whether and to what extent the public benefit of the Qualified Structure has been diminished and may terminate or reduce the property tax exemption amount and period in accordance with such determination.

16.2 Any tax payment required under this section 16 shall be payable according to the following procedure:

> 16.2.1 The Commissioner of the Department of Revenue Administration shall prescribe and issue forms to the local assessing officials for the payment due,

which shall provide a description of the property, the market value assessment according to RSA 75:1, and the amount payable.

16.2.2 The prescribed form shall be prepared in quadruplicate. The original, duplicate, and triplicate copy of the form shall be given to the collector of taxes for collection of the payment along with a special tax warrant authorizing the collector to collect the payment under the warrant. The quadruplicate copy of the form shall be retained by the local assessing officials for their records.

16.2.3 Upon receipt of the special tax warrant and prescribed forms, the tax collector shall mail the duplicate copy of the tax bill to the owner responsible for the tax as the notice of payment.

16.2.4 Payment shall be due not later than 30 days after the mailing of the bill. Interest at the rate of 18% per annum shall be due thereafter on any amount not paid within the thirty-day period. Interest at 12% per annum shall be charged upon all taxes that would have been due and payable on or before December 1 of each tax year as if no Tax Relief had been granted.

§ 17. Collection of unpaid taxes.

17.1 All taxes levied pursuant to RSA 72 which are not paid when due shall be collected in the same manner as provided in RSA 80.

Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053
(603) 432-1100 • londonderrynh.gov

RESOLUTION 2024-31

A Resolution Relative to
Acceptance of Unanticipated Revenue 31:95-b, III(b)

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 (b) relative to unanticipated moneys received in amounts less than $10,000; and

WHEREAS the Town of Londonderry has received a grant from the New Hampshire State Council on the Arts to support the Londonderry Arts Council's Concerts on the Common; and

WHEREAS the grant was in the amount of $6,800.00.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that the Town of Londonderry hereby accepts the unanticipated revenue under 31:95-b, III(b), and further authorizes the Town Manager or Finance Director to move forward in accepting this award and to sign any paperwork associated with such grant on behalf of the Town.

____

Chad Franz – Chair
Town Council

____

Sharon Farrell – Town Clerk

A TRUE COPY ATTEST:
12/02/2024

First Reading: 12/02/2024 Second Reading: waived

LEGAL NOTICE

Pursuant to RSA 36-A:4, notice is hereby given that the Londonderry Town Council will hold a public hearing on the following item:

The transfer of Map 3, Lot 149 (13 Parmenter Road) from William M. Longmaid & Patricia L. Deneault to the Town of Londonderry

The public hearing will occur on Monday, December 2, 2024 at 7:00 p.m. in the Moose Hill Council Chambers at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053.

Londonderry Town Council

Non-Public Session

The Commission went into a non-public session per RSA 91-A:3, II(d) Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.

M. Speltz moved to go into non-public session. D. Lievens seconded the motion. A roll call vote was taken. Heafey – aye, Lievens – aye, Badois – aye, Harrington – aye, Malouin – aye, Maxwell – aye, Speltz – aye. The motion carried unanimously.

M. Badois recused herself from the first of the two topics under discussion, due to an association with the listing agent.

The Commission went into non-public session at 7:45 p.m.
The Commission left non-public session at 8:23 p.m.

G. Harrington moved to come out of non-public session. M. Speltz seconded the motion. A roll call vote was taken. Heafey – aye, Lievens – aye, Badois – aye, Harrington – aye, Malouin – aye, Maxwell – aye, Speltz – aye. The motion carried unanimously.

D. Lievens moved to seal the minutes of the non-public session. G. Harrington seconded the motion. A vote was taken. The motion carried unanimously.

M. Speltz moved to work with the Town Manager to take the next steps in pursuit of Project 1 discussed in the non-public session. D. Lievens seconded the motion. A vote was taken. The motion carried unanimously.

M. Speltz moved to recommend to the Town Council that they accept the proposed donation of Map 3 Lot 149 for conservation purposes. G. Harrington seconded the motion. A vote was taken. The motion carried unanimously.

Approval of Minutes

Approval of the September minutes was tabled until the next meeting.

Adjournment

G. Harrington moved to adjourn the meeting. D. Heafey seconded the motion. A vote was taken. The motion carried unanimously.

Londonderry Town Council Minutes
Monday, November 12, 2024
7:00 p.m.
Moose Hill Council Chambers

Meeting Link: http://173.166.17.35/CablecastPublicSite/show/12736?channel=4

Attendance: Chair Chad Franz; Vice Chair Ted Combes; Councilors Shawn Faber, Ron Dunn, and John Farrell; Assistant Town Manager & Director of Economic Development Kellie Caron; Administrative Support Coordinator Kirsten Hildonen; Director of Finance Justin Campo; Controller Sarah Jardim-Lee; Budget Committee members Sarah Meier, Jason Goldman, Kate Burbidge, Ryan Cronin, Patrick Cassidy, Joseph Gagnon, and Dave Plaza

CALL TO ORDER

Chair Chad Franz called the Town Council meeting to order at 7:00 p.m. and led the Pledge of Allegiance. He thanked the Staff and volunteers for conducting themselves professionally on Election Day. This was followed by a moment of reflection in appreciation for those who served on Election Day and those who serve in election positions. Councilor Farrell recognized the loss of long-time resident Andy Mack, a community icon.

PUBLIC COMMENT

Chair Franz opened public comment.

Name: Linda Green, President, Historical Society
Address: 22 Sugar Plum Lane

Ms. Green donated photographs of historic sites in Londonderry. She presented a box used for voting from 1800 to 1900 in Londonderry. She expressed gratitude for Andy Mack's generosity and said he will be missed.

Name: Beth Marrocco
Address: 4 Westwood Drive

Ms. Moracco said Library Director Erin Matlin and her team are stellar. She advocated on behalf of their budget and asked that people support her. She asked for support for the warrant article for a full-time children's librarian.

Name: Bryan Young, VP Local 3160
Address: 14 Fieldstone Drive

Mr. Young appeared representing Londonderry firefighters and taxpayers. He thanked Finance Director Justin Campo, Chief LeBlanc, Chief Heinrich, and Town Council for their support in finding a means to bring the department to 13 members per shift. He recognized and thanked firefighter/paramedic Justin Hinds for spearheading the annual event to feed 120 senior citizens at the Senior Center. He asked that, in light of the Town Manager's absence, Town Council provide direction and stability to facilitate moving forward with posting the Fire Chief position and subsequent Fire Department postings. He asked that the Town find funds for 13 firefighters every day. He asked Mr. Campo to send information on the overtime line to the Fire Department and taxpayers.

Name: Daniel Bouchard
Address: 8 Oconnell Drive

Mr. Bouchard commended Mr. Campo on the work he does and said that attacks on him were uncalled for. The SB is a terrible process. In light of the union steward saying "you get fired if you go over budget," he suggested department heads be provided proper training and guidance so this doesn't happen. The Council needs to address underfunded lines in the budget and fill needed positions.

Name: Doug Thomas
Address: 143 Mammoth Road

Mr. Thomas thanked Jonathan Kipp and his crew for their outstanding work during the election. He thanked the Town and School and Police Department for their work on traffic control. He thanked the voters who patiently stood in line.

Name: Kristine Perez
Address: 5 Wesley Drive

Ms. Perez acknowledged the work put in to make Election Day run smoothly. Since 2016, she has expressed concern about only having one place for over 16,000 citizens to place their votes. If there were more polling places, 18 police officers would not be needed to oversee the operation. The residents were unhappy, and many didn't vote as they didn't want to stand in line for up to two hours. She asked that critical services be supported (fire, police, and public works). Residents have had to tighten their belts, so she asked that other departments, aside from the critical services, tighten their belts.

Name: Jim Butler
Address: 5A Danbury Court

Mr. Butler thanked Jonathan Kipp for his work on the election. He shared statistics on Londonderry's tax rate compared to other towns in the state. During the October 7th Council meeting, he asked for information on open positions in the Town and related costs; this request was not included in the meeting minutes. He has not received this information, which is unacceptable and poor management. He asked about the cost of the Town responding to 91-A requests for the past three years. He asked about the status of the Town Manager and who is running the Town. At the October 7th Council meeting, he asked if the Council knew about a letter of suspension without pay from the Town Manager. He also asked who confirms department heads. He said Chair Franz admitted that he knew about the letter. He believes the Town charter has been violated. He requested the Town attorney review the circumstances surrounding this issue.

Councilor Combes suggested that people use flashlights and wear reflective clothing when walking in the dark, for safety.

Chair Franz closed public comment.

MISCELLANEOUS

Chair Franz said the Council is actively and aggressively working on next steps on how to process and proceed best for the community. They should be able to discuss this in short order.

Councilor Faber said people are asking for answers, which is a natural thing. When a resignation is submitted, the department will follow the chain of command.

NEW BUSINESS

Veterans' Parking Spot

Library Director Erin Matlin asked for an update on her request for a parking spot for veterans at the library. Assistant Town Manager Caron said there are 52 spaces and only 50 are required, so she sees no issue with establishing this spot. She referred to the state law that says governmental land use does not need to comply with local regulations, so this is a non-issue. They discussed the best location for this spot and the Council suggested Ms. Matlin speak with Director of Public Works and Municipal Facilities Dave Wholley.

The Council agreed to proceed with establishing this spot.

Veterans' Breakfast

Councilor Farrell said the Council usually pays for half of the annual veterans' breakfast; this was not done this year. Mr. Campo explained why it had not been done. The Council agreed to proceed with the payment.

2024 General Election Recap

Chair Franz thanked Moderator Kipp and Town Clerk Sherry Farrell for their and their team's work during the election. Mr. Kipp offered statistics on the election, noting that 85.8% of Londonderry voters cast ballots.

Ms. Farrell thanked her office and everyone involved for their work. She shared statistics on same-day and absentee ballots. She has heard accolades about the way the process went on Election Day and was disheartened to hear that people were not satisfied. She urged voters to participate to the same degree in the Town election on March 11, 2025.

Councilor Farrell shared statistics on the election process. He explained why there is only one polling place. He thanked the Police and Fire Departments for their work.

Mr. Kipp said they need to decide which voting tabulator will be used moving forward. He will present this information at a future Council meeting, once the decision is made.

Discussion Regarding Holiday Lights on the Town Common

Mr. Wholley reviewed the history of lighting two large trees on the Common. His department has been down four positions and doesn't have the time to do this. He noted the challenges involved in a volunteer decorating, including liability issues. He has two quotes for decorating, noting the expense comes out of the Town Manager's budget.

Chair Franz & Mr. Wholley discussed their conversations with a town resident who offered to volunteer to put up the lights, and the potential challenges of the endeavor. Vice Chair Combes advocated that as Town Staff is stretched, this should be done professionally and asked about the long-term durability of this solution. Mr. Wholley stated that the vendor he is suggesting handles all maintenance. Councilor Farrell suggested looking at lighting permanent structures rather than trees. Councilor Faber sought clarification that the cost for maintaining all damage is included in the quotes. Mr. Wholley affirmed. Councilor Dunn stated that the dollar amount was a large ask and suggested looking more into the volunteer option. Chair Franz suggested that he reach back out to the potential volunteer and make the decision at the next meeting on November 18. Mr. Wholley cautioned that they ensure a volunteer would not damage the Common and they would need to understand liability. Chair Franz asked about the turnaround. Mr. Wholley stated that they would need to be done by December 8 for Christmas on the Common. Councilor Farrell observed that these companies are straight out and it is either do it or don't do it at this point.

Chair Franz asked the Finance Director where the funds would come from. Mr. Campo replied either the Town Manager budget or the Town Common line, but it would overexpend the latter. Mr. Campo included it in the Town Common line in the most recent draft of the FY26 budget. Mr. Campos stated that he wanted to Council to determine whether or if they should spend the funds this year. Vice Chair Combes suggested that changing the lights on the bandstand to red and green could be a good interim solution for this year to save the money. Councilor Farrell stated that they need to choose if they want to be Ebeneezer/the Grinch or Santa Claus. Councilor Dunn stated that he did not think that they should be spending the money. Councilor Faber stated that when it comes to line items, this isn't that large, and while he understands wanting to save money, this won't make a substantial impact, and he doesn't feel good about a dark Common. He expressed his gratitude to Mr. Wholley and said he would feel more comfortable with a bid process next year. Vice Chair Combes stated that the amount is far less than a cent on the tax rate. Councilor Dunn stated that he was concerned about the optics of spending this money on holiday lights.

After discussion, the Council reached consensus on a proposal and asked Mr. Wholley to contact the vendor to discuss a better price. They authorized up to $14,988 to be spent with Red Nose.

Vice Chair Combes moved to waived the three-bid process. Seconded by Councilor Faber.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Discussion Regarding Repair of the Heating System at the Reverend Morrison Meetinghouse

The heating system in the Morrison Meetinghouse needs repair. Mr. Wholley obtained a bid to replace the cracked heat exchangers, which is $9,995. The building was winterized two years ago; while it is not good for a building to sit unheated, nothing will be damaged. The Council noted that there is a committee in place to discuss the future of this building, and suggested waiting for their recommendation.

The Council took a three-minute recess.

<u>OLD BUSINESS</u>

Budget Workshop

Mr. Campo clarified what was included in the operating budget request versus the additional requests from the departments. He reviewed each department's budget that had an increase over default and the reasons for this.

Councilor Farrell questioned whether the drop-off center was intended to be self-funded, but Mr. Campo said it was not. Mr. Campo said he believed the intent was to remove the debris on the sides of the road, which is why the rates are low. Councilor Farrell suggested looking at the fee schedule to achieve a break-even scenario.

Councilor Faber asked about the cost of the police detail in the DPW work safety expense. Mr. Wholley explained this figure incorporates all aspects of providing work zone safety.

Joseph Gagnon noted that budget lines are right-sized each year. He asked how close they are to having the lines right-sized overall. Mr. Campo said they are trying to achieve this at a responsible pace, keeping the taxpayers in mind. This budget right-sizes the overtime and training lines; the majority of the increase from last year's budget comes from public safety lines and insurance. They discussed how the overtime figure was calculated. They also discussed the difference between paying overtime versus having higher staffing levels, and if working overtime is desirable.

Mr. Goldman said if enough risk is built into the budget, they should be skeptical of the additional contingency fund. Mr. Campo noted anything charged to this fund has to go before the Town Council for review and be published in the Annual Report. It acts as a UFB that can be drawn on, with approval of Town Council.

Mr. Campo reviewed additional items presented in the budget that are not part of the proposed budget. He included items that were mentioned in the budget presentation, but not requested.

Councilor Dunn has received positive feedback about including two police officers in the traffic safety proposal and thanked Police Chief Bernard. The Council discussed placing these two positions on a warrant article. Chief Bernard explained the importance of body cams.

Deputy Fire Chief Phil LeBlanc noted the items highlighted are goals for the future. Their goals this year are to ensure overtime is funded appropriately and have a budget that supports 13 firefighters. Mr. Campo said they are considering establishing an EMS revolving fund; they are still researching whether this would be beneficial to the Town.

In response to a request by the Town Council, Library Director Matlin reviewed the items they would request, if they had an additional $100,000 in their budget. She also addressed the need for a full-time children's librarian.

The Council stressed that the residents need to understand the cost of providing services in terms of the increase to the tax rate, and have the opportunity to vote on this. Councilor Farrell said the decision is between providing essential or excellent services, and noted the demographic of the Town is changing.

Mr. Campo reviewed the estimated revenues, which he warned are conservative.

Certificate of Authority by Vote for FY2025 HHW Grant

Vice Chair Combes moved to authorize Assistant Town Manager Kellie Caron or Finance Director Justin Campo to enter into an agreement with the State of New Hampshire to accept the Household Hazardous Waste grant. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

APPROVAL OF MINUTES

October 7, 2024, Non-Public Town Council Minutes

Vice Chair Combes moved to approve the minutes for the October 7, 2024, Non-Public Town Council meeting as presented. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes

Shawn Faber	Abstain
John Farrell	Yes

Motion passed 4-0-1, with Councilor Faber abstaining. Chair votes in the affirmative.

October 21, 2024, Town Council Minutes
Vice Chair Combes moved to approve the minutes for the October 21, 2024, Town Council meeting as presented. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

OTHER BUSINESS

Liaison Reports

Councilor Farrell will meet with the DES Commissioner to follow up on High Range Road.

Assistant Town Manager Report

Ms. Caron has returned from maternity leave and is catching up. She is participating in the airport rebranding initiative.

MEETING SCHEDULE

1. November 18, 2024; Moose Hill Council Chambers, 7:00 p.m.
2. December 2, 2024, Moose Hill Council Chambers, 7:00 p.m.

ADJOURNMENT

Vice Chair Combes moved to adjourn the meeting. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Meeting adjourned at 10:10 p.m.

Minutes prepared by Beth Hanggeli

Minutes amended by Kirsten Hildonen

Londonderry Town Council Minutes
Monday, November 18, 2024
7:00 p.m.
Moose Hill Council Chambers

Meeting Link: http://173.166.17.35/CablecastPublicSite/show/12767?channel=4

Attendance: Chair Chad Franz; Vice Chair Ted Combes; Councilors Shawn Faber, Ron Dunn, and John Farrell; Assistant Town Manager & Director of Economic Development Kellie Caron; Administrative Support Coordinator Kirsten Hildonen; Director of Finance Justin Campo; Controller Sarah Jardim-Lee; Budget Committee members Sarah Meier, Jason Goldman, Kate Burbidge, Ryan Cronin, Patrick Cassidy, Joseph Gagnon, and Dave Plaza

CALL TO ORDER

Chair Franz called the Town Council meeting to order at 7:00 p.m. and led the Pledge of Allegiance. Vice Chair Combes asked for a moment of silence for all those without a place to go for Thanksgiving, a warm meal to have, and family members to be around.

Chair Franz clarified that in the budget workshop, no one proposed a specific increase in taxes. It was a discussion to educate the Town on the needs and wants of the departments to be able to provide services. The professionals running the Town do a phenomenal job of providing phenomenal services.

PUBLIC COMMENT

Chair Franz opened public comment.

Name: Richard Bielinski
Address: 89 Hall Road

Mr. Bielinski said funds were illegally appropriated for lighting on the Common. He asked why the Council did not follow the Town's purchasing policy. The Council should rescind the contract for this. The individual who volunteered to put up the lights for free should be allowed to do so, with the Town purchasing the lights.

Name: Daniel Bouchard
Address: 8 O'Connell Drive

Mr. Bouchard said lighting the Common is an opportunity for the community to get involved. He referred to the community spreading mulch at the playground, and liability was not an issue. The lighting issue should be revisited. People cannot afford a large increase in their taxes. When departments ask for people when they're not fully staffed, this is padding the budget.

Name: Dennis Martin

Address: 182 Pillsbury Road

Mr. Martin said increasing taxes has to stop. He cannot afford to live in Londonderry, if taxes increase by 17.5 to 25%. When people cannot pay their taxes, the Town grabs their property, which is Communism. He intends to run for Town Council in two years.

Name: Eric Turcotte
Address: 28 Peabody Row

Mr. Turcotte volunteered his company's time to put up the lights on the Common. He has asked for donations on Facebook for this and received hundreds of responses. He asked how the contract can be cancelled.

Name: Kathy Wagner, Town Treasurer

Ms. Wagner was disappointed she wasn't made aware, due to Mr. Malaguti's resignation, that she has taken over sign-off of expenditures coming out of the Town Manager's budget. She asked how the donation of time and materials to light the Common would be recorded and Finance Director Campo responded. She asked for a decision to be made about this before the end of the meeting.

Name: Tom Estey
Address: 9 Old Nashua Road

Mr. Estey volunteered to buy the lights for the Common and Mr. Turcotte will put them up. He asked how many lights would be needed. The Council thanked him and Mr. Turcotte for their offer.

Name: Representative Kristine Perez
Address: 5 Wesley Drive

Ms. Perez said on November 12th, Governor Sununu asked state agency heads for proposed budgets with at least a four percent cut in the first year of the two-year budget cycle. She read a statement from the Governor about the need to reduce spending.

She wasn't complaining about voting at the last Council meeting. Residents have told her they will not vote, if they have to stand in long lines. She examined the Londonderry Town Charter regarding voting and polling places. It is her understanding the Moderator can appoint Assistant Moderators, if the Town moved to multiple polling places. She met with Secretary of State Scanlan concerning voter polling and place laws. She submitted to the Office of Legislative Services for drafting a proposed change in the law regarding providing one or more polling places. She is confident this will pass and that it would be good for the residents.

Name: Kathy Wagner
Address: 15 Parmenter Drive/12 MacGregor Court

Ms. Wagner would like to see the financials to support a polling station that is only needed once every four years.

Name: Megan Donovan
Address: 45 Chase Road

Ms. Donovan said people need to plan ahead when voting to avoid long waits. The department heads put a lot of thought into their budgets. The Library Director presented a budget with bare-minimum requests, which includes replacing 30-year-old furniture that is breaking. Fully funded departments can better help struggling neighbors. She asked the Council to look at budgets knowing that they are being presented at a bare minimum.

Councilor Farrell said the public wants outstanding services, but this comes at a cost. Department heads presented two proposals: one to provide essential services and one to provide additional services, which would cost 17 to 25% more. No one said this was going to be done. Mr. Turcotte personifies what is good about the community. The goal is to continue to have a great community. Twenty-three percent of the budget goes to the Town, two percent to the county, and 75% to education. New Hampshire is an aging state, with 36% of the residents over 55 years of age who require a different level of service.

Councilor Faber said the department heads presented what was asked of them. He would like to see the Budget Committee consider what a four percent cut in the budget would look like, following the state's lead. Maybe something reasonable in the middle can be found.

Name: Dennis Martin
Address: 182 Pillsbury Road

Mr. Martin said the people at the polls did a great job. People are fortunate to have the right to vote in this country. He noted the opportunity to submit an absentee ballot and avoid standing in line. Anyone who does not have access to Thanksgiving dinner, contact him and he will find a place for them, especially if they are a veteran. The Friendship Center in Derry offers a Thanksgiving dinner for the public.

Chair Franz closed public comment.

Mr. Campo listed the open positions at the Town.

OLD BUSINESS

Holiday Lights

The Council discussed lighting the Common with Mr. Eric Turcotte and Director of Public Works Wholley. The Council thanked Mr. Turcotte and Mr. Estey for their offers, and Mr. Wholley for his work on this issue. The Council authorized Mr. Wholley to rescind the contract.

NEW BUSINESS

ARCove Architects Structural Assessment Discussion

Kathy Wagner, chair of the Reverend Morrison Meetinghouse Study Committee, said they determined the most important thing is stabilizing the structure. They have a quote from ARCove Architects, who toured the building and identified challenges and unique historical features.

Ms. Hildonen presented the quote from ARCove for a structural analysis and a building review analysis and assessment report. The report would be formatted to comply with New Hampshire Preservation Alliance grant requirements. The significance of the building might qualify it for the State Register of Historic Properties.

The Council discussed with Mr. Campo how this assessment would be funded.

Mr. Wholley noted a hazmat analysis would still need to be done.

Vice Chair Combes moved to accept ARCove's proposal for the Reverend Morrison Meetinghouse presented by Kathy Wagner. The motion failed for lack of a second.

Mr. Hildonen reviewed next steps, after the assessment is completed.

The Council agreed to hold a meeting on November 26th at 6:30 p.m. to continue this discussion.

Resolution 2024-29: Acceptance of Unanticipated Revenue Under RSA 31:95-b III(b); FY2025 Household Hazardous Waste Grant

Vice Chair Combes moved to adopt Resolution 2024-29. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

<u>PUBLIC HEARING</u>

Vice Chair Combes moved to open the public hearing. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Councilor Farrell suggested the following three resolutions be entertained simultaneously.

Resolution 2024-26: Acceptance of Unanticipated Revenue Under RSA 31:95-b III(a); 2024 Homeland Security Grant (Cold Weather Gear for SWAT/SOU)

Resolution 2024-27: Acceptance of Unanticipated Revenue Under RSA 31:95-b III(a); 2024 Homeland Security Grant (Bear Cat)

Resolution 2024-28: Acceptance of Unanticipated Revenue Under RSA 31:95-b III(b); 2024 Homeland Security Grant (Elevated Threat at MHT)

Police Chief Bernard provided background on these resolutions to purchase cold-weather gear, replace a 2005 Bear Cat that provides safety for officers in high-risk situations, and pay for overtime incurred during special assignments at the Manchester Airport.

Chair Franz asked for public comment.

Name: Daniel Bouchard
Address: 8 O'Connell Drive

Mr. Bouchard asked how much Londonderry donates to the Special Operations Unit (SOU). Chief Bernard said each participating town in Rockingham County pays $5,000 annually.

Chair Franz closed public comment.

Vice Chair Combes moved to approve Resolutions 2024-26, 2024-27, and 2024-28. Seconded by Councilor Farrell.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Vice Chair Faber moved to close the public hearing. Seconded by Councilor Combes.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

OLD BUSINESS CONTINUED

Members of the Budget Committee joined the Council.

Budget Workshop

Mr. Campo presented changes in the budget. He consulted legal counsel and removed the CBAs from the budget, which was possible due to the lack of an evergreen clause; their increase will be reflected in the warrant articles for those unions. He noted additions for the traffic unit and the Beautify Londonderry signs.

The Budget Committee posed questions on individual departmental budgets and department heads responded.

The Council asked the Budget Committee to present a proposed budget, and this was discussed.

The Council discussed the feasibility of reducing the budget by four percent, noting that personnel and essential services would be affected. Mr. Campo will work on a proposal to achieve a four percent reduction for informational purposes.

The budget workshop was continued to December 2, 2024.

APPROVAL OF MINUTES

November 12, 2024, Town Council Minutes

On line 152, Director Wholley, not the Town Council, discussed that Town Staff was stretched. Add that Councilor Dunn disagreed with spending $11,000 on the holiday lights. The Council had a majority vote in favor of the holiday lights.

Approval of the minutes was tabled until the next meeting.

OTHER BUSINESS

Liaison Reports

Councilor Farrell met with Airport Director Ted Kitchens to discuss what is going on at the airport.

Vice Chair Combes reported on discussions held at the last Planning Board meeting.

Chair Franz said the first School Board budget workshop will be held on November 26, 2024.

Assistant Town Manager Report

Ms. Caron had no report.

MISCELLANEOUS

Chief Bernard said the Londonderry Police Association ise donating $500 for holiday lights on the Common. Councilor Farrell reported Home Depot will donate a good portion to the holiday lights.

MEETING SCHEDULE

1. November 26, 2024, Moose Hill Council Chambers, 6:30 p.m.
2. December 2, 2024, Moose Hill Council Chambers, 7:00 p.m.
3. December 16, 2024; Moose Hill Council Chambers; 7:00 p.m.

ADJOURNMENT

Vice Chair Combes moved to adjourn the meeting. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Meeting adjourned at 10:27 p.m.

Minutes prepared by Beth Hanggeli

Londonderry Town Council Minutes
Tuesday, November 26, 2024
6:30 p.m.
Moose Hill Council Chambers

Meeting Link: http://173.166.17.35/CablecastPublicSite/show/12775?channel=4

Attendance: Chair Chad Franz; Vice Chair Ted Combes; Councilors Shawn Faber, Ron Dunn, and John Farrell; Administrative Support Coordinator Kirsten Hildonen

CALL TO ORDER

Chair Franz called the Town Council meeting to order at 6:33 p.m. and led the Pledge of Allegiance. He called for a moment of silence in memory of those who recently lost their lives in traffic accidents and asked everyone to be safe and mindful when driving.

NEW BUSINESS

Town Administrative Update

Chair Franz thanked Town Manager Mike Malaguti for his service to the community on behalf of the Council and extended the Council's best wishes for his future endeavors.

Vice Chair Combes moved to approve Town Manager Mike Malaguti's resignation with a mutually agreed upon separation date of December 2, 2024 at 11:59 p.m. Seconded by Councilor Faber. Roll call vote.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0.

Resolution 2024-30: Relative to Position of Town Manager

Vice Chair Combes moved to approve Resolution 2024-30 appointing Arthur T. Psaledas to the position of Acting Town Manager. Seconded by Councilor Faber.

Chair Franz read Resolution 2024-30. See attached.

Chad Franz	Yes
Ted Combes	Yes

Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Chair Franz thanked Mr. Psaledas for his willingness to serve the community.

OLD BUSINESS

ARCove Architects Structural Assessment Discussion

Chair Franz reviewed the discussion about the proposal from the November 12 meeting and confirmed that entering into this contract would be in compliance with the purchasing policy. There was no further discussion from the Council/

Vice Chair Combes moved to allow the Finance Director to enter into an agreement with ARCove. Seconded by Councilor Faber.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Vice Chair Combes asked Ms. Hildonen to inform the Committee chair that this had been approved.

MISCELLANEOUS

Councilor Farrell wished everyone a happy Thanksgiving. Chair Franz thanked everyone for their patience through this transition; Town Manager Malaguti and Mr. Psaledas for their service, and the Council for their time and collaboration.

MEETING SCHEDULE

1. December 2, 2024, Moose Hill Council Chambers, 7:00 p.m.
2. December 16, 2024; Moose Hill Council Chambers; 7:00 p.m.

ADJOURNMENT

Councilor Farrell moved to adjourn the meeting. Seconded by Councilor Dunn.

Chad Franz	Yes
Ted Combes	Yes
Ron Dunn	Yes
Shawn Faber	Yes
John Farrell	Yes

Motion passed 5-0-0. Chair votes in the affirmative.

Meeting adjourned at 6:40 p.m.

Minutes prepared by Kirsten Hildonen

Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053
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RESOLUTION 2024-30

A Resolution Relative to
POSITION OF TOWN MANAGER

WHEREAS Town Manager Michael J. Malaguti has previously announced his resignation, and he and the Town Council have mutually agreed upon a separation date of December 2, 2024; and,

WHEREAS the Town Council accepts Mr. Malaguti's resignation and considers such resignation to render the position vacant as of 11:59 p.m. on his separation date; and

WHEREAS pursuant to Section 4.5 of the Town Charter, the Council may appoint an Acting Town Manager for a term of one hundred twenty (120) days.

NOW THEREFORE BE IT RESOLVED that the Londonderry Town Council hereby appoints Arthur T. Psaledas as Acting Town Manager pursuant to Section 4.5 of the Town Charter, with such appointment to become effective December 3, 2024 at 12:00 a.m.

Chad Franz – Chair
Town Council

Sharon Farrell – Town Clerk

A TRUE COPY ATTEST:
11/26/2024

First Reading: 11/26/2024 Second Reading: n/a