

**ATTORNEY GENERAL  
DEPARTMENT OF JUSTICE**

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JOHN M. FORMELLA  
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January 8, 2026

Sharon Farrell, Clerk  
Town of Londonderry  
268B Mammoth Road  
Londonderry, NH 03053

Re: Proposed Charter Amendments

Dear Clerk Farrell:

Pursuant to 49-B:4-a, on behalf of the Town of Londonderry, you submitted proposed charter amendments for review. The proposed amendments were dated November 18, 2025, and received by November 24, 2025.

Following a review, the Attorney General's Office, Secretary of State's Office, and Department of Revenue Administration do not object to the proposed charter amendments.

However, in reviewing the proposed charter amendment, the Secretary of State's Office identified that current charter section 7.6 (proposed to be renumbered as section 6.04(c)), does not appear to conform to current State law. RSA 49-D:3, I(e) authorizes a town charter to include "citizen power of initiative, referendum, and recall as described in RSA 49-C." (Emphasis added.) Although RSA chapter 49-C includes initiative and referendum procedures, the statute does not provide any authority include a citizen recall procedure in a charter. In 2005, the Superior Court struck down a recall provision in Seabrook's town charter, ruling that the legislature did not provide towns with the authority to include recall and removal procedures in their charters. See Knowles, et al v Latham, et al, Rockingham Superior Court, Docket No. 2004-E-0361.

I encourage the Town to discuss this apparent conflict with the town's legal counsel.

Sincerely,

A handwritten signature in blue ink, appearing to read "MTB", is written over a blue circular stamp.

Matthew T. Broadhead  
Associate Attorney General

cc: Douglas Bruno, Office of the Secretary of State  
Lawrence Gagnon, Department of Revenue Administration