

TOWN OF LONDONDERRY
NOTICE OF PUBLIC HEARING
ACCEPTANCE OF GRANT FUNDS

The Londonderry Town Council will hold a public hearing pursuant to RSA 31:95-b, III relative to the acceptance of unanticipated revenue in excess of \$10,000. The Town has been awarded grant funds totaling \$50,000.00 for the purpose of assisting in the purchase of safety and emergency equipment for the Town's fire department as a result of or in response to the health crisis and its negative effects. This grant award requires Town matching funds of \$5,000.00 (10% of total \$50,000.00).

The public hearing will be held on Monday, June 20th, 2022 at a meeting of the Council scheduled to begin at 7:00 p.m. in the Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH. Information on the grant is available in the Finance Office during regular business hours. The public is urged to attend.

RESOLUTION 2022-12

A Resolution Relative to the
Acceptance of Unanticipated Revenue Under RSA 31:95-b

First Reading: 06/20/22
Second Reading: Waived
Adopted: 06/20/22

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 moneys received in amounts greater than \$10,000; and,

WHEREAS the Town of Londonderry has acted as a fiduciary for the organizers of the sensory playground improvement and the Town has received donations from various individuals and varying sources, with the donations directed purpose to purchase and improve the Town's playground and allow for it to become more inclusive to all children.

WHEREAS the organizers of the inclusive/sensory playground improvement have received a quote for \$17,190.00 to purchase and install various playground musical equipment, along with the installation of the previously purchased "OmniSpin Spinner" to add to the Funway Park Playground and move towards a more inclusive Town playground.

WHEREAS the total number of the donations received for the improvement of the Town playground are in excess of the \$17,190.00 required to purchase a purchase and install various playground musical equipment, along with the installation of the previously purchased "OmniSpin Spinner".

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council that unanticipated revenue in the amount of \$17,190.00 are hereby accepted for the purpose of purchasing playground equipment and items as required by the donations to improve the Town's playground to allow it to be more inclusive.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
06/20/22



PO Box 718
 Medway MA 02053-0718
 (508) 359-4200

SALES ORDER ACKNOWLEDGEMENT

ORDER NUMBER: S220600
 MEO PO NUMBER: PO52518
 ORDER DATE: 5/31/2022
 REVISION NUMBER: 0
 CUSTOMER NO: TOW268N
 SALESPERSON: **55NH**

SOLD TO:
 TOWN OF LONDONDERRY
 268B MAMMOTH ROAD
 LONDONDERRY, NH 03053

SHIP TO:
 LONDONDERRY HIGHWAY GARAGE
 M/F FUNWAY PARK
 JUSTIN CAMPO
 120 HIGH RANGE ROAD
 LONDONDERRY, NH 03053

ORDERED BY:
 JUSTIN W. CAMPO, FINANCE DIR
 jcampo@londonderrynh.org

JOB: FUNWAY PARK, LONDONDERRY NH

SA

<u>CUSTOMER P.O.</u>	<u>SHIP VIA</u>	<u>F.O.B.</u>	<u>TERMS</u>	<u>TAX STATUS</u>	<u>TAX SCHED</u>
SIGNATURE	MF	SHIPPING POINT	NET 30	EXEMPT	NH

<u>ITEM NUMBER</u>	<u>VENDOR</u>	<u>ORDERED</u>	<u>UNIT</u>	<u>PRICE</u>	<u>AMOUNT</u>
214442A RHAPSODY GRANDIOSO CHIMES DB COLORS: COMPONENTS BLACK, PRIMARY PERM RED/BLACK	LSI	1.00	EA	7,990.00	7,990.00
214443A RHAPSODY GOBLET DRUM DB COLORS: COMPONENTS BLACK, PRIMARY PERM RED/BLACK	LSI	1.00	EA	1,700.00	1,700.00
214444A RHAPSODY KUNDU DRUM DB COLORS: COMPONENTS BLACK, PRIMARY PERM RED/BLACK	LSI	1.00	EA	1,700.00	1,700.00
INSTL-LAKESIDE INSTALLATION OF LSI RHAPSODY PLAY EQUIPMENT AND PREVIOUSLY PURCHASED OMNISPIN SPINNER, BY LAKESIDE EXCAVATION	LAKESID	1.00	EA	4,000.00	4,000.00

MUST CALL TED BANGS 24HRS B4 DELIVERY @ 603/289-1064

Net Order:	15,390.00
Freight:	1,800.00
Sales Tax:	<u>0.00</u>
Order Total:	17,190.00

TOWN OF LONDONDERRY
NOTICE OF PUBLIC HEARING
ACCEPTANCE OF DONATION

The Londonderry Town Council will hold a public hearing pursuant to RSA 31:95-b, III relative to the acceptance of unanticipated revenue in excess of \$10,000.

The Town has been received donations from various sources for the purpose of adding inclusive/sensory playground equipment to the current Town playground. A portion of these donations, will be formally accepted in this public hearing in order to purchase the next piece of equipment, which is anticipated to be over \$10,000.

The public hearing to formally accept these funds in order to expend them will be held on Monday, June 20th, 2022 at a meeting of the Town Council scheduled to begin at 7:00 p.m. in the Moose Hill Conference Room, 268B Mammoth Road, Londonderry, NH. Information on the donations and playground equipment is available in the Finance Office during regular business hours. The public is urged to attend.

RESOLUTION 2022-13

A Resolution Relative to the
Acceptance of Unanticipated Revenue Under RSA 31:95-b

First Reading: 06/20/22
Second Reading: Waived
Adopted: 06/20/22

WHEREAS the Town of Londonderry adopted the provisions of RSA 31:95-b with the passage of Warrant Article 18 at the March, 1994 town meeting authorizing, indefinitely, until specific rescission of such authority, the Town Council to apply for, accept and expend, without further action by the Town, unanticipated money from a state, federal, or other governmental unit or a private source which becomes available during the fiscal year; and,

WHEREAS the Town Council has complied with RSA 31:95-b, III(a) relative to unanticipated monies received in amounts more than \$10,000, by publishing notice of a public hearing in a newspaper of general circulation at least seven days before said hearing, and then conducting said hearing; and,

WHEREAS the Londonderry Fire department is anticipating to be awarded the “Locality Equipment Matching Program” from the Governor’s Office for Emergency Relief and Recovery for up to \$50,000.00, with a required match of 10% (\$5,000).

WHEREAS these funds are intended to support the purchase of safety and emergency equipment needed as a result or in the response to the health crisis and its negative effects.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council to accept the grant revenue in the amount of up to \$50,000.00 through the life of the grant award is hereby accepted.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
06/20/22



Stair Chair

Quote Number: 10500907

Version: 1

Prepared For: LONDONDERRY FIRE DEPT

Attn:

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Shane Donnelly

Email: shane.donnelly1@stryker.com

Phone Number: (774) 502-9462

Quote Date: 03/04/2022

Expiration Date: 08/02/2022

Delivery Address

Name: LONDONDERRY FIRE DEPT

Account #: 1071864

Address: 280 MAMMOTH RD CENTRAL
FIRE STATION

LONDONDERRY

New Hampshire 03053

End User - Shipping - Billing

Name: LONDONDERRY FIRE DEPT

Account #: 1071864

Address: 280 MAMMOTH RD CENTRAL
FIRE STATION

LONDONDERRY

New Hampshire 03053

Bill To Account

Name: LONDONDERRY FIRE DEPT

Account #: 1071864

Address: 280 MAMMOTH RD CENTRAL
FIRE STATION

LONDONDERRY

New Hampshire 03053

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	6252000000	Stair-PRO Model 6252	1	\$3,867.01	\$3,867.01
1.1	7777881660	1 year parts, labor & travel			
1.2	6252009001	Stair-Pro Operations Manual			
1.3	6250001162	In-Service Video (DVD)			
1.4	6252026000	Common Components			
1.5	6250021000	2 Piece ABS Panel Seat			
1.6	6250160000	Polypropelene Restraint Set(Plastic Buckles)			
1.7	6252022000	Main Frame Assy Option			
1.8	6250024000	Standard Length Lower LiftHandles			
1.9	6252027000	Footrest Option			
1.10	6252024000	No IV Clip Option			
Equipment Total:					\$3,867.01

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
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Stair Chair

Quote Number: 10500907

Version: 1

Prepared For: LONDONDERRY FIRE DEPT

Attn:

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Shane Donnelly

Email: shane.donnely1@stryker.com

Phone Number: (774) 502-9462

Quote Date: 03/04/2022

Expiration Date: 08/02/2022

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$0.00
Grand Total:	\$3,867.01

Prices: In effect for 90 days

Terms: Net 30 Days

Contact your local Sales Representative for more information about our flexible payment options.

Capital Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's Acute Care capital terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html. A copy of Stryker Medical's Emergency Care capital terms and conditions can be found at <https://www.strykeremergencycare.com/terms>.



Power PRO 2

Quote Number: 10451552

Version: 1

Prepared For: LONDONDERRY FIRE DEPT

Attn:

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Shane Donnelly

Email: shane.donnelly1@stryker.com

Phone Number: (774) 502-9462

Quote Date: 05/04/2022

Expiration Date: 08/02/2022

Delivery Address

Name: LONDONDERRY FIRE DEPT

Account #: 1071864

Address: 280 MAMMOTH RD CENTRAL
FIRE STATION

LONDONDERRY

New Hampshire 03053

End User - Shipping - Billing

Name: LONDONDERRY FIRE DEPT

Account #: 1071864

Address: 280 MAMMOTH RD CENTRAL
FIRE STATION

LONDONDERRY

New Hampshire 03053

Bill To Account

Name: LONDONDERRY FIRE DEPT

Account #: 1071864

Address: 280 MAMMOTH RD CENTRAL
FIRE STATION

LONDONDERRY

New Hampshire 03053

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	650705550001	6507 POWER PRO 2, HIGH CONFIG	1	\$25,842.19	\$25,842.19
2.0	650707000002	Lithium-Ion Battery	1	\$630.00	\$630.00
3.0	650700450301	ASSEMBLY, BATTERY CHARGER	1	\$901.60	\$901.60
4.0	650700450102	ASSEMBLY, POWER CORD, NORTH AM	1	\$20.59	\$20.59
Equipment Total:					\$27,394.38

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
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Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$0.00
Grand Total:	\$27,394.38

Prices: In effect for 90 days

Terms: Net 30 Days



Power PRO 2

Quote Number: 10451552

Version: 1

Prepared For: LONDONDERRY FIRE DEPT

Attn:

Remit to: **Stryker Medical**

P.O. Box 93308

Chicago, IL 60673-3308

Rep: Shane Donnelly

Email: shane.donnelly1@stryker.com

Phone Number: (774) 502-9462

Quote Date: 05/04/2022

Expiration Date: 08/02/2022

Contact your local Sales Representative for more information about our flexible payment options.

Capital Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's Acute Care capital terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html. A copy of Stryker Medical's Emergency Care capital terms and conditions can be found at <https://www.strykeremergencycare.com/terms>.



ZOLL Medical Corporation

269 Mill Road
Chelmsford, MA 01824-4105
Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Quote No: Q-16551 Version: 4

Londonderry Fire Department
280 Mammoth Road
Londonderry, NH 3053

Quote No: Q-16551
Version: 4

ZOLL Customer No: 152163

Issued Date: April 12, 2022
Expiration Date: June 10, 2022

Fred Heinrich
(603) 432-1124
fheinrich@londonderrynh.org

Terms: NET 30 DAYS

FOB: Destination
Freight: Free Freight

Prepared by: Cody Ardagna
Vent Territory Manager
cardagna@zoll.com
+1 9788527761

Item	Contract Reference	Part Number	Description	Qty	List Price	Adj. Price	Total Price
1	949804	8660-001401-01	Z Vent® Portable Ventilator Includes: 1 each: Circuit, Vent, Single Limb, WYE, Adult/Pedi, 1 each: Circuit, Vent, Single Limb, WYE, Infant, 1 Assembly Oxygen Hose 6" Long, 2 each: Filter, Foam, Inlet, 108" dia X 1/2" Long, Individually Bagged, 2 each: Filter, Disk, Fresh Gas/Emergency Air Intake, Individually Bagged, 1 Power Cord, 6' 18AWG 3 SPT-2, NEMA 5-15P, IEC60320-C5 (Check MFR), 1 Power Supply, 100-240 VAC, 100W, 24V, 42A, IEC 320 & DT7L Plugs.	1	\$19,822.00	\$14,345.90	\$14,345.90

Subtotal: \$14,345.90

Total: \$14,345.90

Contract Reference	Description
949804	Reflects GPO Npp 2020 - Contract No. PS20200 contract pricing. Notwithstanding anything to the contrary herein, the terms and conditions set forth in NPP 2020 - Contract No. PS20200 shall apply to the customer's purchase of the products set forth on this quote.

To the extent that ZOLL and Customer, or Customer's Representative have negotiated and executed overriding terms and conditions ("Overriding T's & C's"), those terms and conditions would apply to this quotation. In all other cases, this quote is made subject to ZOLL's Standard Commercial Terms and Conditions ("ZOLL T's & C's") which for capital equipment, accessories and consumables can be found at <https://www.zoll.com/about-zoll/invoice-terms-and-conditions> and for software products can be found at <http://www.zoll.com/SSPTC> and for hosted software products can be found at <http://www.zoll.com/SSHTC>. Except in the case of overriding T's and C's, any Purchase Order ("PO") issued in response to this quotation will be deemed to incorporate ZOLL T's & C's, and any other terms and conditions presented shall have no force or effect except to the extent agreed in writing by ZOLL.

1. This Quote expires on June 10, 2022. Pricing is subject to change after this date.
2. Applicable tax, shipping & handling will be added at the time of invoicing.



ZOLL Medical Corporation

269 Mill Road
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Federal ID# 04-2711626

Phone: (800) 348-9011
Fax: (978) 421-0015
Email: esales@zoll.com

Londonderry Fire Department
Quote No: Q-16551 Version: 4

- 3. All purchase orders are subject to credit approval before being accepted by ZOLL.
- 4. To place an order, please forward the purchase order with a copy of this quotation to esales@zoll.com or via fax to 978-421-0015.
- 5. All discounts from list price are contingent upon payment within the agreed upon terms.
- 6. Place your future accessory orders online by visiting www.zollwebstore.com.

Order Information (to be completed by the customer)

Tax Exempt Entity (Tax Exempt Certificate must be provided to ZOLL)

Taxable Entity (Applicable tax will be applied at time of invoice)

BILL TO ADDRESS	SHIP TO ADDRESS
Name/Department:	Name/Department:
Address:	Address:
City / State / Zip Code:	City / State / Zip Code:

Is a Purchase Order (PO) required for the purchase and/or payment of the products listed on this quotation?

Yes PO Number: _____ PO Amount: _____
(A copy of the Purchase Order must be included with this Quote when returned to ZOLL)

No (Please complete the below section when submitting this order)

For organizations that do not require a PO, ZOLL requires written execution of this order. The person signing below represents and warrants that she or he has the authority to bind the party for which he or she is signing to the terms and prices in this quotation.

Londonderry Fire Department

Authorized Signature:

Name: Trent Henrich
 Title: Deputy Chief
 Date: 5/26/2022

ORDER #2022-13

An Order Relative to

EXPENDITURE OF

MAINTENANCE TRUST FUNDS FOR VARIOUS PROJECTS

Reading: 06/06/2022

Adopted: 06/06/2022

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 \$7,575.00 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 ordered to expend \$7,575.00, from the Expendable Maintenance Trust Fund for the aforementioned repairs and improvements.

John Farrell, Chairman
Town Council

Sharon Farrell
Town Clerk

A TRUE COPY ATTEST:
06/06/2022

Description	Vendor	Amount
<p>Repair of Town Hall HVAC units #12 and #13 Town Hall ACCU #12 needed a compressor replaced and ACCU #13 had a refrigerant leak. Both units service the DPW offices area. Permission was granted to our contracted vendor to secure the parts and re-charge needed to get the system back up and running. Finding the leak was an extensive and time consuming part of the necessary repairs.</p>	<p>Trane Materials/parts Refrigerant Labor</p>	<p>\$7,575.00 \$ 1,844.00 \$ 1,903.00 \$ 3,828.00</p>
<p>Total Town Council EMTF Order</p>		<p>\$ 7,575.00</p>

ORDER 2022-14

An Order Relative to

THE EXPENDITURE OF RECLAMATION TRUST FUNDS

- WHEREAS** in 2003 voters established a Reclamation Trust Fund to fund the disposal of motor vehicle waste, and recycling and reclamation of other wastes; and
- WHEREAS** recycling carts are required for the automated curbside recycling collection
- WHEREAS** some of the damage on the current recycling carts is able to be repaired instead of requiring the recycling cart to be fully replaced.
- WHEREAS** this allows the town to act in a financially responsible manner and purchase spare parts for these damaged recycling carts in order to repair and maintain the recycling carts which are required for the automated curbside recycling collection.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the Town Treasurer is hereby authorized to expend \$21,470.00 from the Reclamation Trust Fund for recycling carts and parts.

John Farrell - Chairman
Town Council

Sharon Farrell - Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:
6/20/22

Introduced: 06/20/2022
Public Hearing: 07/11/2022
Adopted: xx/xx/2022

ORDINANCE 2022-06
***AN AMENDMENT TO TITLE IV, PUBLIC HEALTH,
SAFETY AND WELFARE, CHAPTER VIII, ANIMAL
CONTROL***

WHEREAS the Town of Londonderry has previously established an Animal Control Ordinance to promote the general health and welfare of the citizens and animals residing in the Town of Londonderry; and

WHEREAS animal ownership is encouraged and welcomed within the Town, and strong emphasis is placed on the responsible ownership of all animals to ensure all animals are properly registered, cared for, and properly trained or controlled to prevent any animal from creating a nuisance; and,

WHEREAS the Town would like to amend its Animal Control Ordinance in order to establish a requirement for dog control which is more restrictive than that set forth in NH RSA 466 and less restrictive than a full leash law.

NOW THEREFORE BE IT ORDAINED by the Town Council of the Town of Londonderry that its Animal Control Ordinance in Title IV, Public Health, Safety and Welfare, Chapter VIII, Animal Control, is amended per the attached with the changes to become effective upon passage by the Town Council.

John Farrell, Chairman
Londonderry Town Council

A TRUE COPY ATTEST:

Sherry Farrell - Town Clerk
Xx/xx/2022

Town Seal

CHAPTER VIII - ANIMAL CONTROL

PURPOSE:

The Town of Londonderry (“Town”) has established this Animal Control Ordinance (“Ordinance”) to promote the general health and welfare of the citizens and animals residing within the Town. Animal ownership is encouraged and welcomed within in Londonderry. However, strong emphasis is placed on responsible ownership of all animals. Animal owners are encouraged to respect the rights of their fellow citizens and their animals. The responsibility is placed upon animal owners to ensure all animals are properly registered, cared for, and properly trained or controlled to prevent any animal from creating a nuisance.

It is recognized that a requirement for all dogs to be leashed is unnecessary in Town. However, in view of several of unfortunate incidents, the Town adopts this amended Ordinance, which is intended to establish a requirement for dog control which is more restrictive than that set forth in RSA 466, and less restrictive than a full “leash law.” The Town Council intends that the provisions of RSA 466 shall remain available as an alternative remedy to this Ordinance.

SECTION I DEFINITIONS

- A. “Dog” shall mean both male and female, altered or not.
- B. “Owner” shall mean any person owning, keeping, harboring, or otherwise assuming the care and control of a dog.
- C. “At large” is defined as a dog that is off the premises of the owner or keeper and not under the direct control of any person.
- D. “Service dog” is a type of assistance dog specifically trained to help people who have disabilities, such as visual impairment, hearing impairments, mental illnesses (such as but not limited to posttraumatic stress disorder (PTSD)), seizure disorders, mobility impairment, and diabetes.
- E. “Leashed” shall mean any physical restraint that securely connects the owner to the animal that allows for the owner to have physical control of the animal.
- F. “Mandatory Leash Area” shall mean an area where animals must be “leashed.” These areas shall include the area known as the “Rail-Trail,” Londonderry Town Common, the “Town Forest” (referring to the forested area adjacent to the Town Common), and such additional areas as may be designated from time to time as Mandatory Leash Areas by the Londonderry Town Council.

SECTION II RUNNING AT LARGE

- A. It shall be unlawful for an owner of any dog licensed or unlicensed to permit such dog to run at large.

Title IV - Public Health, Safety and Welfare

Rev. July __, 2022

- B. There shall be a rebuttable presumption that a dog outside the direct sight of its owner is “at large” when injury to another leashed dog or person results from such an interaction.
- C. With the exception of service dogs and dogs securely confined in a vehicle, no dogs shall be permitted within the confines of any cemetery owned and managed by the Town of Londonderry.
- D. No dog shall be unleashed in a Mandatory Leash Area.

SECTION III DOG FOULING PROHIBITION

It shall be unlawful for any person owning, possessing, or controlling a dog on street, park, parkway, cemetery, town forest, trail-way or other public place in the Town of Londonderry, any public street, sidewalk or right-of-way adjacent to a public place, or on any private property neither owned nor occupied by said person to fail to remove and dispose of any feces left by the dog in or on such public or private property.

SECTION IV ENFORCEMENT

The Londonderry Animal Control Officer and/or the Londonderry Police Department may seize, impound or restrain any dog running at large and deliver said dog to an authorized boarding shelter for dogs. Such dogs shall be handled pursuant to applicable law.

SECTION V IMPOUNDING

It shall be the duty of the Animal Control Officer to apprehend any dog found running at large, as defined or running at large without a collar and valid license tag. Any injury or death of the animal caused in the effort of its apprehension shall be the responsibility of the owner and no liability shall be found with the Animal Control Officer or the Town of Londonderry. The Animal Control Officer shall have the responsibility to investigate violations of this Chapter and take enforcement action as required.

SECTION VI METHOD OF CONFINEMENT

The Town Council, with the assistance and cooperation of the Animal Control Officer, shall select a suitable place of confinement for impounded dogs. A suitable place of confinement shall include good food and care. The ACO currently utilizes the dog pound located at the Police Department as a primary location for animal confinement.

SECTION VII NOTICE TO OWNERS, REDEMPTION

- A. If the dog has upon it the name or address of the owner or such name or address is otherwise known or obtainable, then the Police Department or the Animal Control Officer shall attempt to notify the owner within twenty-four (24) hours after seizure of the dog.

Title IV - Public Health, Safety and Welfare

Rev. July __, 2022

- B. Notice of impoundment shall be made by any reasonable manner. If contact is not made by telephone or in person, a writing by registered mail shall be sent with a return receipt requested.
- C. If the dog impounded does not have the name or address of the owner, and if the owner is not otherwise known, then no notice shall be necessary.
- D. The owner of any dog so impounded may reclaim the dog upon payment of the sum of up to thirty dollars (\$30) for the first twenty four hour (24 hr.) period or any part thereof that the dog is held and up to thirty dollars (\$30) for each twenty four hour (24 hr.) period or any part thereof that the dog is held thereafter; provided, however, that before release to any person, if the dog is not licensed, a license as required by the Town shall be secured. Any and all reasonable ancillary costs associated with boarding and maintaining the animal's health, including but not limited to all veterinary expenses, shall be the sole responsibility of the owner.

SECTION VIII FEES

The sum collected pursuant to the provisions of the Ordinance shall be accounted for and paid over to the Londonderry Town Clerk.

SECTION IX DISPOSITION OF UNCLAIMED DOGS

- A. Any properly collared and tagged dog which has been impounded and has not been redeemed by the owner shall be put up for adoption or turned over to the nearest Animal Rescue League/ animal shelter, provided that any such dog shall be held for at least ten (10) days after impounding.
- B. In those cases where it is required that notice be given to the owner, the ten (10) days shall commence from the date the owner is notified.
- C. In the event the Animal Rescue League/ animal shelter is unwilling or unable to accept custody of the dog, the dog shall be disposed of as directed by the Town Manager.
- D. Any uncollared, untagged dog whose owner cannot be identified shall be held for a minimum of ten (10) days and after such time, if the owner cannot be determined, the dog shall be put up for adoption, turned over to the nearest Animal Rescue League/ animal shelter, or disposed of in the manner prescribed by the Town Manager.

SECTION X DOG OFFICER APPOINTED

- A. The Chief of Police shall appoint an Animal Control Officer and determine the amount of his pay.

- B. It shall be the duty of the Animal Control Officer to enforce the provisions of this Ordinance and perform such other duties in respect thereto as the Chief of Police shall determine.

SECTION XI VIOLATION AND PENALTIES

A person who violates any provision of this Chapter shall be guilty of a violation. In addition to impounding a dog found at large the Londonderry Animal Control officer and/or Londonderry Police Department may issue the owner of any dog or animal a Conditional Court Summons for any violation of this ordinance. Nothing contained herein shall prevent the Animal Control Officer, in his or her discretion, from enforcing a violation of this Ordinance in Circuit Court as a “town ordinance violation.”

Any notice of violation by Conditional Court Summons issued shall require payment to the Town Clerk, within seven (7) business days from the date of issue. If the forfeiture is paid, said payment shall be in full satisfaction of the assessed penalty.

The forfeiture shall be in the amount as specified for the following violations: **(These fine amounts are separate from the \$30 daily storage fee for a dog held at the LPD dog pound.)**

Unlicensed Dog - RSA 466:1 and Nuisance - RSA 466: 31 (a-d)

- A. \$25 for the first offense;
- B. \$100 for the second offense committed within twelve months (12) months of the first offense.

Menace – RSA 466:31 II (e-f)

- A. \$50 for the first offense;
- B. \$200 for the second offense committed within twelve (12) months of the first offense.

Vicious Offenses – RSA 466:31 II(g)

- A. \$100 for the first offense;
- B. \$400 for the second offense committed within twelve (12) months of the first offense;
- C. \$800 for third vicious offense committed within twelve (12) months of the first offense;
- D. Any other offense shall be punishable by a fine of up to one thousand dollars (\$1000.00).

If such penalty is not paid to the Londonderry Town Clerk within the time limitation specified, a summons shall be issued for appearance in 10th Circuit Court – District

Division – Derry, and any person found guilty of violating the provisions of this section shall be guilty of a violation.

~~End of Chapter~~



Office of the Town Manager
Michael J. Malaguti • Town Manager
268B Mammoth Road, Londonderry, NH 03053
mmalaguti@londonderrynh.org • (603) 432-1100 x151

Town Manager's Report – June 20, 2022

The purpose of this report is to update the Council and the public on my activities, and the activities of the Department Heads and their Staff, during the last reporting period. The following is a summary of notable updates:

- 1. *Community Events and Contacts.*** The Fire Chief and I attended the grand opening of Enterprise Bank in Woodmont Commons. I attended an event to honor lacrosse coaches and first responders who saved the life of a fellow coach who suffered a medical emergency. There was a healthy turnout by Londonderry Police and Fire Departments. I gave tours of Town Hall to three high school civics classes. I had a productive, introductory meeting with the incoming Interim Superintendent of the Londonderry School District.
- 2. *Personnel Matters.*** I spent much of my time in the past two weeks addressing personnel matters, many of which cannot be discussed publicly. We conducted interviews for Assistant Director of Engineering and Environmental Services, and Town Planner.
- 3. *Strategic Priorities.*** The Assistant Town Manager and I spent significant time preparing strategic goals for presentation to the Town Council and the public on June 20.
- 4. *Town Common.*** The Town is exploring the feasibility of emergency access into the Kent Allen Town Forest.
- 5. *Water/PFAS.*** The Assistant Town Manager and I have continued to interface with DES and our consultants about possible solutions.

6. **Personnel Changes.** Senior Affairs Director Cathy Blash retired on June 10. Her successor, Ilona Arndt, began work on June 13.

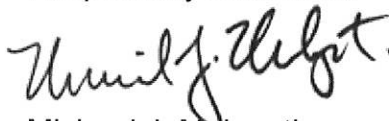
7. **Lion's Hall.** I met with the President of the Lions, David Steinhauer, to discuss the Town's relationship with the Lions going forward.

8. **Website.** We created a new "Human Services" department tab and content on the website.

9. **Read File.** The following items are attached to this Report for general informational purposes:

- Malaguti Info re: Political Signage

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael J. Malaguti". The signature is written in a cursive, flowing style.

Michael J. Malaguti
Town Manager



Town of Londonderry
Michael J. Malaguti - Assistant Town Solicitor
268B Mammoth Road - Londonderry, NH 03053
tel: (603) 432-1102 – mmalaguti@londonderrynhpd.org

TO: William Ryan Hart, Jr., Chief of Police
FROM: Michael Malaguti
DATE: August 13, 2020
RE: Political Advertising

With Election Day approaching, Londonderry Police Department has received several inquiries on this topic. The purpose of this memorandum is to set forth the law regarding political signs.

Private Property

Political signs may be placed on private property with the consent of the owner. RSA 664:17. Signs placed on private property without the owner's consent may be removed. Id. An owner of private property would be entitled to remove some, but not all, of the signs placed on his or her property because an owner may consent to some, but not all, of the signs placed on his or her property.

Public Property and Public Rights-of-Way

Under the same statute, "No political advertising may be placed on any public property including highway rights-of-way without the owner's consent." Id. Most town roads are "rights-of-way," which means the town holds an easement for public travel, but the abutting property owners own the underlying property to the center line of the road. In general, town rights-of-way are fifty feet wide.

Under this scenario, the owners of the underlying property could with respect to political signs exercise the rights of owners of private property set forth above (i.e., to remove signs). If the private property owner consents (or does not object) to the placement of signs, the Town has the separate right to remove signs to which it does not consent from its right-of-way. This right is discretionary and not mandatory. See id. ("Political advertising placed on or affixed to any public property may be removed by state, city, or town maintenance or law enforcement personnel.") (Emphasis supplied.)

Notwithstanding its right to remove political advertising from any Town right-of-way, it is the Town's policy not to remove political advertising from Town rights-of-way unless the advertising obstructs the safe flow of traffic.

It should be noted that political signs are not permitted on utility poles or highway signs.

State Roads

Political advertising may be placed within state-owned rights-of-way as long as the advertising does not obstruct the safe flow of traffic and the advertising is placed with

the consent of the owner of the land over which the right-of-way passes. Id.

Unauthorized Removal

No person is permitted to “remove, deface, or knowingly destroy any political advertising which is placed on or affixed to public or any private property except for removal by the owner of the property, persons authorized by the owner of the property, or a law enforcement officer removing improper advertising.” Id.

2/17/2022

Jonathan:

Here is a memo that I drafted in 2020 speaking to this issue. In short, the signs across from MT have been there at election season in exactly the same location for as long as I have worked in Londonderry. You will see several things from the memo:

- 1) Signs are permitted in the right of way on a state road (such as Mammoth Road) provided there is no traffic or safety issue;
- 2) The Town has the authority not to allow signs as the landowner; and
- 3) The Town has long declined to exercise such authority along roadways absent a traffic or safety issue. It is my understanding this practice long predates my August 2020 memo but, regardless, it has been the Town's written approach since at least that time.

Note, Londonderry Police Department also posted my memo on facebook in 2020.

Please feel free to disseminate my memo and my response to your inquiry as you deem appropriate.

Mike

Michael J. Malaguti
Acting Town Manager
Town of Londonderry
603-432-1100 x 151

LONDONDERRY TOWN COUNCIL MEETING MINUTES

Londonderry Town Council Meeting Minutes June 6, 2022

The meeting took place in the Moose Hill Council Chambers, 268B Mammoth Rd, Londonderry, NH 03053.

Present: Chairman John Farrell; Councilors Chad Franz, Jim Butler, and Deb Paul; Town Manager Michael Malaguti; Assistant Town Manager Lisa Drabik; Executive Assistant Kirby Brown. Absent: Vice Chairman Joe Green.

CALL TO ORDER

Chairman Farrell called the Town Council meeting to order at 7:00 PM. This was followed by the Pledge of Allegiance. This was followed by a moment of silence for all of those first responders who protect this community and country.

Per RSA 91-A:3 ll, (a), (b), and (c), the Council entered into non-public session. Motion to enter non-public made by Councilor Franz and seconded by Councilor Butler. Chair called for roll call vote: Yes votes were Councilor Deb Paul, Chairman John Farrell, Councilor Jim Butler, and Councilor Chad Franz. Motion passes 4-0-0.

7:25 PM the Town Council returned from the non-public session. Motion to exit non-public made by Councilor Franz and seconded by Councilor Butler. Chair took a roll call vote; Councilor Deb Paul, Chairman John Farrell, Councilor Jim Butler, and Councilor Chad Franz all voted yes; motion passes 4-0-0.

Motion to seal the non-public session minutes from June 6, 2022 made by Councilor Franz and seconded by Councilor Butler. Chair called a roll call vote; Councilor Deb Paul, Chairman John Farrell, Councilor Jim Butler, and Councilor Chad Franz all voted yes. Motion passes 4-0-0.

PUBLIC COMMENT

LONDONDERRY TOWN COUNCIL MEETING MINUTES

34 The Assistant Town Manager introduced the candidate for Senior Affairs Director, Ilona
35 Arndt, to replace the retiring Senior Affairs Director, Cathy Blash. The Council thanked
36 Arndt and welcomed her. Motion to approve the appointment of Arndt made by Councilor
37 Franz and seconded by Councilor Butler. Chair votes affirmative; motion passes 4-0-0.

38

39 Chairman Farrell thanked current Director, Cathy Blash, who did so much for the Senior
40 Center and oversaw its expansion, brought in new membership, etc.

41

42 John Brodeur, 27 Thornton Rd, and Tim Gelais, 32 Thornton Rd, voiced a complaint related
43 to a driveway construction plan on the Thornton Road extension. Brodeur stated that the
44 property owner of 80 High Range Rd submitted a request for a driveway permit to build an
45 access road from the back of the property to Thornton Road. The driveway plan would
46 construct a gravel road, through an extension of Thornton, outside of the requester's
47 property boundaries. Brodeur stated that the plan would directly affect his property line, as
48 well as the Gelais property line. Brodeur stated that he was not notified of the plan. Brodeur
49 urged the town to deny the permit due to these concerns. The property has an existing
50 driveway. Brodeur stated that there's been a lot of history with this issue. Brodeur suggested
51 that this driveway plan be submitted through the Londonderry Planning Board.

52

53 Gelais stated that both neighbors received a letter from Town Manager Michael Malaguti
54 in May 2022 stating that the Thornton Road extension was dedicated to the public with plan
55 recording 18490-1988. However, because there has been no public acceptance of the road,
56 it is not a public way that the town is responsible for or has jurisdiction over. Gelais stated
57 that the town's position is that it's a private dispute between all three families.

58

59 Town Manager Malaguti stated that the town's position is that this is a dedicated but not
60 accepted right-of-way. Malaguti discussed a legal precedent which very clearly stands for
61 the idea that a dedicated, but not yet accepted right-of-way can be improved at Mr. Shucks
62 cost. Malaguti stated that the town doesn't have an interest here that is at issue and that we
63 can't get involved in private disputes.

64

65 Chairman Farrell clarified that each abutting neighbor owns 6 ½ feet of the right-of-way.
66 Chairman Farrell suggested a land-use attorney be hired to have a conversation with the
67 neighbors. Malaguti stated that he told the neighbors that if there is going to be a legal
68 dispute about this, now is the time to bring it forward, but the town will not be inserting
69 themselves into the issue. Chairman Farrell reiterated that both Gelais and Brodeur should

LONDONDERRY TOWN COUNCIL MEETING MINUTES

70 seek legal counsel. Brodeur stated that he does have counsel and he will be seeking legal
71 advice.

72

73 The Director of Engineering and Environmental Services, John Trottier, stated that he will
74 be issuing them an excavator permit to be working in an area. Brodeur stated that he would
75 love to keep this out of the courts. Brodeur suggested going through the Planning Board and
76 to require public hearings.

77

78 Julia Brodeur, 27 Thornton Road, stated that she doesn't understand how this can be
79 considered a driveway permit. Brodeur stated that there's a stream that passes through the
80 area at issue. Malaguti stated that there is no Conservation overlay there. Malaguti stated
81 that while there may be a conservation concern, it is a state concern and not a town concern.

82

83 Jerry Shuck, 164 Millway, Marshall, MA, stated that no work has been done yet. Shuck
84 stated that it will be surveyed, where all the wetlands are, and they will have the proper
85 permits. Chairman Farrell asked Shuck if he would be willing to have his counsel sit down
86 and talk with the neighbor's counsel. Shuck stated that he would be happy to. Chairman
87 Farrell stated that he would like to everyone work together. Brodeur wanted assurance that
88 work will not start and a permit will not be issued prior to that meeting. Shuck stated no
89 work will begin as long as the meeting between the parties' counsel is held in a reasonable
90 amount of time.

91

92 Dave Wholley, Director of Public Works and Municipal Facilities, addressed the Council
93 about a situation at Leach Library. Wholley stated that the brains that oversee the HVAC
94 unit went down. It's old and non-replaceable. They had no ventilation. Wholley stated that
95 the vendor he'd like to use can come out within one to two weeks. Prices have gone up since
96 November but if they were the selected vendor they would hold our prices and, in the future,
97 if we used them again, they would use the price they originally gave us. Wholley stated that
98 this is an emergency event. The Council gave consensus to proceed.

99

100 Ray Breslin, 3 Gary Drive, spoke about a resident's concern about a development on
101 Gilcreast and asked if the sewer has been done on that property yet. Chairman Farrell stated
102 that there has been no plan that has been put in front of the Council so he doesn't believe
103 the soil testing has been done yet. Marge Badois, Chair of the Conservation Commission,
104 stated that the soil testing has been done, but there are no reports yet. DES is doing the
105 testing. It's a three-stage process and they're in stage two. Breslin asked if it was paid for

LONDONDERRY TOWN COUNCIL MEETING MINUTES

106 with taxpayer money. Badois stated that they received a grant.

107

PUBLIC HEARING

109

110 Motion to open public hearing made by Councilor Franz and seconded by Councilor
111 Butler. Chair called vote; motion passes 4-0-0.

112

113 Chairman Farrell introduced Ordinance #2022-03, an amendment to the Londonderry
114 Zoning Ordinance Section 4.2.1.4 relative to the keeping of poultry in an AR-1 District.
115 Such public hearing is continued from the last meeting on 5/23/22. Town Manager
116 Malaguti stated that if someone violates the Zoning Ordinance, there are some
117 consequences and civil fines. Malaguti shared what can be done, if passed, in terms of
118 enforcement.

119

120 Londonderry Deputy Police Chief, Kim Bernard, stated they do get chicken calls on
121 occasion, but usually calls about chickens being loose or chickens versus dog issues.

122

123 Martin Srugis, 17 Wimbledon Dr, referred to the last meeting when a neighbor came
124 forward about chickens wandering into his yard. Srugis stated that chickens get loose a lot
125 and the setback should be increased from 25 ft to 50 ft and the coop should be at least
126 100ft from any well in terms of manure management. Srugis stated that hopefully people
127 who have chickens follow USDA best practices on manure management.

128

129 Daniel Arias, 33 West Rd, stated that he moved up here from MA in 2015 in order to
130 enjoy the outdoors and to have poultry. Arias stated that it was his understanding that so
131 long as you have a big enough yard, you could have poultry. Arias stated that he is in
132 favor of the Ordinance.

133

134 Quinton Schacht, 5 Dan Hill Rd, stated that he has a little petting farm and they've raised
135 hundreds of chickens. Schacht stated that he has a lot of land to let them be free and he
136 thinks it's a good idea to let people have chickens as long as they maintain them.

137

138 Roger Fillio, 3 Hampshire Lane, stated he is an alternate in the Planning Board and when
139 he read about this in the paper there were some discrepancies between what was discussed

LONDONDERRY TOWN COUNCIL MEETING MINUTES

140 at the Planning Board and what is being presented. Fillio stated that the Planning Board
141 worked hard on this for months. Fillio stated that people are losing track of where our food
142 is coming from and if you need protein, you will have to grow your own.

143

144 Chris Bridges, 4 Brookview Dr, stated that he is in favor of this Ordinance. Bridges stated
145 that someone made a comment about manure not being safe. You can go to any landscape
146 store around and buy a bag of manure. Bridges stated that he does not agree with keeping
147 the chickens enclosed. They should have the right to free range under direct supervision,
148 as chickens are the most effective method to control ticks.

149

150 Sharon Little, 2 Boyd Rd, stated that the property that she owns is a little under two acres
151 and she would like to have chickens for her grandchildren to see and help with. Little
152 stated that people should be able to have a few birds as long as they're enclosed. Little
153 stated that eggs are also getting expensive.

154

155 Ron Dunn, 12 Quincy Rd, stated that he is in support of this ordinance. Chickens are a big
156 help in reducing the carbon footprint. Dunn stated that the cost of eggs is increasing and it
157 could help support a lot of families right now and asked the Council not to let the bad
158 chicken owners ruin it for the good ones.

159

160 Marco Arredondo, 427 Mammoth Rd, stated that he used to have chickens. Arredondo
161 suggested adding quail to the Ordinance. They are a lot like chickens, with the same
162 benefits, and could be confined in a much smaller space.

163

164 Chairman Farrell asked what the Council wanted to do. Councilor Paul stated she is in
165 favor of the ordinance amendment. Councilor Franz stated that he likes the idea about
166 adding quail and moving forward with the vote. Councilor Butler agreed. Chairman
167 Farrell stated that the ordinance as written allows poultry on property as small as half-acre
168 to an acre. Chairman Farrell stated that he hears all the positive things about chickens but
169 he also has to think about all other residents. Farrell stated he can probably get to an acre,
170 but he's not sure about a half-acre because the homes are close to each other.

171

172 Christie Campbell, 7 Willow Lane, stated that many homes on less than a half an acre in
173 Town are leased land. Campbell stated that her mother owned a house in the Nevins but
174 the land was not hers.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

175

176 The Council agreed to go down to a half-acre.

177

178 Nick Codner, Code Enforcement Officer, stated that he doesn't have an opinion on the
179 ordinance. Codner stated that in the last five years, the department has averaged three to
180 four complaints a year with regard to chickens that they've had to act on, and they've
181 never had to file a legal action.

182

183 Amy Agostino, 6 Willow Lane, stated that she understands the concerns about setbacks
184 and wetlands, but to be fair there are no limitations on people owning any number of dogs
185 or cats that defecate outside by wetlands and setbacks. Agostino stated chickens are not a
186 concern to the environment.

187

188 Ann Chiampa, 28 Wedgewood Drive, a member of the Planning Board, stated that she
189 hopes the Council passes this Ordinance as presented.

190

191 Councilor Butler stated that whatever decision is made, someone will be unhappy.

192 Councilor Butler stated that three or four calls a year to Code Enforcement is not bad.

193

194 Councilor Franz motioned to amend Ordinance #2022-03 to add in twelve quail. Chairman
195 Farrell suggested he wanted to limit the total allowed poultry to twelve birds total.

196 Assistant Town Manager Lisa Drabik suggested that could be accomplished by simply
197 changing the definition in the ordinance of "poultry" to include quail.

198

199 Councilor Franz moved to accept Ordinance #2022-03 as amended (by changing the
200 definition of "poultry" to include quail), seconded by Councilor Butler. Chair calls a vote;
201 result was 4-0-0.

202

203 Chairman Farrell introduced Resolutions #2022-08 through #2022-11, the acceptance of
204 Police Department Grants. Justin Campo, Finance Director, presented. Campo stated that
205 the Police Department received four separate grants for four separate reasons. One is
206 related to overtime for officers to reach out to those affected by the opioid crisis. Another
207 is for a long-range acoustic device, night vision equipment, and search and rescue
208 equipment.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

209

210 Motion to approve Resolutions #2022-08, Resolution #2022-09, Resolution #2022-10 and
211 Resolution #2022-11 made by Councilor Franz, and seconded by Councilor Butler. Chair
212 calls for a vote; motion passes 4-0-0.

213

214 Chairman Farrell introduced Ordinance #2022-05, an Ordinance creating the Londonderry
215 Commercial and Industrial Tax Incentive Program. This public hearing is continued from
216 May 9th. Chairman Farrell stated that the Council recently raised the veterans tax credit, so
217 in order to drive revenue, we need to be able to provide additional revenue. Town
218 Manager Malaguti stated that this ordinance has been discussed a great deal, and it is
219 timely. Malaguti stated that the ordinance as presented tonight is different; he heard a lot
220 of feedback from the public as well as the Council's concerns and he made some
221 additional changes. First, he eliminated the lowest tier. Malaguti stated that they would
222 like to use this tool to attract a handful of projects that will assist in building the tax base,
223 and this is a good way to do it. Malaguti stated that the original ten-year time frame was
224 shortened to a five-year max. Malaguti stated that he also changed the sunset (trial) period
225 and proposed a two-year, twenty-four-month period after which the Ordinance would
226 sunset unless the Council decides to extend it.

227

228 Councilor Franz asked if the Council can terminate this program at any point. Malaguti
229 stated that the Council can terminate the Ordinance at any point, but wouldn't be able to
230 terminate an exemption that's already been granted.

231

232 Councilor Paul stated that she is against this Ordinance for many reasons. Councilor Paul
233 asked if people within their program can apply for abatements. Malaguti stated that they
234 can. An abatement is granted only if the property is taxed inappropriately. Malaguti stated
235 that an abatement is a correction, not tax relief. Councilor Butler stated that the town has
236 to drive revenue.

237

238 Richard Belinski, 89 Hall Rd, stated that he understands what is trying to be done and he
239 likes the changes, but he still disagrees with it. Belinski stated that if a business wants to
240 be here, they should be here for the right reasons. Belinski stated that it wouldn't be fair to
241 other businesses.

242

243 Town Manager Malaguti stated that this ordinance is only applicable to new revenue. The

LONDONDERRY TOWN COUNCIL MEETING MINUTES

244 company would have to prove that there's a public benefit to obtain an exemption.

245

246 Neil Dunn, 21 Sherwood Rd, stated that he does like the new improvements but he is
247 against it as well.

248

249 Ray Breslin, 3 Gary Drive, asked if it has to be a \$15M project or improvement or more.
250 Malaguti stated that is correct. Breslin stated that is a fairly big project.

251

252 Councilor Paul evoked Councilor privilege because she would like to get more of the data
253 about how such a program works in other communities like Milford, including why they
254 adopted it and how it worked. Councilor Paul stated that she wants to know how many
255 towns have had a success rate with this.

256

257 Malaguti stated that he is unsure how quickly and whether he could obtain such data, and
258 that he has done a lot of tweaking to the ordinance.

259

260 A motion to continue was made by Councilor Butler and seconded by Councilor Paul.
261 Chairman Farrell stated that the public hearing will be continued. Chair called a vote on
262 the motion; motion passes 4-0-0.

263

264 Motion to close the public hearings made by Councilor Franz and seconded by Councilor
265 Paul. Chair called a vote on the motion; motion passes 4-0-0.

266

267 **NEW BUSINESS**

268

269 At 10:00 PM the Council took a five-minute recess.

270

271 The Council resumed their meeting at 10:06 PM.

272

273 Chairman Farrell introduced Order #2022-09, an Order relative to the licensing of a
274 junkyard pursuant to RSA 236, Murray's Auto.

275

276 Councilor Deb Paul stepped down from the vote due to a conflict of interest.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

277

278 Assistant Building Inspector Bradly Anderson presented. Anderson stated that in
279 numerous visits to the junkyard, he has had to tell the owner to put up his fence, take cars
280 down, but that he recommends the Council issue the license.

281

282 Richard Belinski, 89 Hall Rd, agreed that at the current time, the junkyard looks fine.
283 Belinski stated that last year the day it was licensed, it wasn't under compliance. Belinski
284 stated that every year around licensing time, it looks fine. After that, things get worse, and
285 it's the same thing over and over again.

286

287 Motion to approve Order #2022-09 made by Councilor Butler and seconded by Councilor
288 Franz. Chair called for a vote; motion passes 3-1-0.

289

290 Chairman Farrell introduced Order #2022-10, an Order relative to the licensing of a
291 junkyard pursuant to RSA 236, S&S Metals. Assistant Building Inspector Bradley
292 Anderson presented and recommended the Council approve the license.

293

294 Motion to approve Order #2022-10 was made by Councilor Franz, and seconded by
295 Councilor Butler. Chair called for the vote; motion passes 3-1-0.

296

297 Councilor Paul returned to the meeting.

298

299 Town Manager Malaguti discussed a military sidebar the Town proposes to enter with the
300 Londonderry Police Association. Malaguti stated that we were approached by the Police
301 Association to re-up an out-of-date sidebar related to reserve military service by our police
302 officers. Currently, members who are serving in the Guard or Reserves are doing so on
303 their own time. The Sidebar would instead provide that for the annual two-week reserve
304 training period, the Town would pay the difference between their military pay and town
305 pay, such that they would not be required to use vacation or sick time. The Council gave
306 its consensus to move forward.

307

308 Chairman Farrell introduced Order #2022-11, and Order #2022-12, Cable Equipment
309 Capital Reserve Fund withdrawal. Motion to approve both Order #2022-11 and #2022-12
310 made by Councilor Franz and seconded by Councilor Paul. Chair called for a vote; motion
311 passes 4-0-0.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

312
313 Town Manager Malaguti briefly discussed, for the council and public awareness only, the
314 Lithia Springs conservation transaction. Effective May 31st, the Town, via its
315 Conservation Commission, signed a purchase and sales agreement to conserve the
316 property known as the Lithia Springs property along Nashua Rd. This property is prime
317 water and wetlands area and is threatened by development. This purchase and sales
318 agreement reserves the right for the Town Council and Conservation Commission to
319 approve this transaction. The Town is working to conserve this area so that it is not
320 developed.

321

APPROVAL OF MINUTES

322

323
324 Councilor Franz made an amendment to change the list of members to read “Town
325 Manager” instead of “Acting Town Manager”. Motion to approve the Town Council
326 minutes from May 23, 2022 as amended made by Councilor Franz and seconded by
327 Councilor Butler. Chair calls for vote; motion passes 4-0-0.

328

ADJOURNMENT

329

330
331 Motion to adjourn made by Councilor Franz and second by Councilor Paul. Chair votes 4-
332 0-0.

333

334	Notes and Tapes by:	Kirby Brown	Date: 6/05/2022
335	Minutes Typed by:	Kirby Brown	Date: 6/11/2022
336	Approved by:	Town Council	Date: 6/20/2022