

TOWN COUNCIL AGENDA
April 11, 2022
Moose Hill Council Chambers
7:00 P.M.

- A. **CALL TO ORDER**
- B. **TOWN COUNCIL NON PUBLIC SESSION RSA 91-A:3II(a)**
- C. **PUBLIC COMMENT**
- 1.) Leash Law Discussion
Presented by Sherry Farrell
- 2.) National Telecommunications Week Proclamation
Presented by Deputy Chief Fred Heinrich and Captain Patrick Cheetham
- D. **PUBLIC HEARING**
- 1.) **Acceptance of Unanticipated Revenue Pursuant to RSA 31:95-b (ARPA Grant)**
Presented by Lisa Drabik
- E. **NEW BUSINESS**
- 1.) **Finance Department Goals Discussion**
- 2.) **Police Department Goals Discussion**
- 3.) **Resolution #2022-05 – A Resolution Relative to the Acceptance of Unanticipated Revenue Under RSA 31:95-b (Public Hearing)**
Presented by Lisa Drabik
- 4.) **Resolution #2022-06 – A Resolution Relative to the Veteran’s Tax Credit Policy (First Reading)**
- 5.) **Recycling Center Credit Card Update**
Presented by Justin Campo and Michael Malaguti
- 6.) **Lions Hall Lease Discussion**
Presented by Michael Malaguti
- F. **OLD BUSINESS**
- G. **APPROVAL OF MINUTES**

Approval of March 28, 2022 Town Council Minutes

H. APPOINTMENTS/REAPPOINTMENTS

1. **Resignation of Kevin Foley from the Energy Efficiency Task Force**

I. OTHER BUSINESS

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

J. ADJOURNMENT

K. MEETING SCHEDULE

- A. Town Council Meeting **04/18/2022**
Moose Hill Council Chambers, 7:00 PM
- B. Town Council Meeting **05/9/2022**
Moose Hill Council Chambers, 7:00 PM

LEGAL NOTICE

Pursuant to RSA 31:95-b, the Londonderry Town Council will hold a PUBLIC HEARING on the acceptance of \$50,000 from the NH DES for a Strategic Planning Grant to assess the feasibility of procurement of a public water system for the Town of Londonderry.

The public hearing will occur on Monday, April 11, 2022 at 7:00 PM at the Londonderry Town Hall, 268B Mammoth Road, Londonderry, NH 03053.

Londonderry Town Council

RESOLUTION 2022-05

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

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 Town has applied for and been awarded \$50,000 in grant funding through the American Rescue Plan Act of 2021 (ARPA) (the "Grant") as administered by the New Hampshire Department of Environmental Services to study the procurement and/or operation of a public water system for the Town of Londonderry; and

WHEREAS the Town Council is supportive of the purposes of the Grant, specifically, to remediate contamination by PFAS in the residential well drinking water, to expand the availability of safe, clean drinking water in Londonderry, and to defray taxpayer funds with such grant funding; and

WHEREAS the Town Council wishes to accept these funds.

NOW, THEREFORE, BE IT RESOLVED by the Londonderry Town Council as follows:

- (1) Grant funding of \$50,000 and such additional amounts as may be awarded are hereby accepted;
- (2) The Town Council adopts the Certificate of Vote attached hereto; and
- (3) The Town Manager shall have authority to take all actions, and to sign all documents, connected with, or incidental to, application for and acceptance of the Grant.

John Farrell - Chairman

Town Council

Sharon Farrell - Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST: 04-11-2022

A Certificate of Vote of Authorization is a certificate that states that a grant applicant is willing to enter into a grant agreement with the State of NH Department of Environmental Services, that whoever signs the Grant Agreement has the authority to do so. All certificates must include:

- Certificate should be completed and signed by someone other than the person being given authority (a signature other than the person that will sign the Grant Agreement)*
 - Must state that the person who signed the Grant Agreement has the authority to do so*
 - Must be notarized*
 - Original is needed for submittal. No copies.*
-

Certificate of Vote of Authorization (ARPA Grant)

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

I, John Farrell, Chairman of the Londonderry Town Council, do hereby certify that at a meeting held on April 11, 2022, the Londonderry Town Council voted to accept an ARPA (American Rescue Plan Act of 2021) grant for a Water System Business Plan project and to enter into an agreement with the State of New Hampshire for the same.

The Londonderry Town Council further authorized the Acting Town Manager, Michael Malaguti, to execute any documents which may be necessary to effectuate this grant agreement.

IN WITNESS WHEREOF, I have hereunto set my hand as Chairman of the Londonderry Town Council on the 11th day of April, 2022.

Signature _____

STATE OF NEW HAMPSHIRE

County of Rockingham

On this 11th day of April, 2022, before me _____ (Notary Public) the undersigned Officer, personally appeared John Farrell, who acknowledged himself to be the Chairman of the Londonderry Town Council, being authorized so to do, execute the foregoing instrument for the purpose therein contained.

In witness thereof, I have set my hand and official seal.

Notary Public _____ My commission expires: _____

RESOLUTION 2022-06

A Resolution Relative to the *Veterans' Tax Credit Policy*

Introduction: 04/11/2022
Public Hearing: 05/09/2022
Adopted: 05/09/2022

WHEREAS by Resolutions ## 2006-04 and 2007-02, the Town of Londonderry adopted the Optional Veterans' Tax Credit pursuant to RSA 72:28 at a rate of \$500, with such \$500 tax credit applicable to veterans serving in a qualifying war or foreign conflict (the "Optional Veterans' Credit"); and

WHEREAS by Resolution 2017-09, the Town of Londonderry adopted the All Veterans' Tax Credit pursuant to RSA 72:28-b at a rate of \$100 in 2018, \$300 in 2019, and \$500 in 2020 and in all subsequent years (the "All Veteran's Credit"); and

WHEREAS Effective April 1, 2018, the Legislature authorized municipalities to increase the maximum credit amount for both credits from \$500 to \$750, see Laws, 2018 148:1.

NOW, THEREFORE, BE IT RESOLVED by the Londonderry Town Council as follows:

- (1) The Optional Veterans' Credit amount is set at \$625;
- (2) The All Veterans' Credit amount is set at \$625;
- (3) Section IV (A) and (B) of the Veterans' Tax Credit Policy (the "Policy") are amended to read as follows:
 - A. The Optional Veterans' Tax Credit shall be \$625 in its entirety, and shall not be in addition to the All Veterans' Tax Credit.
 - B. The All Veteran's Tax Credit shall be \$625 in its entirety, and shall not be in addition to the Optional Veterans' Tax Credit.;
- (4) In all other respects, the Policy is ratified and reaffirmed; and
- (5) The effective date of the above changes is May 9, 2022.

(TOWN SEAL)

Sharon Farrell - Town Clerk

John Farrell - Chairman
Town Council

A TRUE COPY ATTEST:



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

John Farrell, Chairman
Londonderry Town Council

Town Manager's Report – April 11, 2022

Mr. Chairman:

I am pleased to submit the following Town Manager's Report. 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.

I. Resident and Community Contacts

One of the Town Manager's most important duties is to interface with the public to provide information and receive feedback, and to resolve resident concerns. The following is a summary of notable resident interactions and issues during the last reporting period:

- I met with a resident concerned about drinking water.
- I met with a resident who supplied background about the Town's history.
- I had introductory meetings with several residents.
- I spoke with a resident who called to express concern about the 35 Gilcreast Road transaction, specifically, the wetlands area on the parcel.
- I heard from three developers/existing business owners who specifically asked about tax incentive programs.
- I visited a local business.
- I met with Meredith Allen, who supplied information about the Kent Allen Forest.
- I had a zoom conference with Primex's cyber security consultant.

- I attended the Old Home Day Committee meeting.
- I addressed a resident's complaint about vines on Town property growing onto her property.
- I corresponded with the Ukrainian Consulate (see below).
- I corresponded with the Director of Charitable Trusts (see below).
- I met with Larry Casey and learned about the Londonderry Arts Council.
- I met with Jim Green and learned about a Senior Resource Committee initiative.
- I met with Katie Keeley and discussed the sensory playground.
- I met with representatives of the Londonderry Lions (update to be provided at meeting).
- With the Assistant Town Manager and Engineering Department, I participated in a project scope meeting for the public water system cost of service study.
- I taped a segment on the Londonderry View.
- I did performance reviews for two department heads.
- I met with two developers.
- I attended the Traffic Safety Committee meeting.
- I had a zoom conference with a local civic organization looking at a significant expansion.
- I held a senior staff meeting of department heads.
- I met with the School District Administration to discuss school safety and security.
- I attended the Police Department's monthly staff meeting.
- I attended a meeting of the website committee.
- I met with representatives of the Energy Efficiency Committee.
- I spoke with a prior Town employee about an earlier Energy Efficiency Committee and an energy audit that was performed.

II. Other Activities and Pending Matters

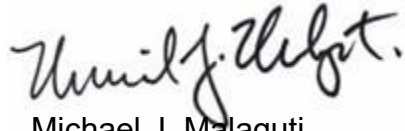
The following is a summary of other pending matters for the Council and the public's information:

1. ***Fiscal Conditions:*** The Finance Director and I continue to enforce reductions in discretionary spending. These changes are having a positive effect on our finances.
2. ***35 Gilcreast Transaction:*** As I indicated last meeting, there was a question whether the Town's conservation easement is a "charitable trust," such that Attorney General approval is required to proceed. I wrote to the Attorney General and requested a determination that the easement is not a charitable trust. I received a letter from the Attorney General granting this request (see below).

Additionally, the vote authorized the Town to move forward with the transaction for consideration of *no less than* \$2,650,000. I am working to secure an appraisal of the Town's conservation easement, to ensure the proposed consideration matches the present value of the easement.

3. **Veterans' Tax Credits:** An update will be provided at the meeting. I am recommending an increase in the Optional and All Veterans' credit of \$125.
4. **Website:** The Town is cleaning up the "News," "Updates," and social media area of the website. We have also implemented a change to activate the "Notify Me" feature.
5. **Town Hall Parking:** There has been an increase in congestion in the Town Hall parking lot when the high school lets out at the end of the day. Numerous high school students are parking at the Town Hall complex against school guidance, and parents are using the Library's pull-in as a pickup line. The Police Department will increase enforcement in the coming weeks.
6. **Read File:** The following items are attached to this Report for general informational purposes:
 - Arts Café Materials (01-02).
 - Deliberative Session Minutes (04-34).
 - Lawn Mowing Award Letter (35-37).
 - Attorney General No-Jurisdiction Letter (38-39).
 - Malaguti Letter to Ukrainian Consulate (40).
 - Manchester Water Works Advisory (41-42).
 - Energy Week Information (43-44).
 - SNHPC Transportation Planning Outreach (45-46).
 - Olde Rum Trail Historical Resources Submission (48-54).
 - Pennichuck Annual Meeting Notice & Proxy Statement (55-64).
 - Londonderry Police Department Press Release (Silver Alert) (65).

Respectfully submitted,

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

Michael J. Malaguti
Acting Town Manager



Londonderry Arts Café

Saturday, April 30th, 2022

10 AM to 4 PM

Stop by & enjoy a day of music, art and coffee!



Free admission to performances
by local Musicians

Art work for sale by local Artists

Orchard Christian Fellowship
136 Pillsbury Road in
Londonderry, NH

Featuring coffee provided by
Coffeeberries of Londonderry



FOR MORE INFORMATION EMAIL: Events@LondonderryArtsCouncil.org



Presented by Londonderry Arts Council



PRESS RELEASE – LONDONDERRY ARTS CAFE

For Immediate Release

Londonderry Arts Council to Host Eighth Annual Arts Café in Person, Saturday April 30th

Coffeehouse atmosphere showcasing musical performances and artwork offered for sale.

LONDONDERRY NEW HAMPHIRE, April 8th, 2022 – The Londonderry Arts Council invites area residents who appreciate Music and Art to attend the Eighth Annual Art’s Café, returning in person, on Saturday April 30th from 10:00 AM to 4:00 PM at the Orchard Christian Fellowship, 136 Pillsbury Road Londonderry, NH 03053. This event is FREE to the public.

Welcome Spring by bringing bring some fine art and entertainment into your day.

Featured Artists Include:

- Maureen Rose - Photos, Scarfs and Totes
- Patricia Crowley – Oils and Prints
- Will Ashworth – Acrylic
- Dana Brown – Oil Paintings
- John Webster – Mixed Medium and Encaustic
- Joy Raskin – Metal, Jewelry
- Corinne Dodge – Watercolor, Pencil, Pen & Ink, and Mixed Medium
- Inge Seaboyer – Pen & Ink, Watercolor, Mixed Medium

Featured Musicians Include:

- The Last Duo – Greg Descoteaux & Dan Sirois

For more information, visit: <https://londonderryartscouncil.org/arts-cafe/>

Or Larry Casey: 603-867-3077

The Arts Café event is the perfect way to welcome Spring and shake off the cabin fever from the past few years. A day filled with fine art and crafts from local artists and artisans, and acoustic music by local musicians. Attendees can browse the artwork, listen to live music, and talk with the artists, artisans, and musicians in a relaxing environment - a great opportunity to learn more about their passion and craft. The event will be hosted at the Orchard Christian Fellowship in Londonderry Center - a wonderful space that is very comfortable for participants and patrons alike. Snacks will be available compliments of the Londonderry Arts Council for a free-will donation. Admission for this event is free.

See attached photos



1 The Annual Deliberative Session of Saturday, February 5, 2022 was called to order at 9:00 AM at the
2 Londonderry High School Cafeteria, Londonderry, New Hampshire by Moderator Jonathan Kipp.
3

4 **MEMBERS OF THE MEETING PANEL**

5
6 Jonathan KippModerator
7 Cynthia Rice Conley Assistant Moderator
8 Mike Malaguti.....Assistant Town Attorney/Solicitor

9 **Panel Members:**

10 John Farrell Chairman - Town Council
11 Joe Green Vice-Chairman- Town Council
12 Deb Paul.....Councilor
13 Jim Butler.....Councilor
14 Tom Dolan.....Councilor
15 Kevin Smith Town Manager
16 Lisa Drabik.....Assistant Town Manager
17 Justin Campo.....Finance Director
18 Sherry Farrell.....Town Clerk/Deputy Tax Collector
19 Christie Campbell.....Deputy Town Clerk
20 Kirby Brown.....Executive Assistant

21 **Budget members:**

22 Chad Franz.....Chairman – Budget Committee
23 Jonathan Kipp Vice-Chair – Budget Committee
24 Jennifer Kenney.....Budget Member
25 Christine Patton.....Budget Member
26 Joseph Gagnon.....Budget Member
27 Steve Breault.....Budget Member
28 Tim Siekmann.....Budget Member
29
30

31 **OPENING REMARKS**

32
33 Moderator Kipp introduced the Town Council, head table, and the Budget Committee. The
34 Londonderry High School (LHS) Band Color guard presented the colors. The Pledge of Allegiance
35 lead by Kevin Smith was followed by the singing of the National Anthem by an LHS vocalist.
36 Moderator Kipp introduced a moment of silence for all the member of Londonderry who were lost
37 this year and for all of our first responders.
38
39

40 The Council recognized the following retired Town Officials for their service to the Town. Town
41 Council Chairman John Farrell introduced the 2021 Citizen of the Year, Councilor Tom Dolan, and
42 presented him with his granite state shaped award. Town Council Chairman introduced the 2021
43 Volunteer of the Year, Chris Davies and presented him with a granite state shaped award. The
44 Council took turns to present various retiree's and board members awards for their years of service to
45 Londonderry.

46
47 Moderator Kipp explained the Moderator makes the rules as they go along. Any ruling of the
48 Moderator may be challenged by a majority vote before the Moderator moves onto the next item of
49 business. He explained the use of voter cards and coupons. All Warrant Articles will be brought up
50 for discussion and open for amendments. All amendments must be in writing and given to him or
51 Assistant Town Solicitor Mike Malaguti and will be done one at a time. The amendment cannot be
52 added in subject and no Article can be tabled. No more than one amendment will be allowed on the
53 floor at a time. Moving an Article to the ballot does not require a vote at the Deliberative Session. A
54 secret ballot on an Amendment will be taken if five (5) voters request it before we vote. A recount
55 will be taken on a non-secret ballot if seven (7) voters make the request. Moving the previous
56 question requires a 2/3 majority to pass, however, if you are in line at the microphone and wish to
57 speak for the first time it will be accepted as long as the subject has not been discussed for half an
58 hour. A motion to Restrict Reconsideration is permitted after the Article has been placed on the
59 ballot. All non-voters are in their designated area and may not vote. He said the procedure for the
60 Deliberative Session will be reviewed throughout this meeting. If you have questions, please free to
61 ask them.

62
63 **STATE OF THE TOWN ADDRESS**

64
65 Members of the Town Council, the Budget Committee, other elected officials, Town employees, and
66 citizens of Londonderry:

67
68 Members of the Town Council, the Budget Committee, other elected officials, Town
69 employees, and citizens of Londonderry:

70
71 I stand before you this morning delivering what will be my ninth and final State of the Town Address
72 as Town Manager.

73
74 As I look back on when I made my first Address in 2014, it's hard to believe just how much we have
75 accomplished as a Town Administration and community since that time. Just think about the things
76 that did not exist in August 2013 when I was first hired: on the economic development front,
77 Pettengill Rd. was still just a vision and along with it, all of the industrial development - over two
78 million square feet of it; I-93 had yet to be widened from Exit 3 to Exit 5; Woodmont Commons was
79 still an apple orchard; the Apple Tree Mall had fallen into disrepair and had many vacancies; on the

80 restaurant scene, places like Renegades, Talia's, Bangkok Thai, The Red Arrow, Bacon Barn, Game
81 Changer, and many others did not exist. There was no La Caretta, although you could still go to
82 "The Whipp", and Londonderry had no breweries to speak of; today we have four. In terms of
83 residential development, there was no assisted living facility, no workforce housing, and at least two
84 fewer 55+ communities. As a Town, in 2013 we only had two School Resource Officers, today we
85 have four to service all of our schools. We've added twelve firefighters to the Fire Department
86 roster, three new police officers in addition to the SRO's, two public works employees, two Town
87 Clerks, and three admin assistants to better handle customer relations within Town Hall
88 Departments. On the capital front, we have a brand-new Central Fire Station to meet the needs and
89 demands of a growing community for years to come; we built a new out building for the employees
90 at the public works garage, and we put an addition and made major renovations to the Senior Center
91 to better accommodate the programs for our growing senior community in town.

92
93 We've done all of this and much much more in the span of just eight and a half years. And not to
94 mention the Lancer football team has also won two state championships during this period – not that
95 I had anything to do with that!

96
97 And these investments in our great Town have led to Londonderry being one of the most desirable
98 communities in all of New Hampshire. We've been the fastest growing municipality for industrial
99 and commercial development over the last eight years, our population has increase by almost 2000
100 new residents, and our assessed value in Town has increased by \$2.2 billion dollars.

101
102 Budgetarily, under the leadership of Finance Director, Justin Campo, the Town remains in a very
103 strong financial position. Under the watchful eye of Justin, and his predecessor, Doug Smith, over
104 the last 8+ years, the Town has returned over \$11 million dollars to property taxpayers through the
105 undesignated fund balance, as a result of annual budget surpluses. These surpluses have been a
106 combination of prudent fiscal management by the Departments Heads, as well as significantly higher
107 than expected revenues as a result of the robust economic conditions Londonderry has experienced
108 over the last decade. In FY21 alone, the Town finished with a surplus of \$2.7 million of which
109 almost half was better than expected revenue.

110
111 In keeping with the theme of sound financial management, the proposed FY23 operating budget that
112 will be before the voters this March comes in at \$15,334 BELOW last year's adopted operating
113 budget – this is no small accomplishment, and again, Justin and the various Department Heads
114 deserve a tremendous amount of credit for "holding the line" as was asked by the residents of our
115 Town at the beginning of this year's budget process. It's a very good budget that meets the needs of
116 our citizens while fulfilling our contractual obligations, and most importantly, it keeps spending in
117 check at a time when inflation is nearly 7%. Needless to say, I believe it's very worthy of the voters'
118 consideration and approval.

119 Looking ahead, the Town has its reasons to be optimistic that the very favorable economic conditions

120 it has enjoyed over the better part of the last decade will continue, though to be sure, there are current
121 challenges that will need to be dealt with as well. Pettengill Road remains a very desirable location
122 for new businesses wishing to locate to Town and close by the Manchester-Boston Regional Airport,
123 however, as more vehicular traffic utilize that roadway, it is likely that in the not too distant future, it
124 will need to be expanded from two lanes, to four. And while development at Woodmont Commons
125 was largely dormant throughout the peak of the pandemic, Derry Medical Center, as well as the
126 Baldwin Senior Living Community have already broken ground and will start construction in earnest
127 by the beginning of this spring. In addition, there remains significant interest in locating additional
128 housing units close to the area of Main St. And perhaps most significantly, if all goes according to
129 plan, the long-awaited Exit 4A will finally be under construction by this summer, opening up almost
130 200 acres of prime commercial and industrial land for development on the east side of I-93, in which
131 there is already an abundance of interest.

132
133 Our future challenges as a Town though, are no less insignificant: first, economic development and
134 new housing developments ultimately lead to more cars on arterial and secondary roadways, putting
135 a strain on our public safety and public works departments, as well as residents seeing increased
136 traffic in their otherwise quiet neighborhood roads. Second, while we've been able to return a
137 significant amount of UFB to the taxpayers - \$11 million dollars over nine years, with the recent
138 significant decline in value of our largest taxpayer, the Granite Ridge power plant, as well as refunds
139 owed to them over the next few years, we will be to be careful about how we spend this money going
140 forward so that it can be used to offset any impact to the taxpayers. Third, as I mentioned in my
141 budget presentation in November, with the Town's population continuing to increase and the
142 demand for new programs growing, we are going to need to take a look at right sizing certain areas
143 of both our Recreation and Public Works Departments to bring them both in line with what most
144 citizens expect out of a modern-day operation serving 26,000 residents. Finally, the issue of public
145 health, specifically as it pertains to providing clean drinking water is on the forefront of everyone's
146 minds. As a town, we need to investigate every option at our disposal, to include holding those who
147 are responsible for contaminating our groundwater with PFAS and PFOA's accountable, to ensure
148 that every household in the Town of Londonderry has access to clean drinking water.

149
150 And while these challenges are daunting on their face, none are insurmountable. They will have to be
151 addressed over the coming months and years by the Town Council, Town Committees, and Town
152 staff. And if past is prologue, I have no doubt that the creative minds in this room and of future
153 rooms at Town Hall will rise to meet the challenges of the day, just as many of you have over the
154 course of my tenure.

155
156 Over the years, as part of this address, I've often highlighted events or notable moments within our
157 community in the past year that I believe brought out the best in the people who call L'town home,
158 and in 2021 there were two such events that will be seared into my mind forever. Sometimes
159 however, a community's spirit is seen in the face of unspeakable tragedy.

160
161 In early spring of 2021, I will never forget receiving a text from one of our first responders late one
162 night that there had been a terrible car crash in the area of Hardy Road. As town manager, getting
163 news like this are the moments you dread most. Not shortly thereafter, it became known that the
164 victim of this tragic accident was LHS Senior and football captain, Jake Naar. Jake’s death shook
165 our community to its core. Though Jake was a popular student, he was equally beloved by all within
166 the student body, as well as by teachers, and administrators alike. Jake was a son, a brother, and a
167 beloved friend to so many – to include my nephew Zach with whom he shared a close special
168 friendship with. It was Zach, who in a tribute to Jake during a get together of students just a few
169 days after Jake’s death, reminded his peers that Jake lived a life of “No Bad Days.” And in the
170 weeks of months to come, that motto, No Bad Days, would become our Town’s bond along with
171 signs reading “Naar Strong” that popped up on lawns in front of homes all across the community.
172 This tribute to Jake and his beautiful life culminated with the most inspiring memorial service I have
173 ever attended, held on the field of Lancer Park. The outpouring of support from residents and
174 visitors outside of Londonderry was unlike anything I had every witnessed and was only eclipsed by
175 the beautiful words spoken by Jake’s father, Reggie, who reminded us all that day that life is
176 precious, to cherish each day as it may be your last, and never miss an opportunity to say ‘I love you’
177 to those whom are closest to us. Almost a year later, the sting of this tragedy remains, yet out of the
178 darkness of that night and the days that followed, the light of this community shone through in ways
179 that none of us will ever forget; while we are a community of nearly 26,000 people, in a time of need
180 and heartache, we are a family of one, here to support, lean on, and lift each other up when we need
181 it the most.

182
183 After night, always comes the dawn. And in in the late summer of 2021, after a very muted Old
184 Home Day in 2020 due to the Covid pandemic, our annual community celebration made a full
185 comeback, bigger and better than ever! In short, the community was ready to celebrate; and celebrate
186 we did. This could not have been pulled off though without a revamped Old Home Day committee
187 stocked with willing volunteers and Town staff who gave blood, sweat, and tears pouring countless
188 hours over many months of planning to pull off a four-day celebration that brought back enhanced
189 old traditions like the baby contest, the fireworks show, and the beer garden, as well as added new
190 events such as a Battle of the Bands, a Strongman Competition, and the first ever Apple Pie Eating
191 Contest. A special thanks first goes out to Steve Dente, who stepped up to take over the complicated
192 task of pulling together the annual Saturday parade, and he did such a great job with it, we recruited
193 him that day to run it for the next twenty years! But so much of the credit for that day goes to my
194 partner in crime, Londonderry Townie extraordinaire, and Lancer Ambassador, Katie Sullivan.
195 Katie, our community is so fortunate to have you, as your attitude of awesomeness just permeates
196 throughout everything you do; the words “Thank you” seem so inadequate as you’ve had such a
197 profound impact on so many lives.

198
199 Ladies and Gentlemen, the State of our Town, is Londonderry Strong.

200
201 In closing, I wish to take this opportunity to thank a number of people without whom, we wouldn't
202 have had nearly the amount of success and great achievements we've enjoyed during my tenure as
203 TM. The head of any organization is only as good as those with whom he or she works with on a
204 daily basis. In my case, I have been very blessed and fortunate to work with the best and brightest in
205 the in the world of municipal government. We are not merely co-workers and colleagues, we are a
206 work family bound together by my favorite motto, "Teamwork makes the dreamwork." I am
207 incredibly grateful for the commitment to excellence displayed day in and day out by all of my
208 Department Heads: at our public safety institutions led by Police Chief Bill Hart, Fire Chief Darren
209 O'Brien, and newly installed Director of Public Works, Dave Wholley; at our programs outside of
210 Town Hall, Senior Director, Cathy Blash, Cable Director, Drew Caron, and newly hired Library
211 Director, Erin Matlin; and of course, my Town Hall family: Finance Director, Justin Campo,
212 Planning Director, Colleen Mailloux, Building Chief, Nick Codner, Director of Engineering, John
213 Trottier, Assessing Director, Steve Hamilton, our Tax Collector, Allison Guthrie, and our beloved
214 Town Clerk, Sherry Farrell, and of course all of the uber professional hard working men and women
215 in each of these departments – I owe all of you a debt of gratitude for your support of me, and your
216 commitment to exceptional customer service to the residents of our community. I also wish to give
217 special thanks to four employees who I've shared a very close working relationship with over this
218 period: first, every good Town Manager should have a great Town Attorney, and in my case, I had
219 two! Mike Ramsdell and Mike Malaguti have each done yeoman's work for the Town behind the
220 scenes and have been worth their weight in gold. They've been an asset to the Town, and I've been
221 extremely fortunate to work with each of them. In 2016, seeing the volume of work coming across
222 my desk, both internal and external to the job, the Town Council did me a solid by adding the
223 position of Assistant Town Manager and Personnel Director, which was ultimately appointed in the
224 capable hands Lisa Drabik. Lisa, it is not an exaggeration to say you have been a God send in
225 assisting me in so many aspects of our jobs on a daily basis. Most notably, I would not have
226 navigated through the perilous waters of the Covid pandemic if it wasn't for your constant attention
227 to detail and implementation of what seemed like ever changing policy directives. You've truly
228 made me a better manager and supervisor – thank you for your steadfast commitment to the town and
229 its employees. Finally, I would be terribly remiss if I did not recognize the person who always greets
230 everyone with a smile and most cheerful attitude regardless of the kind of day she is having, my
231 executive assistant who's been with me since day one, Kirby – or as she's more affectionately known
232 in the office, Kirbs. Kirby, you've been a loyal employee and friend since before we both started at
233 Town Hall, and Londonderry is fortunate to have you as one its most dedicated community
234 cheerleaders! Thank you for helping to make our Town the great place that it is!

235
236 Finally, my list of folks to thank would not be nearly complete without acknowledging the members
237 of the Town Council. You took a chance on me back in 2013 and I will always be grateful and
238 appreciative of having been given the opportunity of a lifetime. It is remarkable to think that of the
239 five members of the Council who hired me back in 2013, four of you continue to serve the

240 community in that capacity today, which I believe says a lot about your commitment to public
241 service as well as the trust the community has placed in each of you. I am grateful to have known
242 Tom Freda, who served our Town honorably on this Council and as Town Moderator before his
243 passing all too soon a few years ago. I am equally as thankful to have worked alongside with Ted
244 Combes who continues to serve the community on the Planning Board. Deb Paul, I thank you for the
245 passion you bring to the Board and your commitment to keeping the community abreast of important
246 news and events through the Londonderry Times; Tom Dolan, you have served the community with
247 humility, professionalism and class for over 20 years, you've been a teacher to me and the Town will
248 miss your institutional wisdom for sure; Jim Butler you and your family live and breath Londonderry
249 in all that you do, and I am thankful for the wonderful memories of our coffee and donut chats at
250 Sunnycrest Farm – hopefully they continue in the future; Joe Green, your constituent service is
251 second to none, especially advocating for our senior population – thank you for you hard work to
252 enhance our senior and recreation programs over the years. And last, but by no means least, John
253 Farrell. Some might say our relationship has been akin to that of Brady and Belichick, but since I
254 know you're a Giants fan, I'll refrain from any Patriots comparisons. In all seriousness though,
255 simply put, I could not have succeeded at this position without your guidance, your advice, your
256 support, your critiques, your “life lessons”, your friendship. You have been a mentor since day one
257 and while you weren't always easy to work for, in time I came to learn and even appreciate it was
258 only because you've always had the best interests of the Town at heart, and demanded excellence in
259 our work product. Most people in Town will never see just how much work you do for the Town
260 and its residents “behind the scenes”, but I've had a front row seat for it over the last nine years and
261 it inspired me to do better at my job every day. Thank you for your trust and confidence in my ability
262 to lead the Town all these years; it's been quite a run and was only made better by having you at my
263 side the entire time.

264
265 And in closing, my most sincere, heart-felt thanks to all of you – the citizens of the community in
266 which I love – for allowing me to serve you as your Town Manager for the last nine years. It has
267 thus far been the greatest honor of my life and I hope I was able to leave the Town for the next
268 Manager just a little better than I found it. I will forever cherish the memories we have made
269 together; and no matter where I am, Londonderry will always be in my heart.

270
271 Thank you and God bless you all.
272 Respectfully submitted,
273 Kevin H. Smith

274
275
276 **ARTICLE NO. 1: [ELECTION OF OFFICERS]**

277
278 To choose all necessary Town Officers for the ensuing year or until another is
279 chosen or appointed and qualified.

280

281 Town Moderator Kipp proceeded to read Article 2.

282

283 **ARTICLE NO. 2: [FISCAL YEAR 2023 TOWN OPERATING BUDGET]**

284

Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$38,996,682**. Should this article be defeated, the default budget shall be **\$39,069,640** which is **the amount of the appropriations contained in the operating budget authorized for the previous fiscal year**, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only.

(If passed, this article will require the Town to raise \$21,124,977 in property taxes, resulting in a tax rate impact of \$4.099 in FY 23 based upon projected assessed values.)

The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of 7-0 recommends a YES vote.

285

286

287 Town Manager Smith mentioned that Article 2 would provide funding for the operation of all
288 town government departments for the fiscal year beginning July 1, 2022 and ending June 30,
289 2023.

290

291 Voters in 2011 adopted the Official Ballot system, whereby the Council's recommended budget
292 is presented; if that budget is defeated, then the Default Budget becomes effective, which is last
293 year's budget adjusted by any contractual obligations. The Town Council's proposed Fiscal Year
294 2023 Budget is \$72,958 LOWER than the Default Budget. The proposed budget is \$15,334
295 LOWER than the Fiscal Year 2022 amended budget.

296

297 Councilor Jim Butler made a **MOTION** to accept Article 2 as read.

298 **SECOND** by Councilor Tom Dolan

299

300 **Open for discussion:**

301

302 Kristine Perez, 5 Wesley Drive, ask how much is in the budget currently. Finance Director Justin
303 Campo stated that there is currently \$162,000.00 in there. Perez asked if they are looking to double it
304 at this time. Campo stated that it is a annual article that we request for it and roughly yes, double it,
305 but \$162,000.00 is current funds. Perez asked how much has been used so far. Town Manager Smith
306 stated that because of the transition from Steve Cotton, who used to control this fund, leaving, and
307 Dave Wholley coming on, there was a lapse when money wasn't spent out of this fund. Smith stated

308 that there is a list of maintenance items. Perez asked if the \$162,000.00 will be spent. Smith stated
309 yes.

310

311 **Moderator Kipp called the vote on the motion to accept Article No. 2 as read.**
312 **VOTE IN THE AFFIRMATIVE, ARTICLE 2 PASSES.**

313

314 Councilor Joe Green **made a MOTION** to restrict reconsideration.
315 **SECOND** by Chad Franz.

316

317 **VOTE IN THE AFFIRMATIVE, ARTICLE 2 IS RESTRICTED FROM RECONSIDERATION.**

318

319 Town Moderator Kipp then read Article 3.

320

321 **ARTICLE NO. 3: [EXPENDABLE MAINTENANCE TRUST FUND]**

322

323 To see if the Town will vote to raise and appropriate the sum of **ONE HUNDRED EIGHTY**
324 **THOUSAND DOLLARS (\$180,000)** to be placed in the Town's Expendable Maintenance Trust
325 Fund for the purpose of repairing and maintaining town facilities and infrastructure and further to
326 authorize the use of **NINETY THOUSAND DOLLARS (\$90,000)** from the June 30 Unassigned
327 Fund Balance towards this appropriation.

328

329 **(If passed, this article will require the Town to raise \$90,000 in property taxes, resulting in a**
330 **tax rate impact of \$0.017 in FY 23 based upon projected assessed values.)**

331

332 ***The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of***
333 ***7-0 recommends a YES vote.***

334

335 Councilor Jim Butler made a **MOTION** to accept Article 3 as read.
336 **SECOND** by Councilor Tom Dolan.

337

338 Town Manager Smith explained that Article 3 funds the Expendable Maintenance Trust Fund which
339 is used to maintain and repair town facilities and infrastructure, such as repairing HVAC, plumbing
340 and electric systems or making repairs to buildings such as roof and siding replacement.

341

342

343 **Open for discussion:**

344

345 **There was no public discussion.**

346

347 **Moderator Kipp called the vote on the motion to accept Article No. 3 as read.**

348

349 **VOTE IN THE AFFIRMATIVE, ARTICLE 3 PASSES.**

350

351 Vice Chairman Green **made a MOTION** to restrict reconsideration.

352 **SECOND** by Chairman Jim Butler.

353

354 **VOTE IN THE AFFIRMATIVE, ARTICLE 3 IS RESTRICTED FROM**
355 **RECONSIDERATION.**

356

357 Moderator Kipp then read Article 4.

358

359 **ARTICLE NO. 4: [ROADWAY MAINTENANCE EXPENDABLE TRUST FUND]**

360

361 To see if the Town will vote to raise and appropriate the sum of **SIX HUNDRED FIFTY**
362 **THOUSAND DOLLARS (\$650,000)** to be placed in the Roadway Maintenance Expendable Trust
363 Fund.

364

365 **(If passed, this article will require the Town to raise \$650,000 in property taxes, resulting**
366 **in a tax rate impact of \$0.126 in FY 23 based upon projected assessed values.)**

367

368 ***The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of***
369 ***7-0 recommends a YES vote.***

370

371 Councilor Paul made a **MOTION** to accept Article 4 as read.

372 **SECOND** by Chairman John Farrell.

373

374 Town Manager Smith explained that this Article would continue the process of funding Road
375 Reconstruction activities from property tax support as opposed to bonding. It is the Council's intent
376 to request an increase in funding for this purpose during each successive fiscal year as funds,
377 resulting from the town's declining debt service obligations related to road construction, become
378 available.

379

380 **Open for discussion:**

381

382 **There was no other discussion.**

383

384 **Moderator Kipp called the vote on the motion to accept Article No. 4 as read.**

385

386 **VOTE IN THE AFFIRMATIVE, ARTICLE 4 PASSES.**

387

388 Chairman John Farrell **made a MOTION** to restrict reconsideration.

389 **SECOND** by Vice Chairman Joe Green.

390
391 **VOTE IN THE AFFIRMATIVE, ARTICLE 4 IS RESTRICTED FROM**
392 **RECONSIDERATION.**

393
394 Town Moderator Kipp then read Article 5.

395
396 **ARTICLE NO. 5: [STUDY POTENTIAL CHANGES TO PUBLIC WATER SYSTEM]**

397
398 To see if the Town will vote to raise and appropriate **ONE HUNDRED THOUSAND**
399 **DOLLARS (\$100,000)** to fund legal and consulting expenses related to the possible expansion
400 of the existing public water system and/or the creation of a public water system owned by the
401 Town. This funding is necessary to study the rates such a public water system would be able to
402 offer, and to compare such rates with those offered by other utility providers operating in town.
403 These funds will also be used to study the potential costs of acquisition of existing utility
404 infrastructure by the Town, potential costs of adding necessary infrastructure, potential expenses
405 related to remediation of water contaminated by PFAS and other contaminants, and the potential
406 costs to provide potable water to Londonderry's residents at reasonable rates. This special
407 warrant article will be a non-lapsing appropriation per RSA 32:7, VI and will not lapse until the
408 earlier of the completion of its purpose or June 30, 2027.

409
410 **(If passed, this article will require the Town to raise \$100,000 in property taxes, resulting in a tax**
411 **rate impact of \$0.019 in FY 23 based upon projected assessed values.)**

412
413 ***The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of***
414 ***6-1 recommends a YES vote.***

415
416 Vice Chairman Joe Green made a **MOTION** to accept Article 5 as read.
417 **SECOND** by Councilor Jim Butler.

418
419 Assistant Town Solicitor Michael Malaguti stated that this Article would fund a study and other
420 expenses required to evaluate the possible expansion of existing public water utility infrastructure in
421 Town and/or the creation of a Town-owned public water system.

422
423 **Open for discussion:**

424
425 **Moderator Kipp called the vote on the motion to accept Article No. 5 as read.**

426
427 **VOTE IN THE AFFIRMATIVE, ARTICLE 5 PASSES.**

428
429 Chad Franz **made a MOTION** to restrict reconsideration.
430 **SECOND** by Vice Chairman Joe Green.

431 **VOTE IN THE AFFIRMATIVE, ARTICLE 5 IS RESTRICTED FROM**
432 **RECONSIDERATION.**

433
434 Town Moderator Kipp then read Article 6.

435
436 **ARTICLE NO. 6: [FIRE DEPARTMENT EQUIPMENT CAPITAL RESERVE FUND]**

437
438 To see if the Town will vote to raise and appropriate **ONE HUNDRED**
439 **THOUSAND DOLLARS (\$100,000)** to be placed in the Fire Equipment capital reserve fund
440 and further to authorize the use of **FIFTY THOUSAND DOLLARS (\$50,000)** from the June 30
441 Unassigned Fund Balance towards this appropriation.

442
443 **(If passed, this article will require the Town to raise \$50,000 in property taxes, resulting in a tax**
444 **rate impact of \$0.010 in FY 23 based upon projected assessed values.)**

445
446 *The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of*
447 *7-0 recommends a YES vote.*

448
449 Councilor Tom Dolan made a **MOTION** to accept Article 6 as read.
450 **SECOND** by Councilor Deb Paul.

451
452 Town Manager Kevin Smith stated that this article appropriates funds for the purchase or lease of
453 equipment necessary to the operations of the Fire Department, it also assists in providing the matching
454 funds required for potential grants received.

455
456 **Open for discussion:**

457
458 **There was no further discussion.**

459
460 **Moderator Kipp called the vote on the motion to accept Article No. 6 as read.**

461
462 **VOTE IN THE AFFIRMATIVE, ARTICLE 6 PASSES.**

463
464 Chad Franz **made a MOTION** to restrict reconsideration.
465 **SECOND** by Councilor Jim Butler.

466
467 **VOTE IN THE AFFIRMATIVE, ARTICLE 6 IS RESTRICTED FROM**
468 **RECONSIDERATION.**

469
470 Moderator Kipp then read Article 7.

471

**ARTICLE NO. 7: [PILLSBURY CEMETERY EXPANSION CAPITAL RESERVE
FUND]**

To see if the Town will vote to raise and appropriate **SEVENTY-FIVE THOUSAND DOLLARS (\$75,000)** to be placed in the Pillsbury Cemetery Expansion capital reserve fund.

(If passed, this article will require the Town to raise \$75,000 in property taxes, resulting in a tax rate impact of \$0.015 in FY 23 based upon projected assessed values.)

The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of 7-0 recommends a YES vote.

Chairman John Farrell made a **MOTION** to accept Article 7 as read.
SECOND by Vice Chairman Joe Green.

Assistant Town Solicitor Michael Malaguti explained that this article allows the Town to plan for the expansion of Pillsbury Cemetery without overburdening the tax rate in any one year. It also allows the Town to avoid issuing long-term debt for such expansion.

Open for discussion:

Kristine Perez, 5 Wesley Lane, asked if it would raise by .15 cents. Finance Director Justin Campo stated that no, it would be raised by 1.5 cents.

Moderator Kipp called the vote on the motion to accept Article No. 7 as read.

VOTE IN THE AFFIRMATIVE, ARTICLE 7 PASSES.

Chad Franz made a **MOTION** to restrict reconsideration.
SECOND by Vice Chairman Joe Green.

VOTE IN THE AFFIRMATIVE, ARTICLE 7 IS RESTRICTED FROM RECONSIDERATION.

Assistant Moderator Palmer then read Article 8.

Moderator Kipp handed the microphone over to Assistant Town Moderator Robert Palmer

513 **ARTICLE NO. 8: [ESTABLISH AND FUND INFORMATION TECHNOLOGY CAPITAL**
514 **RESERVE FUND]**

515
516 To see if the town will vote to establish an Information Technology Capital
517 Reserve Fund under the provisions of RSA 35:1 for the purpose of maintaining and upgrading
518 the Town's information technology needs and infrastructure, including cyber security, and to
519 raise and appropriate the sum of **ONE HUNDRED THOUSAND DOLLARS (\$100,000)** to be
520 placed in this fund. (Majority Vote Required)

521
522 **(If passed, this article will require the Town to raise \$100,000 in property taxes, resulting in a tax**
523 **rate impact of \$0.019 in FY 23 based upon projected assessed values.)**

524
525 *The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of*
526 *7-0 recommends a YES vote.*

527
528 Councilor Jim Butler made a **MOTION** to accept Article 8 as read.
529 **SECOND** by Councilor Tom Dolan.

530
531 Town Manager Smith explained that this article establishes a Capital reserve fund for the purpose of
532 maintaining and upgrading the Town's technology needs. This fund will assist in maintaining the
533 Town's technology infrastructure as well as upgrading it and securing it from potential cyber-attacks
534 and liability.

535
536 **Open for discussion:**

537
538 **There was no public discussion.**

539
540 **Assistant Moderator Palmer called the vote on the motion to accept Article No. 8 as read.**

541
542 **VOTE IN THE AFFIRMATIVE, ARTICLE 8 PASSES.**

543
544 Chad Franz **made a MOTION** to restrict reconsideration.
545 **SECOND** by Vice Chairman Joe Green.

546
547 **VOTE IN THE AFFIRMATIVE, ARTICLE 8 IS RESTRICTED FROM**
548 **RECONSIDERATION.**

549
550 Assistant Moderator Palmer then read Article 9.

551
552
553

554 **ARTICLE NO. 9: [ESTABLISH RECREATION REVOLVING FUND]**
555

556 To see if the town will vote to establish a Recreation Revolving Fund pursuant to RSA
557 35-B:2, II and to raise and appropriate **ONE THOUSAND DOLLARS (\$1,000)** to establish the
558 fund. The money received from fees and charges for recreation park services and facilities, as
559 well as any donations to the Recreation Revolving Fund, shall be allowed to accumulate from
560 year to year, and shall not be considered to be part of the general fund unassigned fund balance.
561 The treasurer shall have custody of all monies in the fund, and shall pay out the same only upon
562 order of the Town Council. These funds may be expended only for recreation purposes as
563 permitted by RSA 35-B, and in the case of a donation, for such further specified recreation
564 purposes for which the donation is made, and no expenditure shall be made in such a way as to
565 require the expenditure of other funds that have not been appropriated for that purpose. (Majority
566 vote required)

567
568 **(If passed, this article will require the Town to raise \$1,000.00 in property taxes, resulting in a**
569 **tax rate impact of \$0.00 in FY 23 based upon projected assessed values.)**
570

571 *The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of*
572 *7-0 recommends a YES vote.*
573

574 Councilor Deb Paul made a **MOTION** to accept Article 9 as read.
575 **SECOND** by Chairman John Farrell.
576

577 Assistant Town Solicitor Michael Malaguti stated that this article establishes a revolving fund for
578 recreation purposes. It will allow the town to maintain any donations received for recreation purposes
579 outside of the general fund. The fund will be supported by fees and charges received from recreation
580 purposes and will only be utilized for recreation purposes.
581

582 **Open for discussion:**
583

584 David Ellis, 1 Wilshire Drive, asked about the fund being protected as a part of the unassigned fund
585 balance, have there been any in the past that were protected. Finance Director Justin Campo stated
586 that yes there have been a few. As for revolving, we have the Police Detail Fund, and the Sewer
587 Fund, which is an enterprise fund. These funds are funded through themselves.
588

589 **Assistant Moderator Palmer called the vote on the motion to accept Article No. 9 as read.**
590

591 **VOTE IN THE AFFIRMATIVE, ARTICLE 9 PASSES.**
592
593

594 Chad Franz **made a MOTION** to restrict reconsideration.
595 **SECOND** by Kristine Perez.

596
597 **VOTE IN THE AFFIRMATIVE, ARTICLE 9 IS RESTRICTED FROM**
598 **RECONSIDERATION.**

599
600 Assistant Moderator Palmer then read Article 10.

601
602 **ARTICLE NO. 10 [RATIFY A NEW COLLECTIVE BARGAINING AGREEMENT**
603 **BETWEEN INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL 3160 AND**
604 **THE TOWN OF LONDONDERRY]**

605
606 To see if the Town will vote to approve the cost items included in the collective
607 bargaining agreement reached between the Town of Londonderry and the International
608 Association of Firefighters Local 3160, which calls for the following additional appropriations
609 for salaries and benefits over what was required under the current, expiring agreement with the
610 employees of the Union:

611	Estimated Increase	Estimated Tax
612 <u>Year</u>	<u>from Budget</u>	<u>Increase from Budget</u>
613 FY 2023	\$86,623	\$0.017
614 <u>Year</u>	<u>Estimated Increase</u>	<u>Estimated Tax Increase</u>
615	<u>from Previous FY</u>	<u>from Previous FY</u>
616 FY 2024	\$171,137	\$0.033
617 FY 2025	\$166,741	\$0.032
618 FY 2026	\$151,893	\$0.029
619 FY 2027	\$133,303	\$0.026

620
621
622 And further, to raise and appropriate the sum of **EIGHTY-SIX THOUSAND SIX HUNDRED**
623 **TWENTY-THREE DOLLARS (\$86,623)** for FY 2023 expenses, such sum representing the
624 additional costs attributable to the increase in salaries and benefits over those of the appropriation at
625 the current staffing levels paid under any existing agreements. (International Association of
626 Firefighters Local 3160 represents 48 Full time Fire Department employees).

627
628
629 **(If passed, this article will require the Town to raise \$86,623 in property taxes, resulting in a tax**
630 **rate impact of \$0.017 in FY 23 based upon projected assessed values.)**

631
632
633 **The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of**
634 **7-0 recommends a YES vote.**

635
636

637 Vice Chairman Joe Green Paul made a **MOTION** to accept Article 10 as read.

638 **SECOND** by Councilor Jim Butler.

639

640 Town Manager Kevin Smith stated that previous contract for this union is set to expire on June 30,
641 2022. The proposed agreement covers a 5-year period from July 1, 2022 through June 30, 2027. The
642 parties have agreed to a restructured step table for employees. There is no cost of living increase
643 during the duration of this agreement.

644

645 **Open for discussion:**

646

647 Chairman John Farrell stated that we have been in collective bargaining agreements with the town.
648 Farrell commended all involved. Everyone working together. Hiring only the best people to serve the
649 community. They come to the table to look for a win for the employees and tax payers and we thank
650 employee's and tax payers for having an open mind.

651

652 Ted Combes, 6 Bancroft Drive, asked what this covered since there is no cost to living or health
653 insurance, or retirement? Town Manager Smith stated that it is not for retirement or health insurance.
654 It is only to be used for pay steps.

655

656 Assistant Solicitor Malaguti stated that it is a savings in the town's contribution to the employee's
657 HAS's.

658

659 David Ellis, 1 Wilshire Drive, stated that this article and Article 11 are closely tied. Can we avoid
660 taking the vote to restrict reconsideration until Article 11 is read. Assistant Moderator Palmer stated
661 that yes we will do that.

662

663 **Assistant Moderator Palmer called the vote on the motion to accept Article No. 10 as read.**

664

665 **VOTE IN THE AFFIRMATIVE, ARTICLE 10 PASSES.**

666

667 Chad Franz **made a MOTION** to restrict reconsideration.

668 **SECOND** by Councilor Jim Butler.

669

670 **VOTE IN THE AFFIRMATIVE, ARTICLE 10 IS RESTRICTED FROM**
671 **RECONSIDERATION.**

672

673 Assistant Moderator Palmer then read Article 11.

674

675

676

677

678

679 **ARTICLE NO. 11:** *[AUTHORIZATION FOR SPECIAL MEETING ON COST ITEMS]*

680
681 Shall the Town, if Article 10 is defeated, authorize the Town Council to call one special meeting, at
682 its option, to address Article 10 cost items only.

683
684 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax**
685 **rate impact of \$0.00 in FY 23 based upon projected assessed values.)**

686
687 *The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of*
688 *7-0 recommends a YES vote.*

689
690 Councilor Tom Dolan made a **MOTION** to accept Article 11 as read.
691 **SECOND** by Chairman Deb Paul.

692
693 Assistant Town Solicitor Michael Malaguti stated that his article would allow the Town, with
694 authorization of the Town Council, to hold a special meeting to address cost items associated with a
695 collective bargaining agreement with IAFF Local 3160 should Article 10 be defeated, if an
696 agreement is later reached with Local 3160

697
698 **Open for discussion:**

699
700 **There was no discussion.**

701
702 **Assistant Moderator Palmer called the vote on the motion to accept Article No. 11 as read.**

703
704 **VOTE IN THE AFFIRMATIVE, ARTICLE 11 PASSES.**

705
706 Chad Franz **made a MOTION** to restrict reconsideration.
707 **SECOND** by Vice Chairman Joe Green.

708
709 **VOTE IN THE AFFIRMATIVE, ARTICLE 11 IS RESTRICTED FROM**
710 **RECONSIDERATION.**

711
712 Assistant Moderator Palmer then read Article 12.

713
714 **ARTICLE NO. 12:** *[DISSOLVE ECO PARK CAPITAL RESERVE FUND]*

715
716 To see if the Town will vote to discontinue and dissolve the Eco-Industrial Park capital
717 reserve fund originally created in 2008, currently containing **THIRTY-TWO THOUSAND**
718 **EIGHT HUNDRED DOLLARS (\$32,800)**. Said funds and accumulated interest to date of
719 withdrawal are to be transferred to the Town's June 30 Unassigned Fund Balance. If this article

720 passes and Article 13 fails, this article will be null and void and the Eco-Industrial Park Capital
721 reserve fund will continue to operate as originally established. (Majority vote required)
722

723 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax**
724 **rate impact of \$0.00 in FY 23 based upon projected assessed values.)**
725

726 ***The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of***
727 ***7-0 recommends a YES vote.***
728

729 Chairman John Farrell made a **MOTION** to accept Article 12 as read.
730 **SECOND** by Vice Chairman Joe Green.
731

732 Town Manager Kevin Smith stated article dissolves the Eco Park Capital Reserve fund which was
733 originally created in 2008. This fund is no longer utilized and the town plans to repurpose the funds
734 from this capital reserve to the Master Plan Capital reserve which is utilized to fund the cost of
735 updating the town's Master plan.
736

737 **Open for discussion:**
738

739 **There was no public discussion.**
740

741 **Assistant Moderator Palmer called the vote on the motion to accept Article No. 12 as read.**
742

743 **VOTE IN THE AFFIRMATIVE, ARTICLE 12 PASSES.**
744

745 Chad Franz **made a MOTION** to restrict reconsideration.
746 **SECOND** by Vice Chairman Joe Green.
747

748 **VOTE IN THE AFFIRMATIVE, ARTICLE 12 IS RESTRICTED FROM**
749 **RECONSIDERATION.**
750

751 Assistant Moderator Palmer then read Article 13.
752

753 **ARTICLE NO. 12: [FUND MASTER PLAN CAPITAL RESERVE FUND]**
754

755 To see if the Town will vote to raise and appropriate **THIRTY-TWO**
756 **THOUSAND EIGHT HUNDRED DOLLARS (\$32,800)** for the future updating of the Town
757 Master Plan, to be placed in the Master Plan capital reserve fund established for this purpose
758 under Article 14 at the 2008 Town Meeting, and further to authorize the use of **THIRTY-TWO**
759 **THOUSAND EIGHT HUNDRED DOLLARS (\$32,800)** from the June 30 Unassigned Fund
760 Balance towards this appropriation. If this Article passes and Article 12 fails, this Article will be

761 null and void.

762
763 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a**
764 **tax rate impact of \$0.00 in FY 23 based upon projected assessed values.)**

765
766 *The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of*
767 *7-0 recommends a YES vote.*

768
769 Councilor Jim Butler made a **MOTION** to accept Article 13 as read.
770 **SECOND** by Councilor Tom Dolan.

771
772 Assistant Solicitor Michael Malaguti stated that this article appropriates funds for the Master Plan
773 Capital reserve to be made available from the dissolution of the Eco Park Capital Reserve fund. The
774 Master Plan Capital reserve fund is used to fund the costs of updating the Town's Master plan.

775
776 **Open for discussion:**

777
778 Councilor Deb Paul asked when will we be updating our Master Plan and how much money is in the
779 fund. Finance Director Justin Campo stated that we have about \$35,000.00 in the account.

780
781 Town Planner Colleen Mailloux stated that it should be ready for the spring to update it.

782
783 **Assistant Moderator Palmer called the vote on the motion to accept Article No. 13 as read.**

784
785 **VOTE IN THE AFFIRMATIVE, ARTICLE 13 PASSES.**

786
787 Chad Franz made a **MOTION** to restrict reconsideration.
788 **SECOND** by Vice-Chairman Joe Green.

789
790 **VOTE IN THE AFFIRMATIVE, ARTICLE 13 IS RESTRICTED FROM**
791 **RECONSIDERATION.**

792
793 Assistant Moderator Palmer then read Article 14.

794
795 **ARTICLE NO. 14: [CABLE EQUIPMENT CAPITAL RESERVE FUND]**

796
797 To see if the Town will vote to raise and appropriate **THIRTY-TWO THOUSAND FIVE**
798 **HUNDRED DOLLARS (\$32,500)** to be placed in the Cable Equipment capital reserve fund with
799 funding to come from the annual distribution of Public Educational and Government Access
800 programming from the current Franchise Agreement.

801

802 (If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a
803 tax rate impact of \$0.00 in FY 23 based upon projected assessed values.)

804
805 *The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of*
806 *7-0 recommends a YES vote.*

807
808 Councilor Deb Paul made a **MOTION** to accept Article 14 as read.
809 **SECOND** by Chairman John Farrell.

810
811 Town Manager Smith stated that this article appropriates the funding the town receives as part of the
812 franchise agreement with Comcast on an annual basis to the Cable Equipment Capital Reserve Fund
813 to be used for equipment purchasing and replacement.

814
815 **Open for discussion:**

816
817 There was no discussion.

818
819 **Assistant Moderator Palmer called the vote on the motion to accept Article No. 14 as read.**

820
821 **VOTE IN THE AFFIRMATIVE, ARTICLE 14 PASSES.**

822
823 Chad Franz **made a MOTION** to restrict reconsideration.
824 **SECOND** by Vice Chairman Joe Green.

825
826 **VOTE IN THE AFFIRMATIVE, ARTICLE 14 IS RESTRICTED FROM**
827 **RECONSIDERATION.**

828
829 **Assistant Moderator turned the microphone back over to Moderator Kipp.**

830
831 Moderator Kipp then read Article 15.

832
833 **ARTICLE NO. 15: [SCHOOL DISTRICT LEASE]**

834
835 To see if the Town will authorize the Town Council to execute a lease with the Londonderry
836 School District whereby the Town would lease to the School District certain property adjacent to
837 Town Hall for purposes of constructing new School District Offices, for a term of 30-75 years, and
838 for nominal rent, and further to vote to raise and appropriate **THREE HUNDRED THOUSAND**
839 **DOLLARS (\$300,000)** for the Town to contribute to the construction of the new School District
840 Offices and directly related expenses such as landscaping or reconfiguring the Town Hall complex
841 and further to authorize the use of **THREE HUNDRED THOUSAND DOLLARS (\$300,000)** from

842 the June 30 unassigned fund balance. The lease shall include a provision that office and storage
843 space for the Town’s use, satisfactory to the Town, shall be included in the building constructed by
844 the School District. This special warrant article will be a non-lapsing appropriation per RSA 32:7,
845 VI and will not lapse until the construction of the new School District office is complete, or by June
846 30, 2027, whichever is sooner. Should the School District not pass one or more warrant article(s)
847 authorizing the lease and funding for the construction of new School District Offices, the funds
848 authorized to be raised and appropriated pursuant to this Article 15, if passed, shall not be removed
849 from the June 30 Unassigned Fund Balance.

850
851 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax rate**
852 **impact of \$0.00 in FY 23 based upon projected assessed values.)**

853
854 *The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of*
855 *7-0 recommends a YES vote.*

856
857 Vice Chairman Joe Green made a **MOTION** to accept Article 15 as read.
858 **SECOND** by Councilor Jim Butler.

859
860 Assistant Town Solicitor Michael Malaguti stated that this article authorizes the Town Council to
861 execute a lease with the Londonderry School district for the property adjacent to Town Hall to allow
862 the Londonderry School district to construct new School District Offices. In addition, this Article
863 authorizes the Town to contribute \$300,000 from unassigned fund balance to the project. Should the
864 School District not pass a warrant article to authorize the funding and lease of new district offices, the
865 funds from this article will not be removed from the June 30th Unassigned fund balance.

866
867 **Open for discussion:**

868
869 Kristine Perez, 5 Wesley Drive, asked why was the lease connected to landscaping, amount of
870 \$300,000. People may have been in favor of the lease, but the amount of \$300,000 may have deterred
871 people. Malaguti stated that legally they do not have to be connected. A town can only execute a
872 lease for five years. It is not required to be in the article. My understanding is the amount was used to
873 “button up” the site. Malaguti stated that they did not have to be. Perez stated that it seems they
874 should have been two separate warrant articles and that putting them together, it could cause the
875 article not to pass. What happens if that happens? Perez commended the town and fire department
876 for keeping things financially nice and tight. Town Manager Smith stated that if you read how it was
877 written, more likely then not, that money will be used for offices. Perez stated that’s what it should
878 have said then. Smith stated that the way it was written was so that it was broad enough to be used
879 for things that are needed. Smith stated that if someone wanted to propose an amendment, to take
880 landscaping out of this, I think that would be perfectly reasonable. Perez stated that her question was
881 only about the money. Malaguti stated that the school will take it in. Perez clarified that the taxpayer
882 is not going to be charged twice.

883
884 Chairman John Farrell stated that his understanding is that we passed an article to demolish the old
885 school building and be able to build additional office and area for the town. When the school
886 approached us, we did demolish the building with some funds, and later realized it was too expensive
887 for us. We didn't have enough money to build what we wanted to build. We will just clean the site
888 up. Chairman Farrell stated that if it fails, we have to landscape the land. Chairman Farrell stated that
889 if the \$300,000 warrant article one passes, and the school warrant article passes, the \$150,000
890 warrant article one that is next, we don't do. Either way, it has to be fixed.

891
892 Assistant Town Solicitor Michael Malaguti stated that this \$300,000 is from funds that were already
893 appropriated, related to the SAU complex.

894
895 **Moderator Kipp called the vote on the motion to accept Article No. 15 as read.**

896
897 **VOTE IN THE AFFIRMATIVE, ARTICLE 15 PASSES.**

898
899 Chad Franz **made a MOTION** to restrict reconsideration.
900 **SECOND** by Vice Chairman Joe Green.

901
902 **VOTE IN THE AFFIRMATIVE, ARTICLE 15 IS RESTRICTED FROM**
903 **RECONSIDERATION.**

904
905 Moderator Kipp then read Article 16.

906
907 **ARTICLE NO. 16: [RESTORE FORMER SCHOOL DISTRICT OFFICES SITE]**

908
909 To see if the Town will vote to raise and **appropriate ONE HUNDRED FIFTY**
910 **THOUSAND DOLLARS (\$150,000)** to restore the site of the former School District Offices at the
911 Town Hall complex to a safe, landscaped, sightly condition if the Londonderry School District and
912 the Town do not agree or are unable to return the District Offices to the Town Hall complex and
913 further to authorize the use of **ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000)**
914 from the June 30 unassigned fund balance. This special warrant article will be a non-lapsing
915 appropriation per RSA 32:7, VI and will not lapse until the completion of restoring the site of the
916 former School District Offices at the Town Hall complex to a safe, landscaped, sightly condition or
917 by June 30, 2025, whichever is sooner. If Article 15 passes and the Londonderry School District
918 passes one or more articles at the Official Ballot Session of the 2022 Annual Town Meeting
919 authorizing the lease referred to in Article 15 and funding for construction of new School District
920 offices, the appropriation authorized under this Article will be null and void. This article seeks to
921 use funds appropriated in 2019, which lapsed to the unassigned fund balance after the Town agreed
922 to refrain from restoring this site to allow the School District to attempt to return the District Offices
923 to this site.

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(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax rate impact of \$0.00 in FY 23 based upon projected assessed values.)

The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of 7-0 recommends a YES vote.

Councilor Tom Dolan made a **MOTION** to accept Article 16 as read.
SECOND by Councilor Deb Paul.

Town Manager Smith stated that this article appropriates \$150,000 for the purpose of restoring the site of the former School District Offices which are adjacent to the Town Hall, should the Town and School articles authorizing the lease of this space fail.

Open for discussion:

Councilor Tom Dolan stated that Perez did hit on something the Town Council wrestled with. If you look at this article, it is confusing and too long. We are worried about that. The Council worked with our attorney to get a consolidated version that would make more sense.

Moderator Kipp called the vote on the motion to accept Article No. 16 as read.

VOTE IN THE AFFIRMATIVE, ARTICLE 16 PASSES.

Chad Franz **made a MOTION** to restrict reconsideration.
SECOND by Vice Chairman Joe Green.

VOTE IN THE AFFIRMATIVE, ARTICLE 16 IS RESTRICTED FROM RECONSIDERATION.

Moderator Kipp then read Article 17.

ARTICLE NO. 17: [35 GILCREAST REAL ESTATE TRANSACTION]

To see if the Town will vote to authorize the release of a conservation and open space restriction on approximately 23 acres of land at 35 Gilcreast Road, Tax Map and Lot 007-118-0 (the "Property"), currently owned by Gilcreast Realty Holdings, LLC, for consideration to be paid to the Town of no less than **TWO MILLION SIX HUNDRED FIFTY THOUSAND DOLLARS (\$2,650,000)**.

964 If passed, this Article authorizes, but does not require, the Town Council and
965 Conservation Commission to enter into a transaction with Gilcreast Realty Holdings, LLC, upon
966 the above conditions, and such further conditions as the Town Council and Conservation
967 Commission deem appropriate. If this Article passes and Article 18 fails, this Article will be null
968 and void.

969 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in**
970 **a tax rate impact of \$0.00 in FY 23 based upon projected assessed values.)**

971 *The Town Council by a vote of 4-1 recommends a YES vote; the Budget Committee by a vote of*
972 *6-1 recommends a YES vote.*

973

974 Chairman John Farrell made a **MOTION** to accept Article 17 as read.

975 **SECOND** by Vice Chairman Joe Green

976

977 Assistant Town Solicitor Michael Malaguti stated that this article authorizes but does not require the
978 Town Council and the Conservation Commission to enter into a transaction with Gilcreast Realty
979 Holdings LLC to release a conservation and open space restriction for no less than Two Million Six
980 Hundred Fifty Thousand dollars. The easement currently encumbers approximately 23 acres of land
981 located at 35 Gilcreast Road, Tax Map and Lot 007-118-0. If Article 18 fails, and this Article passes,
982 this Article will be null and void.

983

984 **Open for discussion:**

985

986 Chris Paul, 118 Hardy Rd, asked what we purchased the land for. Malaguti stated that \$1.23M. We
987 are doubling the money with this. Malaguti stated that the expected contamination with apple
988 growing, and looking at the ground water. DET related chemicals. Town Council would have to
989 approve this. Conservation Commission will need to determine what is doing the Conservation
990 Committee good. Paul asked if that means this won't necessarily happen. Malaguti stated that we are
991 saying there are two different ways to look at it. It's dollar to dollar, or parcel to parcel. To call it
992 unsightly is generous, Malaguti stated. Paul stated that it would be nice to know how Conservation
993 felt about this.

994

995 Marge Badois, Conservation Commission, stated that the Commission has not discussed this but if
996 they had to opportunity to purchase something that had more Conservation value, that would be more
997 of a win on the towns part. Badois stated that would the twenty-six acres of ugly be worth the twelve
998 acres of good. Badois stated that the Commission if in favor of it, but we would have to figure out the
999 other pieces of it.

1000

1001 **Moderator Kipp called the vote on the motion to accept Article No. 17 as read.**

1002

1003 **VOTE IN THE AFFIRMATIVE, ARTICLE 17 PASSES.**

1004 Councilor Jim Butler **made a MOTION** to restrict reconsideration.
1005 **SECOND** by Vice Chairman Joe Green.

1006
1007 **VOTE IN THE AFFIRMATIVE, ARTICLE 17 IS RESTRICTED FROM**
1008 **RECONSIDERATION.**

1009
1010 Moderator Kipp then read Article 18.

1011
1012 **ARTICLE NO. 18: [RESTORE FORMER SCHOOL DISTRICT OFFICES SITE]**

1013
1014 To see if the Town will vote to raise and appropriate the sum of **SEVEN**
1015 **HUNDRED FIFTY THOUSAND DOLLARS (\$750,000)** to be placed in the Conservation
1016 Commission's Land Acquisition Fund, to be used within a reasonable time to replace the
1017 property currently under a conservation and open space restriction on approximately 23 acres of
1018 land at 35 Gilcreast Road, Tax Map and Lot 007-118-0 (the "Property"), now owned by Gilcreast
1019 Realty Holdings, LLC Property with a separate parcel or parcels of land, or interest therein, of an
1020 equal or greater conservation value, and further to authorize the use of **SEVEN HUNDRED**
1021 **FIFTY THOUSAND DOLLARS (\$750,000)** from the consideration paid to the Town for the
1022 release of the conservation and open space restriction.

1023
1024 If this Article passes and Article 17 fails, this Article will be null and void.

1025 (If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax
1026 rate impact of \$0.00 in FY 23 based upon projected assessed values.)

1027
1028 ***The Town Council by a vote of 4-1 recommends a YES vote; the Budget Committee by a vote of***
1029 ***6-1 recommends a YES vote.***

1030
1031 Councilor Jim Butler made a **MOTION** to accept Article 18 as read.
1032 **SECOND** by Councilor Tom Dolan.

1033
1034 Town Manager Smith stated that This article authorizes an appropriation of \$750,000 to be paid
1035 to the Conservation commission's Land Acquisition fund from the proceeds received by the
1036 Town for the release of the conservation and open space restriction referred to in Article 17. This
1037 funding is to be used to obtain parcels of land or interests therein having an equal or greater
1038 conservation value than the land at 35 Gilcreast road. If this article passes and article 17 fails this
1039 article will be null and void.

1040
1041
1042

1043 **Open for discussion:**

1044

1045 Moderator Kipp stated that there is an amendment that was presented. There was an extra word in
1046 the wording of the article. Chairman Farrell suggested to strike the word “property” in the middle of
1047 the article. Motion to open the amendment for discussion made by Vice Chairman Green and second
1048 by Councilor Butler. Vote made. Amendment passes.

1049

1050 Article opened with amendment as discussed.

1051

1052 Mike Speltz, 18 Sugar Plum Lane, stated that the previous article is more wide open. I don’t know
1053 how we can know in advance that \$750,000 is going to be the number. What could happen is that we
1054 can get stuck, and everyone will want to go through with the deal, but the Commission would have to
1055 fail it. I think somehow we need to say that the amount should not exceed \$1.3M, which is what we
1056 paid for the restriction anyway. Doing it this way, I am afraid we are going to shoot ourselves in the
1057 foot. Chairman John Farrell stated that it doesn’t restrict that they have to spend this amount. It could
1058 be more or less. Malaguti stated that is correct. Malaguti stated that we did look at saying something
1059 else, but for purposes of the article, we didn’t feel it was practical or even legal. Speltz stated that if
1060 he heard him correctly, there is a number to match this if necessary. Malaguti stated that
1061 Conservation Commission must be satisfied.

1062

1063 Chairman Farrell stated that the Council and Budget Committee will revote after the meeting even
1064 though the article has not changed.

1065

1066 **Moderator Kipp called the vote on the motion to accept Article No. 18 as read and amended.**

1067

1068 **VOTE IN THE AFFIRMATIVE, ARTICLE 18 PASSES.**

1069

1070 Councilor Tom Dolan **made a MOTION** to restrict reconsideration.

1071 **SECOND** by Vice Chairman Joe Green.

1072

1073 **VOTE IN THE AFFIRMATIVE, ARTICLE 18 IS RESTRICTED FROM**
1074 **RECONSIDERATION.**

1075

1076 Moderator Kipp then read Article 19.

1077

1078 **ARTICLE NO. 19: [TOWN-WIDE SPEED LIMIT]**

1079

1080 To see if the Town will vote to express a nonbinding opinion that the maximum
1081 town-wide speed limit should be thirty miles per hour, where the speed limit is not otherwise set
1082 by law.

1083
1084 **(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a**
1085 **tax rate impact of \$0.00 in FY 23 based upon projected assessed values.)**
1086

1087 *Non-monetary item. The Town Council will not make a recommendation; the Budget*
1088 *Committee will not make a recommendation.*
1089

1090 Councilor Deb Paul made a **MOTION** to accept Article 19 as read.
1091 **SECOND** by Chairman John Farrell.

1092 Assistant Town Solicitor Michael Malaguti stated This article is a request to express a
1093 nonbinding opinion that the town-wide speed limit should be 30 miles per hour where it is not
1094 already set by law.

1095
1096 **Open for discussion:**
1097

1098 David Ellis, 1 Wilshire Drive, stated that he is not sure what problem we are trying to solve with this.
1099 My understanding is that normally it would be 35. I would like to propose an amendment from 30
1100 MPH to 35 MPH.

1101
1102 Moderator Kipp asked if that was in the form of an amendment. David Ellis motioned to made that
1103 amendment. Liz Thomas seconded the amendment. Vote taken. Amendment failed.
1104

1105 Police Chief Bill Hart stated that presently it is 35 MPH around town. Litchfield and Hardy Rd are
1106 30 MPH because they are state roads. Chief Hart stated that Traffic Safety Committee meets
1107 quarterly and we thought this was an opportune time to explore it. This is just a temperature taking of
1108 the town to reduce the speed to 30 MPH. Malaguti stated that based on the addition information, this
1109 amendment would become mute.
1110

1111 Christine Patton, 145 Mammoth Rd, asked what roads would this affect if passed. Chief Hart stated
1112 that it will affect every road except state roads.
1113

1114 Councilor Dolan stated that there would have to be a town expenditure to swap all the speed limit
1115 signs. Chief Hart stated that there would be expense in the sense of an actual human to remove the
1116 signs, but DPW will handle the signs and it wouldn't be an increase.
1117

1118 Councilor Paul stated that it could have an impact because of new signage.
1119

1120 **Moderator Kipp called the vote on the motion to accept Article No. 19 as read.**
1121

1122 **VOTE IN THE AFFIRMATIVE, ARTICLE 19 PASSES.**

1123 Chad Franz **made a MOTION** to restrict reconsideration.
1124 **SECOND** by Vice Chairman Joe Green.

1125
1126 **VOTE IN THE AFFIRMATIVE, ARTICLE 19 IS RESTRICTED FROM**
1127 **RECONSIDERATION.**

1128
1129 Moderator Kipp then read Article 20.

1130
1131 **ARTICLE NO. 20: [PICKLEBALL ENGINEERING WORK]**

1132
1133 Shall the voters of Londonderry, New Hampshire, vote to raise and appropriate the sum of
1134 **\$6,000 (SIX THOUSAND DOLLARS)** for engineering fees for a Conceptual Design summary
1135 outline for Pickleball Courts, tentatively at 94 West Road or another suitable location, to be used as
1136 noted below:

1137
1138 Conduct site observation of potential pickle ball court area with Town

- 1139
1140 A. Coordinate and obtain the latest available topographic GIS information from the Town
1141 representing the current existing conditions including the pump house and pavilion.
1142 B. Develop preliminary base plan of the existing conditions from the GIS information in the area
1143 of the proposed pickle ball courts.
1144 C. Develop a conceptual layout plan for pickle ball courts (up to 8 courts).
1145 D. Develop preliminary grading for pickle ball courts.
1146 E. Identify and conceptualize potential stormwater facilities to address development runoff.
1147 F. Coordinate and review the conceptual layout plan, associated site grading plan and potential
1148 stormwater facilities with the Town.
1149 G. Develop conceptual budget estimate for pickle ball courts based upon conceptual design.
1150 H. QA/QC of conceptual design and estimate. **(BY CITIZENS' PETITION)**

1151
1152 **(If passed, this article will require the Town to raise \$6,000.00 in property taxes, resulting in**
1153 **a tax rate impact of \$0.001 in FY 23 based upon projected assessed values.)**

1154
1155 ***The Town Council by a vote of 5-0 recommends a YES vote; the Budget Committee by a vote of***
1156 ***5-2 recommends a YES vote.***

1157
1158 Vice Chairman Joe Green made a **MOTION** to accept Article 20 as read.
1159 **SECOND** by Councilor Jim Butler.

1160
1161 Town Manager Smith stated that this article was a citizen petition.

1162
1163

Open for discussion:

1164
1165
1166 Heather Carey, 132 Pillsbury Rd, introduced herself as the petitioner and made a motion to make an
1167 amendment to authorize the use of \$6,000 from the UFB towards this article for the plans and
1168 engineer report. Malaguti stated that it is a legal amendment. Moderator Kipp stated that instead of
1169 raising \$6,000 from the taxpayers, use the UFB. Finance Director Campo stated that we do have that
1170 amount available. Maureen Hardy, 13 Clover Lane, second the motion.
1171
1172 Councilor Jim Butler asked if Carey could explain pickleball. Carey stated that it is a cross between
1173 tennis and racquetball. Growing sport for all ages, seniors also.
1174
1175 Town Manager Smith stated that many times we have been approached by citizens to find a space.
1176
1177 Liz Thomas, 143 Mammoth Rd, stated that when we look for engineers, we are pretty much sucked
1178 into moving forward. We are throwing good money away. Thomas stated that we also have an
1179 understanding that the intent is to get it done. Are we prepared to get it done as a town.
1180
1181 Town Manager Smith stated that when heather first approached us about doing this, the land we are
1182 looking at is West Road. We couldn't get an idea of how much it would cost. So that's why we took
1183 this approach of putting it on the ballot. Art Psaledas and John Farrell stated that it should be put on
1184 the ballot to do step one first to figure out the real cost.
1185
1186 Art Psaledas, 12 Mount Vernon Drive, stated that the problem, without a plan things end up as a
1187 disaster. Psaledas stated that if you don't have something planned, you will have to do it again.
1188 Chairman Farrell stated that we should do things right the first time so that we won't have to do it
1189 again.
1190
1191 Councilor Jim Butler stated that someone came to him and suggested to have our in-house
1192 engineering company do it. John Trottier stated that more than likely we will be overseeing it. We
1193 don't have the in-house capability to do that.
1194
1195 Councilor Paul stated that she isn't opposed to pickleball, but she is opposed to it coming from the
1196 UFB.
1197
1198 18-30, the amendment failed, which means the warrant as written is open for discussion.
1199
1200 Moderator Kipp asked if there were any further comments about the article.
1201
1202 Christine Patton, 145 Mammoth Rd, stated that it should have been fundraised. It's a great idea, but
1203 she is against raising taxes for a want and not a need.

1204 Moderator Kipp called the vote on the motion to accept Article No. 20 as read.

1205

1206 **VOTE IN THE AFFIRMATIVE, ARTICLE 20 PASSES.**

1207

1208 Chad Franz **made a MOTION** to restrict reconsideration.

1209 **SECOND** by Vice Chairman Joe Green.

1210

1211 **VOTE IN THE AFFIRMATIVE, ARTICLE 20 IS RESTRICTED FROM**
1212 **RECONSIDERATION.**

1213

1214 Moderator Kipp then read Article 21.

1215

1216 **ARTICLE NO. 21: [TRANSACTION OF OTHER BUSINESS]**

1217

1218 To transact any other business that may legally come before this meeting. No business
1219 enacted under this article shall have any binding effect upon the Town.

1220

1221 Councilor Tom Dolan made a **MOTION** to open Article 21 for discussion.

1222 **SECOND** by Councilor Deb Paul.

1223

1224 Town Moderator Kipp again reminded everyone to vote on March 8, 2022.

1225

1226 **VOTE IN THE AFFIRMATIVE TO ADJOURN THE TOWN MEETING**

1227 Town Meeting Closed at 11:30 A.M.

1228

1229

1230

1231

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1233

Sharon Farrell – Londonderry Town Clerk

1234

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3-23-2022



Town of Londonderry
DEPARTMENT OF PUBLIC WORKS & ENGINEERING
268 B Mammoth Road Londonderry, NH 03053
Phone: (603) 432-1100 ext. 152
Fax: (603) 432-1128

Date: April 1st, 2022

To: Boydens Landscaping LLC
Shady Hill Greenhouses & Nursery LLC
Sweet Landscaping
Trimmers Landscaping Inc.

From: Dave Wholley, Director of Public Works and Municipal Facilities

CC: Mike Malaguti, Town Manager
Justin Campo, Finance Director

Re: Town of Londonderry "Lawn Mowing" 2022-2024 Bid Awards

Neil Clark

The Town of Londonderry would like to thank you for submitting your proposals for the Town of Londonderry Lawn Mowing Bid 2022-2024. The Bids were reviewed by myself along with the assistance of the Town of Londonderry Finance Department.

Any awarded properties are accepted by the bidder with the understanding the award is contingent on the continued appropriation in each Fiscal Year for the Town of Londonderry. If the Town of Londonderry is not able to maintain the appropriation, there are budgetary restraints, or another reasonable basis to terminate the arrangement, the Town will be required to give 60 days' notice to the winning bidder.

The following town properties have been awarded to the following bidders for the 2022-2024 lawn care and mowing maintenance:

GROUP 1 Shady Hill Greenhouses & Nursery LLC

Town Properties:

Town Hall/Police/Library/Central Fire Station/Access Center, Multi-Use Walkway
Pillsbury Road, Town Common & Expansion Area, Morrison House and Nut Trees Field.

Cemeteries:

Glenwood Cemetery and Valley Cemetery

GROUP 2 Trimmers Landscaping Inc.

Town Properties:

South Fire Station, North Fire Station, Senior Center, and the Town Pound.

Cemeteries:

Pillsbury Cemetery, Pinkerton Cemetery, Sunnyside Cemetery, Kendall Cemetery,
Town Cemetery, and the Pleasant View Cemetery.

I thank you for your proposal and appreciate your interest in working with the Town of Londonderry.

Sincerely,

Dave Wholley

Director of Public Works and Municipal Facilities

Lawnmowing Bid Analysis 2022-2024

	CY2022				CY2023				CY2024				Overall Contract Totals	
	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries Total	Town Properties Total	Cemeteries Total	Town Properties Total	TOTAL CONTRACT BID	TOTAL CONTRACT BID
Boydens Landscaping LLC	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid	No Bid
Shady Hill Greenhouses & Nursery LLC	\$16,700.00	\$25,430.00	\$16,700.00	\$25,630.00	\$16,700.00	\$25,830.00	\$16,700.00	\$25,830.00	\$50,100.00	\$76,890.00	\$50,100.00	\$76,890.00	\$126,990.00	\$126,990.00
Sweet Landscaping	\$22,830.00	\$42,635.00	\$22,830.00	\$42,635.00	\$22,830.00	\$42,635.00	\$22,830.00	\$42,635.00	\$68,490.00	\$127,905.00	\$68,490.00	\$127,905.00	\$196,395.00	\$196,395.00
Trimmers Landscaping Inc.	\$16,470.00	\$28,055.00	\$16,930.00	\$28,979.00	\$17,430.00	\$29,930.00	\$17,430.00	\$29,930.00	\$50,850.00	\$86,964.00	\$50,850.00	\$86,964.00	\$137,814.00	\$137,814.00

	CY2022				CY2023				CY2024				Overall Contract Totals	
	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries Total	Town Properties Total	Cemeteries Total	Town Properties Total	TOTAL CONTRACT BID	TOTAL CONTRACT BID
Boydens Landscaping LLC	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete	Incomplete
Shady Hill Greenhouses & Nursery LLC	\$30,610.00	\$14,080.00	\$30,610.00	\$14,380.00	\$30,610.00	\$14,680.00	\$30,610.00	\$14,680.00	\$91,830.00	\$43,140.00	\$91,830.00	\$43,140.00	\$134,970.00	\$134,970.00
Sweet Landscaping	\$31,665.00	\$42,635.00	\$31,665.00	\$42,635.00	\$31,665.00	\$42,635.00	\$31,665.00	\$42,635.00	\$94,995.00	\$117,905.00	\$94,995.00	\$117,905.00	\$222,900.00	\$222,900.00
Trimmers Landscaping Inc.	\$25,840.00	\$13,244.00	\$26,630.00	\$13,739.00	\$27,420.00	\$14,356.00	\$27,420.00	\$14,356.00	\$79,890.00	\$41,339.00	\$79,890.00	\$41,339.00	\$121,229.00	\$121,229.00

	CY2022				CY2023				CY2024				3 Year CY2022-2024 GROUP 1 & 2 Totals	
	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries	Town Properties	Cemeteries Total	Town Properties Total	Cemeteries Total	Town Properties Total	TOTAL CONTRACT BID	TOTAL CONTRACT BID
Shady Hill Greenhouses & Nursery LLC	\$16,700.00	\$25,430.00	\$16,700.00	\$25,630.00	\$16,700.00	\$25,830.00	\$16,700.00	\$25,830.00	\$50,100.00	\$76,890.00	\$50,100.00	\$76,890.00	\$126,990.00	\$126,990.00
Trimmers Landscaping Inc.	\$25,840.00	\$13,244.00	\$26,630.00	\$13,739.00	\$27,420.00	\$14,356.00	\$27,420.00	\$14,356.00	\$79,890.00	\$41,339.00	\$79,890.00	\$41,339.00	\$121,229.00	\$121,229.00
Total Annual Expense	\$42,540.00	\$38,674.00	\$43,330.00	\$39,369.00	\$44,120.00	\$40,186.00	\$44,120.00	\$40,186.00	\$129,990.00	\$118,229.00	\$129,990.00	\$118,229.00	\$248,219.00	\$248,219.00

Low bid analysis through bid tabulation sheet totals assuming all cuts and services are performed in their entirety of the contract

automatically falls.

The Town purchased the conservation restriction in 2003 for \$1.23 million to reduce the scope of a proposed 361-unit development on the orchard parcel as well as on the abutting parcel, which is now the Nevins Retirement Community. The Nevins is separated from the former orchard by undeveloped, forested land extending at least 600 feet east toward the former orchard. This land is owned by the Nevins homeowners, is legally protected, and will not be affected should these articles pass.

Today, the former orchard is thickly overgrown. The conservation restriction prohibits public access. The soil is contaminated with chemicals associated with the historical application of pesticides. While the parcel has some value as wildlife habitat, it is too small and isolated from other natural areas to host a robust natural community.

We must consider whether this will create a "precedent," and jeopardize

we all cherish.

Any proposed development must comply with the Town's zoning ordinance and other regulations. Additionally, because the Town holds the conservation restriction and can always decline to release it (even after the passage of these articles), the Town has even more control than it normally would. The Town has informed the developer it will not permit apartments.

Should Articles 17 and 18 pass, the Town Council and the Conservation Commission will be authorized, but not required, to move forward. Before giving final approval, both bodies must be satisfied that the transaction makes sense for the Town. They will consider two criteria: 1) The transaction must produce equal or greater conservation value, and 2) The development of the former orchard must benefit Londonderry.

Voters will decide whether this makes sense for the Town. We are not advocating for a particular

Chairwoman, Londonderry Conservation Commission

Mike Malaguti

Acting Town Manager,
Town of Londonderry

Running Town Budget

To the editor,

I'm Tara Myles, and I've volunteered for the Londonderry Budget Committee. It is an elected role, but I say volunteer because I see it as an opportunity to serve my community leveraging my experience consulting on government operations, and more specifically, budgeting and financial transparency.

I've worked with local, state, provincial, and federal governments around the globe in a consulting capacity across my career, including a couple of those years spent helping hundreds of towns, cities, counties, and states across the US to foster financial transparency and build their budgets.

I haven't run a formal campaign, and I don't

continued on page 12



TOWN OF LONDONDERRY INVITATION TO BID

The Town of Londonderry is seeking bids from qualified vendors, for the mowing, landscaping, and turf maintenance of town grounds and town cemeteries. The expected bids will be for a contract term of three years and will commence on or about April 1st, 2022. The bid package will be available in the Public Works' department at Town Hall or on the Town's bid webpage at www.LondonderryNH.org/bids.

All bids shall be submitted to the Londonderry Finance Department in a sealed envelope clearly marked "Bid for Lawn Mowing" and addressed to the Town of Londonderry Finance Department Attention: Dave Wholley, 268 B Mammoth Road, Londonderry NH 03053. Bids will be accepted until 2:00 pm on Monday March 21st. All bids received by 2:00 pm on Monday March 21st, 2022 will be publicly opened and read aloud at the Londonderry Town Hall on Monday March 21st, 2022 at 2:15 pm; no Bid can be withdrawn for a period of ninety (90) days. The Town reserves the right to reject any or all Bids and take such action as may be deemed necessary in the best interest of the Town. Contact Person; should any questions arise, please contact Dave Wholley at 603-432-1100 ext. 152 or at DWholley@LondonderryNH.org.

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JANE E. YOUNG
DEPUTY ATTORNEY GENERAL

March 31, 2022

Michael J. Malaguti, Acting Town Manager
Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053

Re: Open Space/Conservation Easements and Declaration of Restrictive Covenants
for the Benefit of the Town of Londonderry

Dear Mr. Malaguti:

This letter is to respond to your letter to Tom Donovan dated March 24, 2022, regarding whether a conservation easement held by the Town of Londonderry ("Town") is a charitable trust and therefore subject to the jurisdiction of the Charitable Trusts Unit. We have reviewed the documentation and information that you provided and conclude that the matter does not involve a charitable trust over which our office has oversight.

On October 26, 2002, the Town approved the appropriation of up to \$2.9 million to acquire certain development rights from Gilcreast Realty Holdings, LLC and Gilcreast Realty Holdings II, LLC (collectively, "Gilcreast") pursuant to an agreement under which Gilcreast would discontinue its proposed 361 unit apartment complex and instead, construct a 125 unit elderly housing project. The Town warrant article did not mention a conservation easement.

On September 15, 2003, the Town entered into an Agreement for Restrictive Covenant and Open Space/Conservation Easements ("Agreement") with Gilcreast to purchase at a cost of \$2.9 million certain development rights on real estate owned by Gilcreast in Londonderry. The Agreement provided that the purpose of the Agreement was to restrict the development of the property to 125 age restricted units and amenities, thereby limiting the amount of resources that the Town would be required to provide. The Agreement also provided that Gilcreast would impose a restrictive covenant and open space/conservation easement on the property.

On the same day that the parties signed the Agreement, Gilcreast recorded in the Registry of Deeds a document entitled, "Open Space/Conservation Easements and Declaration of Restrictive Covenants," under which Gilcreast granted to the Town an Open Space/Conservation Easement. Under the terms of the document, the Town, by appropriate Town vote, could amend or revoke the restrictive covenants in part or in their entirety. The document stated that Gilcreast

imposed the restrictive covenants and conservation/open space easements in exchange for “good and valuable consideration paid by the Town.”

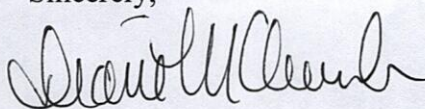
On March 8, 2022, the Town voters passed a warrant article to release the conservation easement for no less than \$2,650,000 to be paid to the Town. You have asked whether the release of the conservation easement would require the review of the Charitable Trusts Unit.

A “charitable trust” is a “fiduciary relationship with respect to property arising under the law of this state or of another jurisdiction as a result of a manifestation of intention to create it.” RSA 7:21, II (a); *see also Restatement (Second) of Trusts* §348 (“A charitable trust is a fiduciary relationship with respect to property arising as a result of a manifestation of an intention to create it, and subjecting the person by whom the property is held to equitable duties to deal with the property for a charitable purpose”). “A charitable trust is created only if the ‘settlor’ properly manifests an intention to create a charitable trust.” *Id.* at §351. A gift made to a charitable organization or to a government entity to be used for a charitable purpose creates a charitable trust. *See, e.g., Trustees of Protestant Episcopal Church v. Danais*, 108 N.H. 347 (1967)(holding that a testamentary devise to the trustees of a church to be used as a rectory for the parish and occupied by the rector and his family created a charitable trust). Perpetual conservation easements that are donated in whole or in part as charitable gifts to charitable organizations or governmental entities therefore meet the definition of “charitable trust” because the gifts are made for a charitable purpose; that is, the protection, preservation, or conservation of land.

This matter does not involve a charitable gift. The Town paid Gilcreast \$2.9 million in order to limit the development of a parcel of real estate. That appears to be a fair market value exchange, without a gift element by Gilcreast. Your letter reflects that Gilcreast did not take a tax deduction for making a charitable gift, indicating this was not a bargain sale. Moreover, the easement was subject to amendment or termination by the Town, indicating that the charitable purpose, if any, was limited.

For the foregoing reasons, the Charitable Trusts Unit will take no action to oppose the transaction. Feel free to contact me with any questions.

Sincerely,



Diane Murphy Quinlan
Assistant Director
Charitable Trusts Unit
(603) 271-3591
diane.m.quinlan@doj.nh.gov



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

April 4, 2022

Oleksii Holubov
Consul General of Ukraine in New York
240 East 49th Street
New York, NY 10017

Dear Mr. Holubov:

Thank you for your letter of March 15 concerning our sister city relationship with Vologda, Russia. In solidarity with the people of Ukraine, and to protest Russia's unprovoked aggression in your country, the Town of Londonderry has revoked its arrangement with Vologda.

Thank you for contacting me. On behalf of the Town of Londonderry, I applaud the courage and resolve of your countrymen and wish Ukraine the peace and prosperity it deserves. Glory to Ukraine!

Sincerely,

Michael J. Malaguti

cc: Town Council

Michael Malaguti

From: Lescault,Sarah <slescault@manchesternh.gov>
Sent: Tuesday, April 5, 2022 2:12 PM
To: Craig,Joyce; 'HAMER, GARY R.'; H Sullivan; Danielle York; 'Judy Reardon'; 'omeranddolly@comcast.net'; Craig Brown; Ald FYI All; Thomas, Anna; Alexakos, Philip J.; 'Cheryl.brundige@davita.com'; 'Unger, Michael'; 'Holmes, Erin'; 'Randal.A.Suozzo@des.nh.gov'; Boisvert, John; Ware, Don; 'gcolby@plaiastow.com'; 'Dufresne, Alicia'; 'culbersonc@comcast.net'; Tomcarrier@derrynh.org; 'grasmerewater@comcast.net'; 'rsawyer@bedfordnh.org'; 'publicworks@bedfordnh.org'; 'agarron@hooksett.org'; 'bthomas@hooksett.org'; 'townadmin@townofauburnnh.com'; Michael Malaguti
Subject: Chlorine Conversion

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good afternoon,

As most of you are aware, back in December of 2021 Manchester Water Works converted our chloramine disinfection process to chlorine as a preventative maintenance measure. At the time, we indicated we would convert back sometime in the Spring of 2022. We have seen very positive distribution system water quality results and plan to convert back to chloramine on Monday, April 18th. We appreciate your cooperation through the conversion process. If you have any questions about this conversion or other concerns about your water quality please contact:

David G. Miller, P.E.
Deputy Director, Water Supply
Office: (603) 792-2851
dmiller@manchesternh.gov

Please forward to any other interested parties as necessary. In addition, if you know of anyone else who would like to be added to our email distribution list, please send me their contact information to add for future informational emails.

Thank you,

Sarah Lescault, CPA
Deputy Director – Finance & Administration
Manchester Water Works
281 Lincoln Street
Manchester, NH 03103
Direct Phone: (603) 792-2825
Cell Phone: (603) 682-7055
Main Line: (603) 624-6494

The Right-To-Know Law (RSA 91-A) provides that most e-mail communications, to or from City employees and City volunteers regarding the business of the City of Manchester, are government records available to the public upon request. Therefore, this email communication may be subject to public disclosure.

This email was scanned by Bitdefender

Michael Malaguti

Subject: FW: Register today: NH Energy Week Event Series - April 11-15

From: Melissa Latham <mlatham@nhcdfa.org>

Sent: Tuesday, April 5, 2022 3:39 PM

To: Melissa Latham <mlatham@nhcdfa.org>

Subject: Register today: NH Energy Week Event Series - April 11-15

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

New Hampshire Energy Week is a series of events that highlight important energy topics and issues, provides a forum to discuss solutions, and brings together leading experts to share knowledge. [Events kick-off on Monday, April 11](#) with an exciting line-up of national and local speakers, and close on Friday, April 15 as we recognize four [Energy Champions in New Hampshire](#).

This year, for the first time, New Hampshire Energy Week will also feature an energy sector **Career and Resource Fair** – a fully virtual and interactive job fair and networking event in partnership with New Hampshire Employment Security.

This event is FREE to employers, job seekers, and all those interested in connecting with resources, companies and individuals that are advancing our energy future. [Registration is required](#).

Additional details on the line-up of events and links to sign-up are below. We hope you will join us for one or all of these events as we address a variety of topics relevant to New Hampshire today and accelerating our energy future.

[2021 NH Energy Week Kickoff Event: Accelerating Our Energy Transition, April 11 at 10:00 AM](#)

Join us for the virtual kick-off event. Our most watched program will feature remarks from U.S. Senators, policy thought leaders, and a panel featuring leaders from across the state.

[Opportunities in NH Clean Energy Financing, April 12 at 2:00 PM](#)

New Hampshire businesses share insights on strategically planning for and implementing energy efficiency and renewable energy projects that deliver a return-on-investment. Attendees will gain an understanding of the value – from an economic, energy and environmental perspective – of investing in energy efficiency and renewable energy technologies, as well as the variety of financial and technical resources available in New Hampshire to successfully undertake these initiatives.

[The Road to EV's in New Hampshire, April 13 at 11:00 AM](#)

Electric Vehicles will be an ever-growing portion of the vehicle fleet in the coming decade. In this session, we will talk to experts from the ski industry, the NH Department of Environmental Services, a major purchaser of EVs for commercial fleets, and Clean Energy New Hampshire to discuss why this matters and how we can build the road to EV's in NH.

[NH Energy Week Career Fair and Resource Event, April 14 at 11:00 AM](#)

The NH Energy Week Career Fair and Resource Event is a fully virtual, engaging and interactive job fair and networking event in partnership with New Hampshire Employment Security.

NHEnergyWeek 
ACCELERATING OUR ENERGY TRANSITION

APRIL 11-15
2022 VIRTUAL EVENT SERIES

www.NHenergyfuture.org



NH Energy Champion Awards Event, April 15 at 3:00 PM

Celebrate the end of Energy Week with an in-person event at the Concord Craft Brewing Company to congratulate the 2022 winners in the categories of: Small Business, Large Business, Municipal and Legislative Energy Champion.



Melissa Latham | Director of Communications & Policy
Community Development Finance Authority
14 Dixon Ave | Concord, New Hampshire | 03301
main: 603.226.2170 | direct: 603.717.9107
email: mlatham@nhcdfa.org | www.nhcdfa.org

IMPORTANT NOTICE: Please be advised CDFA is subject to RSA 91-A, New Hampshire's Right-to-Know law. All information and documents created, accepted or obtained by, or on behalf of, CDFA are potentially subject to disclosure in compliance with RSA 91-A.

This email was scanned by Bitdefender



Southern New Hampshire Planning Commission

438 Dubuque Street, Manchester, NH 03102-3546, Telephone (603) 669-4664 Fax (603) 669-4350
www.snhpc.org

March 31, 2022

RE: SNHPC 2022 Transportation Programs and Community Assistance

Dear Mr. Malaguti:

The Southern NH Planning Commission (SNHPC) is pleased to assist our communities with a variety of transportation planning activities. Presently, we are soliciting municipal requests for various programs that benefit communities, including field data collection programs, roadway safety programs, and demonstration projects.

TRAFFIC COUNTING



Traffic count data assists communities in several ways:

- Gives municipal departments data to better understand traffic patterns
- Supplies pre-and post-development traffic volume data
- Provides routine traffic monitoring to verify trends and growth

SNHPC will begin its 2022 traffic counting program during the week of April 11; it will consist of NHDOT-required and SNHPC model counts at approximately 400 locations around the region. For the latest published traffic data, please visit NHDOT's Transportation Management System at <https://tinyurl.com/nhdot-count-data>. **If your community has traffic counting needs, including turning movement or speed counts, contact Adam Hlasny at ahlasny@snhpc.org.**

Note: The SNHPC is interested in knowing about any 2022 municipal road work that might affect traffic volumes (including road construction start and end dates, street sweeping schedules, etc.).

CULVERT ASSESSMENTS



Each year, SNHPC staff are trained on the latest protocols for collecting field data for small bridges and culverts, collectively known as stream crossings. Staff collect 30 to 60 stream crossings per year and log the data in a statewide inventory, which is an effective tool for asset management. Recently, SNHPC completed a [region-wide Vulnerability Assessment](#), which can be used at several scales. SNHPC would like to coordinate with you in keeping this inventory up to date. **If there are specific locations in your community with known roadway flooding issues or where stream crossings were recently replaced, please contact James Vayo at jvayo@snhpc.org.**

BICYCLE/PEDESTRIAN COUNTING



In 2022, the SNHPC will be continuing its bicycle-pedestrian counting program. Directional data will be collected on high-priority trails and sidewalks to establish a baseline of how many people use

these facilities. **If there are any locations where you would like SNHPC to conduct a count, please contact Adam Hlasny at ahlasny@snhpc.org.**

For more info on our bike/ped counting program, please visit:
<https://www.snhpc.org/transportation/bicyclepedestrian/pages/bikeped-counting-program>

ROAD SAFETY AUDITS



Road Safety Audits examine deficiencies in the geometric and physical design of roadway segments and intersections with a history of crashes related to the existing design. *Qualifying locations must have a documented history of crashes that resulted in fatalities or incapacitating injuries and that have not been caused by behavioral issues such as impaired or distracted driving.* Our staff can assist in verifying these locations' status, researching crash records, and discussing other possible locations that may have qualifying safety issues in your municipality.

Communities interested in pursuing a 2022 RSA application should contact Carl Eppich at ceppich@snhpc.org by May 2 for technical assistance.

POP-UP PLANNING



Pop-up planning is a means for implementing flexible and short-term projects to advance long-term goals related to street safety, public space, and more. Short-term transportation planning demonstrations are a useful tool to test low-cost, low-risk ideas in a way that builds community support for scaled interventions and long-term change.

SNHPC has obtained pop-up planning materials for community use in conducting temporary planning activities and is seeking opportunities to lend these materials to member communities. This type of planning can complement pre-planned walking, biking, or road safety activities taking place this spring or summer season. Along with free access to our materials, SNHPC can assist in the design, layout, and implementation of your pop-up demonstration. **If interested, please contact James Vayo at jvayo@snhpc.org.**

Your community may have other transportation-related requests aside from these programs. Please contact me or our staff if you'd like further information. Thanks for your assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sylvia von Aulock', written in a cursive style.

Sylvia von Aulock, SNHPC Executive Director

cc: SNHPC Commissioners; Dave Wholley, Colleen Mailloux

DAVID ELLIS
1 WILSHIRE DRIVE
LONDONDERRY NH 03053

Town of Londonderry,
268B Mammoth Rd.,
Londonderry NH 03053

David J. Ellis
1 Wilshire Drive
Londonderry NH 03053

April 5th, 2022

Town of Londonderry,
268B Mammoth Rd.,
Londonderry NH 03053

Attn.: Chairperson Heritage/Historic District Commission

CC: Laura Gandia

Dear Sir,

Re: The Old Rum Trail

Last year the Historical Society made a suggestion to the Town, which was supported, that the new access road for Exit 4A should be named "Old Rum Trail" to commemorate the significance of that old road. Associated with, and in support of, that effort I prepared and submitted the application for the Old Rum Trail itself to be recorded by the State of New Hampshire Division of Historical Resources.

I have just been informed that the Division of Historical Resources has completed their review of that submission and added the Old Rum Trail to the State's list of Historical Resources.

The attached document is the original submission (pages 1 through 5, Ref. No. LON0567) with the State's approved inventory record (page 6, Ref. No. ATK0006).

This historical resource should be protected as much as possible if the surrounding area is developed. (The construction of Exit 4A does NOT affect this section of the Old Rum Trail.)

Sincerely,

David J. Ellis
Ph. (603) 432-2161
eMail: dr.ellis@physics.org

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY #LON0567

Name, Location, Ownership

- 1. Historic name Old Rum Trail
- 2. District or area _____
- 3. Street and number 8 Buyck Ave.
- 4. City or town Londonderry
- 5. County Rockingham
- 6. Current owner Pillsbury Realty Development LLC

Function or Use

- 7. Current use(s) Undeveloped woodland
(No buildings)
- 8. Historic use(s) 1st road in Londonderry; "Country Road" Thornton's ferry to Portsmouth; 1st stage route.

Architectural Information

- 9. Style No buildings
- 10. Architect/builder _____
- 11. Source _____
- 12. Construction date ca.1723
- 13. Source Town Records
- 14. Alterations, with dates _____

- 15. Moved? no yes date: _____

Exterior Features

- 16. Foundation _____
- 17. Cladding _____
- 18. Roof material _____
- 19. Chimney material _____
- 20. Type of roof _____
- 21. Chimney location _____
- 22. Number of stories _____
- 23. Entry location _____
- 24. Windows _____
Replacement? no yes date: _____

Site Features

- 25. Setting Forest / wilderness
- 26. Outbuildings None
- 27. Landscape features Wood lot
- 28. Acreage 20.48 acres



- 35. Photo #1 Direction: Mid-point looking eastwards
- 36. Date Nov. 30, 2021
- 37. Reference (file name or frame#): _____

- 29. Tax map/parcel # 010-057-0
- 30 State Plane Feet (NAD83) 1070834/140123
- 31. USGS quadrangle and scale Derry NH 2021
UTM Zone 19 Easting 308619 Northing 4750605
USGS Datum WGS 84

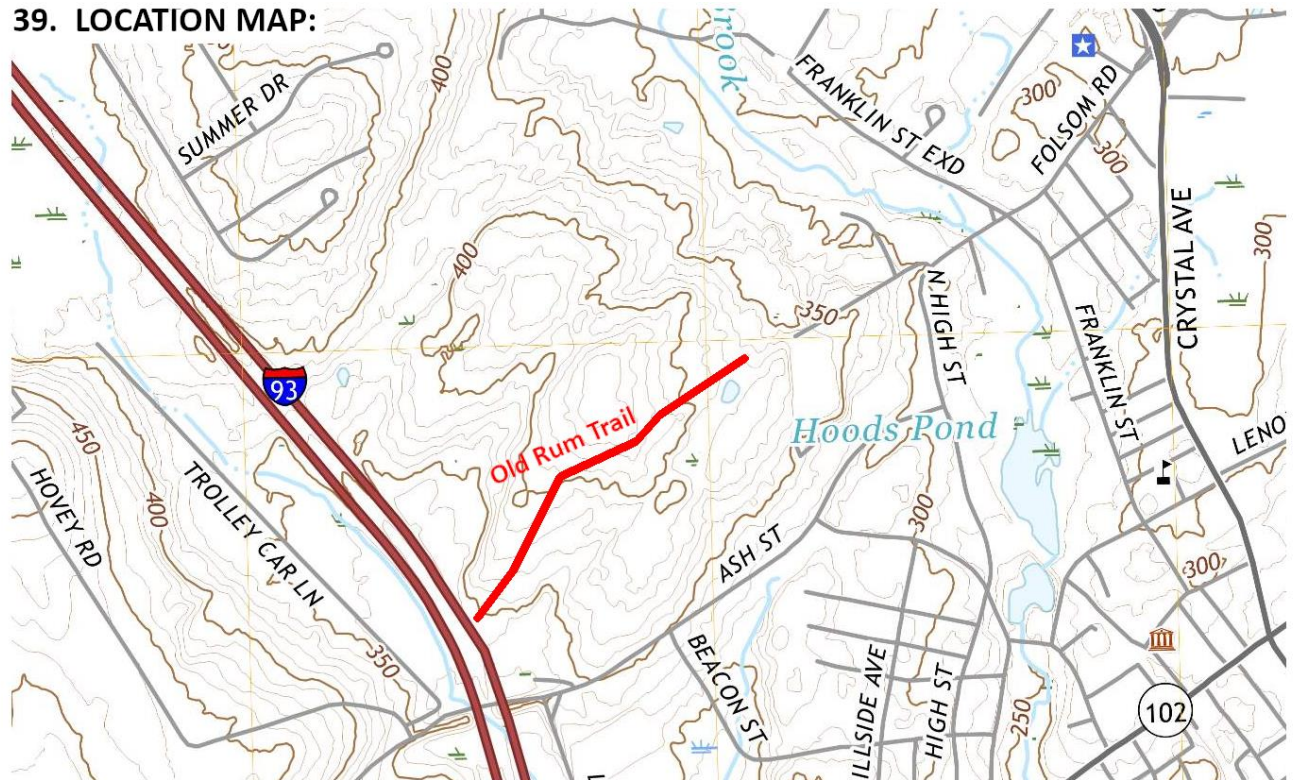
Form prepared by

- 32. Name David J. Ellis
- 33. Organization Londonderry Historical Soc. researcher
- 34. Date of survey 4/18/2021

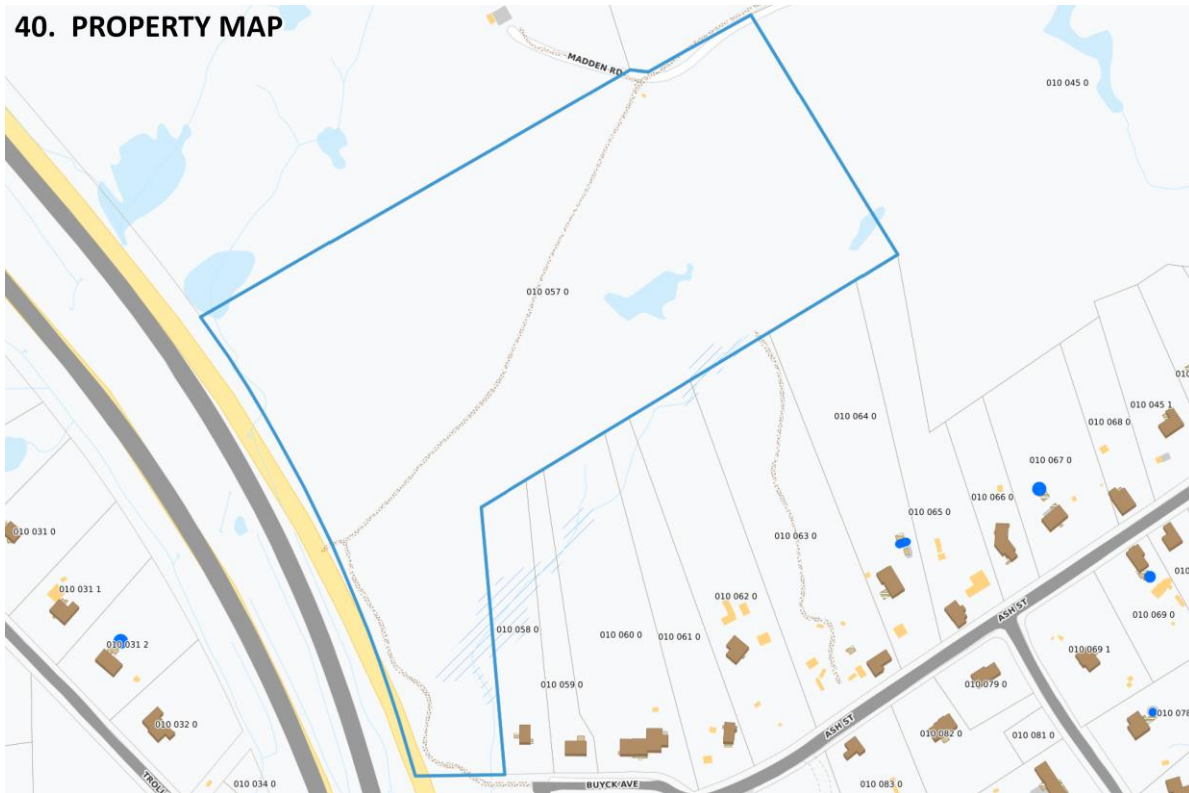
INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY #LON0567

39. LOCATION MAP:



40. PROPERTY MAP



INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY #LON0567

41. Historical Background and Role in the Town or City's Development:

Please refer to description in Exhibit 1, included on Continuation page 4 of this submission.

42. Applicable NHDHR Historic Contexts (please list names from appendix C):

102. Early exploration and settlement in the interior of NH, 1623-1770.

43. Architectural Description and Comparative Evaluation:

Remains of an old road, two rods wide with parallel stone walls. Walls are partially collapsed or removed. Some illegal dumping has occurred. The section that is still 'preservable' is about 400 yards long and extends from the fence beside I-93 then up to hill to an intersection where an access road goes into a telecomm tower. See LiDAR image on Page 6.

44. National or State Register Criteria Statement of Significance:

This road provided a crucial trade route between Derry/Londonderry and Boston during the 1700s and early 1800s. During that period it was the route between Thornton's Ferry and Portsmouth, thus connecting the population westwards from the Merrimack with Portsmouth.

45. Period of Significance: 1723-1800

Established in 1723. Shown as "*poor or private wagon road*" on 1905 USGS. Its significance probably waned during the middle 1800s as new routes were constructed. Please refer to Exhibit 1.

46. Statement of Integrity: Partial integrity remains.

47. Boundary Discussion:

Only the roadway was surveyed. It crosses the tax parcel northeast to southwest. See 40. Property Map.

48. Bibliography and/or References:

Please refer to description in Exhibit 1, included on Continuation page 4 of this submission.

Surveyor's Evaluation:

NR listed: individual _____
within district _____

NR eligible: individual _____
within district _____
not eligible _____
more info needed _____

NR Criteria: A _____
B _____
C _____
D _____
E _____

Integrity: yes _____
no _____

CONTINUATION PAGE

Exhibit 1

The Old Rum Trail

This old road was the first road created within the present town of Londonderry¹. It was laid out on November 9th, 1723 from the northerly end of Pinkerton Street in Derry, crossing to the westerly side of the Eayers Range, at a point near the intersection of Hovey Road and Trolley Car Lane. Prior roads were within the present town of Derry. It was still indicated on the 1905 USGS map, although by that time it was shown only as a “*poor or private wagon road*”.

By 1767 various additions had completed the route to the Litchfield town line and by 1789 it had become a part of the main road from Thornton's Ferry to Portsmouth². Multiple deeds for property that lay along the route described this road as being the road to or from Thornton's Ferry. The easterly destination was most often referred to as Derry but some stated that it was Chester or Portsmouth. The source cited² was the most explicit, stating “*the road leading from Portsmouth in said State to Ludwicks ferry*”. In 1755 the Kingston Selectmen petitioned the General Court to relocate a road through their Town that had been laid out “*to Accommodate the Inhabitants of LondonDerry & people above, to come down through our s^d Town to Portsmouth*”³. The response to this petition referred “*to the highway or Cuntrey Road*”.

It was part of the first stage coach route⁴ to cross the present town of Londonderry. J. R. Goodno's map of New Hampshire showed that only a single stage coach route passed through the present town in 1833. It ran from Thornton's Ferry to Raymond, where it connected with a route from Concord. In Derry it crossed another route from Concord that followed the Londonderry Turnpike through Derry to Dracut and Methuen. The stage coach route on Mammoth Road in Londonderry was not established till later, Mammoth Road having only been created a couple of years earlier.

It became known as the "Old Rum Trail" due to its use during the 1790s and early 1800s. Charles Hazlett⁵ described the route from Boston via the Middlesex canal and the Merrimack River to Thornton's Ferry, then through Litchfield and Londonderry to Derry. The rum trade was substantial at businesses such as Adams and Redfield's store⁶ in Derry. It contributed to the Pinkerton brothers wealth⁷ that later enabled them to make the endowment that started Pinkerton Academy.

¹ Londonderry Town Records, State Vol. 2 img. 86, pp. 165. Town & Proprietors Records Bk. 3c pp. 7.

² Rockingham County Deeds 0126-0449 and various.

³ New Hampshire State Papers, Vol. XII, pp. 339, pub. Concord 1883.

⁴ J. R. Goodno's map of New Hampshire, published Boston 1833.

⁵ Charles Hazlett, History of Rockingham County New Hampshire, pp. 290.

⁶ State Vol. 4 img. 278, pp. 551, Prop. Bk. 5 pp. 175 & others. Seventeen liquor licenses between 1812 and 1825.

⁷ State Vol. 3 img. 338, pp. 663, Town Bk. 5 pp. 529 & others. State Vol. 4 img. 289, pp. 569, Prop. Bk. 5 pp. 192 & others. Thirty liquor licenses between 1794 and 1824.

INDIVIDUAL INVENTORY FORM

NHDHR INVENTORY #LON0567

Date photos taken: November 30, 2021



Photo # 2 Description: Part of the stone walls, near the west end.

Reference (file name or frame#):

Direction:



Photo # 3 Description: The west end looking westwards onto I-93.

Reference (file name or frame#):

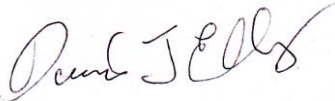
Direction:

INDIVIDUAL INVENTORY FORM

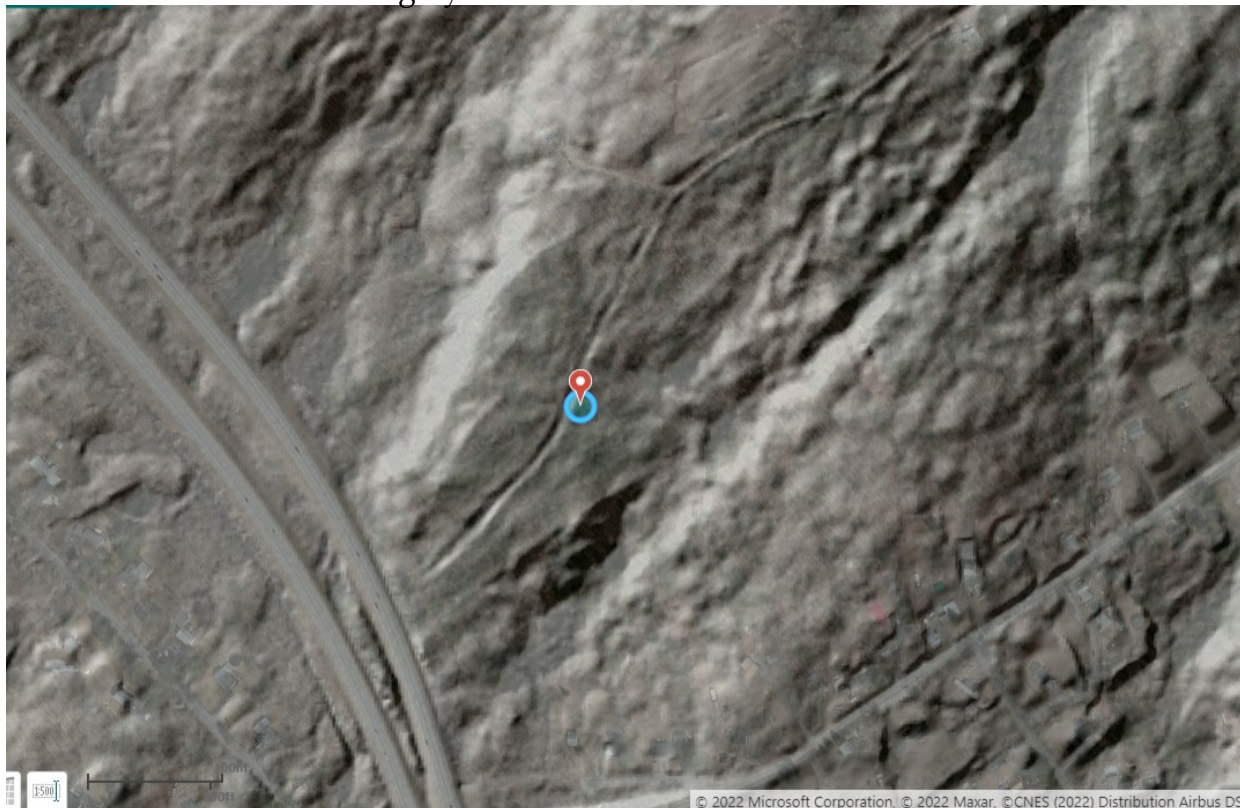
NHDHR INVENTORY #ATK0006

PHOTO KEY IS LOCATED ON PAGE _____

I, the undersigned, confirm that the photos in this inventory form have not been digitally manipulated and that they conform to the standards set forth in the NHDHR Photo Policy. These photos were printed at the following commercial printer OR were printed using the following printer, ink, and paper: _____.
(Color photos must be professionally printed.)
The negatives or digital files are housed at/with: _____.



GRANITView LiDAR Imagery





April 1, 2022

NOTICE

TO: The Towns of Amherst, Atkinson, Barnstead, Bedford, Bow, Chester, Conway, Derry, Epping, Exeter, Hollis, Hooksett, Lee, Litchfield, Londonderry, Merrimack, Middleton, Milford, Newmarket, Pelham, Pittsfield, Plaistow, Raymond, Salem, Sandown, Tilton, Weare, Windham

This Notice is to inform you that Pennichuck Corporation will hold its Annual Meeting of Sole Shareholder at 9:00 a.m., on Saturday, May 7, 2022, at Pennichuck's Distribution Facility, 16 Daniel Webster Highway, Merrimack, New Hampshire.

Pennichuck Corporation is the parent corporation of Pennichuck Water Works, Inc., Pennichuck East Utility, Inc. and Pittsfield Aqueduct Company, Inc., one or more of which are regulated water suppliers in your community.

The proxy material provided to the Company's Sole Shareholder, the City of Nashua, describing the matter to be voted upon by the Sole Shareholder together with other information about the Company's Board of Directors and senior management team is available on the Company's website at www.pennichuck.com, under the "Board of Directors – Meetings, Minutes and Corporate Governance" caption.

A copy of the proxy material is enclosed with this Notice.

The Annual Meeting is open to the public; therefore, I would appreciate your assistance, if possible, by making the Annual Meeting information, or a link to the Pennichuck website, available on your municipality's website.

A handwritten signature in black ink, appearing to read 'L. D. Goodhue', written in a cursive style.

Larry D. Goodhue
Chief Executive Officer
and Chief Financial Officer



PENNICHUCK CORPORATION
25 Walnut Street
Nashua, New Hampshire 03060

NOTICE OF ANNUAL MEETING OF SOLE SHAREHOLDER
To be Held on Saturday, May 7, 2022, at 9:00 a.m. at
Pennichuck's Distribution Facility, 16 Daniel Webster Highway, Merrimack, NH

To the City of Nashua, New Hampshire, in its capacity as the Sole Shareholder of Pennichuck Corporation:

In accordance with the By-Laws of Pennichuck Corporation and applicable laws, Pennichuck Corporation hereby provides notice that you are cordially invited to attend the Annual Meeting of Sole Shareholder of Pennichuck Corporation. The City of Nashua, New Hampshire, is the Sole Shareholder of Pennichuck Corporation.

The Annual Meeting will be held at Pennichuck's Distribution Facility, 16 Daniel Webster Highway, Merrimack, New Hampshire, on Saturday, May 7, 2022, at 9:00 a.m. for the following purpose:

1. To increase the number of directors from eleven to a full slate of thirteen directors, and to: (a) elect five directors, each for a three-year term, and until their successors are elected and qualified, and (b) elect one director, for a two-year term, and until her successor is elected and qualified.

To facilitate the City's review of the matters to be addressed at the Annual Meeting, the Pennichuck Corporation Board of Directors have approved the delivery of the Proxy Statement attached to this Notice.

By Order of the Board of Directors,

A handwritten signature in blue ink, appearing to read 'L. Goodhue', written over a horizontal line.

LARRY D. GOODHUE
Chief Executive Officer and
Chief Financial Officer

Nashua, New Hampshire
March 30, 2022



PENNICHUCK CORPORATION
25 Walnut Street
Nashua, New Hampshire 03060

PROXY STATEMENT

2022 Annual Meeting of Sole Shareholder
To be Held on Saturday, May 7, 2022, at 9:00 a.m. at
Pennichuck's Distribution Facility, 16 Daniel Webster Highway, Merrimack, NH

This Proxy Statement is furnished to the City of Nashua, New Hampshire (the "City"), in its capacity as the Sole Shareholder of Pennichuck Corporation ("Pennichuck Corporation" or the "Company"), by the Board of Directors of Pennichuck Corporation, in connection with the solicitation of a proxy to be voted at the Annual Meeting of Sole Shareholder for the purpose set forth in the accompanying Notice of Annual Meeting of Sole Shareholder.

The Annual Meeting will be held at Pennichuck's Distribution Facility, 16 Daniel Webster Highway, Merrimack, New Hampshire, on Saturday, May 7, 2022, at 9:00 a.m.

Matter to be Voted Upon at the Annual Meeting

At the Annual Meeting, the City, in its capacity as the Sole Shareholder of Pennichuck Corporation, is being asked to consider and vote upon the following:

- (1) To increase the number of directors from eleven to a full slate of thirteen directors, and to: (a) elect C. George Bower, Amymarie R. Corriveau, Jay N. Lustig, John D. McGrath and Preston J. Stanley, Jr. to the Pennichuck Corporation Board of Directors, as Class A directors, each for a three-year term, and until their successors are elected and qualified, and (b) elect Sarah Pillsbury to the Pennichuck Corporation Board of Directors, as a Class C director, for a two-year term, and until her successor is elected and qualified.

Voting at the Annual Meeting

Background. Pennichuck Corporation was acquired by the City on January 25, 2012. This acquisition was accomplished pursuant to an Agreement and Plan of Merger reached between the City and Pennichuck Corporation dated November 11, 2010 (the "Merger Agreement"). The transaction, in which the City issued \$150.6 million of general obligation bonds to acquire the outstanding stock of Pennichuck Corporation and pay all transaction costs, was authorized by special legislation enacted by the State Legislature in 2007 and 2010. The Mayor and the Board of Aldermen unanimously approved the acquisition pursuant to this special legislation on

January 11, 2011. The New Hampshire Public Utilities Commission approved the Merger Agreement on November 23, 2011, concluding that “the transaction is in the public interest and will not have an adverse effect on rates, terms, service, or operation of the utilities.”

Corporate Structure. As part of the acquisition, the corporate structure of Pennichuck Corporation and its utility subsidiaries was retained. Under this structure, the City is the sole shareholder of Pennichuck Corporation. Pennichuck Corporation continues to own five corporate subsidiaries, including three regulated public utilities (Pennichuck Water Works, Inc., Pennichuck East Utility, Inc., and Pittsfield Aqueduct Company, Inc.), an unregulated service company (Pennichuck Water Service Corporation), and a former real estate holding company (The Southwood Corporation).

Election of the Board of Directors. Under this corporate governance system, the City exercises its control over Pennichuck Corporation in its capacity as the Company’s Sole Shareholder in accordance with the Articles of Incorporation, the By-Laws and the New Hampshire laws governing business corporations. In accordance with these rules, Pennichuck Corporation’s business affairs are managed and overseen by a Board of Directors. One of the most important responsibilities of the City, in its capacity as Sole Shareholder, is to elect members of the Board of Directors from individuals nominated by the Pennichuck Corporation Board of Directors at the Company’s Annual Meeting.

Voting at the Annual Meeting. It is important to remember that the City itself is the Sole Shareholder, not any individual person who may hold an office with the City. The City must exercise its responsibilities as Sole Shareholder through public meetings of the City’s Board of Aldermen and Mayor, acting in accordance with applicable New Hampshire laws and the provisions of the City Charter. As a municipal entity, the City is not typically in a position to “attend” an annual meeting, or any other meeting of the Sole Shareholder, “in person.”

Traditional corporate law principles provide a ready solution for this type of “institutional” voting of shares. As the Sole Shareholder, the City may review the proposed vote and take action at appropriate City meetings determined by the City. The City may then either designate an individual person to attend the Annual Meeting in person with the authority to vote the City’s shares in accordance with the City’s determination, or the City may vote its shares by proxy.

To facilitate these options, the Pennichuck Corporation Board of Directors has prepared this Proxy Statement which contains details of the business to be conducted at the Annual Meeting. If the City determines to vote its shares by proxy, it should cause the enclosed proxy card to be completed and returned to Pennichuck Corporation prior to the Annual Meeting. By executing the enclosed proxy card, the City will be designating the actions it has determined to take with respect to the matters to be heard at the Annual Meeting and will be authorizing the officers of the Company named on the proxy card to act as the City’s proxy to vote on the City’s behalf at the Annual Meeting in accordance with the instructions set forth on the proxy card.

Corporate Governance Matters

Current Board of Directors. The Pennichuck Corporation Board of Directors is divided into three classes, each class serving for three years following their election and until their successors have been elected and qualified.

The number of directors is currently fixed at eleven. Of the eleven directors, four have terms ending in 2022 (Class A), four have terms ending in 2023 (Class B), and three have terms ending in 2024 (Class C).

The current members of the Company's Board of Directors are as follows:

<u>Term Expiring 2022</u> Class A	<u>Term Expiring 2023</u> Class B	<u>Term Expiring 2024</u> Class C
C. George Bower	James P. Dore	David P. Bernier
Jay N. Lustig	Elizabeth A. Dunn	Stephen D. Genest
John D. McGrath	H. Scott Flegal	Thomas J. Leonard
Preston J. Stanley, Jr.	Deborah Novotny	

The Board of Directors is recommending that the Sole Shareholder elect two new members to the Board, Amymarie R. Corriveau (Class A) and Sarah Pillsbury (Class C), increasing the current number of directors from eleven to a full slate of thirteen.

Board Meetings, Committee Meetings and Attendance. In 2021, the Company's Board of Directors held 13 Board meetings and 14 Committee meetings, either virtually or in person. Each current member of the Board attended a majority of the total number of meetings of the Board of Directors and the number of meetings of all committees of the Board on which they served. All but two members of the Board of Directors attended the 2021 "virtual" Annual Meeting of Sole Shareholder.

Board Compensation. In 2021, each director received an annual retainer of \$12,000.

Annual Performance Evaluation. The Board of Directors conducts an annual self-evaluation of the Board and its Committees to determine whether they are functioning effectively. Each Committee is also required to evaluate their performance.

Corporate Code of Conduct. The Company has adopted a written Corporate Code of Conduct that applies to its directors, officers and employees. A current copy of the Corporate Code of Conduct can be found on the Company's website at www.pennichuck.com, under the "Board of Directors – Meetings, Minutes and Corporate Governance" caption.

Board Committees. The Board of Directors has established four standing committees: the Audit, Finance and Risk Committee, the Communications Committee, the Compensation and Benefits Committee, and the Nominating and Governance Committee.

Each Committee has adopted a written Charter which sets forth its purpose, membership, duties and responsibilities. A copy of each Charter can be found on the Company's website at

www.pennichuck.com, under the “Board of Directors – Meetings, Minutes and Corporate Governance” caption.

The current members of the Board Committees are as follows:

Audit, Finance and Risk Committee

James P. Dore, Chairman
C. George Bower
H. Scott Flegal
Thomas J. Leonard
Deborah Novotny

Communications Committee

Jay N. Lustig, Chairman
James P. Dore
Thomas J. Leonard
Deborah Novotny
Preston J. Stanley, Jr.

Compensation and Benefits Committee

Stephen D. Genest, Chairman
David P. Bernier
C. George Bower
Elizabeth A. Dunn
Thomas J. Leonard
John D. McGrath

Nominating and Governance Committee

Elizabeth A. Dunn, Chairman
Stephen D. Genest
Thomas J. Leonard
Jay N. Lustig
Preston J. Stanley, Jr.

Audit, Finance and Risk Committee. The Audit, Finance and Risk Committee is responsible for the appointment, compensation and retention of the independent auditors; preapproval of all audit and non-audit services to be provided by the independent auditors; review and approval of all related party transactions; review and evaluation of the qualifications, performance and independence of the lead partner of the independent auditors; oversight of the integrity of the Company’s financial statements and internal controls; oversight of Company financing activities; oversight of the policies and procedures established to assess, monitor and control operational and financial risk; and oversight of the Company’s insurance programs. The Audit, Finance and Risk Committee held 3 meetings in 2021, either virtually or in person.

Communications Committee. The Communications Committee develops and assists with the policies and strategies of external communications between the Board, the Company and the Sole Shareholder, other stakeholders, and the public, as needed. The Communications Committee held 1 virtual meeting in 2021. The Board of Directors, at their March 25, 2022 meeting, voted to dissolve the Communications Committee and to add the purpose and responsibilities of the Communications Committee to the Nominating and Governance Committee Charter.

Compensation and Benefits Committee. The Compensation and Benefits Committee is responsible for annually reviewing and approving corporate goals and objectives relevant to Chief Executive Officer compensation; evaluating the Chief Executive Officer’s performance in light of those goals and objectives, and determining and recommending to the Board of Directors the Chief Executive Officer’s compensation based on evaluation of performance; reviewing and approving executive salaries; reviewing and approving any employment agreements, special compensation and benefits, or severance arrangements as they pertain to executive officers other than the Chief Executive Officer; overseeing the Company’s compensation and benefit policies, other than those overseen directly by the Board of Directors; recommending to the Board of Directors the establishment, termination or amendment of existing compensation and employee

benefit plans, other than those under the purview of the Board of Directors or other designated committees; and developing a succession plan for the Chief Executive Officer and senior management and making recommendations for succession to the Board of Directors. The Compensation and Benefits Committee held 4 meetings in 2021, either virtually or in person.

Nominating and Governance Committee. The Nominating and Governance Committee is responsible for identifying individuals qualified to become Board members; recommending to the Board the persons to be nominated by the Board for election as directors at the Annual Meeting of Sole Shareholder; developing and recommending to the Board of Directors a set of corporate governance principles; overseeing an annual self-evaluation of the Board; and annually reviewing the Corporate Code of Conduct. The Nominating and Governance Committee is authorized to retain advisors and consultants and to compensate them for their services. The Nominating and Governance Committee did not retain such advisors or consultants during 2021. The Nominating and Governance Committee held 5 meetings in 2021, either virtually or in person.

As part of the nomination process, the Nominating and Governance Committee reviewed the current composition of the Board as a whole, reviewed the qualifications and performance of the incumbent directors who are up for re-election to the Board in 2022, discussed recommendations from Board members and management to identify potential director candidates, evaluated the biographical and background information of potential director candidates, and held both non-public and public interviews of selected candidates.

The Nominating and Governance Committee considers whether to nominate any candidate for director in accordance with the criteria set forth in its Charter, subject to the restrictions set forth in the Company's By-Laws. These criteria include the candidate's integrity, business acumen, knowledge of the Company's business and industry, experience, diligence, conflicts of interest, and the ability to act in the interests of the Sole Shareholder. The Committee does not assign specific weights to particular criteria and no particular criterion is a prerequisite for each prospective nominee. The backgrounds and qualifications of the Company's directors, considered as a group, should provide a composite mix of experience, knowledge and abilities that will allow the Board of Directors to fulfill its responsibilities.

Senior Management. The members of the Company's Senior Management team are as follows:

Larry D. Goodhue, Chief Executive Officer and Chief Financial Officer

Mr. Goodhue has been the Chief Executive Officer and Chief Financial Officer of Pennichuck Corporation and its subsidiaries since November 6, 2015. He was the Chief Financial Officer and Controller from March 2012 through November 2015, and Treasurer from March 2012 until May 2, 2020. He was Controller from December 2006 to March 2012. Mr. Goodhue served as a financial consultant to Metrobility Optical Systems, Inc. from July 2006 to October 2006 and to Pennichuck Corporation from October 2006 to November 2006. From October 2005 to June 2006, he was the Vice President of Finance and Administration for Metrobility Optical Systems, Inc. and the Corporate Controller from September 2000 to September 2005. From May 2000 to August 2000, he served as Acting Chief Operating Officer for Annalee Mobilitee Dolls, Inc. and was the Controller from January 1998 to April 2000. Mr. Goodhue holds a Bachelor of Science degree in Business Administration from Merrimack College, and is a Certified Public Accountant in the State

of New Hampshire (for which his certification is currently in an inactive status). Mr. Goodhue's base annual salary beginning as of April 1, 2021 was \$226,353.

Donald L. Ware, Chief Operating Officer

Mr. Ware has been the Chief Operating Officer of Pennichuck Corporation since January 27, 2012. He was the Senior Vice President of Operations and Engineering of Pennichuck Corporation from 2004 to January 2012, and Chief Engineer and Vice President from 1995 to 2004. Mr. Ware is also the Chief Operating Officer of Pennichuck Water Works, Inc. and the Company's other water utilities. From 1986 to 1995, Mr. Ware was General Manager for the Augusta Water District in Augusta, Maine. Mr. Ware holds a Bachelor of Science degree in Civil Engineering from Bucknell University and a Master of Business Administration degree from the Whittemore Business School at the University of New Hampshire. Mr. Ware's base annual salary beginning as of April 1, 2021 was \$217,548.

Summary of Proposal to be Voted Upon at the Annual Meeting

PROPOSAL 1 - ELECTION OF DIRECTORS

On February 25, 2022, the Company's Board of Directors took action to recommend that the Sole Shareholder increase the number of directors from eleven to a full slate of thirteen, and to (a) elect C. George Bower, Aymarie R. Corriveau, Jay N. Lustig, John D. McGrath and Preston J. Stanley, Jr. to the Pennichuck Corporation Board of Directors, as Class A directors, each for a three-year term, and until their successors are elected and qualified; and (b) elect Sarah Pillsbury to the Pennichuck Corporation Board of Directors, as a Class C director, for a two-year term, and until her successor is elected and qualified.

THE BOARD OF DIRECTORS RECOMMENDS A VOTE "FOR" EACH OF THESE SIX NOMINEES.

Information regarding the professional backgrounds for each nominee follows:

Nominees for Director:

C. George Bower

(Director Since: November 2014)

Dr. Bower has been the Principal of ESRA Consulting, LLC, a professional consulting practice concentrated on the development of safety, health and environmental programs, from 1994 to present. From 1992 to 1994, Dr. Bower was President of National Soils, Inc., an applied technology company specializing in the development and management of industrial facilities and waste treatment operations. He was Senior Associate and Chief Scientist of Environmental Science and Engineering, Inc. from 1988 to 1992. Dr. Bower holds a Bachelor of Science degree in Social Sciences from Lock Haven University; a Master's degree in Transportation Safety from the University of Central Missouri; and a Ph.D. from Michigan State University. In 2018, he was elected as Moderator of the Souhegan Cooperative School District.

Amymarie R. Corriveau

(Director Since: N/A)

Ms. Corriveau has been the President of Trinnex, Inc., a subsidiary of CDM Smith, Inc., since the company's inception in January 2022. From 2000 to 2021, Ms. Corriveau held a number of positions with CDM Smith (an engineering and construction firm), including Vice President, Director of Digital Solutions (2020 to 2021), Director of Emerging Business Development (2018 to 2020), Director of Project Planning and Analysis for Business Technology (2015 to 2020), and Management Consultant (2000 to 2017). Prior to joining CDM Smith in the fall of 2000, Ms. Corriveau worked as an environmental engineer for Black & Veatch. Ms. Corriveau holds a Bachelor of Science degree in Hydrology from the University of New Hampshire, and a Masters of Engineering degree in Civil and Environmental Engineering from the Massachusetts Institute of Technology. In addition to her technical role at CDM Smith, Ms. Corriveau serves in numerous leadership positions within industry organizations, such as the Water Environment Federation, Water Research Foundation, and American Water Works Association.

Jay N. Lustig

(Director Since: January 2012)

Mr. Lustig is currently the Maritime Domain Business Operations Principal at the MITRE Corporation in Bedford, Massachusetts, a not-for-profit corporation that operates 6 Federally Funded Research and Development Centers for the U.S. Government. Mr. Lustig has C-Level management experience working with a variety of engineering disciplines with a primary focus on research and development. He has extensive experience working government programs and contracts. A former financial advisor, Mr. Lustig also possesses a deep understanding of the financial and business aspects that are unique to Pennichuck Corporation. A graduate of the Isenberg School of Management at the University of Massachusetts, Amherst, Jay and his wife have been residents of Nashua since 1984.

John D. McGrath

(Director Since: January 2012)

Mr. McGrath has been the Vice President of Construction Operations for Methuen Construction Co., Inc., in Plaistow, NH, since April 2019. He was a Project Executive for Methuen Construction from 2016 to April 2019, and a Project Manager from 2007 to 2016. From 1999 to 2007, Mr. McGrath was a Project Engineer for Barletta Engineering Corporation in Canton, MA. Mr. McGrath has spent more than 20 years managing projects specifically related to the rehabilitation, upgrade and construction of water and wastewater facilities. Mr. McGrath holds a Bachelor of Science degree in Civil and Environmental Engineering from Northeastern University.

Sarah Pillsbury

(Director Since: N/A)

Ms. Pillsbury retired in 2020 from the New Hampshire Department of Environmental Services (NHDES), where she held a number of positions, focused primarily on the protection and enhancement of New Hampshire's drinking water and groundwater. Prior to her retirement, from 2006 to 2020, Ms. Pillsbury was the Administrator of the Drinking Water and Groundwater Bureau at the NHDES. Ms. Pillsbury holds a Bachelor of Science degree in Resource Economics from the University of New Hampshire.

Preston J. Stanley, Jr.

(Director Since: January 2012)

Mr. Stanley has been the Owner and Manager of Stanley Iron Works in Nashua, NH, since 1982. From 1961 to 1982, Mr. Stanley served in various positions with Ingersoll Rand in Nashua, NH, including Service Center Manager, Manager of Materials, and Project Engineer and Supervisor. Mr. Stanley holds a Bachelor of Science degree in Mechanical Engineering and a Master's degree in Business and Economics from the University of Maine.



CHIEF OF POLICE
WILLIAM RYAN HART, JR.

DEPUTY CHIEF
KIM A. BERNARD - OPERATIONS

DIVISION CAPTAINS
PATRICK L. CHEETHAM - SERVICES
MARK P. MORRISON - PROF. STANDARDS
TIMOTHY C. O'DONAGHUE - AIRPORT

Missing Senior Found Safe

LONDONDERRY, NH (April 4, 2022): On April 4, 2022, at 7:05 am, an 82 year old female resident of Quarry Road, Londonderry, NH was reported missing by her husband, who last saw her when they went to bed last evening at about 11:00 pm. She apparently suffers from both dementia and Alzheimer's Disease and was suspected to have left the residence on foot sometime overnight.

LPD officers responded, began a search and asked for the public's help via social media. After searching the immediate area without success, officers established a command post nearby and deployed the LPD drone units and an LPD K9 team. Within a few short hours, LPD requested additional resources to include a Hudson Police K9 Team, the Manchester Police Drone Team, the NH Fish and Game Rescue Team, and the Londonderry ALERT Team, a volunteer civilian search and rescue team based in Londonderry. A Silver Alert also went out.

At about 12:05 pm, a member of the ALERT Team found someone resembling her inside an unlocked vehicle further down Quarry Road. LPD officers arrived within seconds, confirmed her identity, and requested LFD. She was treated and returned to her husband soon thereafter.

We wish to thank all the responding agencies who assisted us with our search and also our in-town and online community for sharing our post. The FB post had more than 2,700 shares that reached more than 109,000 people, which helped us quickly spread the word and share a photo. With overnight temperatures in the low 30's, every minute counts in a search and rescue operation like this.

Further press inquiries may be directed to Captain Patrick Cheetham
pcheetham@londonderryhpd.gov (603)432-1113.

##



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 7, 2022

Ms. Colleen Mailloux
Town Planner
268B Mammoth Road
Londonderry, NH 03053

Subject: 2022 Local Source Water Protection Program Grant: SWP-339

Dear Ms. Mailloux:

Enclosed is a copy of the approved Local Source Water Protection Grant Agreement for the Septic System Assessment for Source Water Protection Areas. The project can begin at your convenience but must be completed by May 31, 2023.

As each task documented in the agreement is completed, please submit the enclosed *Request for Award of Source Water Protection Grant Funds* form and invoices or deliverables documenting work performed. Any changes to the scope of services or reallocation of grant funds among tasks require NHDES approval in advance. Also, if applicable, please be sure that any consultant or subcontractor receives a copy of Exhibits A-C.

The enclosed *Local Source Water Grant Quarterly Progress Report Form* must be completed quarterly (for each three-month time period), beginning with the first full quarter after grant approval. If you have made progress on your project between April 1, 2022 and June 30, 2022, please submit a Quarterly Progress Report in July 2022.

Applicants are requested to make a good faith effort to utilize disadvantaged businesses for any services, equipment and/or supplies purchased. A list of disadvantaged businesses is available at <http://www.nh.gov/dot/business/contractors.htm>.

Please contact me if you need assistance at 603-271-2950 or Melissa.E.Macheras@des.nh.gov.

Sincerely,

Melissa Macheras
Drinking Water and Groundwater Bureau

Enclosures: Final Grant Agreement, Request for Award Form, Quarterly Report Form

LONDONDERRY TOWN COUNCIL MEETING MINUTES

1 March 28, 2022

2
3 The meeting took place in the Moose Hill Council Chambers, 268B Mammoth Rd,
4 Londonderry, NH 03053.

5
6 Present: Chairman John Farrell; Vice Chairman Joe Green; Councilor Jim Butler, Chad
7 Franz, and Deb Paul; Acting Town Manager Michael Malaguti; Assistant Town Manager
8 Lisa Drabik; Executive Assistant Kirby Brown

9
10 CALL TO ORDER

11
12 Chairman Farrell called the Town Council meeting to order at 7:00 PM. This was followed
13 by the Pledge of Allegiance. This was followed by a moment of silence for all of those who
14 are in harms way in Ukraine, pray for their safety.

15
16 PUBLIC COMMENT

17
18 Dan Bouchard, 8 O'Connell Dr, complimented the fire department for handling his sons
19 carbonmonoxy call well. Bouchard asked the Council about a few positions with the town.
20 Bouchard asked who makes the decision to reorganize a department. Chairman Farrell
21 stated that under Charter it comes from the Town Manager and to the Town Council. It's a
22 consensus, not a formality. Acting Town Manager Michael Malaguti stated that the Council
23 was aware of the reorganization in the Public Works department.

24
25 Kristine Perez, 5 Wesley Drive, stated that fortunately Article 5 on the ballot passed. How
26 that little chunk of land got taken out for the Mosetti Coporation who the deals were
27 originally made with. Chairman Farrell stated that the original deals were actually made
28 with Elmer Pease, who was the developer prior to the Nutfield fifty-five and over
29 development, the Nevins. It was Elmer Pease who sold it to Messetti. Perez stated that there
30 us a lot of traffic congestion. It's more than developing the land, but it will make the traffic
31 worse. Chairman Farrell stated that the Warrant Article gives the Council authority to have
32 discussion with them. It doesn't necessarily mean that it's going to happen.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

35 Chairman Farrell read a proclamation into the record for the Londonderry Presbyterian
36 Church. Pastor Karla Dias will be visiting Ireland in a few weeks and she will be presenting
37 the Proclamation to the people of Londonderry, Ireland. Pastor Dias thanked the Council
38 and all those involved for the Proclamation.

39

40 Chairman Farrell and Councilor Franz awarded Kirsten Hildonen, a former Budget
41 Committee member and Chair, with an award for her time served on the Budget Committee.

42

43

PUBLIC HEARING

44

45 Motion to open Public Hearing made by Vice chairman Green and second by Councilor
46 Butler. Chair votes 5-0-0.

47

48 Chairman Farrell introduces Ordinance #2022-01, an organizational amendment to the
49 Londonderry Zoning Ordinance. Town Planner Colleen Mailloux presented. Mailloux
50 stated that the Planning Board recommends the Council pass it. Motion to approve
51 Ordinance #2022-01 made by Councilor Franz and second by Vice Chairman Green.
52 Ordinance #2022-01 passed.

53

54 Chairman Farrell introduced Ordinance #2022-02, an amendment to the Zoning Ordinance
55 relative portable storage. Mailloux stated that this has been in place for a year now and the
56 Code Enforcement Officer recommended the change and the Planning Board recommends
57 the change. It amended that the applicant has to disclose how long the portable storage
58 unit will be on a property. The length of time is something the ZBA has control over.

59

60 Marge Badios, 189 Litchfield Rd, asked if this applies to the moving pods. Mailloux stated
61 yes it does.

62

63 Motion to approve Ordinance #2022-02 made by Councilor Paul and second by Councilor
64 Butler. Chair votes 5-0-0.

65

66

67

68

LONDONDERRY TOWN COUNCIL MEETING MINUTES

NEW BUSINESS

69

70

71 The Council went through and assigned Liaison Assignments.

72

73 **Chairman John Farrell**

74 Airport Authority

75 Old Home Day Committee

76 Londonderry School Board

77 Londonderry Arts Council

78

79 **Vice Chairman Joe Green**

80 CIP Committee

81 Leach Library Trustees

82 Recreation Commission

83 Senior Resources Committee

84

85 **Councilor Jim Butler**

86 ZBA

87 Conservation Commission

88 SNHPC

89

90 **Councilor Deb Paul**

91 Planning Board (Ex Officio*)

92 Heritage Commission

93 Solid Waste and Environment Committee

94 Beautify Londonderry

95

96 **Councilor Chad Franz**

97 Budget Committee

98 Traffic Safety Committee

99 Planning Board (Alternate/Ex Officio*)

100

101 Acting Town Manager Michael Malaguti discussed the suspension of the May 6, 1991
102 agreement with Vologda, USSR in view of the invasion with Ukraine. It was requested
103 that we express our solidarity with Ukrainians. Malaguti stated that the International
104 Exchange Committee isn't active anymore. The Council motioned to revoke the
105 Resolution. Motioned by Councilor Paul and second by Vice Chairman Green. Chair votes

LONDONDERRY TOWN COUNCIL MEETING MINUTES

106 5-0-0. Malaguti stated that he would notify the city of Vologda, USSR.

107

108 Chairman Farrell introduced Order #2022-03, an Order relative to the expenditure of
109 Maintenance Trust Fund for various projects. Dave Wholley presented. Wholley stated
110 that this was for winter maintenance. Vice Chairman Green motioned to approve order
111 #2022-03, and second by Councilor Franz. Chair votes 5-0-0.

112

113 Chairman Farrell introduced Order #2022-04, an Order relative to the expenditure of
114 Maintenance Trust Fund for various projects. Dave Wholley presented. Vice Chairman
115 Green motioned to approve Order #2022-04, and second by Councilor Butler. Chair votes
116 5-0-0.

117

118 Chairman Farrell introduced #2022-05, an Order relative to the Expenditure of
119 Reclamation Trust Fund. John Trottier, Director of Engineering, presented. Trottier stated
120 that this is to purchase spare parts for the recycling cart that collect the recycling. Council
121 approved Order #2022-05 by 5-0-0 vote.

122

123 Acting Town Manager Michael Malaguti discussed the School District lease and the
124 landscaping at Town Hall. Malaguti stated that Article 15 on the ballot was to authorize
125 the District Office to be next to Town Hall. It passed on the Town ballot but didn't pass on
126 the school ballot. That leaves us with Article 16 on the town ballot to appropriate \$150K
127 to restore the site. Malaguti stated that baring we have this money available until June
128 2025, should we use the money now or wait for a future event. Chairman Farrell stated
129 that it should be lawn and put grass on it, but it shouldn't cost \$150K.

130

131 Councilor Butler brought up safety and security at the schools. Chairman Farrell stated
132 that there have been active discussions with the Police Chief and the safety of the
133 community comes under purview of the Town Council. Chairman Farrell suggested
134 meeting with the School Board.

135

136

APPROVAL OF MINUTES

137

138 Motion to approve the Town Council minutes from March 14, 2022 made by Vice Chairman
139 Green and second by Councilor Franz. Chair votes 5-0-0.

140

LONDONDERRY TOWN COUNCIL MEETING MINUTES

141 Town Manager Mike Malaguti gave a Town Manager report, including relooking at the
142 Veterans Tax Credit. Malaguti stated that his report is posted online with the agenda and
143 encouraged people to look at it.

144

145 Chairman Farrell stated that the next meeting will start in non-public.

146

147

ADJOURNMENT

148

149 Motion to adjourn made by Councilor Franz and second by Vice Chairman Green. Chair
150 votes 5-0-0.

151

152 Notes and Tapes by: Kirby Brown Date: 3/28/2022

153 Minutes Typed by: Kirby Brown Date: 3/30/2022

154 Approved by: Town Council Date: 4/11/2022