

TOWN COUNCIL AGENDA
August 31, 2020
Londonderry High School Cafeteria
7:00 P.M.

Regular meetings are cablecast live and videotaped for the convenience of our viewers at home. 7:00 PM.

A. CALL TO ORDER

B. PUBLIC COMMENT

C. PUBLIC HEARING

1.) **Ordinance #2020-03** – An Ordinance Restricting Outdoor Lawn Watering

Presented by Lisa Drabik

2.) **Resolution #2020-12** – A Resolution Relative to the Acceptance of Unanticipated Revenue Under RSA 31:95-b (Coronavirus Emergency Supplemental Funding Program)

Presented by Justin Campo

3.) **Resolution #2020-13** – A Resolution Relative to the Acceptance of Unanticipated Revenue Under RSA 31:95-b (Assistance of Firefighters Grant)

Presented by Justin Campo

D. NEW BUSINESS

1.) **Resolution #2020-12** – A Resolution Relative to the Acceptance of Unanticipated Revenue Under RSA 31:95-b (Coronavirus Emergency Supplemental Funding Program)

Presented by Justin Campo

2.) **Resolution #2020-13** – A Resolution Relative to the Acceptance of Unanticipated Revenue Under RSA 31:95-b (Assistance of Firefighters Grant)

Presented by Justin Campo

E. OLD BUSINESS

F. APPROVAL OF MINUTES

Approval of August 17, 2020 Town Council Minutes

G. APPOINTMENTS/REAPPOINTMENTS

H. OTHER BUSINESS

1. Liaison Reports
2. Town Manager Report
Update on CRCAR
3. Assistant Town Manager Report

I. ADJOURNMENT

J. MEETING SCHEDULE

- A. Town Council Meeting – 09/14/20 LHS Cafeteria Chambers,
7:00PM

LEGAL NOTICE

The Londonderry Town Council will hold a PUBLIC HEARING on the following item:

Ordinance #2020-03 – An Ordinance Restricting Outdoor Lawn Watering

The Public Hearing is scheduled for Monday, August 31, 2020 at 7:00 PM at the Londonderry High School Cafeteria, 295 Mammoth Road, Londonderry, NH 03053.

Londonderry Town Council

ORDINANCE 2020 - 03

Ordinance Restricting Outdoor Lawn Watering

First Reading: 07/13/2020

Second Reading/Public Hearing: 08/17/2020

Adopted: 08/17/2020

SECTION I: PURPOSE AND AUTHORITY

Pursuant to RSA 41:11-d, the Town Council adopts this Ordinance in order to protect public health and safety by restricting the use of water from private wells and public water systems for outdoor lawn watering (including residential and commercial properties) during a state or federally declared drought.

SECTION II: APPLICABILITY

This Ordinance shall apply immediately after the public notice period described in Section V to all outdoor lawn watering within the Town of Londonderry when the executive or administrative agencies of the state or federal government have designated the region as being under a declared state or condition of drought.

SECTION III: DEFINITIONS

A. Drought: A sustained and regionally extensive occurrence of appreciably below average natural water availability in the form of precipitation, stream flow or groundwater. The following resources are among those used by the Town of Londonderry to determine the existence of a drought condition: (i) the New Hampshire Drought Management Team as designated by the New Hampshire Drought Management Plan and the U.S. Drought Monitor; and/or (ii) State of Emergency Declaration by the Governor's Office.

B. Lawn Watering: The application of water to decorative grass at a property. The grass playing turf of a recreational field, the grass playing surfaces of a golf course, or grass agricultural fields, including fields used for the production of sod, may be excluded by the Council from the restrictions set forth in Section IV, below.

SECTION IV: RESTRICTIONS UNDER DROUGHT CONDITIONS

The following limits to lawn watering will apply under drought conditions. The specified levels (Level 1 through 3) will be determined by the Londonderry Town Council and will be included in the public notice required in Section V of this Ordinance.

- A. If the Town of Londonderry issues a **Level 1 restriction**, then:
- i. Lawn watering by odd numbered addresses is allowed on odd numbered days.
 - ii. Lawn watering by even numbered addresses is allowed on even numbered days.
 - iii. Lawn watering shall not occur between the hours of 8AM and 7PM.
- B. If the Town of Londonderry issues a **Level 2 restriction**, then:
- i. Lawn watering by odd numbered addresses is allowed on Mondays and Thursdays.
 - ii. Lawn watering by even numbered addresses is allowed on Tuesdays and Fridays.
 - iii. Lawn watering shall not occur between the hours of 8AM and 7PM.
- C. If the Town of Londonderry issues a **Level 3 restriction**, then:
- i. Lawn watering is prohibited.

SECTION V: PUBLIC NOTIFICATION OF WATER USE RESTRICTIONS

Notification of any intention to restrict water use and the requirements associated with Section IV shall be given at least three calendar days before implementation. Notice of the regulations shall be posted in a paper of general circulation and shall be posted in at least two public places.

SECTION VI: TERMINATION OF WATER USE RESTRICTIONS

Public notification of termination of water use restrictions shall be given in accordance with Section V,

SECTION VII: ENFORCEMENT

Any sworn officer of the Londonderry Police Department is hereby granted the authority to initiate any enforcement action against any violation of the provisions of this Ordinance.

SECTION VIII: PENALTIES

Any property owner failing to comply with the restrictions imposed pursuant to this Ordinance shall be deemed to be in violation and subject to penalties pursuant to RSA 651:2. Violations shall be cumulative within a given calendar year, and shall reset at the end of a calendar year (i.e., the first violation at the start of a calendar year shall be deemed to be a first violation, notwithstanding the prior calendar year's history of violations, if any). Note that a property owner shall be deemed to be in compliance with Level 1 restrictions if their outdoor lawn watering complies with the more restrictive parameters of the Level 2 restrictions.

- First violation: Warning
- Second violation: \$200 fine
- Additional violations: \$1,000 fine.

SECTION IX: SEVERABILITY

If any section, provision, or phrase of this Ordinance shall be held to be invalid or unconstitutional by any court of competent authority, such holding shall not affect, impair or invalidate any other section, provision, or phrase of this Ordinance.

SECTION X: WAIVERS AND APPEALS

Waivers of this Ordinance may be granted by a majority vote of the Town Council for good cause shown. Upon request of a property owner, the Town Council shall hear appeals to any penalties assessed against that owner, subject to a 30-day limit within which to file an appeal with the Town Council.

SECTION XI: AMENDMENTS

This Ordinance may, from time to time, be amended by a majority vote of the Town Council at a regularly scheduled Town Council meeting, provided notice of said meeting has been duly posted at least seven (7) business days in advance of same.

SECTION XII: EFFECTIVE DATE

This Ordinance shall take effect immediately upon adoption by the Town Council.

Adopted this _____ day of _____, 2020.

John Farrell - Chairman
Town Council

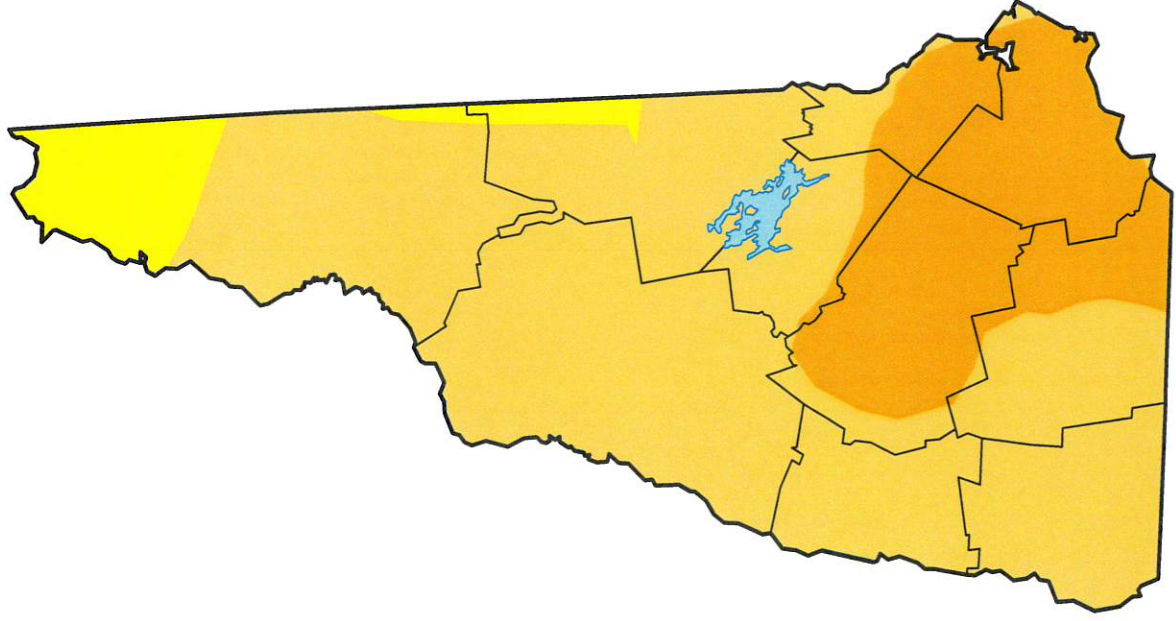
Sharon Farrell - Town Clerk

(TOWN SEAL)







A TRUE COPY ATTEST:

U.S. Drought Monitor New Hampshire

August 25, 2020
(Released Thursday, Aug. 27, 2020)
Valid 8 a.m. EDT



Intensity:

-  None
-  D0 Abnormally Dry
-  D1 Moderate Drought
-  D2 Severe Drought
-  D3 Extreme Drought
-  D4 Exceptional Drought

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. For more information on the Drought Monitor, go to <https://droughtmonitor.unl.edu/About.aspx>

Author:

David Simeral
Western Regional Climate Center



droughtmonitor.unl.edu

TOWN OF LONDONDERRY

NOTICE OF PUBLIC HEARING

ACCEPTANCE OF GRANT FUNDS

The Londonderry Town Council will hold a public hearing pursuant to RSA 31:95-b, III relative to the acceptance of unanticipated revenue in excess of \$10,000. The Town has been awarded grant funds totaling \$210,909.09 for the purpose of purchasing and SCBA equipment for the Town's fire department. The grant award covers 90% of the cost of the purchase and installation and requires Town matching funds of 10%, \$21,090.90. The Town has also been awarded grant funds totaling \$157,287.09 for the purpose of reimbursing expenses occurred during the Coronavirus National/State Emergency and for the purpose of purchasing equipment to assist in combating the Coronavirus.

The public hearing will be held on Monday, August 31, 2020 in a special Town Council meeting to be held at the Londonderry High School Cafeteria, 295 Mammoth Road, Londonderry, NH 03053, to begin at 7:00 p.m. Information on both of these grants are available in the Finance Office during regular business hours. The public is urged to attend.

RESOLUTION 2020-12

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

First Reading: 08/31/20
Second Reading: Waived
Adopted: 08/31/20

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

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

WHEREAS the Town has been awarded the Coronavirus Emergency Supplemental Funding Program by the State of New Hampshire Department of Justice in the amount of \$157,278.09, for the purpose of reimbursing the Town for costs expended over the start of the Coronavirus Pandemic as well as for the purchasing of equipment to assist in combating the Coronavirus going forward. There is no match required by the town.

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council to authorize the Town Manager to sign the documents required to enter into and accept the grant mentioned in this resolution and therefore the Town Council resolves that the grant and the revenue associated with it in the amount of \$157,278.09 for the fiscal year ended June 30, 2021, is hereby accepted.

John Farrell - Chairman
Town Council

Sharon Farrell - Town Clerk

(TOWN SEAL)

A TRUE COPY ATTEST:

08/31/20

Citizens Credit Card Rebate	\$53,577.17
State of New Hampshire Municipal Aid	\$265,553.76
North Branch Construction Safety Program	\$750.00
HealthTrust Wellness Program	\$1,500.00
Department of Health and Human Services	\$20,024.02
Total:	\$341,404.95

RESOLUTION 2020-13

A Resolution Relative to the

Acceptance of Unanticipated Revenue Under RSA 31:95-b

First Reading: 08/31/20
Second Reading: Waived
Adopted: 08/31/20

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

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

WHEREAS the Town has been awarded the Assistance to Firefighters Grant by the U.S. Department of Homeland Security in the amount of \$210,909.09, for the purpose of purchasing grant approved equipment needed by the Fire department.

WHEREAS this grant will allow the purchase of Self-Contained breathing apparatus units (SCBA), as well as facemasks for the fire department. This grant requires a 10% local match in funding for a total match of \$21,090.91.

WHEREAS there are sufficient funds in the Fire Department Equipment Capital Reserve Fund to meet the match requirements of the grant, and the purchase of this equipment from the grants aligns with the purpose of the capital reserve fund;

NOW THEREFORE BE IT RESOLVED by the Londonderry Town Council to authorize the Town Manager to sign the documents required to enter into and accept the grant mentioned in this resolution and therefore the Town Council resolves that the unanticipated revenues in the amount of \$210,909.09 for the fiscal year ended June 30, 2021, are hereby accepted.

John Farrell - Chairman
Town Council

(TOWN SEAL)

Sharon Farrell - Town Clerk

A TRUE COPY ATTEST:
08/31/20

Citizens Credit Card Rebate	\$53,577.17
State of New Hampshire Municipal Aid	\$265,553.76
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