

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

**MEMBERS OF THE MEETING PANEL**

Jonathan Kipp .....Moderator  
Cynthia Rice Conley ..... Assistant Moderator  
Mike Malaguti.....Assistant Town Attorney/Solicitor

**Panel Members:**

John Farrell ..... Chairman - Town Council  
Joe Green .....Vice-Chairman- Town Council  
Deb Paul.....Councilor  
Jim Butler.....Councilor  
Tom Dolan.....Councilor  
Kevin Smith ..... Town Manager  
Lisa Drabik.....Assistant Town Manager  
Justin Campo.....Finance Director  
Sherry Farrell.....Town Clerk/Deputy Tax Collector  
Christie Campbell.....Deputy Town Clerk  
Kirby Brown.....Executive Assistant

**Budget members:**

Chad Franz.....Chairman – Budget Committee  
Jonathan Kipp .....Vice-Chair – Budget Committee  
Jennifer Kenney.....Budget Member  
Christine Patton.....Budget Member  
Joseph Gagnon.....Budget Member  
Steve Breault.....Budget Member  
Tim Siekmann.....Budget Member

**OPENING REMARKS**

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

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

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

### **STATE OF THE TOWN ADDRESS**

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

Thank you and God bless you all.  
Respectfully submitted,  
Kevin H. Smith

**ARTICLE NO. 1: [ELECTION OF OFFICERS]**

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

Town Moderator Kipp proceeded to read Article 2.

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

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.*

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

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

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

**SECOND** by Councilor Tom Dolan

**Open for discussion:**

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

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

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

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

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

Town Moderator Kipp then read Article 3.

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

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

**(If passed, this article will require the Town to raise \$90,000 in property taxes, resulting in a tax rate impact of \$0.017 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 Jim Butler made a **MOTION** to accept Article 3 as read.  
**SECOND** by Councilor Tom Dolan.

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

**Open for discussion:**

**There was no public discussion.**

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



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

Vice Chairman Green **made a MOTION** to restrict reconsideration.  
**SECOND** by Chairman Jim Butler.

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

Moderator Kipp then read Article 4.

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

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

**(If passed, this article will require the Town to raise \$650,000 in property taxes, resulting in a tax rate impact of \$0.126 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 Paul made a **MOTION** to accept Article 4 as read.  
**SECOND** by Chairman John Farrell.

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

**Open for discussion:**

**There was no other discussion.**

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

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

Chairman John Farrell **made a MOTION** to restrict reconsideration.  
**SECOND** by Vice Chairman Joe Green.

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

Town Moderator Kipp then read Article 5.

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

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

**(If passed, this article will require the Town to raise \$100,000 in property taxes, resulting in a tax rate impact of \$0.019 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 6-1 recommends a YES vote.***

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

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

**Open for discussion:**

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

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

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

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

Town Moderator Kipp then read Article 6.

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

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

**(If passed, this article will require the Town to raise \$50,000 in property taxes, resulting in a tax rate impact of \$0.010 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 6 as read.  
**SECOND** by Councilor Deb Paul.

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

**Open for discussion:**

**There was no further discussion.**

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

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

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

VOTE IN THE AFFIRMATIVE, ARTICLE 6 IS RESTRICTED FROM  
RECONSIDERATION.

Moderator Kipp then read Article 7.

**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**

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

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

**(If passed, this article will require the Town to raise \$100,000 in property taxes, resulting in a tax rate impact of \$0.019 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 Jim Butler made a **MOTION** to accept Article 8 as read.  
**SECOND** by Councilor Tom Dolan.

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

**Open for discussion:**

**There was no public discussion.**

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

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

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

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

Assistant Moderator Palmer then read Article 9.



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

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

**(If passed, this article will require the Town to raise \$1,000.00 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 Deb Paul made a **MOTION** to accept Article 9 as read.  
**SECOND** by Chairman John Farrell.

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

**Open for discussion:**

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

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

**VOTE IN THE AFFIRMATIVE, ARTICLE 9 PASSES.**

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

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

Assistant Moderator Palmer then read Article 10.

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

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

<u>Year</u>	<u>Estimated Increase from Budget</u>	<u>Estimated Tax Increase from Budget</u>
FY 2023	\$86,623	\$0.017
<u>Year</u>	<u>Estimated Increase from Previous FY</u>	<u>Estimated Tax Increase from Previous FY</u>
FY 2024	\$171,137	\$0.033
FY 2025	\$166,741	\$0.032
FY 2026	\$151,893	\$0.029
FY 2027	\$133,303	\$0.026

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

**(If passed, this article will require the Town to raise \$86,623 in property taxes, resulting in a tax rate impact of \$0.017 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.***

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

**SECOND** by Councilor Jim Butler.

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

**Open for discussion:**

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

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

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

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

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

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

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

**SECOND** by Councilor Jim Butler.

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

Assistant Moderator Palmer then read Article 11.

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

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

**(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 11 as read.  
**SECOND** by Chairman Deb Paul.

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

**Open for discussion:**

**There was no discussion.**

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

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

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

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

Assistant Moderator Palmer then read Article 12.

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

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

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

**(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.***

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

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

**Open for discussion:**

**There was no public discussion.**

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

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

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

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

Assistant Moderator Palmer then read Article 13.

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

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

(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 Deb Paul made a **MOTION** to accept Article 14 as read.  
**SECOND** by Chairman John Farrell.

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

**Open for discussion:**

There was no discussion.

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

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

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

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

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

Moderator Kipp then read Article 15.

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

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

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

**(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.***

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

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

**Open for discussion:**

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

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

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

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

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

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

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

Moderator Kipp then read Article 16.

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

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

(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).**



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

**(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 4-1 recommends a YES vote; the Budget Committee by a vote of 6-1 recommends a YES vote.***

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

**SECOND** by Vice Chairman Joe Green

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

**Open for discussion:**

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

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

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

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

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

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

Moderator Kipp then read Article 18.

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

To see if the Town will vote to raise and appropriate the sum of **SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000)** to be placed in the Conservation Commission's Land Acquisition Fund, to be used within a reasonable time to replace the property currently under 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"), now owned by Gilcreast Realty Holdings, LLC Property with a separate parcel or parcels of land, or interest therein, of an equal or greater conservation value, and further to authorize the use of **SEVEN HUNDRED FIFTY THOUSAND DOLLARS (\$750,000)** from the consideration paid to the Town for the release of the conservation and open space restriction.

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

(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 4-1 recommends a YES vote; the Budget Committee by a vote of 6-1 recommends a YES vote.*

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

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

**Open for discussion:**

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

Article opened with amendment as discussed.

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

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

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

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

Councilor Tom Dolan **made a MOTION** to restrict reconsideration.  
**SECOND** by Vice Chairman Joe Green.

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

Moderator Kipp then read Article 19.

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

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

(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.)

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

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

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

**Open for discussion:**

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

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

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

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

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

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

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

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

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

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

Moderator Kipp then read Article 20.

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

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

Conduct site observation of potential pickle ball court area with Town

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

**(If passed, this article will require the Town to raise \$6,000.00 in property taxes, resulting in a tax rate impact of \$0.001 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 5-2 recommends a YES vote.***

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

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

**Open for discussion:**

Heather Carey, 132 Pillsbury Rd, introduced herself as the petitioner and made a motion to make an amendment to authorize the use of \$6,000 from the UFB towards this article for the plans and engineer report. Malaguti stated that it is a legal amendment. Moderator Kipp stated that instead of raising \$6,000 from the taxpayers, use the UFB. Finance Director Campo stated that we do have that amount available. Maureen Hardy, 13 Clover Lane, second the motion.

Councilor Jim Butler asked if Carey could explain pickleball. Carey stated that it is a cross between tennis and racquetball. Growing sport for all ages, seniors also.

Town Manager Smith stated that many times we have been approached by citizens to find a space.

Liz Thomas, 143 Mammoth Rd, stated that when we look for engineers, we are pretty much sucked into moving forward. We are throwing good money away. Thomas stated that we also have an understanding that the intent is to get it done. Are we prepared to get it done as a town.

Town Manager Smith stated that when heather first approached us about doing this, the land we are looking at is West Road. We couldn't get an idea of how much it would cost. So that's why we took this approach of putting it on the ballot. Art Psaledas and John Farrell stated that it should be put on the ballot to do step one first to figure out the real cost.

Art Psaledas, 12 Mount Vernon Drive, stated that the problem, without a plan things end up as a disaster. Psaledas stated that if you don't have something planned, you will have to do it again. Chairman Farrell stated that we should do things right the first time so that we won't have to do it again.

Councilor Jim Butler stated that someone came to him and suggested to have our in-house engineering company do it. John Trottier stated that more than likely we will be overseeing it. We don't have the in-house capability to do that.

Councilor Paul stated that she isn't opposed to pickleball, but she is opposed to it coming from the UFB.

18-30, the amendment failed, which means the warrant as written is open for discussion.

Moderator Kipp asked if there were any further comments about the article.

Christine Patton, 145 Mammoth Rd, stated that it should have been fundraised. It's a great idea, but she is against raising taxes for a want and not a need.



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

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

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

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

Moderator Kipp then read Article 21.

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

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

Councilor Tom Dolan made a **MOTION** to open Article 21 for discussion.  
**SECOND** by Councilor Deb Paul.

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

**VOTE IN THE AFFIRMATIVE TO ADJOURN THE TOWN MEETING**  
Town Meeting Closed at 11:30 A.M.

---

Sharon Farrell – Londonderry Town Clerk



3.23.2022