

**Londonderry Town Council Minutes**  
**Monday, August 14, 2023**  
**7:00 PM**  
**Moose Hill Council Chambers**

**Meeting Link:** <http://173.166.17.35/CablecastPublicSite/show/12339?channel=4>

**Attendance:** Present: Chairman John Farrell; Vice Chairman Chad Franz; Councilors Jim Butler, Ted Combes, and Ron Dunn; Town Manager Michael Malaguti; Assistant Town Manager Kellie Caron; Administrative Support Coordinator Kirsten Hildonen

**CALL TO ORDER**

Chairman Farrell called the Town Council meeting to order at 7:00 PM. The Pledge was led by Chairman Farrell. This was followed by a moment of silence led by Chairman Farrell for all of those affected by the wildfires in Hawaii.

Chairman Farrell moved item D.4 forward on the agenda.

**Grant Extension for Town's Hazard Mitigation Plan**

Fire Chief Darren O'Brien presented the extension plan. The original grant was applied for in 2019. The Planning Department is still working on it. The extension would be until May 29, 2024. Plans are needed to apply for federal grants.

Motion to extend the grant until May 29, 2024 made by Vice Chairman Franz, and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

Chairman Farrell announced that the Public Hearing on 556 Mammoth Road will be moved to September 11, 2023.

**PUBLIC COMMENT**

Fire Chief Darren O'Brien and BC Phil Leblanc presented certificates to citizens in recognition of their contributions to the Fire Department: Kurt Holston from New England Lawn Irrigation for the donation of materials and labor for a new irrigation system; Paul Bears from Paul the Plumber for donating plumbing services for the new irrigation system; and to Jake Butler and Ron Hill (not in attendance) of Shady Hill Orchards for their installation and landscaping of the new sign for Central Fire Station. Chief O'Brien estimated the donation value of these services at approximately \$25,000.

Chief O'Brien announced his retirement from the Fire Department effective September 1, 2023. He described his career and 40 years of service to the Town of Londonderry, and thanked those who supported him during that time. Chairman Farrell thanked Chief O'Brien for his service. Town Manager Malaguti lauded the Chief for his leadership.

Brian Samolyk, 25 Moulton Drive, and Steve Spaziani, 12 Gary Drive, of the Pickleball Task Force addressed the Council members on the establishment of the Task Force. They have quickly started exploring options for locations, materials, and fundraising. The members have allocated responsibilities among themselves. They will be at the Senior Expo on September 23, 2023.

**Name:** Richard Bielinski

**Address:** 89 Hall Road

Bielinski discussed the events of the prior meeting, where he brought up a RSA that he believed would allow public comment. Bielinski stated that he visited the Derry District Court and found no record of the Town filing with the Court. He expressed frustration that he does not see the Town ordinances being enforced. He asked that the Council pay more attention when people bring concerns to them.

**Name:** Dan Bouchard

**Address:** 8 O'Connell Drive

Bouchard expressed gratitude for the donations provided to the Fire Department. Bouchard also thanked the Council for their efforts to deal with recent resignation from the Budget Committee.

**Name:** Kristine Perez

**Address:** 5 Wesley Drive

Perez expressed concern that the Council allocated one third of the money in the Sewer Fund toward helping Woodmont with their infrastructure and asked that future developments contribute to the Sewer Fund up front. Perez thanked Assistant Town Manager Kellie Caron for her help with soil issues in two developments, totaling 200 units, proposed on Gilcreast Road. She has questions about what other steps have been taken in preparation for those developments to move forward. Chairman Farrell asked Caron about the number of units. Caron confirmed that the number of units in the two developments combined total approximately 200. Those plans have not gone to the Planning Board yet. The plans will be subject to the same technical analysis

as all projects.

**Name:** Mike Malaguti, Town Manager

Town Manager Malaguti announced that Friday, August 11, 2023 was Executive Assistant Kirby Brown's last day. He complimented her on her nearly ten years of employment and her dedication to the Town during her time working in Town Hall.

Chairman Farrell echoed the Town Manager's gratitude and well-wishes for Brown.

**Name:** Ann Chiampa

**Address:** 28 Wedgewood Drive

Chiampa had a question about the payment in lieu of taxation on the agenda (D.3). She stated that she remembered that there was a difference between commercial taxation and residential taxation in the prior year, and how the revaluation has significantly increased the assessment of her land. Chairman Farrell informed Chiampa that there will be a discussion of revaluation later. Chiampa asked if this agreement was only a one-time deal. Chairman Farrell replied that PILOT agreements apply only to that one situation.

**Chairman Farrell closed public comment.**

## **PUBLIC HEARING**

No public hearings were held.

## **NEW BUSINESS**

### **New Balance Payment in lieu of Taxes (PILOT) agreement**

Town Manager Michael Malaguti presented. Jim Halliday, president of New Balance Development, and Kevin Smith, real estate consultant, were present and available for questions. Malaguti is requesting a ten-year Payment in Lieu of Taxes (PILOT) agreement between the Town of Londonderry and New Balance Athletics, Inc for their proposed manufacturing facility at 55 Pettengill Road. New Balance is investing approximately \$60 million into this facility and it is being financed through the New Hampshire Business Finance Authority. The BFA involvement requires that New Balance negotiate a PILOT agreement with the Town since the BFA is a government entity and exempt from local taxation. Malaguti described the progression of payments and incentives over the ten-year agreement. The agreement will lead to Londonderry receiving full tax revenue on the existing value of the land plus additional revenue once it is improved.

Chairman Farrell stated that the Town has a PILOT program with the Manchester-Boston Regional Airport. The point of a PILOT program is to ensure the Town has the ability to pay for

the services that they will need to provide and to protect the Town. Malaguti stated that they do these type of agreements for non-profits organizations or government entities. Vice Chair Franz clarified that the government entities do not have to pay taxes, but they are required to enter into a PILOT. Malaguti confirms that is correct, and was built into the creation of the BFA.

Motion to accept the terms of the contract between New Balance and the Town of Londonderry made by Vice Chairman Franz, and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

### **Assessing Revaluation Update**

Steve Hamilton, Whitney Consulting Group, Assessor by contract to the Town, presented. He announced that the results of the revaluation are ready to be mailed. The bill that went out in June, due on July 1, was based on the prior year. There is no 2023 tax rate yet. It will not be received from the DRA until at least October. Chairman Farrell asked if this will increase the amount of money needed to run the town. Hamilton stated there is a direct link between spending and tax rate. If spending stays the same, the tax rate will go down. Chairman Farrell asked why they are doing it every two years. Hamilton replied that it is easier to absorb the increases and capture any decreases within shorter periods of time. Chairman Farrell stated that, on average, the valuation of a residential property in Londonderry is going up 23-24%. Hamilton affirmed that number, but stated that not all properties appreciate the same way. Chairman Farrell asked what people can do if they disagree. Hamilton replied that the letter going out to residents will explain how they can speak with the Assessing Department. Hamilton stated that commercial properties have had a wide range of changes in value. The MS1 report will be submitted to the Council in late September. In New Hampshire, the tax rate is the same across all properties in a community. Information about the valuation of properties is available through the Town of Londonderry website, and Hamilton encouraged people to call the Assessing Department and set up an appointment to discuss their result. Councilor Combes asked if the notices contained information about tax credits. Hamilton replied that they will not. Hamilton stated that any property owner can file an abatement to formally change the assessment of their property. Vice Chair Franz asked about the ratio. Hamilton explains that the goal is to have every property assessed between 90% and 110% of market value. Vice Chair Franz clarified that the opportunity to discuss the valuation with assessors is different from an abatement. Hamilton affirmed that it is. Requesting an abatement requires a tax bill to be in hand.

Chairman Farrell moved up Appointments/Reappointments (G) to next on the agenda.

## **APPOINTMENTS/REAPPOINTMENTS**

### **Utilities Committee, Alternate Position**

**Candidate:** John Mahon, 26 King Arthur Dr

Mahon opted to take questions from the Council in lieu of an opening statement. Councilors Dunn and Butler spoke in support of Mahon. Councilor Combes asked if Mahon had any experience in the field. Mahon replied that his experience comes from his managing his utilities as a homeowner.

Motion to appoint John Mahon as an Alternate to Utilities Committee made by Councilor Dunn, seconded by Councilor Butler.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0.

### **Pickleball Task Force, Alternate Position**

**Candidate:** Daniel Malloy

Malloy stated that his grandfather played pickleball which makes his family part of the OG pickleball movement. Councilor Combes asked if Malloy had experience playing pickleball himself. Malloy said he had in the past. Vice Chair Franz asked Malloy about his ability to collaborate with other members of the Task Force. Malloy replied that his sales background has given him experience in communication with people of all levels. Malloy pointed out that he has a pre-existing professional relationship with Brian Samolyk, chair of the Pickleball Task Force.

Motion to appoint Daniel Malloy as an Alternate member of the Pickleball Task Force made by Councilor Franz and seconded by Councilor Combes.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

### **Budget Committee**

The Council clarified that the vacancy they are interviewing for tonight was the one created by Councilor Dunn's resignation in March upon his election to Town Council.

**Candidate:** Paula Moore, 13 Morrison Drive

Moore stated that she worked for the IRS and ran her own business, and has a major in accounting, and that her personal finances are all in order. Vice Chair Franz asked about Moore's understanding of the Committee's mission and how she would support it, her experiences that qualify her to serve on the Committee, and how she would interact with the community. Moore currently serves on a budget committee at the Nevins, where they achieved savings for the development. She does taxes for senior citizens through AARP. Moore wants to solicit input from the community about their concerns about the Budget Committee. Councilor Butler asked if she had any conflicts of interest. Moore replied no. Chairman Farrell pointed out that the meeting schedule gets intense during budget season and asked if she was prepared for that frequency. Moore stated that she was.

**Candidate:** Kate Burbidge, 21 Kelley Road

Burbidge described her background and degree, and her current job. She is a member of the Association for the Advancement of Cost Engineering. She has children in the public schools in Londonderry and is invested in the success of the schools and how tax dollars are being spent. Vice Chair Franz asked about Moore's understanding of the Committee's mission and how she would support it, her experiences that qualify her to serve on the Committee, and how she would interact with the community. Burbidge stated that it's important to act not only how she as an individual wants, but also what the community wants. Councilor Combes asked if she has any issues with the meeting schedule. Burbidge stated she does not. Chairman Farrell asked if she had any conflicts of interest. Burbidge stated that she does not.

Councilor Combes made a motion to appoint Kate Burbidge to the vacant position on the Budget Committee. There was no second.

Councilor Butler made a motion to wait on appointing anyone until after the interviews on the second position. Councilor Dunn seconded. No vote occurred because none was needed; the Council agreed by consensus to postpone appointment until September 11, 2023. ASC Kirsten Hildonen verified the upcoming Budget Committee dates and times. Chairman Farrell invited the candidates to attend the upcoming meetings of the Budget Committee between now and the next Town Council meeting on September 11, 2023.

### **American Rescue Project Act (ARPA) Request - Public Works Facility Master Plan**

Dave Wholley, Director of Public Works and Municipal Facilities, and Michael Richard, of the Weston & Sampson engineering firm, presented. Wholley suggested that they were looking for a solution that would help other departments as well. Richard stated his group specializes in public works facilities. The first step in the process is the needs assessment, which he sees as the most important step. It involves observing the operation and developing a matrix. The next is a site analysis to understand limitations and considerations. They will bring several concepts to the Town for review. The next step is determining total project cost, and developing presentation materials.

Councilor Combes asked how realistic the schedule was. Richard replied that they will move at the Town's pace. Wholley stipulated that there is a lot of connectivity between this project and the rest of the community, which may take further investigation.

Vice Chair Franz clarified that Wholley was asking for \$64,500 to be used through ARPA.

The Council gave consensus to move forward.

#### **ARPA Request - LPD Dispatch Remodel Presentation**

Captain Patrick Cheetham, Londonderry Police Department (LPD), presented. In April 2022, Congressman Pappas' office reached out to the LPD to suggest applying for a Community Block Grant. The LPD decided that best use for these funds would be to remodel the dispatch center. In December 2022 the grant was funded. Captain Cheetham thanked IT Manager Tom Roy, Facilities Manager J.R. Valente, Dispatch Supervisor Corey Naderm and Deputy Police Chief Jason Breen for their help on the grant.

Captain Cheetham presented the new design customized to the space available at the Police Department and explained the purpose of the new equipment. He explained that dispatchers spend almost the entirety of their shifts in this space without the ability to leave. The grant was approved for \$75,000. The total project cost is \$153,000. Vice Chair Franz clarified that the amount being requested from ARPA funds is \$78,000. Captain Cheetham stated no, Chief Kim Bernard, Town Manager Malaguti, and the finance director discussed putting approximately \$53,000 in ARPA funds towards it. The rest, especially some long term and IT costs, will be absorbed by the existing LPD budget. Some of the labor will be able to be performed by members of the LPD. Vice Chair Franz asked if the proposed format will support future growth in the Town. Captain Cheetham replied that it would. Vice Chair Franz asked if all the stations were interchangeable. Captain Cheetham replied that they are.

Councilor Combes asked what will happen during demolition and construction. Captain Cheetham stated that they will use Nader's office as the dispatch station while construction is underway. Councilor Combes stated that he finds the cost of the estimate impressively managed. Captain Cheetham thanked Roy, Nader, and Valente again for their hard work and Chief Bernard

for his input. Councilor Combes complimented the planned layout. Vice Chair Franz asked when their anticipated start date is. Captain Cheetham stated that the fund processing is still underway in Washington DC so the start date is unclear, but they hope to start in October. Councilor Butler asked if there would be a service disruption. Captain Cheethams stated there would not be.

The Council gave consensus to move forward.

**Technical Amendments to Intermunicipal Agreement with Town of Derry for Wastewater Service**

Town Manager Malaguti presented. The agreement has already been approved by the Derry Town Council and reviewed by staff

Motion to authorize the Town Manager and the Chairman of the Town Council to sign the agreement made by Vice Chair Franz and seconded by Councilor Dunn.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

**APPROVAL OF MINUTES**

Minutes for the August 7, 2023 Special Meeting were presented. Motion to approve made by Vice Chair Franz and seconded by Councilor Butler.

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0.

Minutes for the July 10, 2023 meeting were presented. Chairman Farrell reported that he received some suggested changes to the minutes from a resident relayed to him by ASC Hildonen. He asked Hildonen to review the minutes for the accuracy of suggested amendment



Vice Chair Franz pointed out that line 216 needs to be amended to read “Vice Chair Franz.” The minutes from July 10, 2023 will be approved at the September 11, 2023 meeting.

### **LIAISON REPORTS**

The liaisons made their reports on their assigned areas.

### **TOWN MANAGER & ASSISTANT TOWN MANAGER REPORT**

Assistant Town Manager Caron gave the Council her report. Town Manager Malaguti gave the Council his report.

### **ADJOURNMENT**

**Motion:** Vice Chair Franz

**Second:** Councilor Dunn

John Farrell	Yes
Chad Franz	Yes
Jim Butler	Yes
Ted Combes	Yes
Ron Dunn	Yes

Motion passed 5-0-0. Meeting adjourned at 8:09 p.m.

Minutes prepared by Kirsten Hildonen