

# LONDONDERRY TOWN COUNCIL MEETING MINUTES

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1 June 7, 2021

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

5  
6 Present: Chairman John Farrell; Vice Chairman Joe Green; Councilor Jim Butler, Tom  
7 Dolan and Deb Paul; Town Manager Kevin Smith; Assistant Town Manager Lisa Drabik;  
8 Executive Assistant Kirby Brown

9  
10 CALL TO ORDER

11  
12 Chairman Farrell called the Town Council meeting to order. This was followed by the  
13 Pledge of Allegiance and a moment of silence for all of the healthcare workers that god us  
14 through Covid.

15  
16 PUBLIC COMMENT

17  
18 Fire Chief Darren O'Brien gave an introduction to the new personnel and firefighters that  
19 were hired during Covid.

20  
21 Chairman Farrell thanked Kathy Wagner for all of her years as the Chair of Old Home Day  
22 and presented her with a bouquet of flowers.

23  
24 Councilor Paul stated that she would like to read a statement into the record about what  
25 happened at the last Council meeting. Councilor Paul stated that she feels Councilor Butler  
26 is trying to tarnish her reputation. Councilor Paul stated that she was assigned to be the  
27 liaison to the Planning Board and she tries to do her best. Councilor Paul said that she  
28 decided to run for Town Council to do what was best for the tax payers of the community,  
29 not to draw more advertising dollars for her job. Councilor Paul stated that becoming a  
30 Councilor has affected her business in an adverse way. Councilor Paul stated that she  
31 acquired an attorney to review the accusations made by Councilor Butler, and after  
32 reviewing said that they were without merit and laughable. Councilor Paul stated that she  
33 would like to status of the accusation. Councilor Paul stated that she is done being bullied

## LONDONDERRY TOWN COUNCIL MEETING MINUTES

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34 and harassed and she would like a public apology.

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36 Councilor Butler asked if he could respond. Chairman Farrell said no. Chairman Farrell  
37 stated that at the other Councilor's request, he did speak with the Town Attorney and he  
38 has spoken to each Councilor individually. Chairman Farrell stated that no one won  
39 anything and no one lost anything that meeting. Chairman Farrell said that he has reread  
40 the Charter and spoken to the attorney and there is a process in place. Chairman Farrell  
41 stated that going forward he would like to see the rules and laws followed. If there is an  
42 issue, follow the Charter. Chairman Farrell said that it's time to move forward. Councilor  
43 Paul stated that she will move forward if she receives an apology. Chairman Farrell stated  
44 that he can't force anyone to apologize.

45  
46 Councilor Butler stated that when Councilor Paul was elected, her second or third meeting,  
47 she involved his family and made accusations, to the point where his family had to come  
48 down to the public meeting and defend themselves, for no reason. Councilor Butler stated  
49 that it started with Councilor Paul.

50  
51 Chairman Farrell stated that he will not tolerate an outburst again and that we need to follow  
52 the process.

### **PUBLIC HEARING**

53  
54  
55 Motion to open Public Hearing made by Vide Chairman Green and second by Councilor  
56 Butler. Chair votes 5-0-0.

57  
58 Chairman Farrell introduced the Public Hearing on barn preservation easement at 15  
59 Parmenter Rd. Steve Hamilton and Dan Scalzo with the Assessing Department presented.

60  
61 Ann Chiampa, 28 Wedgewood Drive, stated that there is an application process you have  
62 to go through. You nominate yourself or have someone nominate you. It involves a lot of  
63 research and documentation of the property. Chiampa stated that she wants clarification if  
64 Wagner put in the application to the Division of Historical Resources. Dan Scalzo stated  
65 that that's just one requirement and as it was just underlined as eligible and she checked  
66 off the current use as agricultural, it counts as one of the following so it didn't matter. Steve  
67 Hamilton stated that it doesn't affect the application.

## LONDONDERRY TOWN COUNCIL MEETING MINUTES

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68 Steve Young, 15 Parmenter Rd, gave a brief description of the history of the property.

69

70 Motion to approve and sign the barn preservation easement made by Vice Chairman Green  
71 and second by Councilor Dolan. Chair votes 5-0-0.

72

73 Chairman Farrell introduced Resolution #2021-05, a Resolution relative to the acceptance  
74 of unanticipated revenue under RSA 31:95-b. Town Manager Kevin Smith presented.  
75 Smith stated that this is for a few gifts and donations throughout the last fiscal year that  
76 will need to be accepted by the Council. Motion to accept the amounts made by Councilor  
77 Dolan and second by Vice Chairman Green. Chair votes 5-0-0.

78

79 Motion to close Public Hearing made by Vice Chairman Green and second by Councilor  
80 Dolan. Chair votes 5-0-0.

81

82

### NEW BUSINESS

83

84 Chairman Farrell introduced the discussion on the I-93 south barriers. Chairman Farrell  
85 stated that he has been contacted by numerous residents on trolley Care Lane regarding  
86 the noise. Town Manager Smith gave an update from Wendy Johnson who is the Project  
87 Manager. Councilor Dolan asked if it would be on either sides or one side. Smith stated  
88 both sides and that they are still going to be put up.

89

90 Dan Brag, 5 Trolley Car Lane, stated that in 2005 when he moved in he was told there  
91 would be a sound barrier and read the documentation on NHDOT website. The plan said  
92 proposed sound barrier. Brag stated that it's been three years. Brag stated that he would  
93 just like the barriers up. Chairman Farrell got a consensus from the Council to have Town  
94 Solicitor Mike Malaguti to craft a strongly worded letter to the Commissioner from the  
95 Council expressing the displeasure with the current circumstance and look for a remedy.  
96 Town Manager Smith stated that he will send Brag a copy.

97

98 Chairman Farrell introduced Order #2021-09, an Order relative to the licensing of a  
99 Junkyard pursuant to RSA 236 for S&S Metals and Order #2021-10, an Order relative to  
100 the licensing of a Junkyard pursuant to RSA 236 for Murray's Auto.

## LONDONDERRY TOWN COUNCIL MEETING MINUTES

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101 Councilor Paul stepped down due of a conflict of interest as she does business with S&S  
102 Metals and Murray's.

103

104 Brad Anderson and Norma Ditri presented. Anderson stated that he visited both junkyards  
105 and both are following best manufacturing practices and procedures. Anderson  
106 recommended renewal of license for both.

107

108 Motion to approve Order #2021-09 and Order #2021-10 made by Councilor Dolan and  
109 second by Vice Chairman Green. Chair votes 4-1-0.

110

111 Councilor Paul rejoined the meeting.

112

113 Town Solicitor Mike Malaguti presented an authorization to submit a Grant to NH DES  
114 Drinking and Groundwater trust Fund. Malaguti stated that in March, the voters approved  
115 the expenditure of \$250,000 to be raised through taxation. Malaguti stated that he is  
116 looking for a motion and approval to submit grants to DES Drinking and Groundwater  
117 Trust Funds for Lancaster Drive and for the rebate program. Motion to move forward  
118 made by Councilor Dolan and second by Councilor Butler. Chair votes 5-0-0.

119

120 Malaguti gave an update on the Macks Apples lease and went over how the town is  
121 buying five acres for municipal purposes at 114 Pillsbury Rd and the back twenty-one  
122 acres in change to be held in Conservation. Those closings are both coming up soon.  
123 Malaguti went over the lease agreement.

124

125 Chairman Farrell introduced Resolution #2021-16, a Resolution relative to the acceptance  
126 of unanticipated revenue under RSA 31:95-b for Recreation. Recreation Director Art  
127 Psaledas presented. This Resolution is to accept a donation for a swing that kids can sit in  
128 at the playground. Motion to approve Resolution #2021-16 made by Councilor Dolan and  
129 second by Vice Chairman Green. Chair votes 5-0-0.

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131

### **APPROVAL OF MINUTES**

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133 Chairman Farrell stated line 171 there is a spelling correction that needs to be made.

## LONDONDERRY TOWN COUNCIL MEETING MINUTES

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134 Councilor Dolan stated that line 172 is another correction. Councilor Paul stated that line  
135 159 it should read 19,702 sq. ft.

136

137 Motion to approve the Town Council minutes from May 17, 2021 as amended made by  
138 Councilor Dolan and second by Vice Chairman Green. Chair votes 5-0-0.

139

140

### **APPOINTMENTS/RESIGNATIONS**

141

142 Chairman Farrell stated that Christine Patton will be resigning from the Budget Committee.  
143 Motion to accept Christine Patton's resignation made by Vice Chairman Green and second  
144 by Councilor Butler. Chair votes 5-0-0.

145

146 The Council discussed the CIP Committee members. Chairman Farrell will be on the  
147 Committee as the Town Council representation. Motion to appoint all the members listed  
148 to the CIP made by Vice Chairman Green and second by Councilor Dolan. Chair votes 4-  
149 1-0. Chairman Farrell obtained.

150

151 The Council discussed summer schedule. The Council will be meeting July 12<sup>th</sup> and  
152 August 16<sup>th</sup> and August 30<sup>th</sup>.

153

154 Chairman Farrell stated that the Council will be going into non-meeting session about  
155 legislation and legal advice and ending the public session.

156

157

### **ADJOURNMENT**

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159 Motion to adjourn made by Vice Chairman Green and second by Councilor Dolan. Chair  
160 votes 5-0-0.

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| 162 | Notes and Tapes by: | Kirby Brown  | Date: 6/7/2021  |
| 163 | Minutes Typed by:   | Kirby Brown  | Date: 6/13/2021 |
| 164 | Approved by:        | Town Council | Date: 6/21/2021 |