

LONDONDERRY TOWN COUNCIL MEETING MINUTES

Londonderry Town Council Meeting Minutes September 12, 2022

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

Present: Chairman John Farrell; Vice Chairman Green; Councilor Jim Butler, Chad Franz, and Deb Paul; Town Manager Michael Malaguti; Finance Director Justin Campo; Absent: Executive Assistant Kirby Brown

CALL TO ORDER

Chairman Farrell called the Town Council meeting to order at 7:00 PM. This was followed by the Pledge of Allegiance. This was followed by a moment of silence for all of those who lost their lives twenty-one years ago on September 11, 2001, and all of those first responders who responded that day.

PUBLIC COMMENT

Tara Myles, 1 Access Way, thanked everyone for having the Women's March at Old Home Day. Myles stated that they received a ton of support from hundreds along the parade route. Myles read the below email into the record:

I want to extend my thanks for having the women's rights group in the Old Home Day Parade. We received a ton of support on the day of the parade from literally hundreds of folks along the parade route. Approximately 5 people tried to shout us down from the sidelines, but they were the tiny minority and we treated them with greater respect than we were shown. Most people in Londonderry, and across the country, support a woman's right to choose, even if they wouldn't choose it for themselves.

Our group maintained the decorum we committed ourselves to when we registered for the parade and the obscenity and harassment claims made at last council meeting are false and unsubstantiated by evidence. While some people may find the topic of abortion obscene in and of itself, it is a conversation that moved from the privacy of a doctor's office to the

LONDONDERRY TOWN COUNCIL MEETING MINUTES

35 public space when rights were stripped away from women across the US with the June
36 Supreme Court decision and the legislation that followed in states across the country.

37
38 With all of this in mind, I do want to acknowledge that while it is entirely my right to have
39 joined this parade, as a member of this community, it's important that we work together to
40 make every event we have spectacular. I hope we don't have to walk in the parade next
41 year because women's rights are codified, but if they aren't and we choose to, I am happy
42 to work with the Old Home Day committee to best align with their preferences with regard
43 to signs, megaphones, chants etc. We are a community and the best way to ensure we have
44 a great community is to work together. Just because we can do or say something doesn't
45 mean we should. Let's continue to have open conversations led by kindness and community
46 and drive Londonderry to progress.

47
48 In addition to my comments about my group, I wanted to share my support for the
49 Londonderry CARES group. They create spaces that are welcoming, kind, safe, and
50 accepting in a world where too often people and spaces are unkind and unwelcoming. I
51 know that a majority of people in Londonderry support the LGBTQIA+ community and I
52 am proud to raise my family in a community that supports organizations like Londonderry
53 CARES.

54
55 What we've seen in recent weeks from people here in this room unapologetically defending
56 the confederate flag and all it stands for, leveling unsubstantiated accusations against
57 members of Londonderry Women's March and Londonderry CARES, wearing white
58 supremacist emblems at this very podium and shaming the LGBTQIA+ community for
59 existing in public spaces - it has no place in Londonderry. We are a community and we
60 ought to act like it. These folks you're targeting are the ones standing next to you in line at
61 Market Basket, whose children sit at the desk beside your own, your neighbors who would
62 give the shirts off their back or help you shovel out your driveway when the DPW plows
63 you in. We have an opportunity to leave the divisive behavior in the past, to stop
64 antagonizing our elected officials, and stop bullying our neighbors. We all have more in
65 common than you would think and we all are invested in the success of our community.
66 This success is only possible if we work together.

67
68 I encourage everyone on the council, in leadership roles in this community, in the room
69 today and across this amazing town to consider what future they'd like for Londonderry -
70 one that reflects the core values of loving thy neighbor not one that is marked by division

LONDONDERRY TOWN COUNCIL MEETING MINUTES

71 and discord. We can do better but we can only do it together.

72
73 Dave Ellis, 1 Wilshire Drive, brought up the Lithia Springs vote. Ellis stated that if the
74 Council passes the vote, there should be an agreement to conserve the Lithia Springs
75 complex.

76
77 Mike Pettengill, 5 Apollo Rd Ex., spoke in favor of making the purchase.

78
79 Ron Dunn, 12 Quincy Road, reminded the public that on September 21st DES will hold
80 office hours to help people apply for the rebate program.

81
82 Martha Smith, 38 Shasta Drive, asked the Council what the water plan is. Smith stated that
83 she spoke to the state and they said Londonderry has a bunch of money available but we
84 don't have plan yet.

PUBLIC HEARING

85
86
87
88 Motion to enter public hearing made by Vice Chairman Green and second by Councilor
89 Franz. Chair votes 5-0-0.

90
91 Chairman Farrell stated that he would like to release the town attorney. Town Manager
92 Malaguti stated that would be for the waste management discussion under old business.

93
94 Chairman Farrell made a motion to close the public hearing Vice Chairman Green and
95 seconded by Councilor Franz. Chair votes 5-0-0.

OLD BUSINESS

96
97
98
99 Chairman Farrell brought up the continued discussion about Waste Management cost
100 increases. Town Manager Malaguti presented. Director of Engineering and Environmental
101 Services, John Trottier, and Bob Kerry, Environmental Engineer, were present to help.
102 Malaguti stated that our trash and recycling vendor has been seeking an extraordinary cost
103 increase of 10% as they say is permitted under existing contract. Malaguti stated that this
104 has gone in front of the Council with the proposal that was put together by staff. The Council

LONDONDERRY TOWN COUNCIL MEETING MINUTES

had asked to renew the discussion and contract and Malaguti stated that tonight he is presenting on those two items and additional information the Council requested. Malaguti stated that Londonderry is paying less than other communities in the area who have conducted recent requests for proposal processes. Malaguti stated that there are two proposals. One is the original proposal that he made to the Council that is still on the table, \$569k. The revised proposal is \$513k. Vice Chairman Green asked what the increase is going to cost each household roughly. Kerry stated that in FY23 we are slated at \$16.50 per household, for everything. Malaguti stated that he is happy with a consensus because it has to come back for formal approval once the language has been put together. The Council gave a consensus.

PUBLIC HEARING

Motion to reopen public hearing made by Vice Chairman Green and seconded by Councilor Franz. Chair votes 5-0-0.

Chairman Farrell introduced the Lithia Springs Conservation transaction. Chairman Farrell stated that this has been talked about a few times. Town Manager Malaguti presented the additional information the Council requested. Malaguti stated that there was a concern about how important the property was. That question was driven by what may be developed there if this transaction doesn't go through. Malaguti shared that there are letters of support that were given to Kirby and provided to the Council.

Councilor Paul stated that we are not buying it for the wetlands, are buying it for the buildable area to protect the wetlands and that's what we are buying it for.

Councilor Franz confirmed that the funds for this purchase are from two sources. One from the Conservation Commission and the other one is hinged on approval of a Grant. Councilor Franz asked that if the funds are not awarded, is there room to exit without penalty. Malaguti stated that is correct and there are three forms of payment. One is the Conservation Commission Acquisition Fund, and there are two Grants that have been applied for. If it doesn't come together, we can get out of the purchase by the end of the year with the money given back.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

Marge Badios, Conservation Commission, summarized what the Conservation Commissions position is. Badios stated that this property is exceptional on many levels. It's environmental, historical and ecological. It would be one of the Commissions top acquisitions at no taxpayer money.

Dan Bouchard, 8 O'Connell Drive, asked what the purchase price was. Chainman Farrell stated \$1.5M and the appraisal is at \$2M.

Kristine Perez, 5 Wesley Drive, asked when the appraisal was requested. Malaguti stated that he doesn't have that date and it was handled by the Conservation Commission. Badois stated that it was toward the beginning of the process and it took a while.

Ann Chiampa, 28 Wedgewood, stated she was speaking for the Historical Society. Chiampa stated that she took a vote from the Historical Society and they were fully in support.

Councilor Butler asked the Conservation Commission if Mr. Ellis conditions will be met. Badois stated that they will be.

Motion to approve the Lithia Springs Conservation transaction made by Vice Chairman Green and seconded by Councilor Franz. Chair votes 5-0-0.

Chairman Farrell introduced Resolution #2022-14, an update to the policy against harassment and reporting procedures. Town Manager Malaguti presented. Malaguti stated that state law changed recently and added a gender identity under a protected class. We had a harassment policy that didn't reflect that. We also clarified the process which make sit easy for employees to report harassment.

Kristine Perez, 5 Wesley Drive, asked how these reports are given. Verbal or written. How are they filed. Malaguti stated that there is a provision for an oral report to be made. Malaguti stated that a written report would be okay as well. Perez asked if there was a way for the public to file one. Malaguti stated that the policy and practice would be the same for the public making a complaint.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

Councilor Paul asked how many warnings someone has before action is taken. Councilor Paul asked at what point is an action taken and what are those actions. Malaguti stated that the answer will always depend on the facts of that specific case.

Motion to approve Resolution #2022-14 made by Vice Chairman Green and seconded by Councilor Franz. Chair votes 5-0-0.

Chairman Farrell introduced Resolution #2022-15, the acceptance of Bodwell Waste Services Corporation Sewer Infrastructure, RSA 31:95-e. Malaguti stated that this is to formalize the consensus the Council gave him. They way to get this property is by donation. Motion to approve Resolution #2022-15 made by Vice Chairman Green and seconded by Councilor Franz. Chair votes 5-0-0.

Motion to close public hearing made by Vice Chairman Green and seconded by Councilor Paul. Chair votes 5-0-0.

NEW BUSINESS

Town Manager Malaguti went over the upgrade options for intersection of Route 28 and Stonehenge Drive. Malaguti stated that Chairman Farrell, Councilor Paul and himself attended a meeting put on by NH Department of Transportation to address the plan for traffic improvements to this intersection. DOT favors a roundabout here due to fewer site impacts. John Trottier, Director of Engineering and Environmental Services, stated a roundabout would be a good choice.

The Council discussed options and spoke about the idea of a roundabout.

Town Manager Malaguti stated that he has promoted Benefits Administrator, Tara Koza, to Human Resources Manager for the town. The Council congratulated Koza on her promotion.

LONDONDERRY TOWN COUNCIL MEETING MINUTES

APPROVAL OF MINUTES

Motion to approve the Town Council minutes from August 29, 2022 by Councilor Franz, and seconded by Councilor Paul. Chair votes 5-0-0.

OTHER BUSINESS

Town Manager Malaguti stated that drought restrictions are still in effect.

ADJOURNMENT

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

Notes and Tapes by:	Kirby Brown	Date: 9/12/2022
Minutes Typed by:	Kirby Brown	Date: 9/16/2022
Approved by:	Town Council	Date: 9/26/2022