

1                                   **Londonderry Town Council Minutes**  
2                                   **Monday, December 18, 2023**  
3                                   **7:00 PM**  
4                                   **Moose Hill Council Chambers**

5  
6 **Meeting Link:** <http://173.166.17.35/CablecastPublicSite/show/12462?channel=4>  
7

8 **Attendance:** Chairman John Farrell; Vice Chairman Chad Franz; Councilors Ted Combes, Jim  
9 Butler, and Ron Dunn; Town Manager Michael Malaguti; Assistant Town Manager Kellie Caron.  
10

11 **CALL TO ORDER**  
12

13 Chairman Farrell called the Town Council meeting to order at 7:00 PM. The Pledge was led by  
14 Councilor Combes. This was followed by a moment of silence led by Councilor Combes for all  
15 the first responders and utility workers during the past storm.  
16

17 **PUBLIC COMMENT**  
18

19 Chief Kim Bernard provided a command update. Bernard congratulated two new promotions for  
20 Officer Maclean & Officer Marciano as well as four new hires Tony Ssonko, Michael Wizboski,  
21 Cameron Holdsworth, and Dakota Mulcay who are joining the PD. Bernard introduced Officer  
22 Rioux, the new comfort dog. Bernard explained without the Town Manager none of this would be  
23 a possibility. Bernard ended sharing Rioux will have a separate account dedicated to donations to  
24 the PD.  
25

26 Chief Bo Butler provided a command update. Butler shared an emergency management update  
27 regarding the recent storm. Butler brought attention to the Exit 4A project which will redirect  
28 traffic from the hours of 7pm-5am starting around mile marker 11. Butler shared a hiring update  
29 explaining the roster is almost filled. Four of six current openings are filled with the remaining  
30 two being attached to conditional offers. Butler made a final statement sharing if anyone needs a  
31 Christmas tree, LFD will take care of them in partnership with the Lion's club for no charge.  
32

33 Chairman Farrell provided some updates on the current tax rate. Farrell shared the municipal  
34 budget only went up by 1.15 percent whereas the county taxes raised by 12.5 percent and the State  
35 Education tax was raised by 32.4 percent. Farrell reassured the audience that The Town Council  
36 will keep doing their due diligence to control the tax rate as best as they can.  
37

38 Chairman Farrell opened public comment.  
39

40 **Name:** Dennis Martin

41 **Address:** 182 Pillsbury Rd

42 Martin expressed his thanks to the Town Council for allowing and being supportive of the Blues  
43 Festival every year. Martin shared concern over the increase in taxes as well as the housing  
44 evaluations increasing. Martin explained he was fearful it will be hard to stay in town if the taxes  
45 continue to rise the way they have been. Chairman Farrell explained The Town Council switched  
46 to reevaluation every two years to save the Town from abatements being filed against them. Farrell

47 explained if the Town can stay above 90 percent the balance between commercial and residential  
48 property can remain. Martin thanked Farrell for the explanation.

49

50 **Name:** Marge Badois

51 **Address:** 189 Litchfield Rd

52 Badois expressed the Electronic Sign being proposed in the agenda is unnecessary and no need to  
53 spend more taxpayer money.

54

55

56 **Name:** Megan Donovan

57 **Address:** 45 Chase Rd

58 Donovan shared her concern for misinformation from a Budget Committee member on social  
59 media. Farrell explained the Attorney General has spoken about this topic sharing all elected  
60 officials to be careful what you post and remember wherever you are, you are representing yourself  
61 as an elected official. However, the Attorney General also said elected officials also have freedom  
62 of speech and there is nothing a Chairman can do other than caution them to double check  
63 information. Donovan wanted to shed light on the raise question which was being discussed online  
64 however Farrell explained it will be discussed in the Budget Workshop.

65

66 **Name:** Erica Lowie

67 **Address:** N/A

68 Lowie shared she is in favor of GMILCS and thanked The Council for their time.

69

70 **Name:** Dan Bouchard

71 **Address:** 8 Oconnell Dr

72 Bouchard shared concerns about the four new LFD positions being approved to go to the ballot as  
73 well as the new prosecutor position for LPD. Bouchard suggested to look internally for positions  
74 rather than open up new ones. Bouchard urged we need more suggestions that benefit the taxpayer  
75 as well as thanking the Chairman for speaking up about the Lions Hall.

76

77 **Name:** Christine Fitzgerald Library Trustee

78 **Address:** N/A

79 Fitzgerald shared her position on the adoption of GMILCS in the library. Fitzgerald explained  
80 while she is a trustee, she is against joining the consortium. Fitzgerald shared her opinion on being  
81 concerned of the uncertainty of the yearly cost as well as shared some new tasks the staff would  
82 have to uphold during the transition. Fitzgerald thanked The Council for their time.

83

84 **Name:** Kimberly Bears

85 **Address:** 19 Adams Rd

86 Bears explained she has been apart of consortiums since she graduated high school and that she  
87 would have it no other way than the consortium. Bears ended noting the library is a need and  
88 thanked the council.

89

90

91 Chairman Farrell closed public comment.

92

93 **PUBLIC HEARINGS**

94  
95 Vice Chairman Franz moved to open the public hearing. Councilor Dunn seconded the motion.  
96

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

97  
98 Motion passed 5-0-0.  
99

100 **Resolution #2023-26 – Acceptance of Unanticipated Revenue for Highway Grant**

101  
102 Vice Chairman Franz moved to approve Resolution #2023-26. Councilor Dunn seconded the  
103 motion.  
104

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

105  
106 Motion passed 5-0-0.  
107

108 **Resolution #2023-27 – Acceptance of Unanticipated Revenue for Town Common Fence**

109  
110 Councilor Butler thanked Eric Turcotte for donating the money and for everything he has done to  
111 help the town.  
112

113 Vice Chairman Franz moved to approve Resolution 2023-27. Councilor Combes seconded the  
114 motion.  
115

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

Ron Dunn	Yes
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**Ordinance 2023-06 – An Amendment to the Londonderry Zoning Ordinance Relative to Section 4.6.3 Floodplain Overlay District**

Assistant Town Manager Kellie Caron explained there is a compliance review coming with new mapping and to stay compliant with FEMA this ordinance would have to be updated. Chairman Farrell explained The Council instructed Town Manager Malaguti to update ordinances that are out of date. Councilor Combes asked if not updated is there a fine associated? Caron responded sharing there would not be, however, flood insurance for residents would have to go through a private insurer which would result in much higher rates. Ray Breslin asked if the current regulations comply and if it had to be changed. Caron explained she is working to preven the regulations from becoming non- compliant in the coming year with this change.

Councilor Combes moved to approve Ordinance 2023-06. Vice Chairman Franz seconded the motion.

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

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Motion passed 5-0-0.

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**Ordinance 2023-07 – An amendment to the Londonderry Zoning Ordinance Relative to Adding “Hospital” as a Permitted Use in the Gateway Business District**

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143

Caron shared the amendment for adding “hospital” as a permitted use in the gateway business district. Caron explained there is a developer interested in building such a facility and cannot because while “hospital” is defined in the Zoning Ordinance, it is not permitted in any zoning district (an apparent mistake/oversight). Solution Health/ Elliot Hospital came to the public hearing to speak on the benefits of what they want to accomplish.

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The DHHS Deputy Commissioner, Morissa Henn, explained the seriousness in the need for mental health care in NH. The Deputy Commissioner elaborated, saying, 1/5 of people are living with a mental health issue whereas ¼ people are living with someone who has such an issue in the household. Whether it be related to substance abuse or mental health, she explained there are not enough psych beds to get people the appropriate care. The Deputy Commissioner explained the State of New Hampshire is sponsoring \$15 million for the proposed project.

152 Ryan Cronin of the Budget Committee asked where the closest facility, like the one being  
153 proposed, is located. The Commissioner explained Elliott Hospital would be closest for beds  
154 however Hampstead would be the closest for psych related issues pertaining to children. Cronin  
155 asks if there is a shortage of beds. The Commissioner explained not necessarily since they are  
156 moving patients home who are not at the full level of need for inpatient psych care.

157  
158 Chairman Farrell explained this is just for allowing “hospital” as a permitted use and not an  
159 application for a new build. It would have to go through the planning board.

160  
161 COO of Elliott / Solution Health explained they picked Acadia as a partner for this venture since  
162 they are a national expert in the mental health field.

163  
164 Councilor Butler asked the difference between boarding a patient and an emergency room. The  
165 COO explained boarding is when a patient requires a higher level of care and a diagnosis has been  
166 made which needs psychiatric admission. If there is no bed available, the patient would stay in the  
167 ER.

168  
169 Miles Kramer from Acadia spoke to how this would be beneficial. Kramer explained Acadia has  
170 21 joint ventures across the US and sees around 70 thousand patients every day. Kramer reiterated  
171 that no emergency departments would be coming, however, an ambulance bay would be available  
172 for transports from a local hospital given the patient needs the higher level of psychiatric care.

173  
174 Farrell asked what help they would need from local first responders given the possible venture.  
175 Kramer explained it will be extended and echoed they only handle behavioral health.

176  
177 Chief Butler explained it is a significant draw and LFD is taking on more of a work load. Butler  
178 suggested a give and take which Kramer acknowledged they are open to discussing that matter  
179 further.

180  
181 Kathy Wagner thanked Elliott and Solution Health for the presentation but suggested to bring it to  
182 the Planning Board.

183  
184 Dan Bouchard asked if it is smart to have a hospital in an industrial area where there could be  
185 chemicals from the factories.

186  
187 Maria Barud shared her concern about transportation being needed for people who sign themselves  
188 out of the hospital. Kramer responded by explaining no one can leave a psych hospital voluntarily  
189 because it has to be signed off by an MD.

190  
191 Kathy Wagner asked if the zoning ordinance is only for Pettingill Rd. Caron explained it is only  
192 for that area as well as shared the area supports medical related offices but not something to this  
193 level.

194  
195 Chairman Farrell asked for further questions.

196  
197 Vice Chairman Franz motioned to approve Ordinance 2023-07. Councilor Combes seconded the

198 motion.  
199

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

200  
201 Motion passed 5-0-0.

202  
203 **Budget Workshop**

204  
205 Director Campo brought attention to the Budget Committee & Town Council that the GL accounts,  
206 departments, and the tax rate calculator have all been updated. Some changes included a decrease  
207 in the Town Manager budget, LFD, LPD, Building, and an increase in DPW. Campo continued  
208 with bringing attention to advice from banking partners which advised to be more cautious with  
209 the decrease in federal rates.

210  
211 Malaguti explained the loan authorization is put in the warrant article and reiterated the good deal  
212 the town is getting on the beginning of a municipal water system. Pickleball was held open since  
213 there is no consensus yet from the Budget Committee. Malaguti shared the Attorney General  
214 approved a charter amendment for the ballot regarding the Town Treasurer position. Campo added  
215 the Library also decreased their budget.

216  
217 Director Matlin of the Leach Library explained the library budget. Matlin acknowledged the  
218 request to lower the staff merit increase eligibility to 2.5 percent, however, the trustees approved  
219 a cut to 3.5 percent for the time being and will reassess in the following year.

220  
221 Kate Burbidge of the Budget Committee commended the library for being open to the idea of cuts.  
222 Chairman Cassidy agreed.

223  
224 Vice Chairman Franz shared Chairman Farrell received a salary survey for library directors from  
225 HR Director Koza.

226  
227 Malaguti expressed the Town Treasurer is here and there needs to be a yes or no for the amendment  
228 to appoint a treasurer with a background check on the ballot. Treasurer Wagner urged the public  
229 the treasurer is not going away, just changing it from elected to appointed.

230  
231 Tony Defrancesco agreed with Wagner. Defrancesco expressed if nothing else the Town should  
232 hire some qualified people as department heads. Defrancesco ended with supporting the decision  
233 to go to the ballot.

234

235 Dan Bouchard explained people can still do something wrong even with screening. Bouchard  
 236 shared last year people said they were not in favor of it and his fear is people are going to end up  
 237 saying no to everything.

238  
 239 Maria Barud said to listen to the people. The people voted last year and shared their thoughts which  
 240 should be listened to. Barud ended with stating it should remain the way it is.

241  
 242 Councilor Butler expressed how important it is the sitting finance director and town treasurer are  
 243 requesting more protections. Butler said it should be sufficient if they are suggesting it. Butler  
 244 continued by saying he cannot be in support of keeping it as an elected official and would be better  
 245 to appoint with the concerns raised. Franz questioned Campo if he has any insight on how the other  
 246 towns appointed treasurers and also explain how they solicit and obtain people in these roles.

247  
 248 Campo explained there are numerous ways to commit fraud and wanted to bring it up again due to  
 249 concerns he has. Campo shared he can find out how they go through hiring people as well as listed  
 250 the current towns who have appointed treasurers. Councilor Dunn expressed there is a struggle on  
 251 both sides of the coin. Dunn shared some people expressed you can appoint someone and still have  
 252 a risk of someone doing things to stay appointed versus being elected.

253  
 254 Vice Chairman Franz moved to approve amending the charter to appoint a Town Treasurer.  
 255 Councilor Dunn seconded the motion.

256

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

257

258 Motion passed 5-0-0.

259

260 Dunn had some questions for Pickleball Taskforce. The Budget Committee and Council discussed  
 261 the different possible amounts to put on the warrant article.

262

263 Jason Goldman asked about the possible memberships for the courts and if they would cover  
 264 anything. The Taskforce explained it would cover maintenance as well as priority for some of the  
 265 courts. Franz explained the Taskforce used the numbers given based on the RFQ. Farrell shared  
 266 there is a way to work the wording and the funding for Pickleball on the 11<sup>th</sup> of January. Farrell  
 267 agreed \$490,000 on a warrant article is palatable for the voters. Combes asked is there a possibility  
 268 to do 10 courts for the \$490,000 cost, to which the Taskforce explained it is possible.

269

270 Approved to go to the ballot at \$490,000.

271

272 Cassidy asked if there can be more language on the LFD “fly car” for the warrant article. Campo

273 explained if the warrant article mentions anything about paramedics, they would indeed have to  
 274 hire paramedics. Malaguti shared they can play with the language to make it best case for everyone.  
 275 Farrell explained after comments on social media and a local publication regarding salaries at the  
 276 local library that the HR Director had provided salaries across the state for like-sized entities.

277  
 278 Director Koza spoke to Derry, Dover, Concord, Portsmouth, Pelham, Salem etc. Farrell gave  
 279 numbers for the directors at these locations to share Londonderry is competitive with other similar  
 280 salaries.

281  
 282 Maureen Hardy asked if we can compare to like-sized towns and cities which Farrell explained the  
 283 ones shown are like-sized or smaller. Koza will also send this info to the Trustees of the Library  
 284 for their records.

285  
 286 Councilor Combes motioned to close the public hearing. Councilor Butler seconded the motion.  
 287

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

288  
 289 Motion passed 5-0-0.

290  
 291 **NEW BUSINESS**

292  
 293 **Merrill Conservation Easement**

294  
 295 Malaguti shared this is to conserve roughly 20 acres of land in the village part of town which  
 296 resulted in the Merrill family offering to conserve the property for “short money.” Malaguti  
 297 explained the appraisal for the property as of November 1<sup>st</sup> was \$1.1 million. The purchase price  
 298 is \$150,000 for 20 acres of easement which was approved by the Conservation Commission.

299  
 300 Vice Chairman Franz motioned to approve the purchase. Councilor Combes seconded the motion.  
 301

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

302  
303 Motion Passed 5-0-0.

304  
305 **OLD BUSINESS**

306  
307 **Old Mammoth Road Calming Measures**

308  
309 Malaguti called John Trottier and Dave Wholley to comment. The consensus that was reached  
310 from the council was they had to come back with final recommendations. The staff agreed with  
311 Councilor Butler’s judgement and presentation. The stop sign set up will be used and put into  
312 place. Trottier explained there will hopefully be fewer accidents and fewer speeders. Trottier  
313 explained they are working from the south to the north and stop signs will be placed at the rail  
314 trail, Foxglove & Mammoth will become a 3-Way stop, Buckthorn and Mammoth will become a  
315 3-Way stop.

316  
317 Malaguti shared speed tables and speed bumps can be attempted later if stop signs are not  
318 successful but this is a great first step. Vice Chairman Franz explained it is to make the cut through  
319 more tedious so speeding is less likely. Councilor Combes asks Trottier how many stop signs there  
320 are as well as where Sanborn Rd & Hall Rd meets Mammoth can be added for stop signs. Trottier  
321 explained it is not the staff’s recommendation to do that.

322  
323 Farrell explained the stop signs meet requirements and prismatic signs are being used which are  
324 the brightest to use which is a step in the right direction. Consensus to proceed was granted.

325  
326 Farrell shared he went to a political meeting at the local legion and had some thoughts he would  
327 like to share. Farrell explained it is hard to “hate up close” and “the loudest are not the most.”  
328 Farrell shared it is best to talk to face to face and ask people to share what they have learned in the  
329 past years. Farrell said one thing he heard was, “you don’t have to love me, but you can depend  
330 on me.”

331  
332 An update was shared on the electronic sign which the Town Clerk is spearheading. Malaguti will  
333 look into the ordinances and see if it is permissible to have a sign such as the one suggested on  
334 Town Property.

335  
336 **APPROVAL OF MINUTES**

337  
338 Vice Chairman Franz moved to approve the December 4, 2023, Town Council minutes. Councilor  
339 Combes seconded the motion.

340

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

Ron Dunn	Yes
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341  
342 Motion passed 5-0-0

343  
344 **REAPPOINTMENTS**

**APPLICANTS FOR APPOINTED BOARDS - TERM BEGINNING 1/1/2024**

December 18, 2023 - Council Version

BOARD	TOTAL # OF SPOTS	FULL	ALT	TERM END	APPLICANTS
Conservation Commission	4	3	1	12/2026 (all)	Marge Badois* Deb Lievens* Tiffani Macarelli*
Heritage Commission	4	2	2	12/2026 (2 full, 1 alt) 12/2024 (1 alt)	Krys Kenney* David Colglazier* Vickie Bradley (HC or RC)
LHRA	1	1	0	12/2028	Dan Root*
Planning Board	2	2	0	12/2026 (all)	Ann Chiampa* Art Rugg*
Recreation Commission	3	2	1	12/2026 (1 full, 1 alt) 12/2024 (1 full)	Jim Loiselle* Kristina Ciarametaro Vickie Bradley (HC or RC)
Senior Resources	2	0	2	12/2026 (1) 12/2024 (1)	none
Southern NH Planning <i>*goes to Planning Board first</i>	2	0	2	12/2024 (all)	Jeff Penta* Ray Breslin (applied late)
Zoning Board of Adjustment	1	0	1	12/2026	none

(\*) indicates sitting member

346  
347  
348 Vice Chairman Franz moved to reappoint the above members. Councilor Combes seconded the  
349 motion.

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

351  
352 Motion passed 5-0-0.

353  
354 **OTHER BUSINESS**

355  
356 N/A

357  
358 **Liaison Reports**

359  
360 Councilor Combes reported they are continuing to research the automatic electronic sign and will  
361 be presented on the 18<sup>th</sup>.

362  
363 Vice Chairman Franz shared the School Boards update regarding the new purchasing policy which  
364 is on its 4<sup>th</sup> reading. Franz went into detail of the spending approvals.

365  
366 **Town Manager Report**

367  
368 Town Manager: None

369  
370 Assistant Town Manager: None

371  
372 **MEETING SCHEDULE**

- 373  
374 • January 11, 2024: Moose Hill Council Chambers, 7:00 p.m. NOTE: MEETING  
375 SUBSEQUENTLY RESCHEDULED TO JANUARY 12, 2024 at 7:00 p.m.

376  
377 **ADJOURNMENT**

378  
379 Vice Chairman Franz moved to adjourn. Councilor Dunn seconded the motion.

380

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

381  
382 Motion passed 5-0-0.

383  
384 Meeting adjourned at 10:25 p.m.

385  
386 Minutes prepared by Cameron Maher