

Shaun Mulholland
Town Manager

Kellie Caron
Deputy Town Manager



Town Council
Ron Dunn, Chair
Shawn Faber, Vice-Chair
Ted Combes
Dan Bouchard
Deb Paul

Town of Londonderry • 268B Mammoth Road • Londonderry, NH 03053

Londonderry Town Council Meeting and Budget Workshop
Monday, January 5, 2026, 7 p.m., Moose Hill Council Chambers

A. CALL TO ORDER

B. PUBLIC COMMENT

C. BOARD APPOINTMENTS & REAPPOINTMENTS

1. None

D. PUBLIC HEARINGS

1. **Receive public input, discuss, and act upon a proposed amendment to the composition of the Recreation Commission, changing the number of members.**

- Presentation: Kirsten Hildonen, Administrative Services Director*
- Opening of the public hearing:*
- Questions & comments by the public:*
 - o *Residents who are unable to attend the public hearing may submit written comments to the Town Council by email using the link [EMAIL TOWN COUNCIL](#)*
- Closing of the public hearing:*
- Council deliberation & action:*

Documents:

[2026-01-05 RECREATION COMMISSION MEMBERSHIP COVER SHEET.PDF](#)
[2026-01-05 MARCH 1971 TOWN MEETING MINUTES.PDF](#)
[2025-25 RECREATION COMMISSION MEMBERSHIP.PDF](#)

2. **Receive public input, discuss, and act upon a proposed amendment to the Purchasing Policy.**

- Presentation: Vice Chair Shawn Faber*
- Opening of the public hearing:*
- Questions & comments by the public:*
 - o *Residents who are unable to attend the public hearing may submit written comments to the Town Council by email using the link [EMAIL TOWN COUNCIL](#)*
- Closing of the public hearing:*
- Council deliberation & action:*

Documents:

[202-01-05 AGENDA ITEM COVER SHEET.PDF](#)
[2025-12-02 SF AGENDA REQUEST PURCHASING POLICY_REDACTED.PDF](#)
[2025-12-29 PURCHASING POLICY SF UPDATED.PDF](#)
[TM MFR PROPOSED PURCHASING POLICY.PDF](#)
[ADM-110 PROCUREMENT POLICY DRAFT.1.PDF](#)
[ADM-910 CURRENT PURCHASING POLICY.PDF](#)

E. NEW BUSINESS

1. **Discuss and approve an expenditure from the Police Equipment & Technology Capital Reserve Fund.**

(Kim Bernard, Chief of Police)

Documents:

[2026-01-05 - AGENDA COVER - POLICE EQUIPMENT CRF.PDF](#)
[POLICE EQUIPMENT AND TECHNOLOGY CRF - 2025.PDF](#)
[2026-01 - POLICE EQUIPMENT AND TECHNOLOGY CRF.PDF](#)

2. Discuss the status of Londonderry's Community Power Aggregation.

(Lynn Wiles and Paul Ramsey, Utilities Committee, and Freedom Energy Logistics)

Documents:

[2026-01-05 LONDONDERRY CCA COVER SHEET.PDF](#)
[2026-01-05 LONDONDERRY CCA TIMELINE PRESENTATION.PDF](#)

3. Budget Workshop – Town Council/Budget Committee Requests

F. OLD BUSINESS

1. None

G. APPROVAL OF CONSENT ITEMS

1. Town Council Meeting minutes from December 8, 2025

Documents:

[TC-MINUTES-2025-12-08.PDF](#)

2. Town Council Meeting minutes from December 15, 2025

Documents:

[TC-MINUTES-2025-12-15.PDF](#)

3. Land Use Change Tax (LUCT)

Documents:

[LUCT.PDF](#)

4. Contract for construction of Pillsbury Road Pump Station, Force Main, and Gravity Interceptor

Documents:

[2025-12-29_TOWN_COUNCIL_REQUEST_TO_AWARD JUSTIFICATION.PDF](#)
[PILLSBURY_RD_PS AGREEMENT_AND NOTICE OF AWARD PAGES.PDF](#)

H. OTHER BUSINESS

1. Liaison Reports

2. Town Manager Report

a. DOT Agreement - Crosswalks at Exit 5

Documents:

[2026 CROSSWALK COVER LETTER TO TOWN.PDF](#)
[45090 LONDONDERRY 2026 CROSSWALK.PDF](#)
[45090_DOS.PDF](#)
[45090_LOCATION MAPS.PDF](#)

3. Deputy Town Manager Report

I. PUBLIC COMMENT

J. NON-PUBLIC SESSION

- 1. Pursuant 91-A:3, II(d) Consideration of the acquisition, sale, or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.**

K. ADJOURNMENT

L. MEETING SCHEDULE

- 1. Proposed Future Agenda Items: Dates may be tentative, and this list is not considered all-inclusive**

a. January 12, 2026; Moose Hill Council Chambers; 7 p.m.

- **Public Hearing:** Receive public input and discuss the proposed Fiscal year 2027 budget
- **Public Hearing:** Receive public input, discuss and act upon accepting a grant through the Aquatic Resource Mitigation (ARM) Fund Program for The Lithia Springs Preservation & Restoration Project in Londonderry pursuant to NH RSA 31:95-b and enter into a grant agreement with the State of New Hampshire Department of Environmental Services
- Presentation on Rev. Morrison Meeting House cost estimates (Lions Hall)
- Discuss and schedule a public hearing for January 19, 2026 regarding a Zoning Ordinance Amendment – Rezoning Map 16, Lot 009
- Discuss and schedule a public hearing for February 2, 2026 regarding an amendment to the Municipal Code, repealing Chapter I & II of Title V, and adopting Chapter 4 - Municipal Departments
- Discuss and schedule a public hearing for January 19, 2026 regarding a proposed ambulance billing rate adjustment
- Discuss and schedule a public hearing for January 19, 2026 regarding proposed changes to fire prevention regulations

b. January 19, 2026; Moose Hill Council Chambers; 7 p.m.

- **Public Hearing:** Receive public input, discuss and act upon the proposed Bond for the Reverend Morrison Meeting House Renovation
- **Public Hearing:** Final public hearing and adoption of fiscal year 2027 budget and final vote on Warrant (RSA 40:13 II-a (c) requires a public hearing by the 3rd Tuesday in Jan)
- **Public Hearing:** Receive public input, discuss and act upon a proposed ambulance billing rate adjustment
- **Public Hearing:** Receive public input, discuss and act upon proposed changes to fire prevention regulations
- **Public Hearing:** Receive public input, discuss and act upon a zoning ordinance amendment – Rezoning map 16, lot 009
- Receive quarterly budget status update
- Discuss and act upon the Londonderry Historical Society's request of Potter House wood and Lions Club beams
- Discuss and set a public hearing for February 2, 2026 regarding an amendment to the Municipal Code repealing Title II and adopting Chapter 152 – Traffic Code

c. February 2, 2026; Moose Hill Council Chambers; 7 p.m.

- **Public Hearing:** Receive public input, discuss and act upon an amendment to the Municipal Code, repealing Chapter I & II of Title V, and adopting Chapter 4 - Municipal Departments
- **Public Hearing:** Receive public input, discuss and act upon an amendment to the Municipal Code, repealing Title II and adopting Chapter 152 – Traffic Code
- Discuss and set public hearing for February 17, 2026, regarding an amendment to the Municipal Code, repealing Chapter III of Title V, and adopting Chapter 10 - Boards, Committees and Commissions
- Discuss alternate funding mechanisms for infrastructure
- Discuss and determine next steps regarding the selection of Legal Counsel for the Town
- Discuss and set a public hearing regarding an amendment to the PUD Ordinance
- Discuss and approve proposed traffic management policy

In addition to the items listed on the agenda the Town Council may consider other matters not on the posted agenda and may enter a non-public session or convene in a non-meeting in accordance with RSA 91-A if the need arises.



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Town of Londonderry, New Hampshire
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 1/5/2026
Submitted By: ASD Kirsten Hildonen
Department: Town Manager's Office

Contact Information: khildonen@londonderrynh.gov
Estimated Discussion Time: 5
Agenda Item Number: TC OFFICE USE

Agenda Item Title: Receive public input, discuss, and act upon Resolution 2025-25, a proposed amendment to the composition of the Recreation Commission, changing the number of members.

Background and Purpose: The membership of the Recreation Commission was fixed at five during its creation via Article 16 at the March 12, 1971 Town Meeting. Due to the expansion of the Town and its recreational programming and facilities, the Commission would be better served with a larger membership of seven regular members, commensurate with most other Town boards and commissions. RSA 35-B, which describes the powers and organization of Recreation Commissions, does not proscribe a minimum or maximum number of members. Therefore, the Town proposes to increase the membership of the Recreation Commission to seven regular members and up to three alternate members.

Action: Hold a public hearing and discuss the recommended change.

Proposed Motion: ***MOVED that the Londonderry Town Council hereby changes the membership of the Recreation Commission to seven full members and up to three alternate members.***

Attachments: Resolution 2025-25; the minutes from the March 1971 Town Meeting relevant to forming the Recreation Commission

**LONDONDERRY ANNUAL TOWN MEETING
MINUTES ON ARTICLES ACTED UPON**

March 12, 1971

Londonderry Central School Auditorium, Londonderry,
New Hampshire.

ANDREW C. MACK, Moderator
JAMES L. WRAY, Assistant Moderator
FOREST N. KIMBALL, Selectman
NORMAN RUSSELL, Selectman
ROBERT H. DAY, Selectman
MRS. ALICE M. TAYLOR, Town Clerk
RONALD J. HAYWARD, Stenotype Reporter

PROCEEDINGS

Mr. Mack opened the meeting at 7:00 p. m.

Invocation given by Rev. Jones.

Mr. Kimball requested that an item be brought up under Article 36. To see if the town will authorize the selectmen to appoint a five man committee to make a study of the possibility of the town having a celebration for the incorporation of the Town of Londonderry in the summer of 1972. Moved by Mr. Kimball for adoption and seconded by Mr. Day. After discussion, voted affirmative.

Mr. Mack discussed the fact of having the town meeting split into two nights for the first time. After discussion, a show of hands was asked by the Moderator to see if the townspeople agreed with this. An affirmative show of hands was given.

Article No. 2 To raise such sums of money as may be necessary to defray town charges for the ensuing year and make appropriations of the same. Mr. Kimball moved to accept article in the amount of \$1,233,582.93 as shown on page 14 of the Town Report marked total appropriations, seconded by Mr. Russell. Mr. Mack then read the entire budget aloud. A check was then made of

the items therein questioned by the people. In the items that were questioned, Mr. Thibeault moved to table the appropriation of \$5,000 for Reappraisal of Property, seconded by Mr. Houser. A 2/3 vote was requested by Mr. Mack. The necessary 2/3 vote was not received and the motion was defeated. It was then adopted as printed in the budget. On the appropriation for the police department, Mr. Ball moved to amend the amount to read \$62,785.60 instead of \$59,921, seconded by Mr. Boucher. After discussion, voted affirmative.

On the appropriation for the Highways & Bridges under Town Maintenance—Winter, Mr. Richard Moore moved to amend the item for plowing LHRA roads to read \$2,500 instead of \$1,500, seconded by Mr. Brewer. After discussion, voted affirmative. Mr. Moore then moved to amend the item for salt to read \$12,000 instead of \$9,000, seconded by Mrs. Russell. After discussion, voted affirmative. Mr. Moore then moved to amend the item for application of salt to read \$6,500 instead of \$4,000, seconded by Mr. Webster. After discussion, voted affirmative. The figure for Town Maintenance—Winter as amended then became \$48,000.

Mr. Lawrence moved to amend county tax item to \$1.00, seconded by Mr. DeCato. Negative vote.

Mr. Lievens then moved to amend the total appropriations figure to read \$1,550,732.65, seconded by Mr. Hicks. After discussion, voted affirmative.

Article No. 3 To see what rate of discount the town will allow on taxes for the ensuing year. Mr. Lievens moved to permit 1% discount of taxes on the rate of 1/3 of one percent per month for the three months prior to December 1, and that the tax collector be permitted to receive payment of taxes in advance so, if necessary, taxes could be paid subject to the final bill being sent out. Seconded by Mr. Houser. After discussion, voted affirmative.

Article No. 4 To see if the town will authorize the Selectmen to borrow money in anticipation of taxes.

Moved by Mr. Webber to accept, seconded by Mr. Brewer. After discussion, voted affirmative.

Article No. 5 To see if the Town will authorize the Selectmen to sell at public auction, property acquired by the town through the Tax Collector's Deeds. Moved by Mr. Van Grevenhof, seconded by Mr. Lloyd. After discussion, voted affirmative.

Article No. 6 To see if the Town will vote to accept State aid for the construction of Class V roads and to raise and set aside for said purpose the sum of \$1,900.22 and the State to contribute the sum of \$12,668.12. This article was previously acted upon.

Article No. 7 To see if the Town will vote to authorize the Selectmen to purchase a fire truck that meets with underwriters' approval and to negotiate a five-year loan, in the amount of \$30,000 to finance this appropriation. By petition of Homer L. Brewer, et al. Moved by Mr. Brewer to accept, seconded by Mr. David Hicks. Mr. Mack explained that a 2/3 vote would be necessary on this article. After discussion, voted affirmative.

Article No. 8 To see if the Town will vote to raise and appropriate a sum not to exceed \$500 for the purpose of surveying and purchasing 8 acres of Lot 6, Map 6, shown on the Londonderry Tax Map from the Londonderry Housing Authority. \$1.00 to be paid to the Londonderry Housing Authority for the 8 acres of land, providing the banks and I.D.A. will release it, and the remainder to be for the survey work. Mr. Brewer moved to accept, seconded by Mr. Button. After discussion, voted affirmative.

Article No. 9 To see if the Town will vote to raise and appropriate the sum of \$27,000 for the purpose of erecting a town garage and to authorize the Selectmen to negotiate a loan to be set up for a period of 5 years. Mr. Shepard moved to accept, seconded by Mr. Brewer. After discussion, a standing vote was taken and it was voted in the affirmative. (156 yes — 68 no.)

Article No. 10 To see if the Town will accept federal aid, as available, for the construction of a new town library, and to raise and set aside for said purpose the sum of \$54,000, and the federal government to contribute, as available, the sum of \$36,500 and see if the town will vote to authorize and empower the Selectmen to negotiate a 10 year loan in the amount of \$54,500 for said purpose. Mrs. Landry moved to accept, seconded from the floor. After discussion, article defeated. Following the defeat of the article, Mr. Hicks moved to create a study committee to work on library plans and site plans for the site across the road which would include other buildings, and appropriate the sum of \$1,000 which might be used to secure plans for architect. Seconded by Mrs. Nesmith. After discussion, voted affirmative.

Article No. 11 To see if the Town will vote to appropriate a sum not to exceed \$82,000 for land acquisition, final engineering work, and preparation of construction plans and specifications for Phase One construction of the North Londonderry Water System as outlined in the February, 1971, "Report of Study of Water Supply and Distribution Facilities" and determine whether any such appropriation would be raised by borrowing according to the Municipal Finance Act, and in the event that said money is to be raised by borrowing, to authorize the Selectmen to negotiate the terms and conditions of the notes or bonds to be issued and to do any other act necessary to carry out the intent of this article. Mr. Merrill moved to table this item until the next regularly scheduled Town Meeting which would be in March, 1972, or any duly authorized Special Town Meeting called for the purpose of this subject. Seconded by Mr. Brewer. After discussion, voted affirmative.

Article No. 12 To see if the Town will vote to raise and appropriate a sum not to exceed \$8,000 for the purpose of securing ambulance service from the Derry Fire

Commission. Mr. Brewer moved to accept, seconded by Mr. Chase. After discussion, voted affirmative.

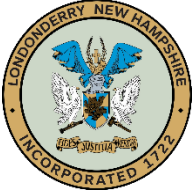
Article No. 13 To see if the Town will vote to raise and appropriate a sum not to exceed \$1,000 for the purpose of conducting a survey on the future of Grenier Field in conjunction with the City of Manchester and the State of New Hampshire. Mr. Hicks moved to accept, seconded by Mr. Begin. After discussion, voted affirmative.

Article No. 14 To see if the Town will vote to raise the sum of \$1,000 to be used by the Londonderry Athletic Field Association to complete the ball field for the youth of Londonderry. By petition of Joseph Rioux, Jr., et. al. Mr. Rioux moved to accept, seconded by Mr. Ball. After discussion, voted affirmative.

Article No. 15 To see if the Town will vote to raise and appropriate the sum of \$1,500 for the Conservation Commission. Mr. David Hicks moved to accept, seconded by Mr. Button. After discussion, voted affirmative.

Article No. 16 To see if the Town will vote to establish a Recreation and Park Commission in accordance with New Hampshire Statutes annotated Chapter 31, Sections 44 - 50A, the members of which shall be appointed by the selectmen, and shall consist of five members, who must be citizens and residents of the Town of Londonderry. This commission to be responsible for the development and supervision of a comprehensive recreational program for the Town of Londonderry. Mr. Lincoln moved to accept, seconded by Mr. Fowler. After discussion, voted affirmative.

Article No. 17 To see if the Town will vote to raise and appropriate the sum of \$2,500 to be used by the Recreation and Park Commission for the establishment of the first year's program. Mr. Lincoln moved to accept, seconded by Mr. Fowler. After discussion, voted affirmative.



Town of Londonderry, New Hampshire

268B Mammoth Road • Londonderry, NH 03053

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RESOLUTION 2025-25

A Resolution Relative to

INCREASING THE MEMBERSHIP OF THE RECREATION COMMISSION

WHEREAS the Town of Londonderry approved the formation of a Recreation Commission via Article 16 at the March 12, 1971 Town Meeting; and

WHEREAS Article 15 specified the Recreation Commission shall consist of five (5) members; and

WHEREAS the Recreation Commission would be best able to fulfill its duties and responsibilities with an expanded membership; and

WHEREAS New Hampshire RSA 35-B establishing the powers and organization of a Recreation Commission does not proscribe a certain number of members on the Commission.

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Londonderry that the membership of the Recreation Commission shall be amended to include seven (7) regular members and up to three (3) alternate members, effective immediately upon passage of this Resolution.

Ron Dunn – Chair
Town Council

Sharon Farrell – Town Clerk

A TRUE COPY ATTEST:

01/05/2026



Town of Londonderry, New Hampshire
268B Mammoth Road • Londonderry, NH 03053
(603) 432-1100 • londonderrynh.gov

Town Council Meeting – Agenda Item Coversheet

Meeting Date: 1/5/2026

Submitted By: Councilor Shawn Faber

Department: Town Council

Contact Information: Email or Telephone

Estimated Discussion Time: 10 Minutes

Agenda Item Number: TC OFFICE USE

Agenda Item Title: Public hearing to rescind ADM-910 Purchasing Policy (formerly Town Code, Chapter VI-Purchasing Policy) and adopt a new “Purchasing Procedures” document.

Background and Purpose: The Town Council adopted a purchasing policy contained within Town Code, Chapter VI on June 3, 2002 which was subsequently amended on May 5, 2007, again on November 7, 2011 and by resolution on April 1, 2013. On September 15, 2025 Ordinance 2025-09 rescinded Town Code Chapter VI and renumber it as ADM-910. Councilor Faber has proposed a new policy (procedure) which would make changes to the existing policy and shift approval for all consulting agreements for professional services from the Town Manager to the Town Council. Further, approval for many other expenditures will shift the authority of the approval from the Town Manager to the Town Council. Purchase orders will now be required to be used in “every possible instance”.

Action: Hear public input to rescind ADM-910 Purchasing Policy and replace the existing purchasing policy by adopting the purchasing procedures document proposed by Councilor Faber.

Proposed Motion: *MOVED, that the Londonderry Town Council hereby rescinds ADM-910 Purchasing Policy and adopts the document entitled “Purchasing Procedures”.*

Attachments:

- Chapter VI (ADM-910) Purchasing Policy
- Purchasing Procedures
- TM MFR Proposed Purchasing Policy 12/15/25
- DRAFT ADM-110 Procurement Policy
- Agenda Request Councilor Faber

Online Form Submittal: Town Council Agenda Request Form

From noreply@civicplus.com <noreply@civicplus.com>

Date Tue 12/2/2025 7:21 AM

To Shaun Mulholland <smulholland@londonderrynh.gov>; Kellie Caron <kcaron@londonderrynh.gov>; Tanya Pinter <tpinter@londonderrynh.gov>

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Town Council Agenda Request Form

Requester Information

The Town Council Agenda Request Form is available for anyone who wishes to propose an item for inclusion on a Town Council meeting agenda. Submissions are reviewed by the Town Manager's office.

Please note that members of the public may speak during the "Public Comment" sections of an upcoming Town Council meeting without needing sponsorship.

(Section Break)

Contact Information

First Name Shawn

Last Name Faber

Email Address sfaber@londonderrynh.gov

Phone Number [REDACTED]

Address 1 [REDACTED]

Address 2 (Optional) *Field not completed.*

Town / City Londonderry

State NH

ZIP Code 03053

(Section Break)

Requester Information

If you are not a member of the Londonderry Town Council, a Councilor has to sponsor your agenda request form. There will be a space later in the form to select the Councilor's name.

Are you the requester? Yes

Are you a member of the Yes
Londonderry Town Council?

(Section Break)

Agenda Request Information

(Section Break)

Agenda Request Date

The Londonderry Town Council generally meets on the first and third Mondays of the month. If Monday is a holiday, the meeting will be moved to Tuesday.

Preferred Date of Council 12/8/2025
Meeting to Consider Item

Please keep in mind that if this request is for an agenda item and is not urgent in nature, a date **ten days in the future** is preferable in order to allow proper time to prepare materials.

Is there a deadline Purchases could be made under the old policy, making this an
associated with this item, important item
and if so, what is it?

(Section Break)

Agenda Request Information

Name of Agenda Topic Item Purchasing Policy

Reason for Topic Item Purchasing Policy need update

Specific Questions Related n/a
to the Topic Item

What possible action, New Purchasing Policy
motion, goal, and / or Town
Code or Policy amendment
are you proposing?

What documentation and / or n/a
references related to the
topic item would you like to
provide?

Do you have any requests for supporting documentation from staff and if so, what materials are needed? n/a

Other Information *Field not completed.*

Attachments *Field not completed.*

(Section Break)

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PURCHASING POLICY

Section 1.0: Purpose and Policy Statement

- 1.1. Sound fiscal management can only be achieved through proper and consistent purchasing procedures for the procurement of supplies, equipment, construction, and services for the Town of Londonderry, New Hampshire ("Town"). This Purchasing Policy establishes uniform procedures to ensure that all expenditures:
 - Comply with Town policies;
 - Conform to generally accepted accounting principles (GAAP);
 - Adhere to applicable New Hampshire Department of Revenue rules; and
 - Comply with existing Town policies and all applicable laws and regulations.
- 1.2. No exception to this Policy shall be permitted if it would conflict with state or federal law.
- 1.3. This Policy shall:
 - Ensure consistent accountability for all Town funds.
 - Require that all purchases be properly authorized and documented.
 - Require that Town personnel maintain a clear and complete audit trail from receipt of funds to disbursement of funds.

Section 2.0: Definitions

For purposes of this Policy, the following definitions apply:

Administrator – Any of the following Town officials authorized to approve purchases within their respective authority:

- Town Manager
- Assistant Town Manager
- Finance Director
- Police Chief
- Fire Chief
- Public Works Director

Purchase Order – A written or electronic authorization issued by the Town approving the purchase of goods or services from a vendor.

Blanket Purchase Order – A Purchase Order issued for repeated purchases of incidental items from a vendor over a specified period.

Consulting Services – Third-party professional services including, but not limited to, information technology services, human resources services, management consulting, legal services, and similar professional advisory services.

Sole Source – A purchase where only one vendor is reasonably available due to proprietary rights, technical compatibility, or unique qualifications.

Section 3.0: General Purchasing Requirements

3.1. All purchases shall be supported by one or more of the following:

- An approved Purchase Order;
- A contract; or
- An itemized credit card receipt.

3.2. Payment shall be made only upon:

- Receipt of an original vendor invoice or monthly credit card statement; and
- Acknowledgement by the department or individual receiving the goods or services that the order has been completed.

3.3. When authorized by the Town Manager, Assistant Town Manager, or Finance Director, Town personnel may make a cash purchase and shall submit the original itemized receipt for reimbursement.

Section 4.0: Purchase Requisitions and Accounting Controls

4.1. All purchase requisitions shall be entered into the Town's financial software system and must:

- Identify the correct function and object codes;
- Bear the electronic approval of the appropriate Administrator.

4.2. Purchases requiring bids or price quotations shall include documentation of all bids or quotations received.

4.3. The Finance Office shall review requisitions to ensure:

- Compliance with Town policy; and
- Correct accounting codes prior to issuing a Purchase Order.

4.4. If a purchase would cause a function/object line to exceed the approved budget:

- The Finance Director shall request a budget transfer;

- The expenditure must be approved by the Town Manager with confirmation by the Town Council; and
- Every effort shall be made to find savings in other areas of the budget to offset such expenditure.

Section 5.0: Spending Authorization Thresholds

For expenditures within an approved budget line:

- **\$0 – \$5,000:** Approval by Town Manager and/or Finance Director required.
- **\$5,000 and above:** Approval by Town Manager and/or Assistant Town Manager and Finance Director required.

Section 6.0: Quotation and Bidding Requirements

Unless otherwise exempted under Section 7, the following requirements apply:

- **\$0 – \$5,000:** Purchase must be in the best interest of the Town, as determined by the Town Manager.
- **\$5,001 – \$15,000:** At least three (3) written quotations shall be requested when available. If quotations are unavailable, the efforts made to obtain the written quotations as well as an explanation for the inability to do so must be documented.
- **Above \$15,000:** At least three (3) written quotations or formal bids shall be obtained in compliance with Town bidding requirements.

Section 7.0: Exceptions to Quotation and Bidding Requirements

The following purchases may be exempt from quotation or bidding requirements when properly documented:

- Purchases made through collaborative purchasing groups
- Purchases of utilities, where competitive sources are not available, including current multi-year utility contracts for the Town.
- Purchases involving the acquisition of personal or professional services; including legal services for the Town. The Town Manager will maintain a yearly list of professional services for the Town where there is a limited number of available providers.
- Purchases of proprietary maintenance contracts, where alternate “authorized” sources are not available.
- Renewal of current vendor service contracts where quality and timely performance is a critical requirement and where the Town Manager determines renewal is in the best interest of the Town of Londonderry.
- Purchases involving minor repairs.

- Purchases involving major repairs where bidding or formal request for quotation (RFQ) requirements are waived by the Town Manager and the Finance Director due to the urgency of the repair.
- Purchases involving a documented Sole Source of supply or Town Council approved Sole Source vendors.
- Any additional purchases considered to be in the best interest of the Town and authorized by the Town Council.
- Expense reimbursement.
- Specific software already approved and in use by the Town's Technology Department to perform the functions of the Town of Londonderry. The IT Director will maintain a yearly list.
- Services that are directly contracted with the Town's public schools.
- Professional Development specific to yearly Strategic Plan goals and initiatives. The Town Manager, Assistant Town Manager, Finance Director will maintain a yearly list.

Section 8.0: Town Council Approval Requirements

8.1. The following require Town Council approval regardless of dollar amount:

- All third-party agreements for Consulting Services;
- All multi-year contracts and agreements.

8.2. Contracts for engineering, construction, and capital equipment purchases exceeding \$15,000:

- Require Town Council approval; and
- Shall be subject to Requests for Proposals (RFPs) or Requests for Bids to be issued by the Finance Director's Office unless otherwise authorized by the Town Council.

8.3. Purchases over \$15,000 that do not qualify for an exception under Section 7.0 require Town Council approval.

8.4. All new or renewed proprietary maintenance contracts and vendor service contracts with values that exceed \$15,000 require Town Council approval.

8.5. Town Council budget approval does **not** constitute approval of a specific purchase. All purchases must comply with this Policy.

Section 9.0: Purchase Order Procedures

9.1. Purchase orders shall be used in all practicable instances.

- 9.2. All Purchase Orders must be approved by the Town Manager or designee prior to placement of any order.
- 9.3. Blanket Purchase Orders may be issued for recurring incidental purchases and must be approved by the Town Manager with confirmation of the Town Council. Any price increase requires issuance of a new Purchase Order.
- 9.4. Every Purchase Order shall include the following information:
 - Date;
 - Total amount, including shipping estimates;
 - Vendor name and address;
 - Quantity and description of items or services; and
 - Department and account to be charged.
- 9.5. The Purchasing Agent may require additional documentation as necessary.
- 9.6. Approved Purchase Orders shall either be returned to the Department placing the order or mailed directly to the vendor, as appropriate. Vendor order forms must accompany direct mail Purchase Orders where necessary.
- 9.7. Unapproved Purchase Orders shall be returned with written explanation.

Section 10: Cooperative Purchasing

- 10.1. Whenever feasible and in the best interest of the Town, purchases shall be made through collaborative purchasing groups (e.g. State of New Hampshire bids and U.S. Communities) or municipalities in order to take advantage of lower prices for bulk purchasing and reduce the administrative costs associated with bidding procedures.
- 10.2. The Town Manager is authorized to enter into cooperative purchasing arrangements and shall periodically evaluate opportunities to reduce costs and administrative burden.

Section 10: Conflicts of Interest

- 10.1. No employee, officer, or agent of the Town shall perform any type of work, participate in the award or administration of a contract, or participate in operational situations where a conflict of interest may be involved, unless approved by the Town Council at a public meeting.
- 10.2. No employee, officer, or agent of the Town shall authorize, confirm, or permit funds to be expended with any entity in which they or any member of their immediate family is an owner, officer, or employee or is to become an owner, officer, or

employee. The Town Manager may authorize any such exceptions to this policy in writing, with notice to the Town Council.

- 10.3. No employee, officer, or agent of the Town who is participating or is about to participate in the award or administration of a contract by open competitive bidding shall either solicit or accept any kickback, gratuity, contingent payment, or any other pecuniary benefit from any person or entity involved in such contract. For purposes of this section, pecuniary benefit means any advantage in the form of money, property, commercial interest, travel, offer of employment or anything else the primary significance of which is economic gain.

Section 11: Emergency Purchases

In the event of an emergency, the Town Manager or Assistant Town Manager shall have the authority to make such immediate purchases as deemed necessary. Once the emergency has been resolved, a detailed report of all emergency expenditures, the circumstances, and justification for all purchases shall be submitted to the Town Council.

Section 12: Spending Controls and Freezes

The Town Manager, with advice from the Finance Director or upon recommendation or at the recommendation of the Town Council, may implement partial or full freezes on discretionary spending to prevent budget deficits while maintaining compliance with applicable New Hampshire law and fulfilling all relevant contractual obligations.

This Policy upon adoption of the Town Council will supersede the Existing policy in the Londonderry Municipal code Purchasing policy Chapter VI only to the extent that the two policies are inconsistent. All items not addressed in this Policy will remain in place until rescinded or updated by the Londonderry Town Council.

Shaun Mulholland
Town Manager
(603) 432-1100 ext. 401
smulholland@londonderrynh.gov



Kellie Caron
Deputy Town Manager
(603) 432-1100 ext. 402
kcaron@londonderrynh.gov

Town of Londonderry • 268B Mammoth Road • Londonderry, NH 03053

MEMORANDUM FOR RECORD

To: Londonderry Town Council

From: Shaun Mulholland, Town Manager

Date: 12/15/2025

Subject: Evaluation of Proposed Changes to the Town's Purchasing Framework and comparison with the draft ADM-110 Procurement Policy

I. Purpose of This Memorandum

The purpose of this memorandum is to provide an administrative analysis of the **proposal from Councilor Faber**, which would substantially alter the Town's purchasing structure, and to propose that the Town Council review the draft **Administrative Policy ADM-110** that is still not complete for comparison.

ADM-110 modernizes procurement practices, aligns administrative procedures with the Town Charter, strengthens transparency and accountability, and supports efficient service delivery. Conversely, the proposal from Councilor Faber shifts operational purchasing authority from the Town Manager to the Town Council, creates workflow bottlenecks, increases operational risk, and exceeds current staffing and software capacity.

II. Summary Recommendation

After careful review, I **do not recommend** adopting the proposal from Councilor Faber. Instead, I recommend that the Town Council take the time necessary to review the draft of ADM-110 which is in development. ADM-110:

- Conforms to the Town Charter's designation of the Town Manager as the principal contracting officer.
- Preserves proper separation of legislative and administrative functions.
- Strengthens procurement integrity, transparency, and audit compliance.
- Implements best-practice procurement standards consistent with state and federal requirements.

- Avoids political influence in purchasing decisions.

III. Administrative and Governance Concerns with the Proposal from Councilor Faber

1. Charter Conflicts and Governance Structure

The Charter (Art. 4, Sec. 4.6) assigns procurement authority to the Town Manager—not the Town Council. Shifting the approval of routine operational procurements to the Council undermines the Charter’s structure and creates legal ambiguities. ADM-110 is fully aligned with this Charter authority. The provisions of the Charter are as follows:

Section 4.6. Powers and Duties of the Manager

- A. The Manager shall be the chief administrative officer of the Town, shall supervise and be responsible for the administrative and financial affairs of the Town and shall carry out the policies enacted by the Council. The Manager shall be charged with the preservation of the health, safety and welfare of persons and property and shall see to the enforcement of the ordinances of the Town, this Charter and general State Laws governing administration of the Town. The Manager shall supervise and direct the administration of the Town departments and personnel therein.*
- C. The Manager shall fix the compensation of all town officers and employees appointed by the Manager with the limits established by existing appropriations.*
- D. The Manager shall have full jurisdiction over the rental and use of all Town facilities under the Manager’s control. The Manager shall be responsible for the maintenance and repair of all Town property under the Manager’s control, within the limits of existing appropriation.*
- F. The Manager shall be responsible for purchasing all supplies, material and equipment for all departments and activities of the Town.*
- H. The Manager shall set rules and regulations and establish a system of personnel administration known as the “Personnel Plan”. The Personnel Plan shall include provisions with regard to classification, compensation, selection, training, promotion, grievances, discipline, vacations, retirement and any other matters necessary to the maintenance of efficient service and proper working conditions.*
- J. The Manager shall be responsible for the collection, accounting deposit and periodic reporting of all town revenues and expenditures in a secure and business-like manner in accordance with generally accepted accounting practices and proper internal controls.*

2. Operational Inefficiencies and Delays

The proposal from Councilor Faber requires Council approval for a significant number of routine operational expenditures. This will:

- Delay critical and time-sensitive purchases.
- Increase administrative cycle times.
- Introduce avoidable interruptions in public safety, infrastructure, and general operations.

ADM-110 maintains procurement efficiency while ensuring robust oversight.

3. Excessive Administrative Burden

The proposal requires purchase orders (POs) for a wide range of transactions, including those already properly controlled through existing software, contracts, or policies. The volume would:

- **Exceed current staffing capacity** to prepare, review, and approve POs.
- **Overwhelm the Town's existing finance software**, which cannot efficiently process exponentially increased requisitions.

This would result in workflow breakdowns, processing backlogs, and reduced service quality.

4. Weakened Internal Controls and Risk Management

ADM-110 strengthens internal controls through detailed procedures for:

- Debarment and suspension,
- Vendor responsibility evaluation,
- Insurance and indemnification requirements,
- Federal grant compliance,
- Contract oversight.

The proposal from Councilor Faber does not include these modern controls and creates fragmented authority across multiple elected officials.

Councilor Faber's proposed policy shifts approval authority away from the Town Manager and vests that authority with specific department heads.

The policy does not define what third party consulting agreements for outside professional services are. It does provide some examples and then states "All management consulting and legal services"

5. Reduced Accountability

Under the Charter, the Town Manager is accountable for procurement outcomes. The proposal divides accountability across the Council, diluting responsibility and complicating corrective action processes. The policy provisions proposed by Councilor Faber is what is common in places that have a Board of Selectmen and a Town Administrator. The Town chose to change its form of government when it adopted the Town Council/Town Manager form of government with a Charter in 1996. Councilor Faber's proposed policy seems to follow a format that many school districts operate on with some notable differences. This format is not something that is found in Towns.

The proposed policy references acknowledgement of purchases by "the school or person receiving...". I suspect this was an error in the development of the proposed policy.

6. Statutory References

Councilor Faber's proposal references NH RSA 189:1-a which applies to School Districts not Towns.

IV. Practical Operational Capabilities & Capacity Constraints

1. Staffing Capacity for Purchase Orders

The Finance Department currently processes a manageable volume of purchase orders consistent with operational needs and risk thresholds. The proposal from Councilor Faber would:

- Increase PO volume by several hundred percent, based on current purchasing patterns.
- Require additional full-time administrative staff to handle creation, review, documentation, and internal audit trails.
- Divert administrative resources from strategic or statutory responsibilities.

The Town does not presently have staffing capacity to support this expansion without new appropriations.

2. Limitations of the Existing Financial Software

The current ERP/financial system:

- Is not designed to process a high-frequency PO environment.
- Would experience performance degradation, workflow delays, and data inconsistencies if required to handle dramatically increased requisition volumes.
- Would require either a major system upgrade, replacement, or significant reconfiguration—all of which carry substantial cost and time implications.

ADM-110 aligns with the system's capacity; the proposal from Councilor Faber does not.

3. Impacts on Service Delivery

Operational staff—including Police, Fire, Public Works, and Community Development—would experience longer procurement lead times, resulting in:

- Delays in replacement of essential equipment.
- Slower public safety response capability.
- Reduced ability to meet infrastructure maintenance schedules.
- Increased costs due to missed pricing windows or vendor delays.

ADM-110 supports timely delivery of services to residents; the proposal undermines it.

4. Conflicts with Articulated and Undefined Language in the Proposed Policy by Councilor Faber

- A.** Section B requires itemized credit card receipts. This is not possible for some credit card transactions such as use of credit cards for paying for parking. We presently require a memo from the Town employee or official to articulate the expenditure. The proposed policy by Councilor Faber does not allow for this or for lost receipts. There appears to be an error in the placement of a period after Finance Director in the last part of the paragraph for Section B.
- B.** Section C is unclear as to what it actually means.
- C.** The policy does not specify when a proposed purchase should be put out to bid, RFP or RFQ.
- D.** The proposal states the following, *"It shall be the responsibility of the Finance Director to request a budget transfer of funds to cover any order that may take a function line over-budget."* Who does the Finance Director seek approval from? The proposed policy also does not state how transfers can be conducted - for instance does the transfer need to be completed within the same department, can funds be taken from other departments to support another department's short fall. The idea of transferring the funds creates a bottleneck itself - identifying where the funds are to come from, obtaining approval (as stated from who), and then actually completing the transfer in the ERP.
- E.** The proposal allows the Town Manager and Finance Director to authorize expenditures from \$0-\$5,000 but not the Deputy Town Manager. But then it allows

the TM, FD and ATM to authorize purchases over \$5,000. Perhaps the intent was inverted.

F. The policy states the following,

"Purchases and projects involving expenditures more than the following dollar amounts and All consulting services shall be expected to comply with these practices:

All Third Party consulting agreements for outside professional services shall be presented to the Town Council for approval regardless of the amount. i.e: IT Services, Human Resources Services, All management consulting and legal services."

However, below that the following language is found,

Exception to Bidding or Written quotation Requirement:

- *Purchases made through collaborative purchasing groups*
- *Purchases of utilities, where competitive sources are not available, including current multi-year utility contracts for the Town.*
- *Purchases involving the acquisition of personal or professional services; including legal services for the Town. The Town Manager will maintain a yearly list of professional services for the Town where there is a limited number of available providers.*

This conflicts with other provisions of the policy in that the TM appears to only require a list and does not have to provide a purchase order to the Town Council for approval.

- *Purchases of proprietary maintenance contracts, where alternate "authorized" sources are not available.*
- *Renewal of current vendor service contracts where quality and timely performance is a critical requirement and where the Town Manager determines renewal is in the best interest of the Town of Londonderry.*

This would make the requirement that the Town Council approve subsequent contracts for third party vendors the Town is already doing business with.

- *Purchases involving minor repairs.*
- *Purchases involving major repairs where bidding or formal request for quotation (RFQ) requirements are waived by the Town Manager and the Finance Director due to the urgency of the repair.*
- *Purchases involving a documented sole source of supply or Town Council approved sole source vendors.*

Sole source vending should have detailed proposals with at least some reference to price. This policy negates that requirement. What is the difference between sole source of supply and Town Council approved sole source vendors?

- *Any additional purchases considered to be in the best interest of the Town and authorized by the Town Council.*
- *Expense reimbursement*

- *Specific software already approved and in use by the Town's Technology Department to perform the functions of the Town of Londonderry. The IT Director will maintain a yearly list.*
- *Services that are directly contracted with the Londonderry Schools.*
- *Professional Development specific to yearly Strategic Plan goals and initiatives. The Town Manager, Assistant Town Manager, Finance Director will maintain a yearly list.*

G. The proposed policy requires RFPs and bids to be issued from the Finance Director's Office. It is unclear which official is actually responsible for the issuance of these documents.

H. There is a blanket policy that all purchases over \$15,000 that are not on the exceptions list shall require Town Council approval.

I. The policy states the following,

"Town Council Budget approval shall not be considered approval of a specific purchase. The Purchasing Procedures Policy must still be followed."

What does this actually mean?

J. The policy states the following,

"All new and renewed proprietary maintenance contracts require Town Council approval following the same thresholds mentioned earlier in this policy."

"All new and renewed vendor service contracts require Town Council approval following the same thresholds mentioned earlier in this policy."

This appears to conflict with the language above in the policy and at the very least is confusing.

K. The policy states the following,

"Purchase orders are to be used in every possible instance. Blanket purchase orders may be issued to vendors where repeated purchases of incidental items take place. All blanket purchase orders must be approved by the Town Manager with Confirmation of the Town Council. The requirement for purchase orders may be waived by the Town Council." (underline added for emphasis by this writer)

The use of blanket purchase orders should be very limited and have further constraints. It is unclear what "incidental items" would be defined as. "Every possible instance" means basically every instance other than true emergencies.

L. The policy states the following,

PURCHASE ORDERS:

1. *Purchase orders are required for all individual purchases. Purchase orders must be requested and approved by the Town Manager prior to placement of an order.*

This is in direct contravention of what was stated earlier in the policy in that "Town Administrators" which is defined as the TM and specified department heads and "bear the electronic approval of the appropriate Administrator".

2. *Blanket purchase orders may be issued to vendors where repeated purchases of incidental items take place. If there is a price increase, then a new purchase order shall be required. All blanket purchase orders must be approved by the Town Manager.*

This appears to be in direct contravention of other provisions of the policy that require Town Council approval.

3. *The distribution of copies of the approved completed purchase order is as follows:*
 - a. *Original copy to vendor, where necessary.*

We do not have original copies of purchase orders. They are digital. This is language from a previous era.

4. *The following information must be included on the purchase order:*
 - a. *Date;*
 - b. *Amount of purchase, including an estimate for shipping, etc;*
 - c. *Vendor's name and address;*
 - d. *Quantity and description of item (s); and*
 - e. *Department and account to be charged*
5. *The Purchasing Agent may require further information regarding the purchase.*

Who is the Purchasing Agent for the purposes of this policy? It is not defined.

6. *Approved purchase orders shall either be returned to the department placing the order, or mailed directly to the vendor, as appropriate. Vendor order forms must accompany direct mail purchase orders where necessary.*

This speaks to a by-gone era. We don't return purchases orders to a department, they are stored in our ERP software. We would email them. Mailing them adds additional cost that is not necessary.

7. *Purchase orders that are not approved by the Town Manager or designee shall be returned to the department placing the order accompanied by a memorandum explaining why the purchase order was not approved.*

This language references a by-gone era. This information is contained within our ERP software. What are you proposing that we physically send back to the department?

M. The policy states as follows;

"Any individual who places an order without complying with the purchase order procedures shall be responsible for the payment of or return of the items received."

Under what statutory authority can the Town require employees or officials to be personally financially liable for payment of expenditures unless they are conducted in a way that would

violate the federal or state criminal laws? Under what mechanism would we collect these sums of money?

N. The policy states as follows;

“In the event of an emergency, the Town Manager or Assistant Town Manager shall have the authority to make such immediate purchases as deemed necessary”

The policy does not define what “In the event of an emergency” is or what circumstances this would constitute.

O. The policy states the following;

“All items not addressed in the new Policy/ amendment will remain in place until updated by the Londonderry Town Council.”

This creates conflicts with other existing policies as a result of the enactment of this policy.

V. Side-by-Side Comparison: ADM-110 vs. Proposal From Councilor Faber

Category	ADM-110 (Recommended)	Proposal from Councilor Faber
Charter Alignment	Fully aligned with Art. 4, Sec. 4.6— Town Manager as principal contracting officer.	Shifts contracting authority to Council, conflicting with Charter intent.
Operational Authority	Centralized administrative responsibility ensures efficiency and accountability.	Divides authority between Manager and Council, reducing operational clarity.
Approval Thresholds	Modern, scalable thresholds: up to \$10k verbal quotes; \$10k–\$50k written; >\$50k formal bidding.	Council approval required for many routine transactions; creates bottlenecks.
Use of Purchase Orders	PO requirements balanced to risk and operational practicality.	Dramatically increases PO requirements, exceeding staff and system capacity.
Finance Software Compatibility	Compatible with current ERP capabilities.	ERP cannot practically support the workload expansion required.

Category	ADM-110 (Recommended)	Proposal from Councilor Faber
Procurement Best Practices	Integrates modern RFB/RFP/RFQ, value-based evaluation, lifecycle costing, cooperative purchasing.	Limited procedural depth; omits key best-practice tools.
Risk Management	Includes debarment, suspension, insurance standards, federal compliance.	Lacks modern risk controls and vendor responsibility mechanisms.
Transparency & Auditability	Consistent documentation, competitive processes, detailed standards.	Fragmented or inconsistent processes weaken audit trails.
Council Role	Policy-level oversight, budget adoption, and major capital authorization remain intact.	Requires Council to approve operational transactions, contrary to governance roles.
Departmental Efficiency	Supports timely decision-making and service delivery.	Introduces delays in public safety, infrastructure, and general operations.

More Detailed-Level Comparison

Topic	Current Policy (PDF)	Draft A – ADM-110 Procurement Policy	Faber Draft B – 2025 Purchasing Procedures
Document Type / Intent	Standalone <i>Purchasing Policy</i> embedded in Municipal Code, covering purchasing, competitive selection, property disposition & ethics.	Full <i>Procurement Policy</i> with detailed administration, methods of source selection, thresholds, waivers, debarment, etc. Reads like a modern, comprehensive procurement code.	<i>Procedures</i> focused on how purchases are initiated, approved, and bid. Explicitly says it supersedes the existing Municipal Code purchasing chapter where addressed.
Authority & Purpose	Authorized under Charter Article 4, §4.6. Purpose is fair treatment, max value of funds, and cost-effective purchasing; also applies to disposal of supplies.	Same Charter authority, similar purpose language but modernized and broadened (adds life-cycle costs, risk, vendor definitions, etc.). Does not address property disposition directly.	Focused on fiscal management, audit trail, and compliance with Town policy, GAAP, and DRA rules. No explicit Charter citation; assumes policy layer exists above it.
Scope	Applies to expenditure of public funds and disposal of Town supplies.	Applies to all expenditures of public funds for procurement activities, regardless of	Applies to procurement of supplies, equipment, and services and to how funds are authorized,

Topic	Current Policy (PDF)	Draft A – ADM-110 Procurement Policy	Faber Draft B – 2025 Purchasing Procedures
Purchasing Agent / Roles	Explicitly designates Director of Finance & Administration as Purchasing Agent, with authority to purchase, dispose of property, coordinate departments, etc.	Formally identifies Director of Finance & Administration as Purchasing Agent and defines roles for Town Manager and Department Heads (including use of credit cards < \$10,000).	Defines “Town Administrator” group (TM, Asst TM, Finance Director, Police Chief, Fire Chief, PW Director) with approval roles. Uses “Purchasing Agent” in PO section but doesn’t re-define the role in this document.
Who Approves What (General)	- Purchase orders > \$5,000 require Town Manager signature. - Purchases under \$100,000 that are budgeted & don’t need transfers require TM approval. - Purchases > \$25,000 that are not budgeted & need transfers, and all purchases > \$100,000, require Town Council vote.	- Town Manager approves purchase agreements ≥ \$10,000 . - Department Heads can authorize staff to make credit card purchases < \$10,000 if within policy.	- Uses very centralized approvals : - \$0–\$5,000: Town Manager and Finance Director. - \$5,000 & above: Town Manager or Assistant TM and Finance Director. - Council approves all multi-year contracts and all third-party consulting agreements, regardless of amount.
Spending / Bidding Thresholds	- \$0–\$2,500: routine; no formal quotes. - \$2,500–\$5,000: 3 verbal quotes. - \$5,001–\$10,000: 3 written quotes. - > \$10,000: formal competitive selection process (advertised).	- Up to \$2,500: departmental discretion; no formal quotes. - \$2,501–\$10,000: 3 verbal quotes, documented. - \$10,001–\$50,000: 3 written or documented oral quotes. - > \$50,000: formal competitive bidding (RFP/RFQ) . Also has a threshold table that treats ≥ \$50,000 (and infrastructure > \$100,000) as “formal procurement actions” with RFB/RFP/RFQ.	- \$0–\$5,000: “Best interest of the Town” (no quote requirement written in). - \$5,001–\$15,000: at least 3 written quotes when available; if not, document why. - \$15,001 and above: at least 3 written quotes in line with Town bidding requirements, plus Council approval for engineering, construction, capital > \$15,000.

Topic	Current Policy (PDF)	Draft A – ADM-110 Procurement Policy	Faber Draft B – 2025 Purchasing Procedures
Purchase Order Requirements	- POs required for purchases > \$2,500 . - PO > \$5,000 requires TM signature. - Detailed distribution process and info required on POs.	- POs required for purchases > \$5,000 . - Approval: \$5,000–\$10,000 by Department Head; > \$10,000 by Town Manager.	- POs required for all individual purchases . - Must be requested & approved by Town Manager before ordering. - Blanket POs allowed, must be approved by TM (and “with confirmation of Town Council” in certain cases). - Anyone ordering without a PO can be personally responsible.
Exceptions / Exemptions	Explicit exemption list (utilities, fuel, reimbursements, various maintenance, leases under original agreement, recurring services, professional services, town attorney, etc.). Original contract must be authorized but ongoing payments don’t go through full process.	PO exception list includes utilities & property tax bills, debt service, advertising, welfare, travel, legal & audit, vehicle allowance, insurance, postage, rents & leases (after initial approval), some transfers, payroll, maintenance agreements beyond first payment, dues, salt & winter sand , and others.	Exceptions are framed around bidding/quote requirements, not POs. Includes collaborative purchasing, utilities, professional/personal services, proprietary maintenance, renewals where quality/timeliness is critical, minor repairs, urgent major repairs with waiver, sole source, expense reimbursement, specific IT software, school-contracted services, and specified professional development.
Emergency Purchasing	Dept Head can make immediate purchases in an emergency if they can’t reach Purchasing Agent or TM; must submit a detailed report afterwards.	TM may suspend provisions of the policy and implement streamlined purchasing when an emergency is declared per Emergency Operations Plan. More centralized, policy-level emergency power.	TM or Assistant TM may make immediate purchases in an emergency; after resolution, a detailed report of all emergency expenditures and justification must go to the Town Council .
Competitive Bidding Mechanics	Uses advertised competitive selection: legal notices in a newspaper, posting in	More detailed, with RFB/RFP/RFQ/RFI defined and tied to a procurement portal (if	Refers to “Town Bidding Requirements” and routes RFPs/bids for projects & capital > \$15,000 through

Topic	Current Policy (PDF)	Draft A – ADM-110 Procurement Policy	Faber Draft B – 2025 Purchasing Procedures
Consulting / Professional Services	public places, timelines, bid opening, etc. Pretty traditional, paper-era structure.	available). Specifies notice content, public opening, evaluation criteria, bonds, insurance, etc., and introduces best-value concepts for RFPs.	Finance Director’s office, but doesn’t itself restate the full RFB/RFP process. It relies on another policy for the mechanics.
Council Involvement / Oversight	Exempts “professional services (engineers, auditors, legal services)” from purchasing procedures, but doesn’t impose extra Council control beyond big-dollar thresholds.	Has separate RFQ-based section for consultative & professional services (legal, engineering, HR, cyber, planning, auditing, public relations, etc.), with qualification-based selection & negotiation guidelines.	Tightest grip on consulting: all third-party consulting agreements (IT, HR, mgmt consulting, legal) must go to Town Council for approval regardless of amount . Also says all multi-year contracts/agreements require Council approval. Council is heavily in the loop: - All multi-year contracts. - All consulting agreements (any \$). - Engineering, construction, projects & capital equipment > \$15,000. - Purchases > \$15,000 not on exceptions list. - Over-expanded lines must be approved by TM with confirmation of Council .
Ethics / Conflicts of Interest	Council votes required for: - Purchases > \$25,000 that are not budgeted and need transfers. - All purchases > \$100,000. Also involved in specific roles like appointing Town Attorney.	Council role is more implicit; primary authority lives with Town Manager and administrative process. Council shows up mainly via Charter, references to laws, and not as a constant approver on thresholds.	Adds a hard prohibition on the Town doing business with elected officials and their family members to avoid appearance of conflict. Also reinforces personal liability for people who bypass PO procedures.
Vendor Suspension / Debarment	Dedicated <i>Ethics in Public Purchasing</i> section: conflicts of interest, gratuities, kickbacks, contingent fees, concurrent employment, misuse of confidential info, plus sanctions.	Has a <i>Conflicts of Interest</i> section tightly aligned with procurement (no vendor assistance in writing specs, no sharing procurement-sensitive info, etc.) and also references Town Code of Ethics & state debarment laws.	No dedicated suspension/debarment process; enforcement is via Council control, approvals,
Vendor Suspension / Debarment	No formal suspension/debarment regime in the current	Large, detailed suspension & debarment framework: grounds (fraud, criminal conduct, poor	No dedicated suspension/debarment process; enforcement is via Council control, approvals,

Topic	Current Policy (PDF)	Draft A – ADM-110 Procurement Policy	Faber Draft B – 2025 Purchasing Procedures
Property / Asset Disposition	chapter, beyond general ethics expectations.	performance, misrepresentation, regulatory violations, prior debarments), procedures, notice, hearings, appeals to Town Council, and reinstatement rules.	and “we’re not doing business with you again” energy, not a codified process.
Cooperative Purchasing / Piggybacking	Full section on disposal by sealed bid or auction, notice requirements, payment types, etc.	Silent on surplus property disposition; would need to rely on another policy or keep existing chapter language. Two separate sections: Piggybacking (using other governments’ competitively bid contracts) and Cooperative Purchasing with formal cooperatives, plus grant-funding caveats.	Also silent; focused on purchasing and fiscal controls, not asset sale mechanics. Encourages collaborative purchasing (state bids, other municipalities, etc.). Directs TM to contact nearby towns/cities periodically to assess cooperative arrangements.
Federal Grants / 2 CFR 200 Compliance	Just says when federal/state assistance is involved, follow applicable laws & regs; doesn’t name check the uniform guidance.	Explicitly references 2 CFR Part 200 cost principles and debarment rules, incorporating federal grant compliance into Town policy.	Mentions DRA rules & GAAP but doesn’t explicitly incorporate 2 CFR 200; seems intended to sit on top of a separate procurement policy that would handle that.
Bulk / Strategic Purchasing	Mentions taking advantage of bulk, seasonal, and cooperative purchasing in Purchasing Agent duties but not as a separate procedure.	Has a specific <i>Bulk Purchases</i> section directing departments to plan and consolidate common items and capital outlay for town-wide bulk buys.	Encourages cooperative purchasing; no dedicated “bulk” section, but the spirit is similar.
Status Relative to Existing Code	This is the current policy, codified as Chapter VI of the Municipal Code.	New policy that would coexist with or replace the chapter as a more robust administrative ADM-110 if adopted, but does not, by itself, explicitly repeal Chapter VI in its text.	Explicitly states that, upon adoption, it supersedes the existing Municipal Code Chapter VI – Purchasing Policy , except where the new document is silent and old provisions remain until updated.

VI. Avoiding Political Influence in Procurement Decisions

- Operational procurement decisions must remain insulated from political influence, a standard recognized across municipal best practices.
- Shifting routine procurement approvals to the Council creates the perception—and potential reality—of political involvement in vendor selection, contract awards, and operational expenditures.
- ADM-110 maintains a clear firewall between legislative oversight and administrative execution.

VII. Conclusion

ADM-110 presents the Town with a modernized, Charter-compliant, efficient, and professionally structured procurement policy. It provides strong financial controls, transparency, and operational resilience.

The proposal from Councilor Faber, while well-intended, would:

- conflict with the Town Charter,
- significantly impair operational efficiency,
- exceed staffing and software capacity,
- weaken accountability and risk controls, and
- impede the Town's ability to deliver timely services to residents and businesses,
- creates the perception—and potential reality—of political involvement in vendor selection, contract awards, and operational expenditures.
- creates conflicts and redundancies with existing policies/code provisions such as the grant policy and the purchasing card policy.

For these reasons, I respectfully recommend that the Council take the appropriate amount of time to review all three documents and not rush to act on the proposal. Adequate time should be allowed for staff review and testing of the policy before it is implemented. The development of public policy is most effective when there is a collaborative, well thought out process involving elected officials, staff and citizens. Neither the proposed Purchasing Procedures document nor the DRAFT ADM-110 have gone through a thorough vetting process.



Town of Londonderry, New Hampshire

Administrative Policies and Procedures

Policy Title: **Procurement Policy** Authorized Under: Article 4, Section 4.6 of the Town Charter

Policy Number: ADM-110

Original Adoption Date:

Revision Date:

Approved by: Shaun Mulholland

Section 1.0: Purpose

This policy was created to establish procurement procedures as in accordance with the Londonderry Town Charter, Chapter I, Article 4, Section 4.6 Powers and Duties of the Manager, subsections A and F. The intent of this policy is to ensure the fair and equitable treatment of all persons and entities that interact with the procurement system of the Town; to maximize fully practicable the purchasing value of public funds; to obtain in a cost-effective and responsive manner the supplies, materials and services required by the Town to serve the Town's businesses and residents. This policy establishes administrative procedures and monetary thresholds. Additionally, it guides the methods of source selection and establishes consistent procedures for the orderly and expeditious processing of contracts, agreements or other instruments of obligation binding the Town in the procurement process.

Section 2.0: Scope

This policy applies to all expenditures of public funds for procurement activities, regardless of the source of funds.

Section 3.0: Definitions

The following definitions apply to this Policy:

- **Appeal** is the process by which a vendor who has been suspended or debarred may request a higher authority within Town government to review and reconsider the decision. Under this policy, a debarred or suspended vendor may appeal the Town Manager's decision to the Londonderry Town Council (or other designated appeals body) as described in Section 5.21, after which the Town's administrative decision is final (subject to any judicial review permitted by law).
- **Contract** is a written agreement, relative to services, products, tenancy, that is intended to be enforceable by law.
- **Change Order** is a written alteration to a contract or purchase order in accordance
- **Cause/Grounds (for Suspension or Debarment)** are acts, omissions, or circumstances which justify excluding a vendor from doing business with the Town. "Cause" or "grounds" may include, but are not limited to, **fraud or criminal conduct in connection with a Town contract, material breach of contract, poor performance**, or other serious misconduct as detailed in Section 5.21 of this policy
- **Debarment** is a formal action to exclude a vendor from contracting or doing business with the Town for a **specified period of time or permanently** due to misconduct or failure to

meet applicable standards. A debarred vendor is **ineligible to submit bids or proposals, or receive contract awards** from the Town for the duration of the debarment.

- **Hearing** is a formal opportunity for the affected vendor to present information, evidence, or arguments in opposition to a proposed suspension or debarment. The hearing is an internal administrative proceeding (which may consist of a meeting or review of submitted documents) conducted in accordance with due process. It allows the vendor to contest the grounds for the action before a final decision is made.
- **Local Owned Business Enterprise** means a business principally located within the Town of Londonderry and whose management and daily operation is controlled by management and/or business owners physically located within the Town.
- **Modification** is a written alteration to a provision of any contract accomplished by mutual agreement of the parties to the contract.
- **Memorandum of Agreement (MOA)** is a document written between parties to cooperatively work together on an agreed upon project or meet an agreed upon objective. The purpose of an MOA is to have a written formal understanding of the agreement between parties.
- **Memorandum of Understanding (MOU)** is a document describing the broad outlines of an agreement that two or more parties have reached.
- **Notice of Suspension/Debarment** is a written notification issued by the Town Manager to a vendor stating that the Town is initiating a suspension or debarment, including the reasons for the action, the effective date and duration (if known), and information on the vendor's rights to respond or appeal.
- **Purchase Agreements** are contracts, agreements or other instruments of obligation binding the city in the purchasing of supplies, services and construction items that are formal documents and not price quotations or purchase orders.
- **Purchase Orders** authorizes a vendor to release goods or services to the Town and informs the vendor that funds are available to pay for the goods or services. A purchase order becomes a binding obligation when the vendor demonstrates his/her acceptance through initiation of some action to fill the order.
- **Purchase Requisitions** establish the need and provide justification for any supplies, services and construction items and should be completed, with appropriate substantiating documentation attached, in its entirety to include justification, suggested suppliers and/or contractors, quantity, specifications, account code for funding, vendor number when applicable, shipping, delivery and production timetables and details, and pricing.
- **Request for Information (RFI)** - is a formal process for gathering information from potential suppliers of a good or service.
- **Request for Proposals (RFP)** - is a formal process to announce a project, describe it, and solicit proposals from qualified contractors/vendors to complete the project. The RFP should indicate evaluation criteria other than price, and the relative weight given to price versus other factors. The criteria for consideration should be the best value to the Town. The RFP process allows negotiation with proposers. RFP submissions may be through a sealed or unsealed process.
- **Request for Bid (RFB)** - is a formal process to announce a procurement, provide specifications for solicitation, and solicits bids from qualified contractors/vendors to fulfill the procurement where price is the primary factor beyond basic qualification of the bidder and conformity with the request requirements. This process involves detailed specifications that are easily quantified. This process involves sealed bids that are opened in public at a designated time and place.

- **Request for Qualifications (RFQ)** - is a formal process for requesting and receiving information from learned experts to determine their ability and demonstrated competence to provide services to the City. This is commonly utilized for attorneys, engineers, scientists, economists, etc... Price or costs are not provided in an RFQ process. Once a vendor is selected the price is negotiated with the primary vendor.
- **Small Owned Locally Business Enterprise** is a business which (a) is at least fifty-one percent (51%) owned by one but not more than 10 persons (b) the owner has a personal net worth less than \$10 million a year; (c) is located within Londonderry, NH (d) has been in business a minimum of 1 year.
- **Solicitation of Quotes** is a less formal process in which verbal and/or written cost estimates for services or products is requested by or otherwise obtained by Town staff for purchases.
- **Suspension** is a temporary exclusion of a vendor from Town contracting for a **short, defined period** pending the completion of an investigation, legal proceedings, or corrective actions. Suspension is a precautionary measure used when there is credible evidence of misconduct or cause for debarment, **prior to a final determination**. A suspended vendor is temporarily treated as ineligible for new contracts with the Town until the suspension is lifted. Suspensions will generally not exceed a defined time limit (see Procedures) and may either be lifted or lead to a debarment decision once the facts are resolved
- **Value** is a combination of “what” is important and “how much” it is important. As for the “what,” procurement considerations affecting value include but are not limited to:
 - Consistency, reliability, and responsiveness from suppliers or service providers.
 - Meeting preferences favoring veteran owned businesses, small owned business enterprises, and locally owned business enterprises.
 - All costs identified through a life-cycle cost analysis.
 - Reduction of risks such as schedule delays; costs added through change orders; degradation of performance or service from an outsourced provider; potential legal or financial risks; the need for Town oversight of program delivery; the amount of needed contract administration effort; or the likelihood of successful/unsuccessful contract performance.
 - Environmentally preferable aspects (more efficient scheduling leading to less shipping impact, lower toxic materials content, less environmentally harmful manufacturing, less harmful end of life disposal, etc.).
 - Just-in-time ordering/shipping to avoid storage costs.
 - Contracting out to eliminate internal resource costs or to achieve better results for the same overall price.
- **Vendor/Contractor/Supplier** is any individual, company, organization, or other entity that **supplies goods, provides services, or engages in construction or consulting** work under contract (or potential contract) with the Town of Londonderry. This term includes bidders, proposers, consultants, contractors, service providers, suppliers, and grantees of Town funds. It also encompasses subcontractors when explicitly stated.
- **Veteran Owned Business Enterprise** is a business which is at least fifty-one percent (51%) owned by one or more veterans and whose management and daily operation is controlled by the qualifying party(s).

Section 4.0: Policy Detail

4.1 General Provisions

As the principal contracting officer of the Town, all purchase agreements require Town Manager approval; are subject to and are contingent on Town Manager approval. This Policy applies to the expenditure of public funds for public purchasing irrespective of the source of the funds. When purchasing involves the expenditure of federal or state grant or contract funds, purchasing shall be conducted in accordance with any mandatory applicable federal and state law and regulations. Nothing in this Policy shall prevent the Town from complying with the terms and conditions of any grant, gift, bequest or cooperative agreement.

4.2 Exceptions

Certain purchases are not readily adaptable to the open market and formal competitive selection process. Exceptions from this Policy shall be considered on a case-by-case basis by the Town Manager.

4.3 Competition

Fair and open competition reduces the opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically. Since the marketplace is different for various supplies, services and construction items this Policy authorizes a variety of source selection techniques designed to provide the best competition for all types of purchasing. It also permits less formal competitive procedures where the amount of the contract does not warrant the expense and time otherwise involved.

4.4 Purchasing Methods

Unless otherwise deemed in the best interest of the Town, all Town contracts shall be awarded by one of the following methods: Solicitation of Quotes; RFB; RFP; Sole Source Purchasing; Emergency Purchasing; Special Purchases; and Purchasing Consultative and Professional Services Including Legal, Architectural and Engineering Services (RFQ).

4.5 Roles and Responsibilities

- **Town Manager:** Holds ultimate authority over procurement activities and approves purchase agreements equal to or greater than \$10,000.
- **Director of Finance and Administration (Purchasing Agent):** Responsible for overseeing procurement processes, ensuring compliance with policies, and maintaining procurement records.

Department Heads: Initiate procurement requests and ensure departmental compliance with procurement policies. Department heads may authorize their personnel to make retail and other purchases via credit card as long as those purchases are less than \$10,000 and in conformance with the provisions of the Credit Card Policy.

Section 5.0: Procurement Procedures

5.1. Thresholds and Requirements

- **Up to \$2,500:** Departmental discretion; no formal quotes required.
- **\$2,501 - \$10,000:** Obtain at least three verbal quotations; document details.

- **\$10,001 - \$50,000:** Obtain at least three written quotations or documented oral quotations.
- **Over \$50,000:** Initiate formal competitive bidding process (RFP/RFQ).

TOWN OF LONDONDERRY PURCHASING THRESHOLD TABLE

Purchasing Thresholds

Less than \$10,000 (If PO is required)	=\$10,000< \$50,000	\$50,000 or greater Infrastructure > \$100k
Purchases can be made directly by each dept/ division.	Minimum of three (3) competitive quotes. (a) Detailing each verbal quote as with written Memo and attached to requisition; or	Formal Procurement actions (large purchases of \$50,000 or greater) shall be solicited in a formal RFB, RFP, RFQ process unless product or service is on a formal bid contract such as state bid list.
Requisition entered into ERP software and approval required from Dept Head.	(b) Attaching each written quote (recommended) as an "Attachment" to the requisition.	A Bid requires an award to the lowest and responsible bidder when the bid is within budget. With an RFP the Town is not required to award the service provider submitting the lowest price.
	Critical information obtained from each service provider to include: (a) Current unit and extended prices (b) Item quantity, description and part number(s) (c) Payment terms (d) Point of Contact (e) Email address to electronically transmit the purchase order to the service provider.	Detailed guidelines for evaluation and contract award must be part of the RFP and must be completed within the Procurement Program (if such a system is available). Bids must be submitted and opened in the Procurement Program (if such a system is available), which is open for the public to view. Proposals are opened in the Procurement Program and become public information once they are opened.
	Additional Information to be entered on each requisition request: (a) GL Account (b) Project ID/Account # if applicable (c) Item (from item master or manual entry	Dept/Division initiating the bid/RFP is responsible for creating the RFP in the Procurement Program and completing the following:

	(d) Description	
	<p>If purchase involves a service provider and requires coming onto Town owned property, delivering hazardous materials (fuel, chemicals etc., onto Town property; or having access to Town data through their software. Town must obtain, prior to any of the above occurring from the service provider:</p> <ul style="list-style-type: none"> (a) A completed MSA/PSA and/or a signed City Indemnification Agreement. (b) Valid Insurance certificate naming the City as additional insured, by written endorsement and with a waiver of subrogation favoring the Town, with respect to general and possibly automobile and umbrella liability. 	<ul style="list-style-type: none"> (a) Sending Bids/RFPs to prospective bidders/respondents in procurement program (b) Receiving questions from prospective bidders/respondents Coordinating a response from the responsible dept/division and issuing all addenda (c) Receiving, opening and tabulating all bids/proposals received and opened and providing the following: <ul style="list-style-type: none"> (1) A tabulation of all bids/proposals received and opened. (2) A copy of each bid/proposal (3) Reviewing the award recommendation (4) Preparing all contract documents to include request for payment and performance bonds and insurance certificate(s) (5) Sending to and coordinating the signing of all contract documents with the bidder/respondent (6) Providing the requesting dept/division with copy of all completed contract documents.
	<p>Requisition entered into ERP and approval required from Dept Head and the Town Manager</p>	<p>Dept/Division initiating the bid/RFP is responsible for entering the Purchase Order Requisition into the ERP program</p>
		<p>Other Critical information to be obtained from each bidder/service provider:</p>

		<p>(a) Fully executed Notice of Award, Notice to Proceed, Agreement, COI and all associated documentation tied to the RFP</p> <p>(b) Point of Contact</p> <p>(c) Email address to electronically transmit purchase order to the service provider.</p>
		<p>Additional information to be entered on each requisition request.</p> <p>(a) GL Account</p> <p>(b) Project ID/Account #</p> <p>(c) Description</p>

5.2. Purchase Orders

- Required for purchases over \$5,000.
- Must include vendor details, item descriptions, quantities, and pricing.
- Require approvals as per the following:
 - Between **\$5,000 and \$10,000**: Department Head approval required
 - **Over \$10,000**: Town Manager's approval required.

5.2.1 Purchase Order Exceptions

The following purchases do not require a purchase order;

Utility Bills & Property Tax Bills	Principal & Interest Payments on Bonds/Leases/Loans
Advertising	Welfare Payments
Travel	Legal & Audit Fees
Vehicle Allowance	Insurance Premiums
Subsistence & Support to Persons	Postage
Rents & Leases (after initial approval)	Designated Budgetary Transfers between Funds including to CRFs
Payroll Related Payments	Maintenance Agreements and Service Contracts for their 2 nd and subsequent payments
Judgements & Claims	Subscription Renewals
Budgeted payments to Outside Human Service Agencies, Outside Recreation Organizations, Advance Transit, etc.	Remittance of Property Taxes Levied and Collected on Behalf of the School District, County or State
Annual Dues	Salt & Winter Sand

5.3. Federal Grant Requirements

While grants may specify allowable and unallowable cost, the Town will adhere to the federal cost principles outlined in 2CRF Part 200, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards when developing and administering the budget for each grant.

5.4 Emergency Purchasing

The Town Manager may suspend provisions of this policy and implement streamlined purchasing provisions when an emergency is declared by the Town Manager in accordance with the Town's Emergency Operations Plan.

5.5 Request for Bids (RFB) Process

1. For purchases by competitive bidding, a notice inviting bids shall be added to the Town's procurement portal (if such a system is available) at least seven days preceding the last day set for the receipt of bids. Other forms of notice likely to come to the attention of prospective bidders may also be given.
2. The notice shall generally describe the goods to be purchased and shall state how to obtain bid forms, specifications and other available information, the period for submitting bids, and the time and place for the opening of the bids.
3. All bids shall be submitted to the Town through the Town's procurement portal (if such a system is available).
4. No bids shall be opened until the appointed time.
5. At the time and place stated in the public notice, all bids shall be opened by the appropriate Town staff member. All bid openings shall be open to the public and all bids shall be available for examination in accordance with NH RSA 91-A and any other federal or State statutory or administrative provisions.

5.5.1 Awards

Awarding of bids shall be based on the lowest responsible bidder. In determining the lowest responsible bidder, staff may consider;

1. Price of the goods or services offered;
2. The capacity, skill, financial resources of the bidder to perform fully and properly;
3. The character, integrity, reputation, judgement, experience and efficiency of the bidder;
4. The quality of the bidder's performance on previous contracts with the Town and others;
5. Any conditions attached to the bid.

5.6 Request For Proposals (RFP)

Purchasing RFP shall be made on the basis of competitive proposals where practical. The RFP process is when best value and price are considered. The RFP process should be used when,

1. Goods or services valued at more than \$50,000;
2. Infrastructure construction projects valued at more than \$100,000;
3. Professional or other services involving special skills, training, experience, and/or discretion;
4. When detailed specifications are not easily articulated;
5. Where there is the potential for variations regarding quality from one vendor to another;
6. Goods or services where factors other than price or cost require comparative judgment;

7. Where lifecycle analysis between products or services is likely to occur.

The RFP process allows for negotiation with vendors after the deadline to submit proposals are required to be submitted or in the case of sealed RFPs, when they are unsealed to achieve a better price and/or quality of services. RFP processes may be sealed or unsealed at the discretion of the Town Manager.

5.7 Purchasing Consultative and Professional Services Including Legal, Architectural and Engineering Services (RFQ)

5.7.1 General

It is the policy of the Town to negotiate consultative and professional services contracts including legal, architectural, engineering, human resources, cyber services, data processing, planning, auditing, public relations services, etc., based on demonstrated competence and qualification for the type of service required at fair and reasonable prices.

5.7.2 Discussions and Selection of the Most Qualified Firms. The Town shall hold discussion with the firms selected regarding the proposed contract to determine each firm's general capabilities and qualifications for performing the contract; and explore the scope and nature of the required services and the relative utility of alternative methods of approach. After discussions the Town shall reevaluate and select, in order of preference, contractors which it deems to be the most highly qualified to provide the required services. The procurement of Engineering, Architectural and Survey services shall generally follow procedures outlined by the American Council of Engineering Companies of New Hampshire, Qualification Based Selection Process <https://www.acec-nh.org/?s=QBS+Process>. Additionally, the provisions of NH RSA 21-I:22 *Selection of Engineers, Architects and Surveyors* should be used as a guideline. These guidelines may also be used for selection of other consultative and professional services.

5.7.3 Negotiation of Contract. The Town shall negotiate a contract with the most qualified firm for the required services at compensation determined to be fair and reasonable to the Town. Contract negotiations shall be directed toward: making certain that the firm has a clear understanding of the scope of the work, specifically, the essential requirements involved in providing the required services; determining that the firm will make available the necessary personnel and facilities to perform the services within the required time; and agreeing upon compensation which is fair and reasonable, taking into account the estimated value, scope, complexity, and nature of the required services. If fair and reasonable compensation, contract requirements, and contract documents can be agreed upon with the most qualified firm, the contract shall be awarded to that firm.

5.8 Request for Information (RFI)

An RFI (request for information) is a formal process for gathering information from potential suppliers of a good or service. An RFI is typically the first and most broad series of requests intended to narrow down a list of potential vendor candidates.

RFIs can be useful in situations where the Town has little knowledge on possible vendors and wants to reduce the time and [cost of evaluating vendors](#). The goal of using an RFI is to gather information on a market in a formal, structured way. The document should identify the requirements the Town has while requesting specific answers to how the vendor will meet them.

To help identify differences among vendors, a good RFI will also focus on requirements that are unique to the Town and on concerns that are less likely to be addressed by every vendor.

Potential vendors are usually asked to submit their responses in a standard format to make comparisons easier.

5.9 Bond Requirements

The Town has three types of bond requirements for contractors of services or products procured by the Town.

5.9.1 Payment Bonds

Contracts entered into with the Town for the construction, repair or rebuilding of public buildings, public highways, bridges or other public works shall if said contract involves an expenditure of \$125,000 or more may if it involves an expenditure of less amount, obtain as a condition precedent to the execution of the contract, sufficient security, by bond or otherwise, in an amount equal to at least 100 percent of the contract price, or of the estimated cost of the work if no aggregate price is agreed upon, conditioned upon the payment by the contractors and subcontractors for all labor performed or furnished, for all equipment hired, including trucks, for all material used and for fuels, lubricants, power, tools, hardware and supplies purchased by said principal and used in carrying out said contract, and for labor and parts furnished upon the order of said contractor for the repair of equipment used in carrying out said contract.

5.9.2 Performance Bonds

The liens given by RSA 447:5-14, inclusive, shall attach to any money due or to become due from the Town by virtue of any contract for any public work or construction, alteration, or repair, in the performance of which contract the lienor participated by performing labor, providing professional design services, or furnishing materials or supplies. Such liens shall not attach, however, unless filed within 90 days after the completion and acceptance of the project by the contracting party, whether such contracting party is the Town.

5.6.3 Bid Bond

A bid bond protects the Town in a construction RFB or RFP process. It is a guarantee that the bidder or proposer, provide to the Town to ensure that if the bidder or proposer fails to honor the terms of the bid or proposal, the Town will be compensated. A bid bond is typically obtained through a surety agency, such as an insurance company or bank, and it helps guarantee that a contractor is financially stable and has the necessary resources to take on a project. Bid bonds are generally 5% to 20% depending upon the project.

5.7 Insurance Requirements

Insurance requirements will vary depending upon the types and dollar value of services being provided. There are several key components that must be considered and where appropriate added to contract language.

1. Listing the Town as an additional insured party. The Certificate of Insurance (COI) must clearly indicate the Town is an additional insured party for the particular coverage area.
2. Some services or products should where possible have language that indemnifies the Town for liability and legal representation regarding claims that might be filed against the Town as a result of the actions or omissions of the contractor.
3. Environmental insurance coverage is an important coverage area for work that poses a risk of contamination or the need to for environmental cleanup.

4. Cyber breach or cyber security coverage for providers providing software as a service, those collecting and retaining personal identifying information or other private/sensitive information.
5. Workers Compensation insurance coverage for contractors providing services to the Town. WC coverage is only required for contractors that have employees. If the contractor is the sole employee and the owner of a company, WC coverage is not required under present state statutes.
6. Coverage limits for liability insurance and other coverage areas must be considered. The Town has templated language which includes standard insurance coverage limits. The Town Manager may waive some of the templated limits at the request of a department director when appropriate depending upon the project or service provided.
7. Builder's Risk insurance must be provided with an insurance certificate to the Town naming the Town as the payee for building construction projects.
8. Contractors utilizing vehicles as a component of the service provided must show proof of automobile insurance.
9. Professional liability insurance for architects, engineers, surveyors, or other industry professionals must be provided ensuring the vendor has this coverage.

The Town's insurer provides templated language for indemnification and insurance requirements. It is incumbent upon departments to ensure contractors working for the Town have updated certificates of insurance that are active, not expired, when the contractor is performing work for the Town.

5.10 Contracts

Contracts and other agreements are important documents to ensure the City and the supplier/provider are clear as to that the responsibilities are of each of the parties involved in the agreement. Contracts should be developed within the procurement software program. All contracts and agreements must be recorded in the procurement software.

5.10.1 Signatory for Contracts, Agreements and Memorandums of Understanding relative to purchasing

The Town Manager is the only official authorized to execute contracts or agreements regarding the purchasing of services or other agreements which create a financial liability on the Town short or long term (beyond the present budget year).

5.11 Change Orders

Change orders to contracts may be executed according to change order clauses provided for in the original contract provided the change order does not materially change the general type of work in the original procurement. All change orders must be approved by the Town Manager or designee.

5.12 Conflicts of Interest

No employee, officer or agent (E/O/A) operating on behalf of the Town shall participate in the selection, award, and/or administration of a contract if a conflict of interest with regards to tangible personal benefit, real or reputed, would be involved. In addition to an E/O/A, this further includes their spouse/partner, and family members.

It is a violation of this policy for any person identified above to;

1. Sell goods and/or services, regardless of the amount, to any customer department without participating in a competitive process solicited by the Town.
2. Knowingly misrepresent a vendor's prices, quality, or services to obtain concessions.
3. Participate in the evaluation or recommendation of a solicitation process if the person holds an interest in any business or undertaking which maybe directly and substantially affected to its' economic benefit by an official action to be taken.
4. Assist a vendor in:
 - a. preparing their response to a RFB, RFP, Quote, or Statement of Qualifications, or
 - b. to share procurement-sensitive information related to a competitive procurement with vendors without providing it to all vendors through an addendum process. Procurement-sensitive information includes, but is not limited to, Requirements, Specifications, Statements of Work, or Evaluation Criteria.
5. Participate in the evaluation or recommendation of a solicitation process if a vendor would be perceived as having an unfair advantage because of activities or relationships with a member of the evaluation team or decision-maker.
6. Fail to adhere to the Town's Code of Ethics as applicable.

5.13 Waivers of Procurement Procedures

There are occasions on which departments may request a waiver of the purchasing process, described below. A purchase order, approved insurance and a contract for services greater than \$50,000, are required for all waivers of the purchasing process. Note: Unless an alternate period of time is identified in the waiver approval, a waiver may be used once.

5.13.1 Quote Waiver (for goods or services equal to or greater than \$10,000 but less than \$50,000).

A waiver of the informal solicitation of quotes process ($= \text{ or } > \$10,000 < \$50,000.00$, three (3) quotes), which may be requested by a department when they have compelling reasons. Such a request must be requested in writing to the Town Manager, and must include all details of the requested purchase, including scope of work /pricing document (quotation, proposal) from the vendor for which the waiver is sought, and a thorough fact-based explanation as to why the Town Manager should consider waiving the informal solicitation process. If approval is obtained, both the department's written request, including any referenced documents and the Town Manager's approval, must be attached to the requisition for a purchase order.

5.13.2 Bid Waiver (for goods or services greater than \$50,000)

A waiver of the formal solicitation process ($> \$50,000$, Bids and RFPs) may be requested by the department when they have compelling reasons. Such a request must be made in writing to the Town Manager, and must include all details of the requested purchase, including a scope of work /pricing document (quotation, proposal) from the vendor for which a waiver is sought and a thorough fact-based explanation as to why the Town Manager should consider waiving the formal solicitation process. If approval is obtained, both the department's written request, including any referenced documents and the Town Manager's approval, must be attached to the requisition for a purchase order.

5.13.3 Sole Source (greater than \$10,000)

A waiver of the informal or formal solicitation process (quotes, RFBs and RFPs, anything $> \$10,000$) in the form of a Sole Source may be requested by the department when there is only one vendor able to provide the good or service. Such a request must be requested of the Town Manager, in writing, and must include all details of the requested purchase, including a scope of

work /pricing document (quotation, proposal) from the vendor for which a Sole Source is sought, documentation of Sole Source justification including a thorough explanation and documentation detailing the nature and proof of the Sole Source. If approval is obtained, both the department's written request, including any referenced documents and the Town Manager's approval, must be attached to the requisition for a purchase order.

5.14 Equipment Leasing and/or Purchases

Leasing of vehicles or equipment must be approved in advance by the Town Manager. The Town Manager or Assistant Town Manager when designated is the only official authorized to enter into a lease agreement. Contractual language for lease or lease to own must either contain a non-appropriation clause or require approval from the Town Meeting with a supermajority vote.

5.15 Disadvantaged Business Enterprises

The Town will take the following steps to enhance the opportunities for local, small, veteran, minority, LGBTQ+ and women's owned business enterprises in conformance with Londonderry Town Policy Chapter VI-A Minority/Women Business Enterprises Policy by taking the following steps;

1. Allowing local, small, veteran, minority, LGBTQ+ and women's owned business enterprises to be placed on solicitation lists which will notify them of opportunities to bid on Town projects.
2. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
3. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed above.

5.16 Requisition and Purchase Order Process

All requests will be processed in the current software system. A requisition request should be submitted with as many details as available and applicable, to include vendor, approval department, description, price source, where to direct invoices (requested by field), ship to location, general ledger number to charge, and a breakdown of items(s) based on quantity and cost as well as any notes necessary. The software system will recognize the input approval department and trigger the correct workflow to obtain the necessary approvals by required individuals; to include the Department Head, Finance Director and Town Manager.

All supporting documents to include contracts and/or agreements signed by the Town Manager, proof of insurance, quote(s), bid(s), etc. need to be added to the attachment section and must be in PDF format. Once the request is posted, the department making the request can print the purchase order to a PDF and email it to the appropriate vendor.

If a purchase is made greater than the amount allowed by a Department Head, without a purchase order, a memo must be submitted to the Town Manager explaining why this occurred. Once the memo is signed, a PDF version of the memo will be attached to the appropriate invoice for payment processing.

5.17 Piggybacking

Piggybacking is defined as a form of intergovernmental cooperative purchasing in which a governmental entity has completed a solicitation (RFB, RFQ, RFI, RFP) with a competitive process similar to the Town's, and identifies that the same pricing and terms of contract may be extended to other governmental entities. If agreeable to the originating governmental entity(either

identified in their solicitation or obtained in writing from their Purchasing Director/Manager) and the award vendor, another governmental entity may use the same pricing and contract terms.

1. The Town may piggyback on another governmental entity's competitively procured solicitation to obtain goods or services, providing the following requirements are met:
 - a. Proof of competitive procurement
 - b. Agreement from both the governmental entity and the vendor to piggyback
 - c. Vendor agrees to provide the Town the pricing they originally bid
 - d. More than one (1) vendor responded to the solicitation
 - e. Contract / Contract Renewal occurred within the last 12 months
 - f. Award vendor agrees to meet our insurance requirements
 - g. If any portion of the Town purchase is Federally funded, or if your purchase is funded by any other type of grant, contact the Town Manager's Office first, as it may not be allowable to piggyback.
2. Other governmental entities may piggyback on the Town's solicitations to acquire goods and services, providing the following requirements are met:
3. The Town Manager agrees; either as identified by the presence of piggyback/cooperative language in the solicitation, or obtained in writing from the Town Manager;
4. The governmental agency shall deal directly with any vendor concerning the placement of Purchase Orders, freight charges, contracting and disputes, invoicing, and payment; and
5. The Town shall not be held liable for or responsible for any liability, claims, costs, damages, demands, actions, losses, judgments or expenses incurred by the vendor or any government entity relating to such use.

5.18 Cooperative Purchasing

Cooperative Purchasing is defined as a formal procurement conducted by a government Purchasing Cooperative on behalf of a governmental group with a common need, to aggregate demand and obtain lower prices. Some cooperatives cater only to specific forms of government, such as school districts or local government, so the cooperative's regulations must be reviewed thoroughly to ensure a Town can utilize the contract. If any portion of the Town purchase is Federally funded, or if your purchase is funded by any other type of grant, contact the Town Manager's Office first, as it may not be allowable to use a cooperative.

5.19 Bulk Purchases

Whenever feasible, procurements shall be done in bulk to take full advantage of discounts. Purchasing departments shall be responsible for anticipating their needs in a timely fashion in order to consolidate and expedite procurement of the same type of items. A lead purchasing department(s) shall be identified for procurement of commodities or services that are most common in the Town. The lead purchasing department shall accomplish the bulk townwide procurement action based on requirements identified by other departments. Capital outlay requirements shall be planned and scheduled for periodic bulk procurement actions based on approved budget quantities.

5.20 Protested Solicitations and Awards

1. **Right to Protest.** Any actual or prospective bidder who is allegedly aggrieved in connection with the solicitation or pending award of a contract may protest to the Town Manager.
2. **Notice.** A notice of protest must be submitted no later than 5:00 p.m., on the fifth full business day after posting of the award recommendation. The protest must be in writing

and must identify the protesting party and the project number and title and shall include a factual summary of the basis of the protest.

The formal written protest shall; identify the protesting party and the solicitation involved; include a clear statement of the grounds on which the protest is based; refer to the statutes, laws, ordinances or other legal authorities which the protesting party deems applicable to such grounds; and specifically request the relief to which the protesting party deems itself entitled by application of such authorities to such grounds.

A formal written protest is considered filed with the Town when it is received by the Town Manager's Office. Accordingly, a protest is not timely filed unless it is received within the times specified above. Failure to file a formal written protest within the time period specified shall result in relinquishment of all rights of protest by the vendor and abrogation of any further bid protest proceedings.

These procedures shall be the sole remedy for challenging an award of bid. Bidders are prohibited from attempts to influence, persuade or promote through any other channels or means.

The time limits in which protests must be filed as specified herein may be altered by specific provisions in the RFB/RFP/RFQ.

- A. **Authority to Resolve.** The Town Manager shall attempt to resolve the protest in a fair and equitable manner and shall render a written decision to the protestant.
- B. **Stay of procurement during protests.** In the event of a timely protest, the Town Manager shall not proceed further with the solicitation or with the pending award of the contract until a determination that the award of the contract without delay is necessary to protect substantial interests of the Town.

5.21 Vendor Suspension and Debarment

This policy establishes a formal process to **suspend or debar** vendors, service providers, contractors, and suppliers from doing business with the Town of Londonderry. The purpose is to protect the Town's interests and public funds by ensuring that only responsible, ethical, and qualified vendors participate in Town procurements. It outlines the grounds and procedures for temporary **suspension** or permanent **debarment** of vendors that engage in fraud, criminal or unethical conduct, breach of contract, poor performance, or similar misconduct. By setting consistent standards and due process requirements, this policy promotes fairness, integrity, and accountability in all Town contracting activities in alignment with public procurement best practices and New Hampshire municipal governance standards.

The Town of Londonderry is committed to contracting only with responsible vendors that comply with contract requirements and uphold laws and ethical standards. The **Town Manager has the authority to suspend or debar** any vendor for cause, following the procedures in this policy. Departments that encounter vendor performance issues or misconduct shall inform the Town Manager, who will determine whether suspension or debarment is warranted. **Any suspension or debarment applies to all Town departments and contracts**, meaning the vendor cannot receive **any new contract awards or work** from the Town during the exclusion period. This policy is intended to be **consistent with New Hampshire law and good procurement practice**, ensuring due process for vendors and protection of the public interest.

The Town Manager (or designee) is responsible for initiating suspension/debarment proceedings, making final decisions, and issuing the required notices. The Town Manager may consult with the

Town's legal counsel (Town Attorney) and relevant department heads before debaring or suspending a vendor to ensure the decision is fact-based, fair, and legally sound. **No vendor will be suspended or debarred without:** 1) notice of the reasons, 2) an opportunity for the vendor to be heard (appeal or hearing), and 3) written documentation of the decision. All Town contracts shall include provisions requiring contractors to comply with this policy, and the Town may also consider suspension or debarment status of vendors when evaluating bids or proposals (including checking federal or state debarment lists)

5.21.1 Grounds for Suspension or Debarment

- **Fraud, Criminal or Unethical Conduct:** Commission of a criminal offense or fraudulent act in connection with obtaining, attempting to obtain, or performing a contract for the Town. This includes offenses such as **bribery, embezzlement, theft, forgery, falsification of records, receiving stolen property, bid-rigging, or any other offense indicating a lack of integrity or honesty** that seriously and directly affects the vendor's responsibility as a Town contractor. Conviction of such crimes is explicit grounds for debarment. Similarly, any act of fraud or intentional misrepresentation against the Town is cause for exclusion. Additionally, **violation of ethical standards** (e.g. conflict of interest, giving kickbacks to Town employees, or other corrupt practices) may warrant debarment
- **Breach of Contract / Failure to Perform: Serious violation of contract terms or poor performance** in current or prior contracts with the Town. This includes a **deliberate failure, without good cause, to perform work as required by a contract** (e.g. willful refusal to deliver goods or services on schedule or to meet specifications). It also includes a **record of unsatisfactory performance** on one or more prior contracts with the Town (or other public entities), such that the vendor's reliability is called into question. *Note:* The Town will consider extenuating circumstances – a failure to perform beyond the contractor's control (for example, due to natural disaster or other unforeseeable cause) may not be counted as a basis for debarment.
- **Material Misrepresentation or False Statements:** Providing false information, such as false certifications, reports, or statements to the Town in a bid, proposal, contract documents, or during the performance of a contract. For example, hiding a conflict of interest, falsifying compliance with requirements, or misrepresenting the quality or origin of goods can be grounds for suspension/debarment. (This is both a breach of trust and potentially a criminal act, thus falling under the above categories as well.)
- **Legal Non-Compliance:** Any **violation of federal, state, or local laws** that makes the vendor unsuitable as a contractor. This may include violations of labor laws (e.g. wage theft or misclassification of workers), safety regulations, environmental laws, or other laws relevant to the vendor's business that were **committed in the context of performing a public contract**. If a vendor is officially sanctioned or penalized by a government regulatory agency for serious violations (and those issues are not remedied), the Town may consider that as cause for exclusion.
- **Debarment or Suspension by Other Government Agencies:** If a vendor is **currently debarred or suspended by the federal government or any state government**, or by another municipality for reasons that would be grounds for debarment under this policy, the Town may also debar or suspend that vendor. For instance, being listed as ineligible on the federal System for Award Management (SAM) or on the State of New Hampshire's debarment list is a strong indicator of non-responsibility. The Town may choose to **automatically honor such debarments** (i.e. not do business with such vendors) or use them as additional grounds in its own proceeding.

- **Other Serious Cause: Any other cause so serious or compelling** that it affects the vendor's responsibility and fitness to conduct business with the Town. This is a catch-all provision that can include egregious conduct not specifically listed above, such as a pattern of negligent behavior, financial instability (e.g. bankruptcy or default that threatens contract performance), or willful disregard for Town procurement policies. The Town Manager will exercise this authority judiciously, and typically in consultation with legal counsel, to ensure the cause is substantial and directly relevant to the vendor's ability to perform responsibly.

Note: The above grounds apply to both suspension and debarment. Generally, **suspension** is used when there is credible evidence of one of the above grounds and an investigation or legal proceeding is pending (or the issue may be corrected in the short term), whereas **debarment** is used for a concluded determination of fault or for more **severe or sustained misconduct**. The Town Manager may suspend a vendor *pending the outcome* of an investigation or criminal case, and then proceed to debar the vendor if the allegations are proven or not remedied. Each situation will be evaluated on its facts, and the **proportional sanction** (length of suspension or debarment) will be chosen to protect the Town's interests without being arbitrary or punitive beyond necessity.

5.21.2 Effects of Suspension or Debarment

When a vendor is suspended or debarred under this policy, the following effects shall apply for the duration of the suspension/debarment:

- The vendor **shall not be allowed to bid on, propose for, or enter into any new Town contract** or procurement. Any bids or proposals from the vendor will be rejected, and the vendor will be disqualified from award during that period. The Town's purchasing staff will maintain an internal list of suspended/debarred parties and will screen procurement solicitations accordingly.
- If the vendor has existing contracts with the Town at the time of debarment, the Town will evaluate those contracts on a case-by-case basis. **Debarment does not automatically terminate current contracts**; the vendor is still obligated to perform any ongoing contract unless the Town separately decides to terminate that contract for default or convenience. However, the Town will not exercise any contract renewal or extension options with a debarred vendor, and no new work orders or task orders will be issued to them. In the case of a suspension, the Town may pause work under an existing contract (if allowed) until the suspension is resolved.
- A suspended vendor is temporarily **ineligible**, but if the suspension is lifted without a debarment, the vendor may resume participating in Town business. If a vendor is debarred for a defined term (e.g. 1 year, 3 years), after that term expires the vendor may **seek to be reinstated** and once again be eligible (see Procedures for reinstatement). A permanently debarred vendor may only be considered for reinstatement under extraordinary circumstances at the Town Manager's discretion.
- Town employees and officials shall not evade or undermine a suspension or debarment. For example, the Town will not indirectly contract with a debarred vendor by using a third-party or cooperative arrangement if that defeats the purpose of the debarment. All Town departments must respect the exclusion and **avoid any new procurement** involving the debarred/suspended vendor as a prime or subcontractor.
- The Town may publicize the identities of debarred or suspended vendors (for instance, by informing relevant departments or listing them on a Town website or internal bulletin) to

ensure Town-wide compliance. However, such information will be managed in accordance with any applicable public disclosure laws and retained as part of procurement records.

5.21.3 Initiation of Action

- **Identification of Cause:** When a Town department, project manager, or contracting officer identifies a potential cause for suspension or debarment (see Section 4.2 Grounds), they shall document the relevant facts and immediately notify the Town Manager. Likewise, if information is received (e.g. through a government debarment list, a criminal indictment, or documented performance failures) indicating that a vendor may be non-responsible or engaged in misconduct, the Town Manager may initiate review on his/her own initiative.
- **Preliminary Inquiry:** The Town Manager (in consultation with the Town Attorney where appropriate and the department involved) will conduct a preliminary inquiry into the facts. This may include reviewing contract files, performance evaluations, audit reports, court records, or other relevant evidence. The vendor may, at this stage, be informally contacted for information. If the preliminary review finds credible evidence of grounds for suspension or debarment, the Town Manager will proceed to formally notify the vendor (except in urgent cases of immediate suspension, described below).

5.21.4 Notice of Proposed Suspension/Debarment

- The Town Manager shall issue a **written notice** to the vendor when proposing to suspend or debar. This **Notice of Proposed Debarment/Suspension** shall be sent via certified mail (or other method with proof of delivery) to the vendor's last known address. The notice will include:
 - A clear **statement of the action proposed** (suspension or debarment) and whether the action is immediate or proposed effective at a future date.
 - **Detailed reasons** for the proposed action, including the specific grounds and a summary of the evidence or facts (e.g. "you are being considered for debarment due to conviction of fraud on Contract X" or "due to failure to perform and termination for default on Contract Y"). The notice will reference any relevant contract, project, or law that the vendor violated.
 - The **effective date and duration** of the suspension or the proposed length of debarment. For a suspension, the notice will typically state it is effective immediately and lasts until a final debarment decision is made (or a set number of months). For a debarment, it will state the intended period of debarment (e.g. "for a period of 2 years from the effective date").
 - An explanation of the **vendor's rights to respond**. The vendor shall be informed that they have the right to a hearing or the opportunity to submit, within a specified time frame, information in opposition to the suspension/debarment. The notice will provide instructions on how to request a hearing and the **deadline (e.g. 15 business days from receipt of notice)** by which the request or response must be received.
 - Notification that if the vendor fails to respond or request a hearing by the deadline, the Town Manager may proceed with the suspension/debarment as proposed, and that this decision will be final barring any permissible appeal.
- **Immediate Suspension:** In cases where the Town Manager determines that **immediate action is necessary to protect the public interest** (for example, if waiting for a hearing would risk harm to the Town on an ongoing contract or if a vendor's egregious conduct demands urgent action), the Town Manager may impose a **temporary suspension effective**

immediately upon issuing the notice. In such cases, the notice will state that the suspension is in effect pending the final decision. (E.g. “Effective immediately upon your receipt of this notice, you are suspended from contracting with the Town pending resolution of this matter.”) Even when an immediate suspension is imposed, the vendor still retains the right to request a prompt hearing to contest the suspension.

5.21.5 Opportunity for Hearing

- If the vendor **requests a hearing** (or in-person/virtual meeting) within the allowed timeframe, the Town Manager will schedule an administrative hearing. This hearing should be scheduled as soon as reasonably possible (typically within 30 days of the request). The Town Manager may serve as the hearing officer or may appoint a qualified neutral official or panel (which could include, for example, a committee of department heads or an external hearing officer) to conduct the hearing and make recommendations.
- The hearing is intended to be **informal but fair**. The vendor may present oral testimony, written documentation, affidavits, or other evidence to refute or explain the causes cited. The vendor may also be represented by legal counsel if they choose (at their own expense) and may bring witnesses. Formal rules of evidence do not apply, but the hearing officer may exclude irrelevant or unduly repetitious information. The Town may also have representatives (such as the department that dealt with the vendor, or the Town Attorney) present evidence and findings supporting the proposed debarment or suspension.
- A **record of the hearing** should be made (at least a written summary or minutes; audio recording is optional) to ensure that there is documentation of what was presented. After the hearing, the hearing officer (if someone other than the Town Manager) will forward a recommendation to the Town Manager, including findings on whether cause for suspension/debarment exists and what action is appropriate.

5.21.6 Decision

- After the deadline for the vendor’s response or the completion of a hearing (if one was requested), the Town Manager shall make a **written determination** regarding the suspension or debarment. This determination will consider all information available in the record, including any evidence presented by the vendor. The Town Manager may decide to:
 - Proceed with the **debarment or suspension as proposed** (uphold the action and its terms);
 - Impose a **lesser sanction or remedial action**, such as shortening the duration of debarment, converting a debarment into a shorter suspension, or imposing specific conditions for continued contracting (for example, requiring oversight or restitution if applicable); or
 - **Withdraw or modify the proposed action** if the evidence does not establish adequate cause or if the vendor cures the problem (for example, if the issue was a compliance matter that the vendor has since corrected to the Town’s satisfaction).
- The Town Manager’s decision shall be documented in a **Written Decision** letter, which shall be promptly sent to the vendor (via certified mail or equivalent) and copied to the originating department and Town Attorney (where appropriate). The **Written Decision** will include:
 - The **findings and conclusions** as to the grounds for debarment or suspension – i.e., which specific causes were found to be supported by evidence.

- The **effective date and duration** of the debarment or suspension. For a suspension, if it was immediate, confirm the start date and how long it will remain (or that it remains until further notice). For a debarment, specify the start date and the length (e.g. “for three (3) years from the date of this letter” or “permanently debarred from Town contracts”).
- A statement of the **vendor’s appeal rights**. The decision letter shall inform the vendor of their right to appeal the decision to the Town Council (if such internal appeal is provided – see 5.5 below), including the process and deadline for doing so. It may also note that if no timely appeal is filed, the Town Manager’s decision is final and conclusive.
- The reasons for the action and appeal information should be clearly stated in the decision letter **in plain language**, to avoid any ambiguity. Example: “This debarment is imposed due to your company’s deliberate failure to perform Contract #2024-15, which was terminated for default, and the subsequent damages incurred by the Town. You have the right to appeal this decision by submitting a written appeal to the Town Council within 14 calendar days of receipt of this notice, as outlined below.”
- **Distribution of Decision:** A copy of the final decision will be kept in the Town’s procurement/purchasing files. Additionally, internal stakeholders shall be notified – for instance, the Finance Department or purchasing coordinators will be updated to flag the vendor as ineligible. If appropriate, the Town may also update any external procurement networks or lists (e.g. if there is a regional list of debarred vendors or if required by a grant to report the debarment). The decision (and supporting documentation) will be maintained as a public record in accordance with RSA 91-A (New Hampshire Right-to-Know law), except for any portions that may be exempt (such as confidential commercial information).

5.21.7 Appeal

- The vendor may appeal the Town Manager’s suspension or debarment decision by submitting a **written appeal to the Londonderry Town Council** within a specified period (for example, *within 10 business days* of receiving the Town Manager’s Written Decision). The appeal must state the basis for contesting the decision (e.g. procedural error, new evidence, or arguments why the decision was not justified).
- Upon receiving an appeal, the Town Council will schedule a review. The Council may choose to decide the appeal based on the record (the documentation and any hearing transcript) or may allow the vendor (and Town Manager or designee) to present brief arguments in an appeal hearing. The Town Council’s review will focus on whether the suspension/debarment decision was fair, supported by substantial evidence, and in accordance with this policy. The Council may uphold the Town Manager’s decision, modify it, or reverse it.
- The Town Council’s decision on appeal shall be made by a majority vote and documented in writing (such as in Council meeting minutes or a written resolution/letter to the vendor). This decision will be considered the **final administrative decision** of the Town. The vendor shall be provided written notice of the outcome of the appeal. If the Council upholds or only slightly modifies the debarment/suspension, the vendor remains excluded as per the terms. If the Council reverses the decision, the suspension or debarment will be lifted immediately and the vendor restored to eligibility.
- If no appeal is filed within the allowed time, the vendor is deemed to have **waived the right to appeal**, and the Town Manager’s decision becomes final. Once final (either by no appeal

or after Council's decision), the vendor's only further recourse would be pursuing any judicial review that may be available under law. (For example, the vendor could seek relief in the courts if they believe the Town's action was arbitrary or illegal, but the Town will consider the matter closed unless directed otherwise by a court.)

5.21.8 Reinstatement and Mitigation

- After a period of debarment has passed (or after a minimum of one year in cases of permanent or indefinite debarment), a vendor may **petition the Town Manager in writing for reinstatement** or reduction of the remaining debarment period. The petition should include supporting information showing that the causes for debarment have been resolved or that the vendor has taken appropriate corrective actions (e.g. new management in place, restitution made, improved performance systems, etc.). The Town Manager will review any such petition, consult with relevant departments, and may at their discretion grant or deny the request. Generally, early termination of a debarment will only be considered if the **reason for debarment no longer exists or the vendor has adequately remedied the issues**, and if doing so is not contrary to the Town's interest. The Town Manager's decision on reinstatement requests is final (no further appeal).
- A suspended vendor that was not subsequently debarred is automatically reinstated once the suspension period ends or the Town Manager earlier terminates the suspension (e.g. if an investigation clears the vendor). The Town Manager will issue a notice lifting the suspension when appropriate.
- The Town Manager may also elect to impose certain **conditions or remedial measures** in lieu of a full debarment, as part of a settlement or resolution. For example, the Town Manager might allow a vendor to avoid debarment by agreeing to undergo compliance monitoring, pay for any damages, or other appropriate measures. Such alternatives may be used when the Town's goal of ensuring responsible contracting can be achieved without a total exclusion, particularly if the vendor is critical to a project or has demonstrated genuine reform. Any such agreement must be documented in writing and approved by the Town Manager, and failure by the vendor to adhere to the agreed conditions would result in immediate debarment without further hearing.

5.21.9 Documentation and Record-Keeping

All records related to a suspension or debarment action (notices, evidence, hearing records, decision letters, appeals, etc.) shall be maintained by the Town Manager's office or the designated procurement office. These records should be retained in accordance with the Town's record retention schedule for contracts or legal matters. The Town will also update any vendor databases or contract management systems to reflect active suspensions/debarments to prevent inadvertent contracting with excluded vendors. Internally, relevant staff shall be notified discreetly of vendors who are off-limits due to debarment/suspension. Externally, if inquiries are made, the Town may confirm a vendor's debarment status as it is a matter of public record but will limit details to what is documented in the final decision (to avoid any libel concerns beyond the official findings).

Section 6.0: References

1. NH RSA 31:3 General Powers and Duties of Towns
2. NH RSA 44:2 Cities and Wards, Provisions Applicable
3. NH RSA 447:16 Bond Required
4. NH RSA 21-I:11-c Debarment of Vendors
5. NH RSA 21-I:22 (Used as a guideline only) Selection of Engineers, Architects and Surveyors
6. Londonderry Credit Card Policy
7. Londonderry Code of Ethics
8. American Council of Engineering Companies of New Hampshire, QBS Process
9. 42 USC 1741 Office of Minority Economic Impact
10. Presidential Executive Order 12549
11. Title 2 CRF Part 180 Government-Wide Debarment and Suspension Rules for Federal Programs

Section 7.0: Policy & Procedure Revision History

Original Adoption Date:		
Section	Description of Revision	Date

CHAPTER VI – PURCHASING POLICY

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CHAPTER VI – PURCHASING POLICY

SECTION I PURPOSE

This policy is authorized under Article 4, Section 4.6 of the Charter of the Town of Londonderry, New Hampshire. The purpose is to ensure the fair and equitable treatment of all persons who deal with the purchasing system of the town; to maximize to the fullest extent practicable the purchasing value of public funds; to obtain in a cost-effective and responsive manner the materials, services and construction required by the town in order to better serve the town’s businesses and residents.

Effective Date

This policy shall be effective immediately upon its adoption by the Town Council.

SECTION II APPLICATION OF POLICY

General. This policy applies to the expenditure of public funds for public purchasing irrespective of the source of the funds. When purchasing involved the expenditure of federal or state assistance or contract funds, purchasing shall be conducted in accordance with any mandatory applicable federal and state law and regulations. This policy also applies to the disposal of town supplies. Nothing in this policy shall prevent the town from complying with the terms and conditions of any grant, gift, bequest or cooperative agreement. This policy shall also provide direction that, whenever possible, the Town will direct its business to those vendors located in Londonderry.

Exceptions. Certain purchases are not readily adaptable to the open market and formal competitive selections process. Exceptions from this policy shall be considered on a case-by-case basis by the Town Manager.

Computer and Computer Related Purchases. Computer and computer-related purchases must be approved beforehand by the Information Services Division. Software programs installed on a local hard drive may interact negatively with existing programs. All employees shall receive approval from the Information Services Division before purchasing or installing any software. If during normal service/support activities unapproved software is found on a workstation the Information Services Division will remove the unapproved software and notify the department head of the policy violation. Any software modifications or installation on town file servers will be modified or

CHAPTER VI – PURCHASING POLICY

SECTION II APPLICATION OF POLICY (Cont'd.)

installed by the Information Services Division only. If an employee desires to install personally acquired software on their assigned equipment they must obtain approval from the Information Services Division and their department head. In addition, a copy of the license agreement must be kept on file with the Information Services Division.

SECTION III PURCHASING AGENT

- A. The Director of Finance and Administration, subject to the Charter Authority of the Town Manager in purchasing, shall serve as the designated Purchasing Agent.
- B. Powers and Duties - The Purchasing Agent shall have the following powers, duties:
 - 1. To purchase materials, supplies and equipment, and the procurement of contracted services requisitioned by any agency of the Town, subject to the provisions of federal, state and local regulations;
 - 2. To maintain high standards of quality in materials, supplies, equipment and services for the lowest reasonable cost;
 - 3. To take advantage of bulk, seasonal or cooperative purchasing, where possible;
 - 4. To dispose of obsolete or unusable personal property of the Town; and
 - 5. To coordinate and assist departments and agencies of the Town in purchasing and contract matters, and otherwise observe practices in the best interests of the Town.

SECTION IV PURCHASING PROCEDURE

- A. In order to achieve the goals of this policy, the following set of procedures is established. These procedures recognize the need for convenience and flexibility in making routine and small individual purchases. This is balanced with the principles of effective budget management at the department level, and the interests of the Town in making purchases with consistently high standards of quality at reasonable prices.

CHAPTER VI – PURCHASING POLICY (Cont'd.)

SECTION IV PURCHASING PROCEDURE (Cont'd.)

B. Exemptions - The following items shall be exempt from the purchasing procedures contained in this policy:

1. Utility bills
2. Fuel purchases (vendors shall be contacted to ensure purchases are made at lowest price possible)
3. Expense reimbursement
4. Office equipment maintenance and repairs
5. Vehicle and equipment maintenance and repairs (except major repairs exceeding \$ 2,500, which shall require a purchase order)
6. Equipment lease payments under an approved original lease agreement.
7. Identical recurring purchases such as uniform rental, cleaning services, etc. (except that the original contract must be authorized prior to any payments).
8. Service or maintenance contracts payments (except that the contract or agreement must be authorized prior to any payments).
9. Professional services (engineers, auditors, legal services)
10. Town attorney appointed by Town Council pursuant to Chapter I, Section 4.10 of the Town Charter.

C. Purchase Orders

Purchase Orders shall be requested and approved by the Purchasing Agent *prior* to placement of an order through the requisition process. Once approved, the purchase requisition will be turned into a purchase order by the Finance Department. Included with the requisition will be a bid worksheet (electronically through New World or manual if unable to access the specific account requesting funds to be drawn from.

1. Purchase orders shall be required for individual purchases of more than \$2,500.00. The distribution of copies of the approved completed purchase order is as follows:
 - a. Original copy to vendor, where necessary;
 - b. One copy for requesting department files; and
 - c. One copy for Finance Department files.
2. The following information must be included on the purchase order:
 - a. Date;
 - b. Vendor's name and address;
 - c. Quantity and description of item(s); and
 - d. Department and account to be charged.
3. The Purchasing Agent may request further information about the purchase.

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION IV PURCHASING PROCEDURE (Cont'd.)

4. Approved purchase orders shall either be returned to the department placing the order, or mailed directly to the vendor, as appropriate. Direct mail purchase orders must be accompanied by vendor order forms where necessary.
5. Purchase orders that are not approved by the Purchasing Agent shall be returned to the department placing the order accompanied by a memorandum explaining why the purchase order was not approved.
6. Purchase orders over \$5,000 shall require the signature of the Town Manager.
7. Purchases under \$100,000 that were budgeted and does not require budgetary transfers shall require the approval of the Town Manager.
8. Purchases over \$25,000 that were not budgeted and require budgetary transfers, and all purchases over \$100,000 or more shall require a vote of the Council.

D. Competitive Purchasing

1. In order to represent the interests of the Town, some purchases should be made competitively, but without the more time-intensive formal bid process. The purpose of competitive purchasing is to assure the highest quality goods or services at the lowest cost. As outlined below, competitive purchasing is required only for purchases over \$2,500, but may be used for any purchase as a means of gaining the best value.
2. Verbal Quotations - Verbal quotations from at least three (3) qualified vendors are required for individual purchases from \$2,500 - \$5,000. The amount, source, date and subject of verbal quotations must be noted as proof for this level of competitive purchasing.
3. Written Quotations - Written quotations from at least three (3) qualified vendors are required for individual purchases of \$5,001 - \$10,000. Copies of written quotations must be submitted with the purchase order requisition as proof for this level of competitive purchasing.
4. Competitive Bid Selection Process should be followed for purchases over \$10,000.
5. Exceptions - Quotations may not be required if the department placing the order can demonstrate that competitive purchasing requirements have already been satisfied through other means (i.e. state contract, federal contract). The department requesting an exception on a particular purchase must file a request with the Purchasing Agent, stating the reasons for the exception. The request for an exception must be approved prior to making the purchase.

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION IV PURCHASING PROCEDURE (Cont'd)

E. Emergency Purchasing

1. Under certain circumstances such as, but not limited to a declared emergency the interests of the Town are best served by quick action. To that end, observance of these purchasing policies may be temporarily suspended as a means of satisfying an immediate need.
2. In the event of an emergency, the Department Head shall have the authority to make such immediate purchases as deemed necessary, provided that all reasonable efforts to contact the Purchasing Agent or Town Manager have been made. Once the emergency has been resolved, the Department Head shall submit a detailed report of all emergency expenditures, the circumstances and justification for all purchases to the Purchasing Agent.

SECTION V ADVERTISED COMPETITIVE SELECTION

- A. Purchasing -** For some equipment, materials or supplies purchases, or contracting for professional or other services, advertised competitive selection of the vendor provides a greater level of choice and a better overall value for the Town. While situations and the approach demanded will vary, the following is included as a recommended outline for this process:
1. Following the development of specifications or the scope of work, as appropriate, the timetable for the competitive selection process is set-up by the Department Head and Purchasing Agent
 2. The Purchasing Agent and Department Head will review bid documents prior to advertisement.
 3. A notice is placed in the legal classified section of a newspaper of general circulation and posted in, at least two (2) public places with the following information:
 - a. A brief description of the item or service desired;
 - b. Identify a contact for questions or copies of specifications, scope of work, request for proposals (RFP) or request for qualifications (RFQ);
 - c. The mailing address for response to the notice (Town of Londonderry, Finance Department, 268B Mammoth Road, Londonderry, NH, 03053);
 - d. Other applicable information about the form in which submissions should be made (i.e. how packages are to be labeled, specific items to be included);

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION V ADVERTISED COMPETITIVE SELECTION (Cont'd)

A. (Cont'd)

- e. The deadline for receipt of responses to the notice;
- f. Information about the opening of responses (i.e. date, time and place);
- g. Statement reserving the exclusive right to accept or reject any or all responses to the notice.
- h. Notices should appear in a newspaper of general circulation at least one (1) time, and be posted in at least two (2) public places not less than seven (7) days prior to the last date for receipt of responses.
- i. Notices of RFP or RFQ for professional services or other significant items or projects should be advertised at least fourteen (14) days, but usually not more than thirty (30) days prior to the last date for receipt of responses. In all cases, notice to potential vendors should be made early enough to provide reasonable opportunity to participate and prepare responsible proposals.
- j. Following the receipt of bids or proposals, a bid list containing the names and addresses of those submitting bids or proposals, and any prices or other pertinent information shall be sent to all bidders. The Purchasing Agent and the Department Head will review the bid summaries prior to the award of the bid.
- k. The Purchasing Agent may waive advertised competitive selection requirements after consultation with the Town Manager.

SECTION VI PROPERTY DISPOSITION

A. Property such as automobiles, office equipment and other items purchased by the Town are periodically removed from service and disposed of in light of obsolescence. Many of these items retain significant value and need to be disposed of to recover their value in a timely and equitable fashion once their usefulness to the Town has ended. If property is to be disposed of, the Town Manager must give prior approval to the disposal. The method of disposal will be determined by the Purchasing Agent and may include sealed bid, auction, trade in, or any other method deemed appropriate.

- 1. Sealed Bid - Notice should be placed in a newspaper of general circulation with the following information:
 - a. A brief description of the item to be sold;
 - b. Contact information for bidders with questions;
 - c. The deadline for submission of sealed bids;

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION VI PROPERTY DISPOSITION (Cont'd.)

- d. Information regarding the opening of bids received; and
 - e. A statement reserving the right to accept or reject any or all bids.
2. Auction - In situations where a large number of items are to be disposed, an auction may be held in which prospective bidders view and make bids at a specific time and place. Notice of auction shall be posted in at least two (2) public places and advertised in a newspaper not less than seven (7) days prior to the date of the auction, which notice shall include:
- a. The time and place at which the auction will be held;
 - b. A brief description of the items offered at auction; and
 - c. Payment requirements.
- B. Payment - The Town of Londonderry will accept payment for items awarded by sealed bid or auction in the following forms:
- 1. Cash;
 - 2. Certified treasurer's or cashier's check; or
 - 3. Money order.
 - 4. Payment by personal check may be accepted. However, a minimum ten-(10) day waiting period is recommended before the bidder takes possession of any item to allow checks to clear.

SECTION VII AWARD

- A. The award of a contract or purchase, or sale of Town property, follows the competitive selection process. Consistent with the other provisions of these guidelines, the criteria for award are flexible enough to allow consideration of all factors involved, yet still provide a clear sense of public policy intent.
- B. Purchasing - After bids or proposals have been received through the competitive selection process, the bids or proposals must be reviewed for completeness. The bids or proposals must be reviewed to determine how well they meet the specifications or scope of work, the input from references, or other aspects indicating the overall ability of the prospective vendor to provide the goods or service desired.
- 1. In all cases, the goal of the award shall be to select the vendor offering the best overall value to the Town; the "lowest, best" bidder. Price, quality, service, and experience, either demonstrated through other clients or with the Town of Londonderry, should be included in the determination of award.

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION VII AWARD (cont'd.)

2. Proper – Disposition - Bids for property being sold by the Town should be awarded to the bidder making the highest responsible bid. In making this determination, bidders may be requested to supply proof of their ability to meet their bid before the final award is made.

SECTION VIII SPECIFICATIONS

- A. Specifications for any purchases under the advertised competitive selection process must be reviewed with the Purchasing Agent prior to the purchasing process. Specifications must adequately define the operating characteristics, performance requirements, or scope of work to be performed. They should not be so specific as to unnecessarily restrict competition, but complete enough to represent superior value for the Town.
- B. Any specifications maintained by individual departments or agencies for particular items or services should be reviewed periodically and revised if necessary. All specifications for products or services should be placed on file with the Purchasing Agent.

SECTION IX INTERGOVERNMENTAL RELATIONS

The Town may participate in, sponsor, conduct or administer a cooperative purchasing agreement for the procurement of any supplies, services or constructions with one or more government entities.

SECTION X ETHICS IN PUBLIC PURCHASING

- A. **General – Public employment is a public trust. Town employees must discharge their duties impartially so as to assure fair competitive access to Town purchasing by responsible contractors. Any attempt to realize personal gain through public employment by conduct inconsistent with the proper discharge of a Town employee's duties is a breach of public trust. Any effort to influence any Town employee to breach the standards of ethical conduct is also a breach of ethical standards.**

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION X ETHICS IN PUBLIC PURCHASING (Cont'd.)

B. Conflict of Interest - It is a breach of ethical standards for any employee to participate directly or indirectly in any purchase activity when the employee knows that:

1. The employee or any member of the employee's immediate family has a financial interest pertaining to the purchase; or
2. A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the purchase: or
3. Any other person, business, or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the purchase.
4. Upon discovery of an actual or potential conflict of interest, an employee shall notify their department head and withdraw from further participation in the transaction involved.

C. Specific Actions Prohibited:

1. **Gratuities.** It shall be a breach of ethical standards for any person to offer, give or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision influencing the content of any specification, procurement standard or contract award. Prohibited actions include:
2. **Kickbacks.** It shall be a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor to the prime contractor or any person associated therewith, as an inducement for the award of a subcontract or order.
3. **Contingent Fees.** It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a town purchase award upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.
4. **Contemporary Employment.** Except as may otherwise be permitted by town Ordinance it shall be a breach of ethical standards for any employee who is participating directly or indirectly in the purchasing process to become or be, while such an employee, the employee of any person or business contracting with the town.

CHAPTER VI – PURCHASING POLICY (Cont'd)

SECTION X ETHICS IN PUBLIC PURCHASING (Cont'd.)

5. Misuse of Confidential Information. It shall be a breach of ethical standards for any employee or former employee knowingly to use information of a confidential nature for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.
- D. Supplemental Remedies. In addition to existing remedies which may be promulgated in the town administrative code or other official policy, an employee who knowingly breaches ethical standards during a public purchasing transaction may be subject to any one or more of the following (in accordance with relevant provisions of any applicable collective bargaining agreement):
1. oral or written warnings or reprimands;
 2. suspension with or without pay for specified periods of time; and
 3. termination of employment.

~~End of Chapter~~



Town of Londonderry, New Hampshire
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 1/5/2026
Submitted By: Kim Bernard
Department: Police

Contact Information:
kbernard@londonderrynhpd.gov
Estimated Discussion Time: 5-10
Agenda Item Number: TC OFFICE USE

Agenda Item Title: An Expenditure from the Police Equipment & Technology Capital Reserve Fund

Background and Purpose: In March of 2025 with warrant article #5 the Town of Londonderry established a capital reserve fund for Police Equipment & Technology. The Police Department is looking to purchase four new portable radios for patrol with the anticipation of hiring four new officers in the coming months. This withdrawal will allow for these newly hired officers to have a new portable radio and allow for them to have the appropriate equipment to serve in their duty as a Londonderry Police Officer by providing the appropriate equipment to them upon starting.

Action: Approval

Proposed Motion: *MOVED, that the Londonderry Town Council hereby approves the withdrawal request and directs the Trustees of the Trust Fund to disburse \$17,593.68 from the Police Equipment & Technology Capital Reserve Fund for the aforementioned items.*

Attachments: 2026-01.05- Police Equipment & Technology CRF Back up

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 \$0.099 in FY 26 based upon projected assessed values.)

	<u>Yes</u>	<u>No</u>	<u>Abstained</u>
<i>Voted by the Town Council:</i>	5	0	0
<i>Voted by the Budget Committee:</i>	7	0	0

ARTICLE NO. 5: [ESTABLISH AND FUND POLICE EQUIPMENT & TECHNOLOGY CAPITAL RESERVE FUND]

To see if the town will vote to establish an Police Equipment & Technology Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of purchasing, leasing, obtaining, maintaining and upgrading Police Department equipment and technology as determined by the Chief of Police, and to raise and appropriate the sum of **ONE HUNDRED THOUSAND DOLLARS (\$100,000)** to be placed in this fund and further to authorize the use of **ONE HUNDRED THOUSAND DOLLARS (\$100,000)** from the June 30 Unassigned Fund Balance towards this appropriation. (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 \$0.000 in FY 26 based upon projected assessed values.)

	<u>Yes</u>	<u>No</u>	<u>Abstained</u>
<i>Voted by the Town Council:</i>	5	0	0
<i>Voted by the Budget Committee:</i>	7	0	0

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

To see if the Town will vote to raise and appropriate **THREE HUNDRED THOUSAND DOLLARS (\$300,000)** to be placed in the Fire Vehicle Capital Reserve fund and further to authorize the use of **THREE HUNDRED THOUSAND DOLLARS (\$300,000)** from the June 30 Unassigned Fund Balance towards this appropriation.

(If passed, this article will require the Town to raise \$0.00 in property taxes, resulting in a tax rate impact of \$0.000 in FY 26 based upon projected assessed values.)

	<u>Yes</u>	<u>No</u>	<u>Abstained</u>
<i>Voted by the Town Council:</i>	5	0	0
<i>Voted by the Budget Committee:</i>	7	0	0

Sharon Farrell
Londonderry Town Clerk



Official Annual Town Election Tally Report

Tuesday, March 11, 2025, Londonderry, NH
This report was created on Wednesday, March 12, 2025, 10:39:27 AM EDT.

Certification Signatures: We, the undersigned, do hereby certify the election was conducted in accordance with the laws of the state.

X

Ballot Counts	
Hand Marked	7,626
Sheet 1	7,626
Sheet 2	7,777
Sheet 3	7,787
Sheet 4	3,892
Sheet 5	3,888
Sheet 6	3,859
Machine Marked	0
Manually Entered	210
Total	7,836

Town
TOWN COUNCIL (2 seats)
3 Years

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	10	10
Undervotes	890	8	898
DEB PAUL	1,855	40	1,895
TAMMY SIEKMANN	403	11	414
RICHARD D. BIELINSKI JR	1,033	23	1,056
DAN BOUCHARD	1,733	67	1,800
JOHN FARRELL	1,675	70	1,745
Write-In	19	1	20

Town
BUDGET COMMITTEE (2 seats)
3 Years

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	2,242	36	2,278
NICOLE DERY	1,912	87	1,999
PATRICK EL-AZEM	1,566	29	1,595
NICK MILLS	1,558	27	1,585
Write-In	330	51	381

X

Town
LIBRARY TRUSTEES (3 seats)
3 Years

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	36	36
Undervotes	3,498	42	3,540
ERICA LAUE	1,035	50	1,085
BETH MARROCCO	1,079	56	1,135
JAN MCLAUGHLIN	1,075	27	1,102
CRIS NAVARRO	1,071	20	1,091
LIZ THOMAS	1,200	17	1,217
MARIA BARUD	856	22	878
ANNE H. FENN	726	41	767
LINDA E. LAMPKIN	849	33	882
Write-In	23	1	24

Town
TOWN MODERATOR
2 Years

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	1,142	21	1,163
JONATHAN KIPP	2,633	93	2,726
Write-In	29	1	30

Town
TREASURER
3 Years

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	1,030	19	1,049
TOM DOLAN	2,708	94	2,802
Write-In	66	2	68

Town
TRUSTEES OF THE TRUST FUND
3 Years

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	1	1
Undervotes	1,222	17	1,239
JIM GREEN	2,442	94	2,536
Write-In	140	3	143

X

Town
CEMETERY TRUSTEES
3 Years

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	1,169	17	1,186
LAURA EL-AZEM	2,575	96	2,671
Write-In	60	2	62

Town
ARTICLE NO. 2: [FISCAL YEAR 2026 TOWN OPERATING BUDGET]

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	237	7	244
Yes	1,930	71	2,001
No	1,637	37	1,674

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

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	170	4	174
Yes	2,349	84	2,433
No	1,285	27	1,312

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

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	166	4	170
Yes	2,454	81	2,535
No	1,184	30	1,214

Town
ARTICLE NO. 5: [ESTABLISH AND FUND POLICE EQUIPMENT & TECHNOLOGY CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	140	4	144
Yes	2,628	87	2,715
No	1,036	24	1,060

Town
ARTICLE NO. 6: [FIRE DEPARTMENT TRUCK CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,804	115	3,919
Overvotes	0	0	0
Undervotes	143	4	147
Yes	2,787	90	2,877
No	874	21	895

Town
ARTICLE NO. 7: [FIRE DEPARTMENT EQUIPMENT CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,888	30	3,918
Overvotes	0	1	1
Undervotes	135	0	135
Yes	2,517	19	2,536
No	1,236	10	1,246

Town
ARTICLE NO. 8: [INFORMATION TECHNOLOGY CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,888	30	3,918
Overvotes	0	0	0
Undervotes	167	0	167
Yes	2,074	15	2,089
No	1,647	15	1,662

Town
ARTICLE NO. 9: [PILLSBURY CEMETERY EXPANSION CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,888	30	3,918
Overvotes	0	0	0
Undervotes	163	0	163
Yes	1,927	17	1,944
No	1,798	13	1,811

Town
ARTICLE NO. 10: [FUND MASTER PLAN NON-CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,888	30	3,918
Overvotes	0	0	0
Undervotes	188	0	188
Yes	1,923	12	1,935
No	1,777	18	1,795

Town
ARTICLE NO. 11: [RECREATION CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,888	30	3,918
Overvotes	0	0	0
Undervotes	233	1	234
Yes	2,296	16	2,312
No	1,359	13	1,372

Town
ARTICLE NO. 12: [CABLE EQUIPMENT CAPITAL RESERVE FUND]

	scanned	manual	total
Ballots Cast	3,888	30	3,918
Overvotes	0	0	0
Undervotes	258	1	259
Yes	2,387	14	2,401
No	1,243	15	1,258

Town
ARTICLE NO. 13: [DPW EQUIPMENT/VEHICLE LEASES]

	scanned	manual	total
Ballots Cast	3,888	30	3,918
Overvotes	0	0	0
Undervotes	250	1	251
Yes	2,211	13	2,224
No	1,427	16	1,443

Town
ARTICLE NO. 14: [FIRE DEPARTMENT AERIAL LADDER/TOWER APPARATUS]

	scanned	manual	total
Ballots Cast	3,893	26	3,919
Overvotes	0	0	0
Undervotes	142	0	142
Yes	2,128	7	2,135
No	1,623	19	1,642

Town
ARTICLE NO. 15: [POLICE BODY WORN CAMERAS]

	scanned	manual	total
Ballots Cast	3,893	26	3,919
Overvotes	0	0	0
Undervotes	113	0	113
Yes	2,283	13	2,296
No	1,497	13	1,510

Town
ARTICLE NO. 16: [RATIFY A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN THE LONDONDERRY EXECUTIVE EMPLOYEES' ASSOCIATION (LEEA) AND THE TOWN OF LONDONDERRY]

	scanned	manual	total
Ballots Cast	3,893	26	3,919
Overvotes	0	0	0
Undervotes	172	0	172
Yes	2,057	5	2,062
No	1,664	21	1,685

Town
ARTICLE NO. 17: [AUTHORIZATION FOR SPECIAL MEETING ON COST ITEMS]

	scanned	manual	total
Ballots Cast	3,893	26	3,919
Overvotes	0	1	1
Undervotes	293	3	296
Yes	2,544	11	2,555
No	1,056	11	1,067

Town
ARTICLE NO. 18: [RATIFY A NEW COLLECTIVE BARGAINING AGREEMENT BETWEEN THE LONDONDERRY ASSOCIATION OF POLICE SUPERVISORS (LAPS) AND THE TOWN OF LONDONDERRY]

	scanned	manual	total
Ballots Cast	3,893	26	3,919
Overvotes	0	0	0
Undervotes	267	3	270
Yes	2,044	8	2,052
No	1,582	15	1,597

Town
ARTICLE NO. 19: [AUTHORIZATION FOR SPECIAL MEETING ON COST ITEMS]

	scanned	manual	total
Ballots Cast	3,893	26	3,919
Overvotes	0	0	0
Undervotes	295	3	298
Yes	2,506	14	2,520
No	1,092	9	1,101



Town of Londonderry, New Hampshire

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ORDER 2026-01

An Order Relative to

AN EXPENDITURE FROM THE POLICE EQUIPMENT & TECHNOLOGY CAPITAL RESERVE FUND

WHEREAS at the March 2025 Annual Town Meeting, the Town of Londonderry voted to establish the Police Equipment & Technology Capital Reserve Fund pursuant to RSA 35:1 for the purpose of purchasing, leasing, obtaining, maintaining, and upgrading Police Department equipment and technology; and

WHEREAS the Police Department has identified a need to purchase four (4) portable radios in anticipation of hiring four new patrol officers to ensure that the new officers are properly equipped upon commencement of their duties; and

WHEREAS the purchase of these portable radios is consistent with the approved purpose of the Police Equipment & Technology Capital Reserve Fund; and

WHEREAS the Police Department has requested the withdrawal of \$17,593.68 from said Capital Reserve Fund to fund this purchase.

NOW THEREFORE BE IT ORDERED by the Town Council of the Town of Londonderry that the request to withdraw funds from the Police Equipment & Technology Capital Reserve Fund is approved and that the Trustees of the Trust Funds are directed to disburse the sum of \$17,593.68 from the Police Equipment & Technology Capital Reserve Fund for the purchase of four portable radios for the Londonderry Police Department.

**Ron Dunn – Chair
Town Council**

Sharon Farrell – Town Clerk

A TRUE COPY ATTEST:
01-05-2026



Town of Londonderry, New Hampshire
268B Mammoth Road • Londonderry, NH 03053
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Town Council Meeting – Agenda Item Coversheet

Meeting Date: 1/5/2026
Submitted By: ASD Kirsten Hildonen
Department: Town Manager's Office

Contact Information: khildonen@londonderrynh.gov
Estimated Discussion Time: 15 minutes
Agenda Item Number: TC OFFICE USE

Agenda Item Title: Discuss the status of Londonderry's Community Power Aggregation

Background and Purpose: In July 2024, the Londonderry Town Council approved the Town's Community Choice Aggregation Plan. The New Hampshire Public Utilities Commission (PUC) approved the plan in August 2024. The plan is scheduled to be implemented when supply rates available under the aggregation program would result in savings for current Eversource ratepayers, meaning the aggregation rate for energy supply would be sufficiently lower than the one set by Eversource and the PUC for the upcoming six-month period.

Eversource rates are set twice a year for the subsequent six-month period (in January for February to July, and in July for August to January). For the three previous rate cycles, the supply rates available under the aggregation program were not sufficiently lower than the supply rates provided by Eversource to justify implementation. However, the projected rates for the upcoming six-month cycle currently suggest that aggregation will provide a lower cost to ratepayers. This presentation will describe the current cost landscape, the potential savings to ratepayers during the next cycle, and the next steps that will be necessary to implement the program once the rates are finalized later in January.

Action: Receive presentation from Freedom Energy Logistics leadership and Utilities Committee Energy Committee members, ask questions, and discuss the timeline for implementation of Community Choice Aggregation

Proposed Motion: No motion required

Attachments: Presentation slides from Freedom Energy Logistics



Town of Londonderry, NH Community Choice Aggregation Program Update

January 5, 2026





Town of Londonderry – CCA Program History

- Freedom began collaborating with Londonderry at the end of 2019 and formalized a consulting agreement in early 2020.
- Londonderry was the first community in NH to request aggregation data from the utility after establishing their initial aggregation committee.
- This request prompted Eversource to raise objections about providing the data, citing privacy concerns not addressed in the enabling legislation.
- Progress was delayed for two years due to rulemaking proceedings and housekeeping legislation.
- Londonderry reestablished its aggregation committee in October 2022.
- The first aggregations in New Hampshire were launched in 2023.
- The town hosted two public input sessions regarding their aggregation plan on May 20, 2024, and June 29, 2024.
- The town council approved the final plan on July 15, 2024.
- The New Hampshire PUC approved the aggregation plan on August 24, 2024.
- Following plan approval, implementation was postponed for three Eversource rate cycles due to the inability to identify an entry term and price that offered sufficient savings to ratepayers to justify launching.
- Londonderry's energy consumption of 112,000,000 kWh remains on Eversource default service.



CCA Program Recommendations

- Based on the indicative price, Londonderry could begin April with a rate of \$0.0995 per kWh.
- Eversource's initial proposal for the February 1 rate cycle requests a rate of \$0.113 per kWh.
- If Londonderry opts for a 7-month rate, the average homeowner participating in the program would save about \$91, or roughly \$12 per month.
- Across the community, the total savings would amount to $(112,000,000/12)(7)*0.013 = \mathbf{\$850,000}$.
- Although we received some competitive long-term rates, none were lower than the rate requested by Eversource, which is why we are recommending the short-term option.



CCA Program Background & Expectations

- Londonderry should refrain from signing the third-party supply agreement until the approved rate for Eversource has been confirmed, which is expected sometime between early and mid-January.
- The prices offered are not final. The rate of .0995 may fluctuate, and it is also possible that the Eversource rate could increase or decrease before final approval. Our recommendations are based on the information available today, but if circumstances change unfavorably for Londonderry's program, we will update our guidance accordingly.
- Provided current assumptions hold, Londonderry plans to proceed with a target launch date of April 1.



CCA Program Timeline

- January 15 – Execute the CCA electricity supply agreement.
- January 16 – Inform the PUC and utilities of the plan to initiate aggregation for the April 1 enrollment period (fulfilling the 45-day notice requirement).
- Early February – Launch the Londonderry CCA website, hosted by Freedom Energy.
- Early February – Produce a Londonderry CCA FAQ video for broadcast on public access television and streaming on the website.
- Early February – Complete the opt-out mailer for printing.
- Early February – Set the date for the public information session scheduled for mid-March.
- February 20 – Distribute the opt-out mailer.
- March 1 – Begin the opt-out period.
- Mid-March – Hold the public information session at the Londonderry Town Hall.
- End of March – Close the opt-out period.
- April 1 – Commence enrollment and officially launch the program.

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Name: Glenn Douglas
Address: 6 Overlook Avenue

Mr. Douglas spoke to ethics complaints being filed against councilors. Referring to comments made at a recent Planning Board meeting, he said Woodmont Commons can build whatever they like, based on the current zoning regulations. He noted the rules have changed.

Name: Jan McLaughlin
Address: 38 Rainbow Drive

Ms. McLaughlin said the way people treat each other has changed over time, and has become hurtful and disruptive. She suggested people treat each other with honor, kindness, and respect.

Chair Dunn closed public comment.

C. BOARD APPOINTMENTS AND REAPPOINTMENTS

Chair Dunn said at the last meeting, the Council overlooked assigning terms to the Planning Board alternates.

Vice Chair Faber moved to appoint Jason Knights to the three-year term as Planning Board alternate and Ryan Ouellette to the one-year term as Planning Board alternate. Seconded by Councilor Combes. Motion carried 5-0-0. Chair votes in the affirmative.

D. PUBLIC HEARINGS

None

E. NEW BUSINESS

1. Discuss and issue Order 2025-17: An Expenditure from the Expendable Maintenance Trust Fund for winter maintenance.

DPW Director Wholley presented a request for \$18,000, explaining this will expedite the payment process for contracted plowing of Town facilities.

Councilor Combes moved that the Londonderry Town Council hereby approves Order 2025-17 authorizing the Town Manager to expend \$18,000 from the Expendable Maintenance Trust Fund for winter maintenance of Town facilities. Seconded by Councilor Bouchard. Motion carried 5-0-0. Chair votes in the affirmative.

Director Wholley reviewed the Winter Emergency Operation Plan for the upcoming season. He described the challenges, including personnel vacancies, equipment malfunctions, and vehicle accidents. He noted the impact of increased costs.

In response to questions from the Council, he explained that the rates they pay contractors are extraordinarily low and contractors' equipment is inferior to the Town's, so the level of service is less.

He thanked his staff for their hard work.

93 **2. Discuss and issue Order 2025-18: An Expenditure from the Expendable**
94 **Maintenance Trust Fund (Replacement motor for the rooftop unit at the Leach**
95 **Library).**

96 Director Wholley reviewed the request for funds to pay for replacing the motor in the
97 Library's air handler.
98

99 *Councilor Combes moved that the Londonderry Town Council hereby approves Order*
100 *2025-18 authorizing the Town Manager to expend \$6,515 from the Expendable*
101 *Maintenance Trust Fund for a motor replacement of the rooftop unit at the Leach*
102 *Library. Seconded by Vice Chair Faber. Motion carried 5-0-0. Chair votes in the*
103 *affirmative.*
104

105 **3. Discuss and authorize the sale of a tax deeded property (22 Gerry Lane).**

106 Finance Director Campo reviewed this request to authorize the Town Manager to enter
107 into an agreement to sell this property, noting the original owners have asked to repurchase
108 it.
109

110 *Vice Chair Faber moved that the Londonderry Town Council hereby authorizes the*
111 *Town Manager to take all steps necessary as justice may require for the sale of the tax-*
112 *deeded property at 22 Gerry Lane back to its original owner, Vine Street Rental LLC,*
113 *in Londonderry, New Hampshire, and to execute all documents required in furtherance*
114 *of the sale of the property. Seconded by Councilor Combes. Motion carried 5-0-0. Chair*
115 *votes in the affirmative.*
116

117 **4. Budget Workshop**

118 Mr. Mulholland reviewed the tax rate computation and breakdown. He reviewed the
119 updated budget numbers for 2027 and property taxes that will be paid in 2027. He noted
120 the cost drivers in the budget increase.
121

122 In response to the Council's request, Director Campo reviewed the impact of a \$400,000
123 cut.
124

125 Councilor Combes said the request was to not affect services to the Town, and this
126 proposal does not do that; the Council questioned whether this was the direction given to
127 the Town Manager. Mr. Mulholland said he attempted to minimize the impact to services.
128 The Council suggested cutting new spending and questioned the areas where cuts were
129 proposed. Mr. Mulholland explained he initially presented a budget that includes all
130 necessary services. He noted that \$906,000 in cuts would have to occur, if the default
131 budget passes.
132

133 In response to questions regarding proposed cuts to the Library budget, Library Director
134 Erin Matlin pointed out they were tasked with reducing the budget by \$51,000. Cuts made
135 to children's programming would eliminate the part-time Children's Librarian position.
136

137 Controller Sarah Jardim-Lee noted the difficulty of finding these cuts, and the Staff time
138 and effort involved to do so. She also listed areas that cannot be cut.

139
140 The Councilors and Budget Committee members asked clarifying questions about specific
141 cuts, including the impact they would have to services and departments. The Council
142 questioned increases in salaries being made without their input and being done all at once.
143 Mr. Mulholland explained the need to increase salaries to retain and attract qualified
144 individuals.

145
146 The Budget Committee requested a breakdown of line items for FY25 through FY27
147 related to supplies, management services, and general expenses, including how they have
148 changed over time and their allocations. They also requested a breakdown of every
149 position, union and non-union, for the same time period and how they have changed.

150
151 They discussed the impact on the community of a proposed reduction in Fire and Police
152 Department overtime. They also questioned the possibility of funding needed repairs to
153 the Fire Station. They discussed ways to fund Old Home Day in the face of the proposed
154 budget cuts.

155
156 Police Chief Benard reviewed expenses and revenues of officers serving at the Airport.
157 He also reviewed how funds approved by warrant article for a conservation ranger are
158 being utilized. He explained how the fleet is being managed.

159
160 The Council asked about the number of voting booths and Town Clerk Sherry Farrell
161 responded.

162
163 The Council and Budget Committee discussed cutting the IT Director position. Mr.
164 Mulholland explained he is working to replace two contracted individuals who are
165 currently filling roles for the Town illegally. The Council suggested returning to this topic
166 next week and asked Mr. Mulholland to delay the hiring process. Mr. Mulholland said he
167 would not continue to utilize contractors illegally and asked if the Council was directing
168 him to stop the hiring process.

169
170 After an extended discussion, the Council and Budget Committee suggested lowering the
171 proposed salaries for the IT positions by \$30,000 and allowing the Town Manager to
172 continue the hiring process. They will revisit this discussion at the next Council meeting.

173
174 Councilor Bouchard asked for information on cuts the Town Manager would propose if
175 the default budget was voted in. He agreed to provide this, but likely not by the next
176 Council meeting.

177
178 The Budget Committee members left the meeting.

179
180 **F. OLD BUSINESS**

181 None

182
183 **G. APPROVAL OF CONSENT ITEMS**

184

185 *Vice Chair Faber moved to accept the Consent Items as presented. Seconded by Councilor*
186 *Combes. Motion carried 5-0-0. Chair votes in the affirmative.*
187

188 **H. OTHER BUSINESS**

189 **1. Liaison Reports**

190 Councilors Paul and Bouchard suggested a legal document associated with the land use
191 change tax agreement of June 6, 2017, between the Town of Londonderry and Pillsbury
192 Realty Development be made available to the public. The Council discussed the role
193 attorney-client privilege plays in this and whether it would be legal to release this
194 document.

195
196 Councilor Combes invoked councilor privilege that the Council contact counsel regarding
197 this. Councilors Paul and Bouchard asked how much this would cost and the Council
198 discussed the need to spend money to protect the Town.

199
200 This topic will be added to the Agenda for the next Council meeting.

201
202 Councilor Paul asked how much complaints are costing the Town in legal fees. Mr.
203 Mulholland explained the process by which complaints are reviewed.

204
205 **2. Town Manager Report**

206 **a. Review of ethics complaint regarding Councilor Deb Paul**

207 Mr. Mulholland determined the ethics complaint regarding Councilor Paul filed on
208 November 16, 2025, was unfounded.

209
210 *Vice Chair Faber moved to accept the report from the Town Manager on the Deb*
211 *Paul ethics complaint. Seconded by Councilor Combes. Motion carried 4-0-1, with*
212 *Councilor Paul abstaining. Chair votes in the affirmative.*
213

214 **b. Special Assessment District**

215 Mr. Mulholland explained that before 2015, Town Councils had the authority to
216 create Special Assessment Districts. In 2015, the law was changed to allow towns
217 with Selectboards to create these districts. However, the Legislature omitted hybrid
218 Town Councils that have a Town Meeting, such as Londonderry. He explained the
219 work he is doing to address this, and suggested the Council ask the Legislature to
220 make the change necessary to return this power to Londonderry.

221
222 **c. Recall Provision**

223 Mr. Mulholland commented on a concern that was submitted regarding the Library.
224 He referred to a case involving a recall provision in the Seabrook charter, which the
225 Court said was illegal in New Hampshire and instructed Seabrook to remove this
226 provision from their charter. He noted the Londonderry Charter also has this
227 provision and it will need to be addressed.

228
229 **d. South Road Water Line**

230 Mr. Mulholland reported the developer building a water line along South Road is not

231 responsible for installing curb stops. The State asked if the Town would be willing to
232 pay for this, if there is not enough money in the developer's budget to cover the
233 expense. The estimated cost is approximately \$300,000. Mr. Mulholland suggested
234 asking the voters via warrant article for the flexibility to utilize some of the funds for
235 High Range Road for this. The Council agreed this should be done.
236

237 **3. Deputy Town Manager Report**

238 Ms. Caron was not present to provide a report.
239

240 **I. PUBLIC COMMENT**

241 Chair Dunn opened public comment
242

243 **Name:** Jan McLaughlin

244 **Address:** 38 Rainbow Drive

245 Ms. McLaughlin asked that the Council ensure any cuts made to the budget are proportional.
246

247 **Name:** Beth Marrocco

248 **Address:** 4 Westwood Drive

249 Ms. Marrocco advocated for efficiency in Town Council meetings and not wasting time. She
250 asked the Council to consider individuals who are not compensated for the time they spend
251 participating in Council meetings. She spoke to the importance of attracting and retaining
252 qualified individuals.
253

254 **Name:** Glenn Douglas

255 **Address:** 6 Overlook Avenue

256 Mr. Douglas spoke to the need for the public to understand what is going on and the need for
257 transparency.
258

259 Chair Dunn closed public comment.
260

261 **J. MEETING SCHEDULE**
262

- 263 • December 15, 2025; Moose Hill Council Chambers; 7 p.m.
 - 264 • January 5, 2026; Moose Hill Council Chambers; 6 p.m.
- 265

266 **K. ADJOURNMENT**
267

268 *Vice Chair Faber moved to adjourn the meeting. Seconded by Councilor Combes. Motion*
269 *carried 5-0-0.*
270

271 The meeting was adjourned at 11:22 p.m.
272

273 *Minutes prepared by Beth Hanggeli*

47 Mr. Belinsky spoke to the timing of issuing the veterans' credit and asked for clarification. He
48 repeated his earlier question about Londonderry police cruisers at Hampton Beach.

49
50 Chief Bernard repeated his earlier response to this question about providing mutual aid to
51 Hampton Beach. He noted that officers are covered by workmen's compensation regardless of
52 where they provide service.

53
54 Mr. Mulholland said he responded to the Town Council and the individuals who spoke to the
55 veterans' credit, including Mr. Belinsky, after the last Town Meeting.

56
57 **Name:** Dennis Martin

58 **Address:** 182 Pillsbury Road

59 Mr. Martin asked for clarification about the veterans' credit. He asked for an apology regarding
60 being told that this issue was not reflected in the minutes, when it was.

61
62 **Name:** Kathy Wagner

63 **Address:** 12 MacGregor Court, Unit 403/15 Parmenter Road

64 Ms. Wagner referred to a memorandum disparaging a citizen. She questioned the 501(c)(3)
65 status of Old Home Day.

66
67 Chair Dunn closed public comment.

68
69 **C. BOARD APPOINTMENTS AND REAPPOINTMENTS**

70 None

71
72 **D. PUBLIC HEARINGS**

73 **1. Receive public input, discuss, and act upon a rezoning request to rezone 2 Litchfield**
74 **Road (Map 12 lot 68) from C-III and Historic District Overlay to AR-1.**

75 Ms. Caron reviewed the actions of the Council at the September meeting that removed the
76 historic preservation easement and had the Town Manager take all the necessary steps to
77 initiate this rezoning process. The Planning Board voted 5-2 not to rezone the property.

78
79 *Vice Chair Faber moved to open the public hearing. Seconded by Councilor Combes.*
80 *Motion carried 5-0-0. Chair votes in the affirmative.*

81
82 Chair Dunn asked for public comment.

83
84 **Name:** Dave Ellis

85 **Address:** 1 Wilshire Drive

86 Mr. Ellis spoke in favor of rezoning to protect this historic property from commercial
87 development.

88
89 **Name:** Kathy Wagner

90 **Address:** 12 MacGregor Court, Unit 403/15 Parmenter Road

91 Ms. Wagner asked that the barn not be torn down.

92

93 Laura Gandia of Devine, Millimet & Branch, and property owner Richard Flier asked
94 Councilor Paul to recuse herself due to a conflict of interest. Councilor Paul refused.

95
96 Ms. Gandia reviewed the history of the zoning of this property. She noted a variety of uses
97 along the same corridor and that the property owner was denied his due process rights.
98 She stated the property owner objects to this rezoning, and it is unlawful and unreasonable
99 to do so.

100
101 **Name:** John Farrell
102 **Address:** 4 Hancock Drive
103 Mr. Farrell said the Planning Board discussed that the property owner is not asking that
104 the property be rezoned.

105
106 **Name:** Kathy Wagner
107 **Address:** 12 MacGregor Court, Unit 403/15 Parmenter Road
108 Ms. Wagner said if the property is rezoned and the barn removed, it removes the
109 grandfather clause and the property is not usable. K. Caron clarified any new structure
110 would need to comply with current setback requirements.

111
112 **Name:** Dave Ellis
113 **Address:** 1 Wilshire Drive
114 Mr. Ellis reviewed the removal of the easement and the proposal to rezone the property to
115 remove spot zoning. He noted Ms. Gandia and Mr. Flier did not object to the removal of
116 the easement at the time it was done. Ms. Gandia explained their reasons for not doing so.

117
118 **Name:** Glenn Douglas
119 **Address:** 6 Overlook Avenue
120 Mr. Douglas questioned why nothing was done for 20 years to resolve the spot zoning.
121 He spoke in support of rezoning the property, if it was illegal to change it originally.

122
123 Ms. Gandia reiterated the Planning Board voted that the Council not approve rezoning the
124 property.

125
126 ***Vice Chair Faber moved to close the public hearing. Seconded by Councilor Combes.***
127 ***Motion carried 5-0-0. Chair votes in the affirmative.***

128
129 ***Councilor Bouchard moved that the Londonderry Town Council adopt Ordinance***
130 ***2025-10, an amendment to the zoning ordinance relative to rezoning of 2 Litchfield***
131 ***Road, Map 12, Lot 068 from C-III and Historic Overlay District to AR-1. Seconded by***
132 ***Councilor Paul. Motion carried 3-2-0, with Councilor Combes and Vice Chair Faber***
133 ***voting in opposition. Chair votes in the affirmative.***

134
135 **2. Receive public input, discuss, and act upon fiscal year 2027 budget.**
136 Mr. Mulholland offered a budget overview.

137
138 ***Vice Chair Faber moved to open the public hearing. Seconded by Councilor Combes.***

139 ***Motion carried 5-0-0. Chair votes in the affirmative.***

140

141 Chair Dunn asked for public comment.

142

143 **Name:** Kathy Wagner

144 **Address:** 12 MacGregor Court, Unit 403/15 Parmenter Road

145 Ms. Wagner asked the Council and Budget Committee to reinstate all of the funds
146 removed by the Town Manager for Old Home Day.

147

148 Mr. Mulholland said no cuts were made to Old Home Day in the budget.

149

150 **Name:** Glenn Douglas

151 **Address:** 6 Overlook Avenue

152 Mr. Douglas asked if \$400,000 will be removed from the budget. He spoke to the Town
153 Clerk's compensation, and suggested that increasing the compensation and adding benefits
154 and insurance should be presented by warrant article. He spoke against tax increases.

155

156 **Name:** Ray Breslin

157 **Address:** 3 Gary Drive

158 Mr. Breslin spoke to the need for the Town to figure out its priorities, and that young
159 people need to be involved in planning for the future. He stressed the importance of
160 protecting natural resources.

161

162 **Name:** Richard Belinsky

163 **Address:** 89 Hall Road

164 Mr. Belinsky asked how many police cruisers are earmarked for details, and if the revenue
165 covers the expenses. He spoke to the compensation for the Town Clerk position, referring
166 to a 2014 warrant article. He spoke against salary increases for Town employees.

167

168 **Name:** Robin Stewart

169 **Address:** not given

170 Ms. Stewart spoke in support of first responders. She suggested commercial developers not
171 be given tax breaks and should pay for the required increase in services.

172

173 ***Councilor Bouchard moved to close the public hearing. Seconded by Councilor Combes.***
174 ***Motion carried 5-0-0. Chair votes in the affirmative.***

175

176 Council and Committee members asked clarifying questions about the budget and the
177 proposed cuts. They noted that the budget is a bottom-line budget, so amounts in line items
178 can be moved as needed. They also discussed the need to provide adequate services to
179 protect the residents. They recommended discussing how to increase revenues.

180

181 Councilor Combes said he would like to move that the Council make none of the suggested
182 cuts to Fire, Police, and DPW from the spreadsheet, and none of the services that would
183 potentially negatively affect the voters and the Town itself from operating efficiently.

184

185 **E. NEW BUSINESS**

186 **1. Discuss and schedule a public hearing for January 5, 2026, regarding a proposed**
187 **amendment to the composition of the Recreation Commission, changing the number**
188 **of members.**

189 Ms. Hildonen explained Resolution 2025-25 was based on the Council's earlier
190 conversation about the need to increase membership on the Recreation Commission to
191 account for the growth in recreation in the Town, to recruit more volunteers, and to reflect
192 the talent pool of the applicants.

193
194 The Council agreed to schedule the public hearing.

196 **2. Discuss and schedule a public hearing on January 5, 2026, to consider a proposed**
197 **amendment to the Purchasing Policy.**

198 Vice Chair Faber stressed the need to amend the Purchasing Policy so the Council is not
199 caught unaware by unexpected purchases and agreements. He noted the need to improve
200 transparency.

201
202 The Council agreed to schedule the public hearing.

204 **3. Budget Workshop Preliminary budget recommendations & preliminary warrant**
205 **review.**

206 Council and Committee members discussed the proposed warrant articles.

207
208 Article 4 addresses the proposed bond for the Morrison Meetinghouse. There will be a
209 bond hearing on January 12, 2026, to determine if this goes to the warrant. They discussed
210 the options for renovating, demolishing, and selling the building.

211
212 Article 22 establishes the municipal transportation improvement Capital Reserve Fund
213 (CRF), which will create a fund for the \$5 addition to vehicle registrations, The Council
214 could restrict how this fund is spent, such as only using it to fund CART. They discussed
215 the benefits and drawbacks of doing so.

216
217 Article 16 establishes a transportation fund to use unassigned fund balance money to pay
218 for traffic-related expenses such as studies, matching grants, and traffic counters.

219
220 The Council and Committee members discussed the differences between Articles 16 and
221 22.

222
223 Article 7, construction of office building. They clarified this is intended for the SAU
224 building, but if it is identified as an SAU office building in the warrant article, the structure
225 could not be used for anything but the SU in the future.

226
227 Article 5, Town Clerk compensation, they discussed why a dollar amount is not listed and
228 the nature of the Town Clerk as an elected position.

229
230 Article 8, Expendable Maintenance Trust Fund, they discussed taking \$200,000 from the

231 UFB instead of \$100,000, and the ramifications of doing so.

232
233 Article 12, they clarified this is an estimated cost for software; it has not been purchased.
234 They discussed that if this total amount was not expended, these monies would remain in
235 the fund to be used for IT purposes. They requested a breakdown of expenditures for this
236 software and how the decision was made to purchase this program. They discussed the
237 ramifications of delaying OpenGov for a year.

238
239 They agreed to remove the equipment to plow sidewalks from the DPW budget, as
240 Director Wholley does not have adequate staffing to operate it.

241
242 Council and Committee members asked clarifying questions about the budget and the
243 proposed cuts.

244
245 The Budget Committee left the meeting.

246
247 **F. OLD BUSINESS**

248 **1. Discuss and take action regarding a motion made by Councilor Bouchard to waive**
249 **attorney/client privilege regarding a legal opinion provided to the Town Council**
250 **regarding the Land Use Change Tax assessment for the property located at 7 & 15**
251 **Pillsbury Rd., commonly referred to as Woodmont Commons. Councilor Combes**
252 **invoked councilor privilege to postpone action on this motion until the next council**
253 **meeting. Councilor Combes requested review by legal counsel to ensure the release**
254 **of the document to the public does not put the Town in an adverse legal position.**

255 Chair Dunn read a statement that the Council is voluntarily waiving this privilege solely
256 for the memorandum dated October 20, 2025, to promote transparency.

257
258 *Councilor Bouchard moved to waive this privilege as stated by Chair Dunn. Seconded*
259 *by Vice Chair Faber. Motion carried 5-0-0. Chair votes in the affirmative.*

260
261 Councilor Combes asked for a formal apology from Councilor Bouchard for accusing him
262 of committing a crime, which was not founded by counsel.

263
264 **G. APPROVAL OF CONSENT ITEMS**

265 **1. Approval of December 1, 2025 Town Council meeting minutes.**
266 **2. Authorization for Laura Keeley, NH Certified Assessor, to sign specific documents**
267 **related to property matters within the Town of Londonderry.**

268
269 *Vice Chair Faber moved to accept the Consent Items as presented. Seconded by Councilor*
270 *Combes. Motion carried 5-0-0. Chair votes in the affirmative.*

271
272 *Vice Chair Faber moved to approve the minutes of the non-public session on December 8,*
273 *2025, as presented. Seconded by Councilor Combes. Motion carried 5-0-0. Chair votes in*
274 *the affirmative.*

275
276 **H. OTHER BUSINESS**

277 **1. Liaison Reports**
278 Councilor Combes reported the School Board is holding a budget hearing on December
279 18th. They will also discuss full-day kindergarten.

280
281 **2. Town Manager Report**
282 Mr. Mulholland had no report.

283
284 **3. Deputy Town Manager Report**
285 Ms. Caron had no report.

286
287 **I. PUBLIC COMMENT**

288 Chair Dunn opened public comment

289
290 **Richard Flier** spoke to the poor condition of the building at 2 Litchfield Road. He explained
291 his original intent was to buy a majority interest in the newspaper, not the building. He
292 explained why he wanted to purchase the newspaper, and reviewed problems he has had with
293 Councilor Paul and her husband. He asked Councilor Paul to be recused from dealing with
294 anything he does with the Town, and that she be investigated.

295
296 **Chief Bernard** responded to Barbara Finamore's questions about peaceful protest and First
297 Amendment rights. He stressed the Police Department will never not support its citizens and
298 will always respond to calls for service. They will participate in investigation gathering for
299 criminal investigations, if need be. He also clarified there are not four detail cruisers and
300 explained how high-mileage cars are taken out of patrol and used as dedicated detail cars.
301 There is a cruiser revolving detail fund that generates money used to purchase equipment for
302 the entire fleet. He spoke to overtime costs for a recent incident.

303
304 Chair Dunn closed public comment.

305
306 **J. NON-PUBLIC SESSION**

307 A non-public session was held per RSA 91-A:3, II(b): The hiring of any person as a public
308 employee.

309
310 *Vice Chair Faber made a motion to go into non-public session per RSA 91-A:3, II(b)*
311 *Seconded by Councilor Combes. A roll call vote was taken: Combes - aye, Faber - aye, Dunn*
312 *- aye, Bouchard - aye, Paul - aye. Motion carried 5-0-0. Chair votes in the affirmative.*

313
314 The cameras were turned off at 11:50 p.m.

315
316 **K. MEETING SCHEDULE**

- 317 • January 5, 2026; Moose Hill Council Chambers; 7 p.m.
- 318 • January 12, 2026; Moose Hill Council Chambers; 7 p.m.
- 319 • January 19, 2026; Moose Hill Council Chambers; 7 p.m.

320
321 **L. ADJOURNMENT**

322 The meeting was adjourned.

323

324 *Minutes prepared by Beth Haggeli*

**Two Litchfield Road
Map 12 Lot 68
Zoned C-III & HOD**

- 1. Factual analysis (see packet)**
- 2. Legal analysis: due process, police power, unconstitutional taking, vesting**
- 3. Lawfulness and reasonableness of decision: factors to consider:**
 - a. Unaware of the Town initiating a rezoning application over the property owner's objections;**
 - b. Other property(ies) similarly situated not being rezoned or enforced;**
 - c. Property rezoned in 2006 (unusual circumstances);**
 - d. Site Plan approved in 2009;**
 - e. Master Plan 2013;**
 - f. Master Plan 2025**
 - g. Various commercial uses (fundraisers/special events; NH Democratic headquarters);**
 - h. Vote to remove historic preservation easement deed; vote to rezone back to AR-1 but keep HOD (September 2025);**
 - i. Property owner objects and was not consulted;**
 - j. Property owner expended significant amounts of money on legal fees to remove an easement (see Attorney General opinion);**
 - k. Property owner expended significant amounts of money to protect its property rights.**

**Two Litchfield Road
Map 12 Lot 68
Zoned C-III, HOD &**

No.	Date	Name	Notes
1.	08/11/2025	Attorney General – Department of Justice – opinion letter	
2.	06/10/2009	Site Plan – Publishing Office – approved June 10, 2009	professional office space 17 parking spaces
3.	01/14/2013	Town of Londonderry Master Plan	Page 204 & recommendation
4.	07/2025	Town of Londonderry Master Plan	Page 39
5.	08/18/2025	Town of Londonderry Zoning Ordinance	Pages 25-27
6.	12/15/2025	Applicant's Map – Existing Use	

EXHIBIT 1

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

August 11, 2025

Attorney Laura J. Gandia
Devine Millimet
111 Amherst Street
Manchester, NH 03101
Via Email

Re: Historic Preservation Easement Deed – Two Litchfield Road,
Londonderry, New Hampshire

Dear Laura:

I have reviewed your July 30, 2025 Memo regarding a Historic Preservation Easement Deed (the "Deed") for Two Litchfield Road in Londonderry, New Hampshire (the "Property") and the materials attached to it. You asked whether and to what extent the New Hampshire Department of Justice Charitable Trusts Unit ("CTU") would be involved in any elimination or modification of the Deed.

Having reviewed your memo and the materials you provided, which include the Deed, minutes from relevant Town of Londonderry board meetings contextualizing the Deed; and a Town Ordinance related to the Deed, CTU has concluded that the easement was not "donated" as a charitable gift but was rather a condition imposed by the Town of Londonderry on a rezoning approval. Accordingly, CTU will take no action in relation to a modification or termination of the easement as it is our view that charitable trust principles do not apply to it.


The documents you provided indicate that the Property's prior owner requested that the Town change the Property's zone from an exclusively residential zone to one that permits some commercial uses. As justification, the Property's prior owner asserted that the surrounding area was highly trafficked and commercialized and that, as a result, the Property lacked value as a residential property. The owner also indicated a wish to preserve the home on the Property, arguing that this was more likely if it were used as professional office space rather than for residential purposes.

Town representatives shared those concerns but also acknowledged countervailing concerns about limiting "creep" of commercial activity in the area. The

owner asserted that allowing limited commercial uses in conjunction with the Deed was a preferable solution than continuing use as a purely residential property. After a series of hearings and apparent issues regarding appropriate procedure, on May 1, 2006, the Londonderry Town Council adopted an ordinance (Ordinance 2006-03) that rezoned the Property to the desired commercial zone. As one of several conditions on the rezoning, however, the Town required that it receive "a historic preservation easement and historic preservation façade easement from the property owner" The Deed was accordingly executed in September 2006 and accepted by the Town.

Easements required by government agencies as a condition on approval of property uses are not charitable trusts as defined by RSA Chapter 7 and the administrative rules CTU has adopted thereunder. *See* RSA 7:21, II(a) (defining "charitable trust"); Jus 401.17 (defining "donated conservation easement"). As the meeting minutes and ordinance indicate, executing the Deed was a condition on the Town's approval of the requested rezoning, and the Property owners offered the Deed as a compromise to concerns about future development regarding the Property. Aside from a stray reference to RSA 477:45 – 47 in the Deed, there is insufficient evidence in the Deed and other relevant materials for us to conclude that a charitable intent existed with respect to granting the easement to the Town. For those reasons, CTU will take no action with respect to any modification or termination of the Deed.

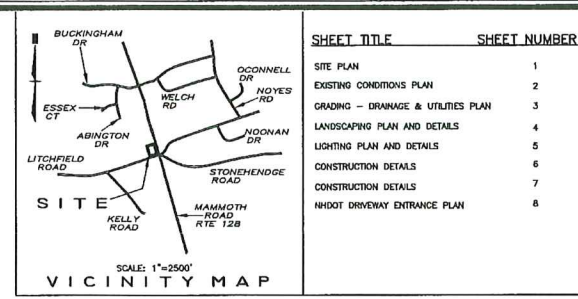
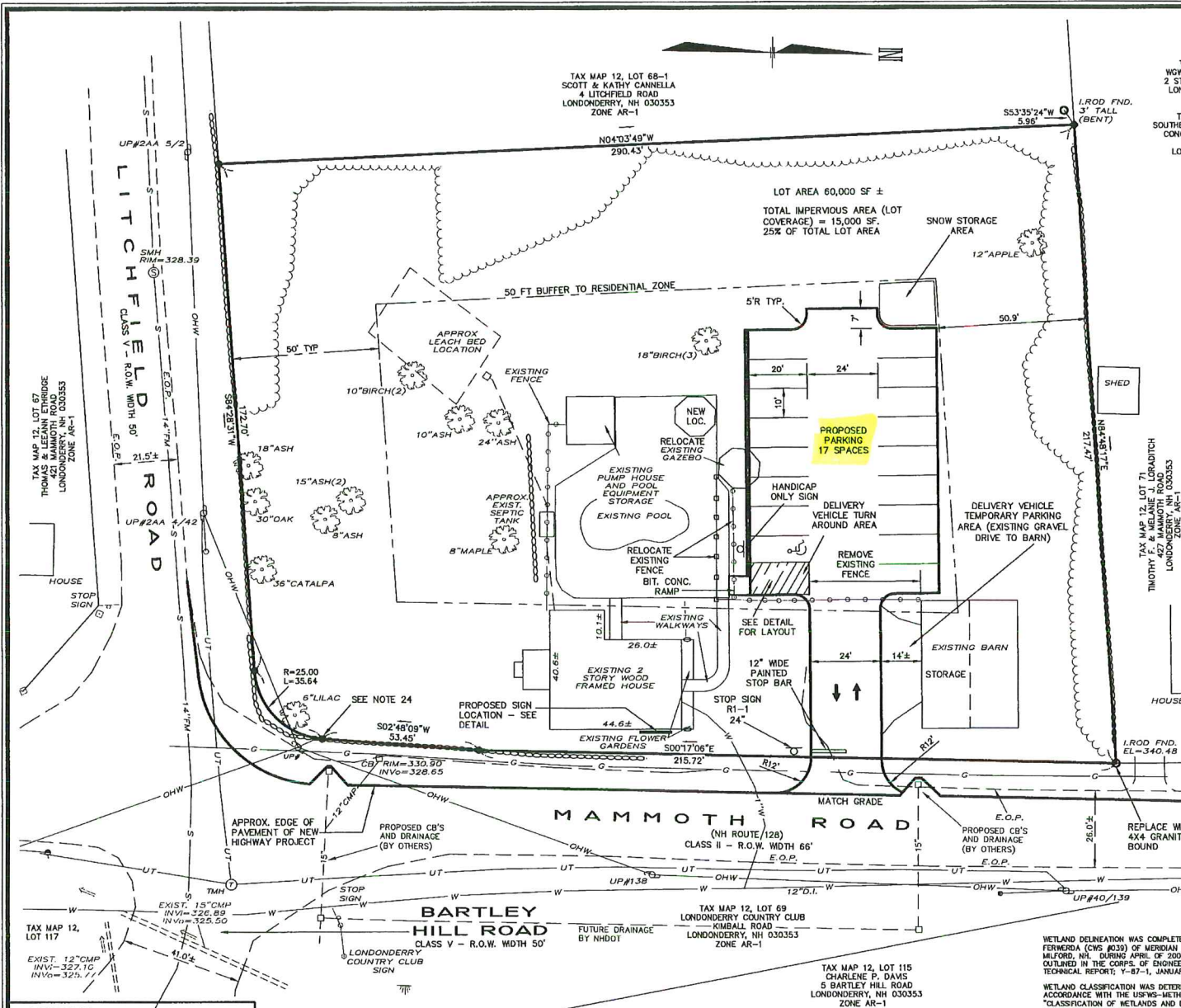
Sincerely,



Jared W. Davis
Assistant Director
Charitable Trusts Unit
(603) 271-6771
Jared.w.davis@doj.nh.gov

cc: Mary Ann Dempsey, Esq., Director of Charitable Trusts
Megan Carrier, Esq.
Shaun Mulholland

EXHIBIT 2



SHEET TITLE	SHEET NUMBER
SITE PLAN	1
EXISTING CONDITIONS PLAN	2
GRADING - DRAINAGE & UTILITIES PLAN	3
LANDSCAPING PLAN AND DETAILS	4
LIGHTING PLAN AND DETAILS	5
CONSTRUCTION DETAILS	6
CONSTRUCTION DETAILS	7
NHDOT DRIVEWAY ENTRANCE PLAN	8

NOTES:

- REFERENCE THIS PARCEL AS LONDONDERRY ASSESSOR'S MAP 12, LOT 68, OWNED BY: CROWELL'S CORNER PROPERTIES, LLC 2 LITCHFIELD ROAD, LONDONDERRY, NH 03053 DEED REFERENCE BK. 4708, PG. 2506 APPLICANT IS OWNER
- BOUNDARY DATA SHOWN HAS BEEN TAKEN FROM THE PLAN REFERENCED ABOVE.
- THE PURPOSE OF THESE PLANS IS TO SHOW THE CONVERSION OF AN EXISTING DWELLING INTO PROFESSIONAL OFFICE SPACE AND THE REQUIRED PARKING AND UTILITY SERVICES. EXISTING USE IS A RESIDENTIAL DWELLING.
- THIS PARCEL WAS CONDITIONALLY REZONED BY THE TOWN COUNCIL FROM AR-1 TO C-3/HISTORIC DISTRICT ON 5/1/08 (ORDINANCE 2008-03). UPON APPROVAL OF THIS PLAN, THE PROPERTY SHALL BE SUBJECT TO THE REQUIREMENTS OF THE C-111 DISTRICT AND HISTORIC DISTRICT.
- MINIMUM LOT SIZE = 44,500 SF PROVIDED 60,000 SF
MINIMUM LOT FRONTAGE = 150 FT PROVIDED 477.51'
MINIMUM BUILDING SETBACKS = 50 FT
MAXIMUM BUILDING HEIGHT ALLOWED = 35'
MAXIMUM BUILDING COVERAGE OF PARCEL = 25 X 5.8%
MINIMUM GREEN SPACE REQUIRED = 33% 75%
- THE SUBJECT PARCEL WILL BE SERVICED BY THE FOLLOWING UTILITIES: SANITARY SEWER IS A PRIVATE SEWAGE DISPOSAL SYSTEM (ON-SITE) STORM DRAINAGE WILL BE A PRIVATE SYSTEM (ON-SITE) WATER SERVICE IS A PUBLIC SYSTEM (OFF-SITE) TELEPHONE SERVICE IS VERIZON & ELECTRIC SERVICE IS PSNH
- PARKING CALCULATIONS FOR PROFESSIONAL AND BUSINESS OFFICE SPACE: NUMBER OF SPACES REQUIRED: 1 PER 200 SF OF OFFICE SPACE 3088 SF / 200 = 15.44 SPACES (16) BARN AREA (1/2 BARN IS STORAGE) = 1 REQUIRED TOTAL PARKING REQUIRED = 17 NUMBER OF SPACES PROVIDED = 17 INCLUDING 1 HANDICAP SPACE
- ALL MATERIALS AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE TOWN OF LONDONDERRY SITE PLAN REGULATIONS AND THE LATEST EDITION OF THE NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION"
- PROPERTY IS SUBJECT TO A "HISTORIC PRESERVATION EASEMENT DEED" AT ROAD BK 4708, PG 2498
- COUNTY SOIL TYPE IS 44B. MONTAUK FINE SANDY LOAM. THERE ARE NO JURISDICTIONAL WETLANDS ON SITE
- IF DURING CONSTRUCTION, IT BECOMES APPARENT THAT DEFICIENCIES EXIST IN THE APPROVED DRAWINGS, THE OWNER SHALL BE REQUIRED TO CORRECT THE DEFICIENCIES TO MEET THE REQUIREMENTS OF THE REGULATIONS AT NO EXPENSE TO THE TOWN.
- IN ACCORDANCE WITH SECTION 6.01 OF LONDONDERRY SITE PLAN REGULATIONS AND RSA 676:13, ALL IMPROVEMENTS SPECIFIED ON THESE SITE PLANS SHALL BE CONSTRUCTED, COMPLETED AND INSPECTED AND APPROVED BY THE TOWN OF LONDONDERRY PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- PRIOR TO CONSTRUCTION, CONTACT DIG SAFE CENTER, TOLL FREE 1-888-DIG-SAFE. NEW HAMPSHIRE STATE LAW REQUIRES NOTIFICATION AT LEAST THREE BUSINESS DAYS BEFORE DIGGING OPERATIONS START. IN AN EMERGENCY, CALL IMMEDIATELY.
- THERE IS AN EXISTING SEPTIC SYSTEM ON THIS SITE.
- AN INSPECTION OF THE FEMA FLOOD MAP NO. 33015C0318E FOR THE TOWN OF LONDONDERRY NH, EFFECTIVE DATE MAY 17, 2005, SUGGESTS THAT THE SITE INDICATED IS NOT CONTAINED WITHIN A 100 YEAR FLOOD HAZARD AREA.
- ALL EXTERIOR LIGHTING SHOWN ON THE LIGHTING PLAN DOES NOT EXCEED 0.2 FOOT CANDLES AT ALL PROPERTY LINES.
- ALL PAVEMENT STRIPING TO BE 4" SINGLE WHITE LINES (SWM) UNLESS OTHERWISE SPECIFIED OR DIRECTED.
- ALL SIGNS SHALL BE IN COMPLIANCE WITH THE TOWN OF LONDONDERRY REGULATIONS.
- ALL BOUNDARY MONUMENTS ARE TO BE SET IN ACCORDANCE WITH THE SITE PLAN REGULATIONS OF THE TOWN OF LONDONDERRY.
- NO OUTSIDE STORAGE OR DISPLAY AREAS ARE PROPOSED FOR THIS SITE.
- THERE ARE MINIMAL ANTICIPATED DELIVERIES FOR THIS USE SUCH AS A SMALL BOX DELIVERY TRUCK. SEE PLAN VIEW FOR PARKING LOCATION.
- IF DURING CONSTRUCTION, IT BECOMES APPARENT THAT ADDITIONAL EROSION CONTROL MEASURES ARE REQUIRED TO STOP ANY EROSION ON THE CONSTRUCTION SITE DUE TO ACTUAL CONDITIONS, THE OWNER SHALL BE REQUIRED TO INSTALL THE NECESSARY EROSION PROTECTION AT NO EXPENSE TO THE TOWN.
- SHEETS 1 THRU 8 COMPRISE THE COMPLETE PLANSET APPROVED BY THE PLANNING BOARD AND ARE ON FILE AT THE TOWN OF LONDONDERRY.
- DRIVEWAY ENTRANCE IS APPROVED AS SHOWN ON THIS PLANSET. SEE NHDOT DRIVEWAY PERMIT #269-07-07.
- A 1" DIA. IRON PIPE OR 3/4" REBAR OR DRILL HOLE SHALL BE SET IN THE FIVE LOCATIONS SHOWN ON THIS PLAN.

WAIVERS GRANTED SECTION 3.07.A.1. THE DRAINAGE SYSTEM SHALL BE DESIGNED SO THAT THE POST-DEVELOPMENT RUNOFF RATE DOES NOT EXCEED THE PREDEVELOPMENT RUNOFF RATE. SECTION 3.11.G. MITIGATING THE IMPACTS OF PARKING LOTS.



CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION

SITE PLAN
PUBLISHING OFFICE
TAX MAP 12 LOT 68
2 LITCHFIELD ROAD
LONDONDERRY, NEW HAMPSHIRE

PREPARED FOR OWNER/APPLICANT:
CROWELL'S CORNER PROPERTIES, LLC
 2 LITCHFIELD ROAD, LONDONDERRY, NH 03053
 BK. 4708, PG. 2506

PREPARED BY DESIGN ENGINEER
GREGSAK ENGINEERING, INC.
 CONSULTING ENGINEERS AND PLANNERS
GEI
 P.O. BOX 271
 CHESTER, NEW HAMPSHIRE 03036
 PH: (603) 887-6879
 FAX: (603) 887-6636
 WWW.GREGSAK.COM

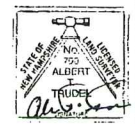
APR. 23 2007
SCALE
 1" = 20'
SHEET 1 of 8
 JOB # 1949

LEGEND:

TREES	
EDGE OF WOODS	
IRON PIPE/PIN FOUND	
IRON PIN TO BE SET	
STONE WALL	
DRILL HOLE FOUND	
WOOD FENCE	
OVERHEAD UTILITY LINES AND POLE	

BENCHMARKS:

TOP OR IRON ROD AT NORTHEASTERLY CORNER OF PROPERTY EL=340.48



CERTIFICATION:

LAND SURVEY PERFORMED BY SEC CONSULTANTS, PLAINSTOWN, NH

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY AND HAS A MAXIMUM ERROR OF CLOSURE OF 1:10,000 ON ALL PROPERTY LINES WITHIN AND BORDERING THE SUBJECT PROPERTY.

DATE **4-09-09**

REV.	DATE	DESCRIPTION	DR	CK
1	11/17/07	PER DRC REVIEW & ENGR. REVIEW COMMENTS	ASD	VMG
2	1/23/08	PER ENGR. REVIEW COMMENTS	ASD	VMG
3	5/02/08	PER FINAL ENGR. REVIEW COMMENTS	ASD	VMG
4	9/11/08	PER ENGR. REVIEW COMMENTS	ASD	VMG
5	4/07/09	ENTERED HAND-RAIP & NOTE 23 PER PB CONDITIONS	ASD	VMG

OWNERS SIGNATURE: *[Signature]* DATE **4-19-09**

APPROVED BY THE LONDONDERRY N.H. PLANNING BOARD ON **6/10/09** CERTIFIED BY: *[Signature]*

CHAIRMAN *[Signature]* DATE **6/10/09**

SECRETARY *[Signature]*

WETLAND DELINEATION WAS COMPLETED BY TIMOTHY FENNERA (ONS #039) OF MERIDIAN LAND SERVICES OF MILFORD, NH. DURING APRIL OF 2003 USING METHODS OUTLINED IN THE CORPS OF ENGINEERS FEDERAL TECHNICAL REPORT: Y-87-1, JANUARY 1987.

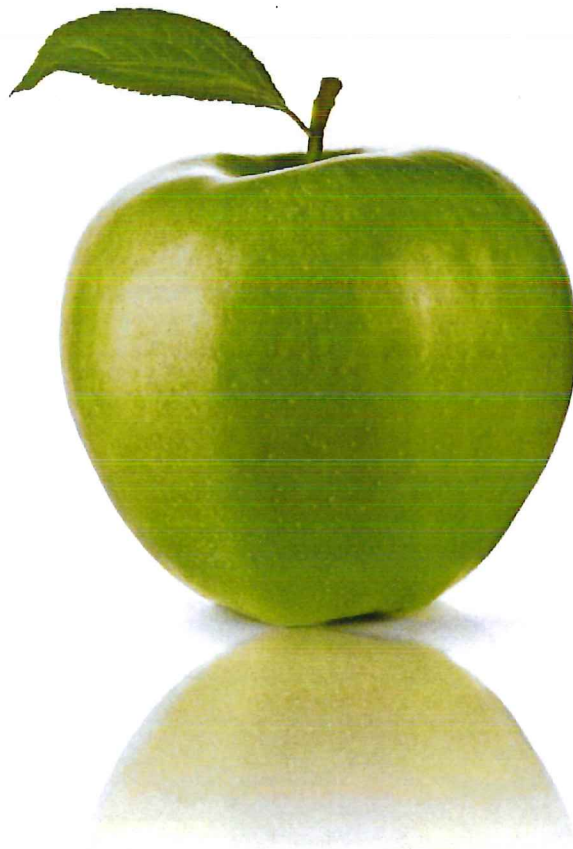
WETLAND CLASSIFICATION WAS DETERMINED IN ACCORDANCE WITH THE USFWS-METHODOLOGY: "CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES", DECEMBER 1979 BY THE UNITED STATES FISH AND WILDLIFE SERVICE.

THERE ARE NO WETLANDS ON THE SITE



EXHIBIT 3

Town of Londonderry, New Hampshire



Version 1.0 | January 4, 2013

Comprehensive Master Plan

Town Planning & Urban Design Collaborative, LLC

Regulatory Barriers

As a result of the way in which the existing zoning in Londonderry is written, the predominant form of development over the past 30 years has been detached single family homes on one-acre lots with strip commercial uses along the main thoroughfares. The pattern of one-acre residential lots was also ensured by the Town's lack of a public sewerage system, forcing lots to be large enough to accommodate septic leach fields. Because of these factors, Londonderry has a limited range of lifestyle options, making it difficult for the Town to remain competitive in a national market where preferences have changed and more people desire smaller homes and apartments within walking distance of amenities.

Why Regulatory Change Now?

During Planapalooza it became clear that a majority of the community wants to see additional options. While everyone agreed that existing neighborhoods should be preserved to maintain the lifestyle preference of those who like Londonderry the way it is, there was broad consensus that new growth should occur in the form of clearly defined compact, walkable, mixed-use activity centers in villages and along corridors. This approach allows for greater lifestyle choices so that there is something for everyone in Londonderry, while attracting new people to buy homes and bring in additional businesses. Unfortunately, the current zoning ordinance has limited capacity to enable, encourage, and promote the diversity of high quality places desired by the community.

Over the years, the existing zoning has been amended in a piecemeal fashion to address specific issues as they have come up, without a major rewrite in the roughly forty years since it was first enacted. Because of this history of "tacking on" amendments, the zoning has many deficiencies and inconsistencies and is difficult to use. Because of the challenge in interpreting the regulations, the development review process has become increasingly unpredictable, time-consuming, and costly, deterring potential investment.

Comprehensive Rewrite of Ordinance

For both of these reasons, the Town of Londonderry should pursue a comprehensive rewrite of the Zoning Ordinance, including form-based components to deal with all aspects of community character and design. The form-based or "character-based" components will more effectively yield walkable, compact diverse mixed-use environments focused on activity centers, areas where the Town has determined that growth should occur.

Where existing suburban neighborhoods already exist, the form-based components would be written to maintain the current character and existing lifestyle. In areas where change is desired, existing buildings would be grandfathered until such time as a substantial change is made to the property. A comprehensive rewrite of this nature would allow the Town to simplify the regulations, which would promote private-sector investment in the Plan and expand lifestyle options in Town.

Following the adoption of the Comprehensive Master Plan, Londonderry should modify its zoning and subdivision ordinances in order to promote the Plan and make legal the vision for the activity centers. A form-based approach works to consolidate, simplify, and update zoning language to reflect the desires of the community.

ACTION	TIMEFRAME (COMPLETION DATE)	BUDGET ALLOWANCE	LEAD PARTY	OTHER PARTNERS	FUNDING SOURCE
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FOCUS AREA RECOMMENDATIONS

TOWN CENTER COMMON

Support provisions in a form-based code to allow the unique design proposed for the church site.	Near Term (2016)	See Budget Allowance for Form-Based Code	Planning Board	Community Development Department	N/A
Complete a formal study of the town commons area to refine recommendations for making it a formal destination in the community, and develop zoning regulations to ensure proper execution of the vision.	Near Term (2016)	\$35,000 - \$60,000	Town Council	Community Development Department	General Fund
Evaluate the feasibility of a skating pond in the town forest, and start pre-planning for extension of trails leading to the pond.	Near Term (2016)	In-House Resources	Recreation Department	Londonderry Recreation Committee, Londonderry Trailways	N/A
Determine whether this area should become permanent open space, and secure funding for its purchase if deemed appropriate. Alternatively, develop provisions in a form-based code to allow this type and scale of neighborhood development contemplated in this location.	Near Term (2016)	See Budget Allowance for Form-Based Code	Londonderry Conservation Commission	Community Development Department	N/A
Move forward with funding recommended improvements for the new town commons area proposed in the comprehensive master plan.	Long-Term (2020)	\$250,000 - \$450,000	Town Council	Community Development Department	General Fund
Work with the New Hampshire Department of Transportation to implement improvements for Mammoth Road that emphasize complete street design principals; program funding for these improvements as a catalyst for redevelopment in the town commons.	Long-Term (2020)	\$150,000 - \$250,000	Town Council	Public Works Department	New Hampshire DOT

NORTH VILLAGE ARTISAN DISTRICT

Use provisions in a form-based code to allow expansion of the street network in a grid format.	Near Term (2016)	See Budget Allowance for Form-Based Code	Community Development Department	Public Works Department	N/A
Include provisions in a form-based code to allow retrofit of existing mill buildings for mixed use development.	Near Term (2016)	See Budget Allowance for Form-Based Code	Planning Board	Heritage/Historic District Commission, Community Development Department	N/A
Continue fundraising campaign to build the rail-trail, beginning work soon on a preliminary engineering study.	Near Term (2016)	\$35,000 - \$85,000	Londonderry Trailways	Community Development Department, Public Works Department	General Fund, Grant Opportunities, Donations
Coordinate with the New Hampshire Department of Transportation to program recommended improvements at the intersection of Rockingham Road and Sanborn Road.	Long-Term (2020)	\$150,000 - \$250,000	Public Works Department	New Hampshire DOT	New Hampshire DOT
Program improvements to North Londonderry Elementary School in the School District's Capital Improvements Program.	Long-Term (2020)	N/A	Londonderry School District	Town Council, Community Development Department	N/A

SOUTH VILLAGE SUBURBAN RETROFIT

Include new rules and standards in a form-based code to reduce minimum front yard setback requirements along the Nashua Road Corridor.	Near Term (2016)	See Budget Allowance for Form-Based Code	Planning Board	Community Development Department	N/A
Include new rules and standards in a form-based code to allow urban character development.	Near Term (2016)	See Budget Allowance for Form-Based Code	Planning Board	Community Development Department	N/A
Promote redevelopment of the existing apartment complex through policy incentives. Reach out to the property owner to gauge interest for moving forward with the redevelopment project.	Near Term (2016)	In-House Resources	Planning Board	Community Development Department, Private Developer	N/A
Undertake a corridor study for Route 102 to make the street more walkable and ready for future fixed-route bus service.	Near Term (2016)	\$50,000 - \$100,000	Planning Board	Community Development Department, Public Works Department	N/A
Make improvements to the town park on Route 102 to activate this quadrant of the activity center.	Long-Term (2020)	\$100,000 - \$300,000	Recreation Department	Recreation Committee, Community Development Department	General Fund

EXHIBIT 4

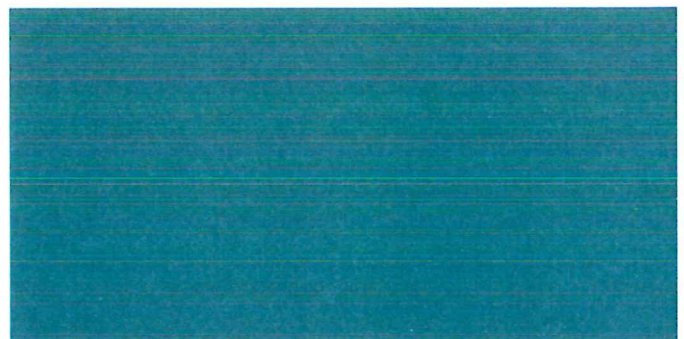
Londonderry Master Plan

**(Draft Vision, Guiding
Principles,
Demographics,
Housing and Land**



JULY 2025

**Prepared by: Southern NH Planning Commission
For: Town of Londonderry**



Younger respondents tended to favor increased zoning flexibility, reflecting a desire for more varied and affordable housing choices. Meanwhile, older adults prioritized accessibility and showed greater support for condominiums, two-family homes, and assisted living options. Some respondents also expressed concern that 55+ developments may reduce opportunities for intergenerational living.

Aging residents further emphasized the importance of support services—such as in-home care, transportation, and social engagement—as essential to their ability to remain in their homes. This underscores the important connection between housing types, available services, and the ability to age in place within the community.

Housing Strategies:

The Master Plan Steering Committee held a series of work sessions to review and evaluate housing strategies in the context of several key inputs: the 2013 Master Plan recommendations, the 2024 community survey and resident feedback, and current demographic trends.

Following thoughtful discussion and analysis, the committee identified the following housing strategies to guide future planning efforts.

Table #28: 2024 Londonderry Master Plan Survey Responses for Preferred Housing Type	
Housing Type Preferred	% Favorable Response
Single-Family Homes	54.5%
Affordable Housing	38.3%
Accessory Dwelling Units (ADUs)	36.3%
Age-Friendly / Universal Design	36.2%
No Additional Housing Needed	38.3%

Table #29: Master Plan Steering Committee’s Proposed Housing Strategies
<ul style="list-style-type: none"> • Promote small development by making it easier to subdivide single family lots such as smaller road frontage requirements, allowances for back lot development (porkchop lot), and two-family conversions
<ul style="list-style-type: none"> • Promote zoning (land use regulations) that allows greater housing choice to meet the needs of new and existing residents
<ul style="list-style-type: none"> • Allow mixed-use development in commercial zones.
<ul style="list-style-type: none"> • Coordinate land use boards and committees in the review of recommended zoning revisions and process strategies recommended by the current review and assessment of the Londonderry zoning ordinance.
<ul style="list-style-type: none"> • Update soil-based lot sizing to reflect NH DES or other state agency’s most updated recommendations.

EXHIBIT 5



TOWN OF LONDONDERRY ZONING ORDINANCE

4 USE AND DIMENSIONAL REGULATIONS

4.1 District Uses

Subject to other applicable sections and all other local, state and federal laws, rules and regulations, no building, structure or land may be used or occupied except for the purposes permitted in the base district in which the use is located as set forth in the Table of Uses.

4.1.1 Designation of Permitted Uses

Permitted uses in the base districts are designated in the Table 4-1, Table of Uses by the following:

- A. Uses Permitted by Right - A use denoted by the letter "P" is permitted by right in the district
- B. Uses Permitted by Special Exception - A use denoted by the letter "S" is a use that may be authorized by Special Exception in that district. The Zoning Board of Adjustment may grant a Special Exception in accordance with the procedures and conditions set forth in **Section 8.1.5, Special Exceptions.**
- C. Uses Permitted by Conditional Use Permit - A use denoted by the letter "C" is a use that may be authorized by a Conditional Use Permit in that district. The Planning Board may grant a Conditional Use Permit in accordance with the procedures and conditions set forth in **Section 6, Conditional Use Permits.**

4.1.2 Use Table by Zoning District

Table 4-1 Londonderry Zoning Ordinance Use Table P = Permitted by Right C = Conditional Use Permit S = Special Exception													
	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD
													102 1
RESIDENTIAL AND AGRICULTURAL													
Agriculture	P	P									p ^s		
Assisted Living Facilities	C	P	P	P	P		P				p ^s		P
Back Lot Development	C										p ^s		
Dwelling, multi-family		P	C ³	C ³	C ³	C ³	C ³				p ^s		C ³
Dwelling, multi-family workforce		C ³	C ³	C ³	C ³	C ³	C ³				p ^s		C ³
Dwelling, single family	P	P			S						p ^s		
Dwelling, single family, workforce	C ³	C ³	C ³	C ³	C ³	C ³					p ^s		
Dwelling, two-family	P	P			S						p ^s		
Dwelling, two-family, workforce	C ³	C ³	C ³	C ³	C ³	C ³					p ^s		
Manufactured housing	P	P											
Manufactured housing, workforce	C ³	C ³											
Mixed use residential						P, C ³	P, C ³				p ^s		C ³
Mobile homes	P												



TOWN OF LONDONDERRY ZONING ORDINANCE

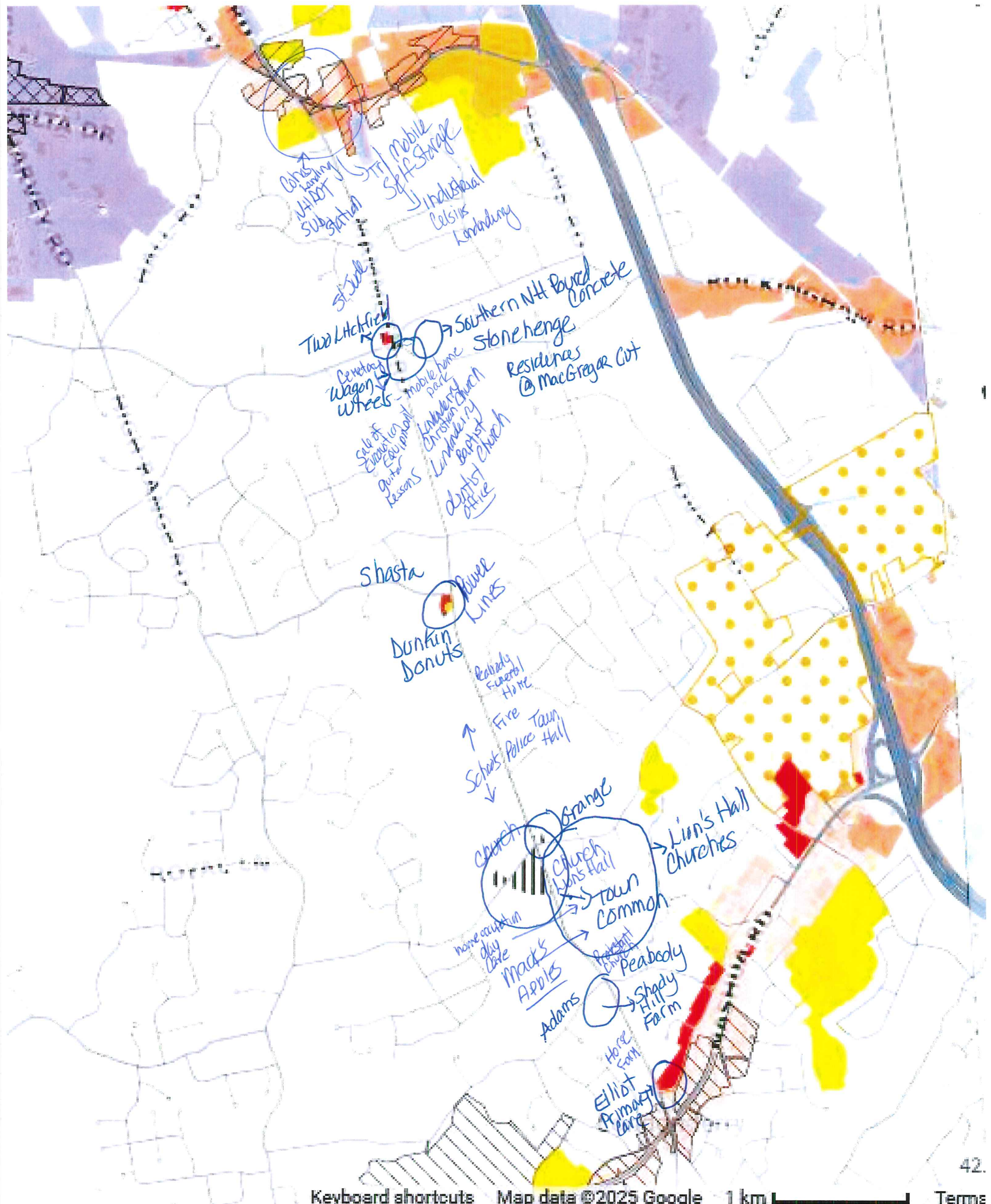
Table 4-1 Londonderry Zoning Ordinance Use Table P = Permitted by Right C = Conditional Use Permit S = Special Exception													
	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102
4 Nursing Home and accessory uses		P	P	P	P		P				P ⁵		P
Preexisting manufactured housing parks	P												
Presite Built Housing	P												
CIVIC USES													
Community center			P	P		C					P ⁴		
Cemetery	P												
Public Facilities	P		P	P		C		P	P	P	P ⁴	P	
Public Utilities	P	P	P	P				S	S	S	P ⁵	S	
Recreational Facilities, Public	P			P							P ⁴		P
Religious Facilities	P		P	P	P	P					P ⁵		P
Cultural Uses and Performing Arts							C			P	P ⁴		
BUSINESS USES													
Aeronautical Facilities													P
Assembly, testing, repair and packing operations up to 250,000 sq. ft.								P	P	P	P ⁴		
Assembly, testing, repair and packing operations 250,001 sq. ft. or larger								P	P	C	P ⁴		
Bed and Breakfast Homestay	P										P ⁵		
Business center development			P	P			P			P	P ⁴		P
Conference/Convention Center							C			P	P ⁴		
Day Care Center, Adult						C	C				P ⁴		
Drive-thru window as an accessory use			P	P			C						
Drive-in establishments			P	P									
Drive-in theatres				P									
GB District Services										(See GB District Services Use Table, Section 4.1.2)			
Financial institution			P	P			P			P	P ⁴		
5 Funeral homes			P	P	P								
Education and Training Facilities							C			P	P ⁴		
Excavation, including Temporary and Permanent Manufacturing Plants as an accessory use.	See Section 5.8												
6 Group Child Care Center					P	C		S	S		P ⁴		C
Home Occupation	See Section 5.12										S		



TOWN OF LONDONDERRY ZONING ORDINANCE

Table 4-1 Londonderry Zoning Ordinance Use Table P = Permitted by Right C = Conditional Use Permit S = Special Exception													
	AR-1	R-III	C-I	C-II	C-III	C-IV	MUC	IND-I	IND-II	GB	PUD	AD	POD - 102 1
Hospital										P			
Hotels				P			C			P	P ⁴		
Manufacturing, Heavy									P	P		P	
Manufacturing, Light up to 250,000 sq. ft.				P				P	P	P	P ⁴	P	
Manufacturing, Light 250,001 sq ft or larger				P				P	P	C	P ⁴	P	
Membership club			P	P							P ⁴		
Motels				P									
Motor Vehicle Maintenance, Major Repair and Painting									P			P	
Motor vehicle rental												P	
Motor Vehicle Station, Limited Service				P		C ²					P ⁴	P	
Recreation, commercial			P	P			P				P ⁴		P
Retail sales establishment up to 75,000 sq. ft.			P	P		P	P				P ⁴		P
Retail sales establishment 75,001 sq. ft. or larger			P	P			C				P ⁴		
Outdoor Storage of goods or materials (not to exceed 5-10% of the gross floor area) as an Accessory Use										C			
7 Professional office			P	P	P	P	P	P	P	P	P ⁴	P	P
Rental Car Terminal up to 50,000 sq. ft.										P	P ⁴		
Rental Car Terminal 50,001 sq. ft. or larger										C	P ⁴		
Repair services			P	P		P		P	P		P ⁴	P	P
Research or Development Laboratories				P			P	P	P	P	P ⁴	P	
Restaurant			P	P		C	P				P ⁴	P	P
Restaurant, fast food			P	P			C				P ⁴		
Sales of Heavy Equipment or Heavy Trucks as an accessory use								C	C	C			
8 School, Private					P						P ⁴		P
Service establishment			P	P			P	P	P		P ⁴	P	P
Sexually oriented businesses			P	P									
Storage, self serve				P				P	P				C
Terminal, Airplane												P	
Terminal, Trucking up to 100,000 sq. ft.									P	P	P ⁴	P	

EXHIBIT 6



NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
WARRANT FOR LAND USE CHANGE TAX

STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:

NAME OF MUNICIPALITY LONDONDERRY		
STREET ADDRESS 268B MAMMOTH RD		
MAILING ADDRESS 268B MAMMOTH RD		
MUNICIPALITY LONDONDERRY	STATE NH	ZIP CODE 03053

STEP 2 - COLLECTION OF LAND USE CHANGE TAX

(a) State of New Hampshire, County of: ROCKINGHAM	
(b) To: ALLISON PARSONS	Municipal Collector of taxes
(c) for the municipality of: LONDONDERRY	in said County.
(d) In the name of said State you are directed to collect the LAND USE CHANGE TAX in the list herewith committed to you, amounting in all of the sum of: Interest at 18% will be assessed after 30 days.	\$ 18,400.00
(e) Given under our hands at LONDONDERRY	
(f) This day of Oct 15, 2025	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY BELIZE REAL ESTATE HOLDINGS LLC	
LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY MAILING ADDRESS [REDACTED]	
(h) MUNICIPAL TAX MAP 006	LOT NUMBER 106-2

STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) Ron Dunn	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Daz Bouchard	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Deb Paul	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Shawn Fisher	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25
TYPE OR PRINT NAME (in black or dark blue ink) Ted Cambes	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
WARRANT FOR LAND USE CHANGE TAX

INSTRUCTIONS

WHEN TO FILE

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

WHO MUST FILE

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

WHERE TO FILE

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

TAX COLLECTOR PROCEDURES

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

WHEN TAX IS DUE

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

COLLECTION OF UNPAID TAX

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the New Hampshire Department of Revenue Administration.

NEED HELP?

Contact the Municipal and Property Division at (603) 230-5950.

LINE-BY-LINE FORM INSTRUCTIONS

STEP 1

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

STEP 2

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

STEP 3

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL

STEP 1- LAND USE CHANGE TAX TO BE BILLED TO:

PROPERTY OWNER(S) OR RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME BELIZE REAL ESTATE HOLDINGS LLC	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL

STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED			
	(b) ACCESSIBLE STREET LOCATION 90 HIGH RANGE ROAD		MUNICIPALITY LONDONDERRY	COUNTY ROCKINGHAM
	(c) TOTAL ACRES OF PARCEL 1.34	PARCEL TAX MAP AND LOT # 006 106-2	DEED BOOK AND PAGE # 6348 2785	
	(d) CHECK ONE BELOW: <input type="checkbox"/> PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)

(a) Owners Name When Land Was First Recorded in Current Use: WHITTEN, DONALD	DEED BOOK AND PAGE # 1447 0012	
(b) Total Number of Acres Originally Enrolled in Current Use	23.00	
(c) Total Number of Acres Previously Released Since The Original Recording	0.00	
(d) Number of Acres Subject to the LUCT Per This Assessment	1.34	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	0.00	

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
 (continued)

STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX

(a) Narrative Description of the Disqualification: DEVELOPMENT. NEW HOUSE PERMITTED 02/25/2025.	
(b) Actual Date of Change in Use (MM/DD/YYYY)	02/25/2025
(c) Full and True Market Value at Time of Change in Use	\$ 184,000
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ 18,400.00

STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) <i>Ron Dunn</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12/15/25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Don Bouchard</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12/15/25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Debra Paul</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12/15/25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Shawn Faber</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12-15-25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Ted Cambes</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12-15-25</i>

STEP 6 - BILL LAND USE CHANGE TAX TO:

(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)

LAST NAME/CORPORATION/TRUST NAME BELIZE REAL ESTATE HOLDINGS LLC	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
<div style="background-color: black; height: 50px; width: 100%;"></div>		
(b) Actual Date of Change in Use (MM/DD/YYYY)	02/25/2025	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)	10/15/2025	
(d) Full and True Market Value at Time of Change in Use	\$ 184,000	
(e) Land Use Change Tax Due	\$ 18,400.00	

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL

(continued)

STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)

(a) MAKE CHECKS PAYABLE TO:		
(b) MAIL TO:		
MAILING ADDRESS:		
MUNICIPALITY	STATE	ZIP CODE
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION:		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS:		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT
--	--	-----------------

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
INSTRUCTIONS
GENERAL INSTRUCTIONS

WHO MUST FILE

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

WHEN TO FILE

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

WHERE TO FILE

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

BILLING AND COLLECTION OF THE TAX

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

APPEAL OF LAND USE CHANGE TAX

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

ADA

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NEED HELP?

Contact your Municipality or Municipal and Property Division at (603) 230-5950.

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
INSTRUCTIONS

LINE-BY-LINE INSTRUCTIONS

The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.

STEP 1

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

STEP 2

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

STEP 3

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3 (d).

STEP 4

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

STEP 5

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

STEP 6

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

STEP 7

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

STEP 8

The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

FORM
A-5W

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
WARRANT FOR LAND USE CHANGE TAX

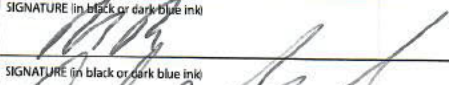
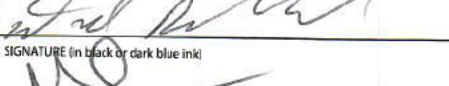
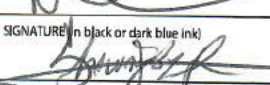


STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:

NAME OF MUNICIPALITY LONDONDERRY		
STREET ADDRESS 268B MAMMOTH RD		
MAILING ADDRESS 268B MAMMOTH RD		
MUNICIPALITY LONDONDERRY	STATE NH	ZIP CODE 03053

STEP 2 - COLLECTION OF LAND USE CHANGE TAX

(a) State of New Hampshire, County of: ROCKINGHAM	
(b) To: ALLISON PARSONS	Municipal Collector of taxes
(c) for the municipality of: LONDONDERRY	in said County.
(d) In the name of said State you are directed to collect the LAND USE CHANGE TAX in the list herewith committed to you, amounting in all of the sum of: Interest at 18% will be assessed after 30 days.	\$ 18,000.00
(e) Given under our hands at LONDONDERRY	
(f) This day of Oct 15, 2025	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY BELIZE REAL ESTATE HOLDINGS LLC	
(h) MUNICIPAL TAX MAP 006	LOT NUMBER 106-1

STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) Ron Dunn	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Daa Bouchard	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Deb Paul	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25
TYPE OR PRINT NAME (in black or dark blue ink) Shawn Faber	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25
TYPE OR PRINT NAME (in black or dark blue ink) Ted Combes	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25

FORM
A-5W

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

WARRANT FOR LAND USE CHANGE TAX

INSTRUCTIONS

WHEN TO FILE

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

WHO MUST FILE

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

WHERE TO FILE

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

TAX COLLECTOR PROCEDURES

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

WHEN TAX IS DUE

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

COLLECTION OF UNPAID TAX

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the New Hampshire Department of Revenue Administration.

NEED HELP?

Contact the Municipal and Property Division at (603) 230-5950.

LINE-BY-LINE FORM INSTRUCTIONS

STEP 1

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

STEP 2

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

STEP 3

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL

STEP 1 - LAND USE CHANGE TAX TO BE BILLED TO:

PROPERTY OWNER(S) OR RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME BELIZE REAL ESTATE HOLDINGS LLC	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL

STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED			
	(b) ACCESSIBLE STREET LOCATION 88 HIGH RANGE ROAD		MUNICIPALITY LONDONDERRY	COUNTY ROCKINGHAM
	(c) TOTAL ACRES OF PARCEL 12.07	PARCEL TAX MAP AND LOT # 006	DEED BOOK AND PAGE # 106-1 6348 2785	
	(d) CHECK ONE BELOW: <input checked="" type="checkbox"/> PARTIAL RELEASE <input type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)

(a) Owners Name When Land Was First Recorded in Current Use: WHITTEN, DONALD	DEED BOOK AND PAGE # 1447 0012	
(b) Total Number of Acres Originally Enrolled in Current Use	23.00	
(c) Total Number of Acres Previously Released Since The Original Recording	0.00	
(d) Number of Acres Subject to the LUCT Per This Assessment	1.00	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	11.07	

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
 (continued)

STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX

(a) Narrative Description of the Disqualification: DEVELOPMENT. NEW HOUSE PERMITTED 2/25/2025.	
(b) Actual Date of Change in Use (MM/DD/YYYY)	02/25/2025
(c) Full and True Market Value at Time of Change in Use	\$ 180,000
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ 18,000.00

STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
Ren Dunn	<i>[Signature]</i>	12/15/25
Dan Bouchard	<i>[Signature]</i>	12/15/25
Deb Paul	<i>[Signature]</i>	12-15-25
Shawn Faber	<i>[Signature]</i>	12-15-25
Ted Cambes	<i>[Signature]</i>	12-15-25

STEP 6 - BILL LAND USE CHANGE TAX TO:

(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)

LAST NAME/CORPORATION/TRUST NAME BELIZE REAL ESTATE HOLDINGS LLC	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
(b) Actual Date of Change in Use (MM/DD/YYYY)	02/25/2025	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)	10/15/2025	
(d) Full and True Market Value at Time of Change in Use	\$ 180,000	
(e) Land Use Change Tax Due	\$ 18,000.00	

FORM
A-5

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)

(a) MAKE CHECKS PAYABLE TO:		
(b) MAIL TO:		
MAILING ADDRESS:		
MUNICIPALITY	STATE	ZIP CODE
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION:		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS:		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT
--	--	-----------------

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
INSTRUCTIONS
GENERAL INSTRUCTIONS

WHO MUST FILE

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

WHEN TO FILE

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

WHERE TO FILE

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

BILLING AND COLLECTION OF THE TAX

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

APPEAL OF LAND USE CHANGE TAX

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

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NEED HELP?

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NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
INSTRUCTIONS

LINE-BY-LINE INSTRUCTIONS

The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.

STEP 1

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

STEP 2

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

STEP 3

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3 (d).

STEP 4

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

STEP 5

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

STEP 6

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

STEP 7

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

STEP 8


The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
WARRANT FOR LAND USE CHANGE TAX

STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:

NAME OF MUNICIPALITY LONDONDERRY		
STREET ADDRESS 268B MAMMOTH RD		
MAILING ADDRESS 268B MAMMOTH RD		
MUNICIPALITY LONDONDERRY	STATE NH	ZIP CODE 03053

STEP 2 - COLLECTION OF LAND USE CHANGE TAX

(a) State of New Hampshire, County of: ROCKINGHAM	
(b) To: ALLISON PARSONS	Municipal Collector of taxes
(c) for the municipality of: LONDONDERRY	in said County.
(d) In the name of said State you are directed to collect the LAND USE CHANGE TAX in the list herewith committed to you, amounting in all of the sum of:	\$ 2,550
Interest at 18% will be assessed after 30 days.	
(e) Given under our hands at LONDONDERRY	
(f) This day of Oct 15, 2025	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY EVANS FAMILY LTD PARTNERSHIP	
	
(h) MUNICIPAL TAX MAP 018	LOT NUMBER 006-0

STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) Ron Dunn	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Dan Bouchard	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25
TYPE OR PRINT NAME (in black or dark blue ink) Deb Paul	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25
TYPE OR PRINT NAME (in black or dark blue ink) Shawn Fisher	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25
TYPE OR PRINT NAME (in black or dark blue ink) Ted Cambes	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25

WARRANT FOR LAND USE CHANGE TAX**INSTRUCTIONS****WHEN TO FILE**

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

WHO MUST FILE

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

WHERE TO FILE

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

TAX COLLECTOR PROCEDURES

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

WHEN TAX IS DUE

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

COLLECTION OF UNPAID TAX

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the New Hampshire Department of Revenue Administration.

NEED HELP?

Contact the Municipal and Property Division at (603) 230-5950.

LINE-BY-LINE FORM INSTRUCTIONS**STEP 1**

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

STEP 2

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

STEP 3

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL

STEP 1- LAND USE CHANGE TAX TO BE BILLED TO:

PROPERTY OWNER(S) OR **RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:**

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME EVANS FAMILY LTD PARTNERSHIP	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL

STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED			
	(b) ACCESSIBLE STREET LOCATION REAR GERRY LN		MUNICIPALITY LONDONDERRY	COUNTY ROCKINGHAM
	(c) TOTAL ACRES OF PARCEL 2.50	PARCEL TAX MAP AND LOT # 018	DEED BOOK AND PAGE # 006-0 3243 1865	
	(d) CHECK ONE BELOW: <input type="checkbox"/> PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)

(a) Owners Name When Land Was First Recorded in Current Use: EVANS, JOHN	DEED BOOK AND PAGE # 0160 0008	
(b) Total Number of Acres Originally Enrolled in Current Use	2.50	
(c) Total Number of Acres Previously Released Since The Original Recording	0.00	
(d) Number of Acres Subject to the LUCT Per This Assessment	2.50	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	0.00	

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
 (continued)

STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX

(a) Narrative Description of the Disqualification: SALE OF CONTIG. LOTS 015-103-0 AND 015-103-A DISQUALIFIES SUBJECT DUE TO LOT SIZE.	
(b) Actual Date of Change in Use (MM/DD/YYYY)	05/02/2024
(c) Full and True Market Value at Time of Change in Use	\$ 25,500
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ 2,550.00

STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) <i>Ron Dunn</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12/15/25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Dan Bouchard</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12/15/25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Deb Paul</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12/15/25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Shawn Faber</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12-15-25</i>
TYPE OR PRINT NAME (in black or dark blue ink) <i>Ted Combes</i>	SIGNATURE (in black or dark blue ink) <i>[Signature]</i>	DATE <i>12-15-25</i>

STEP 6 - BILL LAND USE CHANGE TAX TO:

(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)

LAST NAME/CORPORATION/TRUST NAME EVANS FAMILY LTD PARTNERSHIP	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
(b) Actual Date of Change in Use (MM/DD/YYYY)	05/02/2024	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)	10/15/2025	
(d) Full and True Market Value at Time of Change in Use	\$ 25,500	
(e) Land Use Change Tax Due	\$ 2,550.00	

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL

(continued)

STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)

(a) MAKE CHECKS PAYABLE TO:		
(b) MAIL TO:		
MAILING ADDRESS:		
MUNICIPALITY	STATE	ZIP CODE
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION:		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS:		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX C OLLECTOR)

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT
--	--	-----------------

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
INSTRUCTIONS
GENERAL INSTRUCTIONS

WHO MUST FILE

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

WHEN TO FILE

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

WHERE TO FILE

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

BILLING AND COLLECTION OF THE TAX

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

APPEAL OF LAND USE CHANGE TAX

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.

NEED HELP?

Contact your Municipality or Municipal and Property Division at (603) 230-5950.

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
INSTRUCTIONS

LINE-BY-LINE INSTRUCTIONS

The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.

STEP 1

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

STEP 2

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

STEP 3

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3 (d).

STEP 4

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

STEP 5

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

STEP 6

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

STEP 7

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

STEP 8

The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
WARRANT FOR LAND USE CHANGE TAX

STEP 1 - TAX COLLECTOR'S WARRANT FOR LAND USE CHANGE TAX IN THE MUNICIPALITY OF:

NAME OF MUNICIPALITY LONDONDERRY		
STREET ADDRESS 268B MAMMOTH RD		
MAILING ADDRESS 268B MAMMOTH RD		
MUNICIPALITY LONDONDERRY	STATE NH	ZIP CODE 03053

STEP 2 - COLLECTION OF LAND USE CHANGE TAX

(a) State of New Hampshire, County of: ROCKINGHAM	
(b) To: ALLISON PARSONS	Municipal Collector of taxes
(c) for the municipality of: LONDONDERRY	in said County.
(d) In the name of said State you are directed to collect the LAND USE CHANGE TAX in the list herewith committed to you, amounting in all of the sum of:	\$ 35,000.00
Interest at 18% will be assessed after 30 days.	
(e) Given under our hands at LONDONDERRY	
(f) This day of Oct 15, 2025	
(g) LANDOWNER NAME OR RIGHT -OF- WAY RESPONSIBLE PARTY GOFFSTOWN HORIZON PROPERTIES LLC	
(h) MUNICIPAL TAX MAP 013	LOT NUMBER 022-0

STEP 3 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink) Ron Dunn	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Dan Bouchard	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Deb Paul	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Shawn Faber	SIGNATURE (in black or dark blue ink) 	DATE 12/15/25
TYPE OR PRINT NAME (in black or dark blue ink) Ted Lamb ES	SIGNATURE (in black or dark blue ink) 	DATE 12-15-25

WARRANT FOR LAND USE CHANGE TAX**INSTRUCTIONS****WHEN TO FILE**

The Municipal Assessing Officials, upon their approval of a Form A-5, Municipality Land Use Change Tax Bill, shall concurrently approve and sign the Form A-5W, Warrant For Land Use Change Tax.

WHO MUST FILE

The Municipal Assessing Officials shall complete Form A-5W, Warrant For Land Use Change Tax, as approved by the board, to serve as the warrant with which the Municipal Tax Collector shall collect the Land Use Change Tax from the landowner or the right-of-way responsible party.

WHERE TO FILE

The completed and signed original Form A-5W shall accompany the original Form A-5 and two copies to be delivered to the Municipal Tax Collector. The Municipal Assessing Officials shall retain a copy of both the Form A-5 and the Form A-5W for their records.

TAX COLLECTOR PROCEDURES

Upon receipt of the Form A-5W, Warrant For Land Use Change Tax, and Form A-5, Municipality Land Use Change Tax Bill, the Municipal Tax Collector shall mail a duplicate copy of the Form A-5 to the owner responsible for the tax as the notice thereof. Such bill shall be mailed, at the latest, within 18 months of the date upon which the Municipal Assessing Officials receive written notice of the change of use from the landowner or his agent, or within 18 months of the date the Municipal Assessing Officials actually discover that the Land Use Change Tax is due and payable. Upon receipt of payment from the property owner, the Municipal Tax Collector shall forward the original Form A-5 to the county registry of deeds for the purpose of releasing the recorded contingent lien as indicated by the A-5 on all, or only a portion of the property. The recording fee shall be payable by the property owner. Upon receipt of payment from the right-of-way responsible party, the Form A-5 does not get recorded at the registry of deeds. In either case, a copy of the paid Form A-5 bill shall be given to the Municipal Assessing Officials for their records.

WHEN TAX IS DUE

Payment of Land Use Change Tax and the recording fee shall be due not later than 30 days after mailing of the tax bill. Interest at the rate of 18 percent per annum shall be due on any taxes not paid within the 30-day period.

COLLECTION OF UNPAID TAX

Land Use Change Tax assessments create a lien against the property owner or the right-of-way responsible party. The tax lien shall continue for a period of 24 months. Unpaid tax is subject to collection proceedings pursuant to RSA 80.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the New Hampshire Department of Revenue Administration.

NEED HELP?

Contact the Municipal and Property Division at (603) 230-5950.

LINE-BY-LINE FORM INSTRUCTIONS**STEP 1**

The Municipal Assessing Officials shall provide the name of the municipality and mailing address in which the taxable property is located.

STEP 2

- (a) Name of the county in which the property is located.
- (b) Name of the Municipal Tax Collector.
- (c) Name of the municipality in which the property is located.
- (d) The amount of Land Use Change Tax due and payable.
- (e) The name of the municipality.
- (f) The month, day, and year of the warrant.
- (g) The property owner or right-of-way responsible party and address to whom the tax is being assessed.
- (h) The tax map and lot number of the property on which the Land Use Change Tax is being assessed.

STEP 3

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL

STEP 1 - LAND USE CHANGE TAX TO BE BILLED TO:

PROPERTY OWNER(S) OR RIGHT OF WAY RESPONSIBLE PARTY LISTED BELOW:

PLEASE TYPE OR PRINT	LAST NAME/CORPORATION/TRUST NAME GOFFSTOWN HORIZON PROPERTIES LLC	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	LAST NAME/CORPORATION/TRUST NAME	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
	[REDACTED]		

STEP 2 - PARCEL IDENTIFICATION OF DISQUALIFIED CURRENT USE LAND

PLEASE TYPE OR PRINT	(a) RIGHT OF WAY LAND USE CHANGE TAX - PROVIDE NAME OF LANDOWNER ON WHICH THE RIGHT OF WAY IS LOCATED			
	(b) ACCESSIBLE STREET LOCATION 2 PERKINS ROAD		MUNICIPALITY LONDONDERRY	COUNTY ROCKINGHAM
	(c) TOTAL ACRES OF PARCEL 2.53	PARCEL TAX MAP AND LOT # 013	DEED BOOK AND PAGE # 022-0 6622 1762	
	(d) CHECK ONE BELOW: <input type="checkbox"/> PARTIAL RELEASE <input checked="" type="checkbox"/> FULL RELEASE <input type="checkbox"/> RIGHT OF WAY LAND USE CHANGE TAX			

NOTE: A separate land use change tax (LUCT) must be submitted for each separate parcel of land.

STEP 3 - DOCUMENTATION AND FEE FOR PROPERTY TO BE ENROLLED IN CURRENT USE (CU)

(a) Owners Name When Land Was First Recorded in Current Use: CLARK, REED P	DEED BOOK AND PAGE # 2393 674	
(b) Total Number of Acres Originally Enrolled in Current Use	2.53	
(c) Total Number of Acres Previously Released Since The Original Recording	0.00	
(d) Number of Acres Subject to the LUCT Per This Assessment	2.53	
(e) Number of Acres Remaining in Current Use [3(b) minus 3(c) and 3(d)]	0.00	

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
 (continued)

STEP 4 - ASSESSMENT OF LAND USE CHANGE TAX

(a) Narrative Description of the Disqualification: SALE OF LOT 5/23/2025 DISQUALIFIES DUE TO SIZE.	
(b) Actual Date of Change in Use (MM/DD/YYYY)	05/23/2025
(c) Full and True Market Value at Time of Change in Use	\$ 350,000
(d) Land Use Change Tax [Step 4(c) multiplied by 10%]	\$ 35,000.00

STEP 5 - SIGNATURES OF A MAJORITY OF THE MUNICIPAL ASSESSING OFFICIALS

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE (in black or dark blue ink)	DATE
Ken Dunn	<i>[Signature]</i>	10/15/25
Dan Bouchard	<i>[Signature]</i>	10/15/25
Deb Paul	<i>[Signature]</i>	12-15-25
Shawn Faber	<i>[Signature]</i>	12-15-25
Ted Combes	<i>[Signature]</i>	12-15-25

STEP 6 - BILL LAND USE CHANGE TAX TO:

(COMPLETED BY MUNICIPAL ASSESSING OFFICIALS)

LAST NAME/CORPORATION/TRUST NAME GOFFTOWN HORIZON PROPERTIES LLC	FIRST NAME/CORPORATION/TRUST NAME	INITIAL
(b) Actual Date of Change in Use (MM/DD/YYYY)	05/23/2025	
(c) Date of Land Use Change Tax Bill (MM/DD/YYYY)	10/15/2025	
(d) Full and True Market Value at Time of Change in Use	\$ 350,000	
(e) Land Use Change Tax Due	\$ 35,000.00	

FORM
A-5

**NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL**

(continued)

STEP 7 - CHECKS PAYABLE AND MAILED TO: (COMPLETED BY MUNICIPAL TAX COLLECTOR)

(a) MAKE CHECKS PAYABLE TO:		
(b) MAIL TO:		
MAILING ADDRESS:		
MUNICIPALITY	STATE	ZIP CODE
(c) MUNICIPAL TAX COLLECTOR PHYSICAL OFFICE LOCATION:		
(d) MUNICIPAL TAX COLLECTOR OFFICE HOURS:		
(e) LAND USE CHANGE EXEMPT FROM RECORDING RSA 79-A:7, I (c): <input type="checkbox"/> Yes <input type="checkbox"/> No		
(f) RECORDING FEE: INCLUDE A SEPARATE CHECK IN THE AMOUNT OF \$ _____		
PAYABLE TO:		
(g) PAYMENT OF THE LAND USE CHANGE TAX IS DUE NO LATER THAN 30 DAYS AFTER MAILING OF THIS BILL. INTEREST, AT THE RATE OF 18% PER ANNUM, SHALL BE DUE IF THE TAX IS NOT PAID ON OR BEFORE: _____		

STEP 8 - ACKNOWLEDGEMENT OF PAYMENT (COMPLETED BY MUNICIPAL TAX COLLECTOR)

TYPE OR PRINT NAME (in black or dark blue ink)	SIGNATURE OF MUNICIPAL TAX COLLECTOR (in black or dark blue ink)	DATE OF PAYMENT
--	--	-----------------

FORM
A-5

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

MUNICIPALITY LAND USE CHANGE TAX BILL

INSTRUCTIONS

GENERAL INSTRUCTIONS

WHO MUST FILE

The Municipal Assessing Officials shall complete the Form A-5, Municipality Land Use Change Tax Bill, to assess the Land Use Change Tax on land that has been classified as open space land and assessed at current use values on or after April 1, 1974 that has undergone a change and as such, no longer qualifies for current use assessment.

WHEN TO FILE

Municipal Assessing Officials shall assess the Land Use Change Tax within 18 months of the date upon which they receive written notice of the change of use from the landowner or his or her agent, or within 18 months of the date the Municipal Assessing Officials actually discover the Land Use Change Tax is due and payable.

WHERE TO FILE

Upon approval and signature of the Form A-5 by the majority of the Municipal Assessing Officials, the original and two copies of the Form A-5 along with the Form A-5W, Land Use Change Tax Warrant, shall be submitted to the Municipal Tax Collector for collection of the Land Use Change Tax. A copy of the Form A-5 and Form A-5W shall be retained by the Municipal Assessing Officials.

BILLING AND COLLECTION OF THE TAX

Upon receipt of the Land Use Change Tax Warrant, the Municipal Tax Collector shall mail one copy of the Form A-5 and this instruction page to the property owner of right-of-way responsible party. Payment of the Land Use Change Tax shall be due no later than 30 days after the mailing of the Form A-5 bill. If billed to the property owner, they must pay a recording fee. Interest of 18% will accrue on any unpaid tax after 30 days. Upon receipt of payment by the property owner, the Form A-5 is recorded at the country registry of deeds. Upon receipt of payment by the right-of-way responsible party, the Form A-5 is not recorded at the registry of deeds. Copies of the paid Form A-5 bills shall be given to the Municipal Assessing Officials for their records.

APPEAL OF LAND USE CHANGE TAX

Any person aggrieved by the assessment of a Land Use Change Tax may, within 2 months of the notice of tax date and not afterwards, apply in writing to the Municipal Assessing Officials for an abatement of the Land Use Change Tax pursuant to RSA 79-A:10. If the Municipal Assessing Officials neglect or refuse to abate the Land Use Change Tax, any person aggrieved may appeal within 8 months of the notice of tax date and not afterwards, to either the Board of Tax and Land Appeals or Superior Court in accordance with RSA 79-A:10 or RSA 79-A:11.

ADA

Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.

NEED HELP?

Contact your Municipality or Municipal and Property Division at (603) 230-5950.

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION
MUNICIPALITY LAND USE CHANGE TAX BILL
INSTRUCTIONS

LINE-BY-LINE INSTRUCTIONS

The Municipal Assessing Officials shall complete Steps 1 through 6. Steps 7 and 8 shall be completed by the Municipal Tax Collector.

STEP 1

Indicate whether the property owner or the right-of-way responsible party will be assessed the tax. Provide the names and address of the party to whom the tax is being assessed.

STEP 2

- (a) If assessed to the right-of-way responsible party, list the name of the parcel landowner on which the change occurred.
- (b) Provide the parcel street location, municipality, and country on which the change in use occurred.
- (c) Provide the total acres of the parcel, tax map and lot number, and most recent deed reference for the parcel.
- (d) Indicate whether a portion of the parcel or the entire parcel is being released, or that it is a right-of-way change.

STEP 3

- (a) Provide the name of the property owner(s) that originally enrolled the land into current use including the registry of deeds book and page recording the reference.
- (b) Enter the total acres originally enrolled in current use.
- (c) Enter the total acres previously released since the original enrollment into current use.
- (d) Enter the number of acres subject to the Land Use Change Tax for this assessment.
- (e) Enter the number of acres remaining in current use, Step 3(b) minus Step 3(c) minus Step 3(d).

STEP 4

- (a) Provide the description of the land disqualification.
- (b) Provide the actual date of the event that disqualified the land in the following format: MM/DD/YYYY.
- (c) Provide the full and true market value of the land at the time of change in use.
- (d) Calculate the Land Use Change Tax by multiplying the full and true market value of the land by 10% (.10).

STEP 5

Signature of a majority of the Municipal Assessing Officials and date of signature indicates approval.

STEP 6

- (a) Provide the name and address of the party to whom the tax is to be billed.
- (b) Provide the actual date of the event that disqualified the land in Step 4(b) in the following format: MM/DD/YYYY.
- (c) Enter the date of the Land Use Change Tax Notice.
- (d) Enter the full and true market value at the time of change in use as indicated in Step 4(c).
- (e) Enter the Land Use Change Tax owed as calculated on page 2, Step 4(d).

STEP 7

- (a) Enter the name of the municipality to which the checks are to be made payable. This should be the municipality in which the parcel of land is located.
- (b) Enter the name of the Municipal Tax Collector and the applicable mailing address to which payments should be remitted.
- (c) Enter the Municipal Tax Collector's physical office location.
- (d) Enter the Municipal Tax Collector's hours of operation.
- (e) If the Land Use Change Tax is being billed to the right-of-way responsible party, it is exempt from recording and the box should be checked "Yes". If the Land Use Change Tax is being billed to the property owner, it is not exempt and the box should be checked "No".
- (f) Enter the applicable county registry of deeds recording and filing fee for the recording of the lien release. Indicate to whom the recording fee check should be made payable.
- (g) Enter the final date that the taxpayer has to pay the bill to avoid late payment penalties.

STEP 8

The Municipal Tax Collector shall sign and date the form when the tax is paid, and if applicable, the Municipal Tax Collector shall remit the original signed Form A-5 with the recording fee to the appropriate County Registry of Deeds. Copies of the paid, and if applicable the recorded, Form A-5 shall be provided to the Municipal Assessing Officials for their record.

December 29, 2025

Town of Londonderry
268B Mammoth Road
Londonderry, NH 03053

**SUBJECT: Pillsbury Road Pump Station, Force Main, and Gravity Interceptor
Request to Award**

Dear Town of Londonderry,

Wright-Pierce has reviewed the three low bidders for the Pillsbury Road Pump Station, Force Main, and Gravity Interceptor project and is not aware of any reason not to award the project to DeFelice Corporation of Dracut, Massachusetts the Low Bidder of the Project. The total amount of the award will be equal to the Total Base Bid value of \$5,769,092.00 and Bid Alternate 1 value of \$0.01, for a total construction cost of \$5,769,092.01. The bid from DeFelice Corporation was approximately 5-percent lower than the second lowest bid and approximately 9-percent lower than the \$6.3 M Engineer's Opinion of Probable Cost.

The project includes approximately 7,000 linear feet (LF) of new 10-inch force main, 3,000 LF of new 15-inch gravity sewer, 550 LF of culvert replacement, in addition to a new submersible pump station complete with a valve vault and an electrical building with backup generator and controls. The project was designed to provide service to the 101 Corridor Service Area. Construction is critical for both ongoing and future development in the area.

Financial and reference checks showed that DeFelice Corporation is a reputable general contractor and Wright-Pierce is not aware of any reason not to award the project to Defelice Corporation. The NH Department of Environmental Services (NHDES) approved the Town's authorization to award in a letter dated December 12, 2025.

The project will be funded partially through a \$4M U.S. Department of Housing and Urban Development (HUD) Congressionally Directed Spending Grant and local funds. The project is looking to remain eligible for State Aid Grant (SAG) Funding.

A Notice to Proceed date has not been determined and construction sequencing has not been finalized with the general contractor at this time. Pump station start up is anticipated in the fall of 2026 with project final completion in spring / summer of 2027.

Wright-Pierce is not aware of any reason the Pillsbury Road Pump Station, Force Main, and Gravity Interceptor Contract should not be awarded to DeFelice Corporation, the lowest responsive and responsible bidder in the amount of \$5,769,092.01. Town Council consideration and approval of the associated project funding is

12/29/2025

Page 2 of 2

requested to proceed with the project and meet capacity needs to support permitted and future development.

Sincerely,
WRIGHT-PIERCE

A handwritten signature in cursive script, appearing to read "Kevin Garvey".

Kevin Garvey, PE
Project Manager
kevin.garvey@wright-pierce.com

NOTICE OF AWARD

Dated _____

TO: DeFelice Corporation

ADDRESS: 28 Silva Lane Dracut MA 01826
Street Address City/Town State ZIP

Project Number 20937A Owner Contract Number _____

Project : Pillsbury Road Pump Station, Force Main, and Gravity Interceptor | Contract For: Town of Londonderry

Insert the name of the contract as it appears on the bid documents

You are notified that your bid dated September 17, 2025 for the above contract has been considered. You are the apparent successful bidder and have been awarded a contract for:

The Pillsbury Road Pump Station, Force Main, and Gravity Interceptor Base Bid and Bid Alternate 1

(Indicate total Work, alternates or sections of Work awarded)

The Contract Price of your contract is Five Million Seven Hundred Sixty-Nine Thousand Ninety Two Dollars and One Cent dollars (\$\$5,769,092.01). Five copies of each of the proposed Contract Documents (except Drawings) accompany this Notice of Award. The same number of sets of the drawings will be delivered separately or otherwise made available to you immediately.

You must comply with the following conditions precedent within 10 days of receiving this Notice of Award.

1. You must deliver to the OWNER all of the fully executed counterparts of the Agreement including all the Contract Documents. This includes the sets of drawings. Each of the Contract Documents must bear your signature on (the cover) (every) page.
2. You must deliver with the executed Agreement the Contract Security (Bonds) as specified in the Information for Bidders and General Conditions.
3. (List all other conditions of precedent.)

Failure to comply with these conditions within the time specified will entitle **OWNER** to consider your bid abandoned, to annul this Notice of Award and to declare your Bid Security forfeited.

Within 10 days after receipt of acceptable performance **BOND**, payment **BOND** and agreement signed by the party to whom the Agreement was awarded, the **OWNER** will return to you one fully signed counterpart of the Agreement with the Contract Documents attached.

(OWNER)

(Authorized Signature)

(Title)

ACKNOWLEDGEMENT OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged:

By: _____, The _____ day of _____, 20__ by
_____ title _____.

Copy to ENGINEER (Use Certified Mail, Return Receipt Requested)

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 20__ by _____ and between Town of Londonderry, hereinafter called "**OWNER**" and DeFelice Corporation doing business as a corporation (an individual, a partnership or a corporation) hereinafter called "**CONTRACTOR**".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The **CONTRACTOR** will commence and complete the construction of Pillsbury Road Pump Station, Force Main, and Gravity Interceptor.
2. The **CONTRACTOR** will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the **PROJECT** described herein.
3. The **CONTRACTOR** will commence the work required by the **CONTRACT DOCUMENTS** within 10 calendar days after the date of the **NOTICE TO PROCEED** unless the period for completion is extended otherwise by the **CONTRACT DOCUMENTS**. Completion time for the project will be calculated as calendar days from the date specified in the **NOTICE TO PROCEED** as follows:

Bid Item 1A, Bid Item 1B, and Bid Item 24 (if awarded) shall be as follows:

550	calendar days for substantial completion*
610	calendar days for final completion*

Bid Items 2 through Bid Item 23 shall be as follows:

365	calendar days for substantial completion*
425	calendar days for final completion*

*Excludes mandatory shutdown in the Town Right of Way from November 15 through April 15 and Contractor requested winter shutdown outside the Town Right of Way.

Liquidated damages will be in the amount of \$1000 for each calendar day of delay from the date established for the substantial completion and \$1000 for each calendar day of delay from the date established for final completion.

4. The **CONTRACTOR** agrees to perform all of the **WORK** described in the **CONTRACT DOCUMENTS** and comply with the terms therein for the sum of \$5,769,092.01 or as shown in the **BID** schedule.
5. The term "**CONTRACT DOCUMENTS**" means and includes the following:
 - a. ADVERTISEMENT FOR BIDS
 - b. INFORMATION FOR BIDDERS
 - c. BID
 - d. BID BOND
 - e. NOTICE OF AWARD
 - f. AGREEMENT
 - g. PAYMENT BOND
 - h. PERFORMANCE BOND
 - i. CERTIFICATE OF INSURANCE
 - j. NOTICE TO PROCEED
 - k. CHANGE ORDER(S)
 - l. CERTIFICATON OF SUBSTANTIAL COMPLETION
 - m. CERTIFICATION OF FINAL COMPLETION
 - n. CONTRACTOR'S AFFIDAVIT
 - o. CONTRACTOR'S RELEASE

- p. GENERAL CONDITIONS
- q. SUPPLEMENTAL GENERAL CONDITIONS
- r. SPECIAL CONDITIONS
- s. FEDERAL PROVISIONS, RULES, REGULATIONS AND FORMS
- t. DRAWINGS prepared by: Wright-Pierce numbered C-1 through E-8 and dated February, 2025
- u. SPECIFICATIONS prepared or issued by: Wright-Pierce and dated July, 2025
- v. ADDENDA
 - No. 1 dated August 12, 2025
 - No. 2 dated August 29, 2025
 - No. 3 dated September 8, 2025

- 6. The **OWNER** will pay to the **CONTRACTOR** in the manner and at such times as set forth in the General Conditions such amounts as required by the **CONTRACT DOCUMENTS**.
- 7. This agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials this Agreement in 5 copies, each of which shall be deemed an original on the date first above written.

OWNER: _____
 By: _____
 NAME: _____

(SEAL)
 ATTEST: _____
 NAME: _____
 TITLE: _____

CONTRACTOR: _____
 BY: _____
 NAME: _____
 ADDRESS: _____

(SEAL)
 ATTEST: _____
 NAME: _____
 TITLE: _____



P.O. BOX 483, 18 SMOKEY BEAR BLVD., CONCORD, NH 03302-0483

November 12, 2025

Proposed Resurfacing CY 2026 Program - Curb Ramps and Uncontrolled Crosswalks

Below are two excerpts from the *Department of Justice/Department of Transportation Joint Technical Assistance on the Title II of the Americans with Disabilities Act Requirements to Provide Curb Ramps when Streets, Roads, or Highways are Altered through Resurfacing*:

Title II of the Americans with Disabilities Act (ADA) requires that state and local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way. An important part of this requirement is the obligation whenever streets, roadways, or highways are altered to provide curb ramps where street level pedestrian walkways cross curbs. This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities.

Because resurfacing of streets constitutes an alteration under the ADA, it triggers the obligation to provide curb ramps where pedestrian walkways intersect the resurfaced streets.

Entire text of this directive is located here: <http://www.ada.gov/doj-fhwa-ta.htm>

The Department has evaluated the pedestrian crossings affected by the Proposed Resurfacing CY 2026 Program and will construct ADA-compliant concrete ramps as required as part of the Resurfacing Contract. **These ramps are part of the sidewalk environment and become the maintenance responsibility of the municipality after they are constructed.**

Marked crosswalks shall be in compliance with the standards established in the current edition of the *Manual on Uniform Traffic Control Devices (MUTCD)*, and the current requirements of the *Americans with Disabilities Act (ADA)*.

Uncontrolled marked crosswalks on State-maintained highways are the maintenance responsibility of the municipality. Maintenance refers to a program of pavement **marking maintenance** in conformance with the MUTCD. Access to pedestrian crossings shall be maintained year round. Year round access is considered to include **winter snow removal and treatment of ice** at approaches to the crosswalk location.

Pedestrian crossing warning signs at all uncontrolled crosswalks and established unmarked pedestrian crossings will be installed and maintained by the NHDOT.

Parking shall be restricted and enforced within 20 feet *minimum* from each end of the crosswalk. "No Parking" signs shall be installed and maintained by the municipality as appropriate.

NHDOT will install the first crosswalk pavement markings after 2026 paving, unless otherwise indicated by the municipality. Thereafter, the municipality will be responsible for maintaining retroreflective crosswalk markings.

The following attached sheet(s) contain the uncontrolled crosswalk(s) that have been identified in your municipality within the limits of the Proposed Resurfacing CY 2026 Program. Please pay particular attention to the "Requirements for Approval" column for each crosswalk.

If your municipality chooses to install its own MUTCD-compliant crosswalk markings to be consistent with the design of other crosswalks in the municipality:

1. Uncontrolled Crosswalks on State-maintained roads shall be striped per the MUTCD Section 3C and Interpretation Letter 3(09)-24(I).
2. You must **notify NHDOT by May 1, 2026** to accept or decline NHDOT applying the crosswalk markings after resurfacing.
3. Crosswalk pavement markings shall be applied by the municipality within 14 calendar days of paving.

Before agreeing to re-establish an existing uncontrolled marked crosswalk, the municipality should consider the frequency with which the crosswalk is used. When a crosswalk is frequently used, it helps establish the expectation among motorists that they may need to yield when they pass through the area. However, a minimally used crosswalk can actually have a negative safety impact not only at this location, but other locations nearby: if drivers perceive that the crosswalk is not used, it is more likely to be disrespected (contradictory to the pedestrian expectation that motorists will yield). Initial research has shown that when fewer than 20 pedestrians per hour use a crosswalk, motorist compliance decreases significantly; based on this, agencies across the country have begun to adopt **minimum pedestrian volume thresholds of around 15-20 pedestrians per hour** (at peak times of a typical day, in good weather) before a crosswalk can be marked. NHDOT is waiting for additional research on this topic to determine whether we will follow suit, but recommends that municipal staff and elected officials familiar with the location consider the appropriateness of a marked crosswalk relative to this information (and with respect to availability of gaps in the traffic stream) before an existing uncontrolled marked crosswalk is re-established.

If your municipality chooses to voluntarily eliminate an existing uncontrolled marked crosswalk due to low usage, in the interest of retaining parking spaces, due to insufficient maintenance resources, or any other reason, please notify NHDOT by May 1, 2026 to decline the curb ramp, signage, and pavement marking work proposed in conjunction with the Resurfacing Contract.

In accordance with RSA 236:1, the Department of Transportation reserves the right to withdraw approval and require removal of this crosswalk based on safety, maintenance and engineering issues, without incurring any obligation.

Please sign and return the attached form(s) (one per crosswalk) to accept or decline the maintenance responsibilities.

If the municipality does not agree to maintain the referenced crosswalk(s) by signing and returning the attached form(s), the concrete ramps will be removed/not constructed and the midblock crosswalk will be eliminated.

All crosswalk correspondence should be directed to:

Michael T. O'Donnell, P.E.
Chief of Traffic Engineering
Attn.: 2026 Resurfacing Program
NHDOT Bureau of Traffic
18 Smokey Bear Blvd, P.O. Box 483
Concord, NH 03302
(603) 271-1581
Michael.T.ODonnell@dot.nh.gov

Attachments: Municipality Agreement(s) to Maintain Uncontrolled Crosswalk
2026 Resurfacing Project excerpt(s): "Curb Ramp Details"

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF TRAFFIC**

18 Smokey Bear Blvd, P.O. Box 483
Concord, NH 03302
603-271-2292

Proposed District Resurfacing CY 2025 Program only – (other crosswalks will be permitted separately)

The City/Town of LONDONDERRY

is requesting approval of an uncontrolled crosswalk on the state maintained highway at the following location:

Project Number	Remarks for Installation	Segment Name	Road	Crosswalk Description	Requirements for Approval	ADA Improvements	School Zone (Y/N/Unk)
45090	Existing location approved	LONDONDERRY	I-93	Exit 5 NB On Ramp			No

Crosswalk Maintenance Responsibilities:

Uncontrolled crosswalks on State-maintained highways are the maintenance responsibility of the municipality. Maintenance refers to a program of **pavement marking maintenance** in conformance with the MUTCD. Access to crosswalks shall be maintained year round. Year round access is considered to include **winter snow removal and treatment of ice** at approaches to the crosswalk location.

Parking shall be restricted and enforced within 20 feet *minimum* from each end of the crosswalk in all directions by the municipality. "No Parking" signs shall be installed and maintained by the municipality as appropriate.

Pedestrian crossing warning signs at all uncontrolled crosswalks and established unmarked pedestrian crossings will be installed and maintained by the Department.

Acceptance of Crosswalk Maintenance Responsibilities as described above:

Signed: _____

Printed Name: _____

Title: _____

Date: _____

Initial Crosswalk Markings (Check One): By NHDOT _____ By Municipality* _____ Eliminate _____

***See Requirements on Attached Letter**

If your municipality does not agree to maintain the above-referenced crosswalk(s), the concrete ramps will be removed/not constructed and the uncontrolled crosswalk will be eliminated. In accordance with RSA 236:1 the Department of Transportation reserves the right to withdraw approval and require removal of this crosswalk based on safety, maintenance and engineering issues, without incurring any obligation.

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF TRAFFIC**

18 Smokey Bear Blvd, P.O. Box 483
Concord, NH 03302
603-271-2292

Proposed District Resurfacing CY 2025 Program only – (other crosswalks will be permitted separately)

The City/Town of LONDONDERRY

is requesting approval of an uncontrolled crosswalk on the state maintained highway at the following location:

Project Number	Remarks for Installation	Segment Name	Road	Crosswalk Description	Requirements for Approval	ADA Improvements	School Zone (Y/N/Unk)
45090	Existing location approved	LONDONDERRY	I-93	Exit 5 SB On Ramp	Additional overhead street lighting recommended		No

Crosswalk Maintenance Responsibilities:

Uncontrolled crosswalks on State-maintained highways are the maintenance responsibility of the municipality. Maintenance refers to a program of **pavement marking maintenance** in conformance with the MUTCD. Access to crosswalks shall be maintained year round. Year round access is considered to include **winter snow removal and treatment of ice** at approaches to the crosswalk location.

Parking shall be restricted and enforced within 20 feet *minimum* from each end of the crosswalk in all directions by the municipality. "No Parking" signs shall be installed and maintained by the municipality as appropriate.

Pedestrian crossing warning signs at all uncontrolled crosswalks and established unmarked pedestrian crossings will be installed and maintained by the Department.

Acceptance of Crosswalk Maintenance Responsibilities as described above:

Signed: _____

Printed Name: _____

Title: _____

Date: _____

Initial Crosswalk Markings (Check One): By NHDOT _____ By Municipality* _____ Eliminate _____

***See Requirements on Attached Letter**

If your municipality does not agree to maintain the above-referenced crosswalk(s), the concrete ramps will be removed/not constructed and the uncontrolled crosswalk will be eliminated. In accordance with RSA 236:1 the Department of Transportation reserves the right to withdraw approval and require removal of this crosswalk based on safety, maintenance and engineering issues, without incurring any obligation.

**SALEM/WINDHAM/LONDONDERRY
45090**

March 24, 2025

DESCRIPTION OF SECTIONS

- 26514 Salem/Windham, I-93 NB Mainline, Spot Repairs
Tier 1, Minor Rehab, Various**
- **Location 1: Salem; From the Exit 2 NB Off ramp (MM 2.8) northerly to a P/J at the Exit 2 NB On ramp (MM 3.46)**
 - Cold plane (Item 417) 6' left and 6' right of the longitudinal pavement joint located between the two middle travel lanes to a depth of 2" and place a 2" HS wearing course (Item 403.11943). Do not pave bridge deck.
 - **Location 2: Windham; From the Exit 3 NB Off ramp gore line to the end of the gore line near the concrete nose**
 - 2" TW+2' inlay of the right most travel lane (Item 403.11943) – 14' wide x 600' long.
- 26514B Derry, I-93 SB Mainline, Spot Repair
Tier 1, Minor Rehab, 2" HS Wearing Course Inlay**
- **At Mile Marker 9.2, repair the 10 foot outside shoulder for approximately 250'**
 - Cold plane (Item 417) the shoulder to a depth of 2" and place a 2" HS wearing course (Item 403.11942).
- 26515A Salem, I-93 Exit 2 NB & SB Off Ramps
Tier 1, Major Rehab, Various**
- **Exit 2 NB Off Ramp:**
 - Cold plane (Item 417), Full width to a depth of 4" and place a 2 ½" HS binder course (Item 403.11922) and 1 ½" HS wearing course (Item 403.11942). Includes all slip ramps.
 - **Exit 2 SB Deceleration Lane:**
 - Cold plane (Item 417), TW+1 to a depth of 4" and place a 2 ½" HS binder course (Item 403.11922) and 1 ½" HS wearing course (Item 403.11942).
 - **Exit 2 SB Off Ramp:**
 - Cold plane (Item 417), Full width to a depth of 4" and place a 2 ½" HS binder course (Item 403.11922) and 1 ½" HS wearing course (Item 403.11942). Includes all slip ramps.

**26515B Windham, I-93 Weigh Station NB Off & SB Off Deceleration Lane
Tier 1, Major Rehab, Various**

- **NB Weigh Station Deceleration Lane:**
 - Cold plane (Item 417), TW+1 to a depth of 4” and place a 2 ½” HS binder course (Item 403.11922) and 1 ½” HS wearing course (Item 403.11942).
- **SB Weigh Station Deceleration Lane:**
 - Cold plane (Item 417), TW+1 to a depth of 4” and place a 2 ½” HS binder course (Item 403.11922) and 1 ½” HS wearing course (Item 403.11942).

**26515C Windham, I-93 Exit 3 SB Off Ramp
Tier 1, Major Rehab, Various**

- **From I-93 mainline (concrete nose) to NH 111.**
 - Cold plane (Item 417), Full width to a depth of 4” and place a 2 ½” HS binder course (Item 403.11922) and 1 ½” HS wearing course (Item 403.11942). Includes all slip ramps.

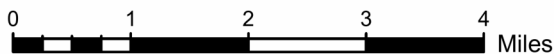
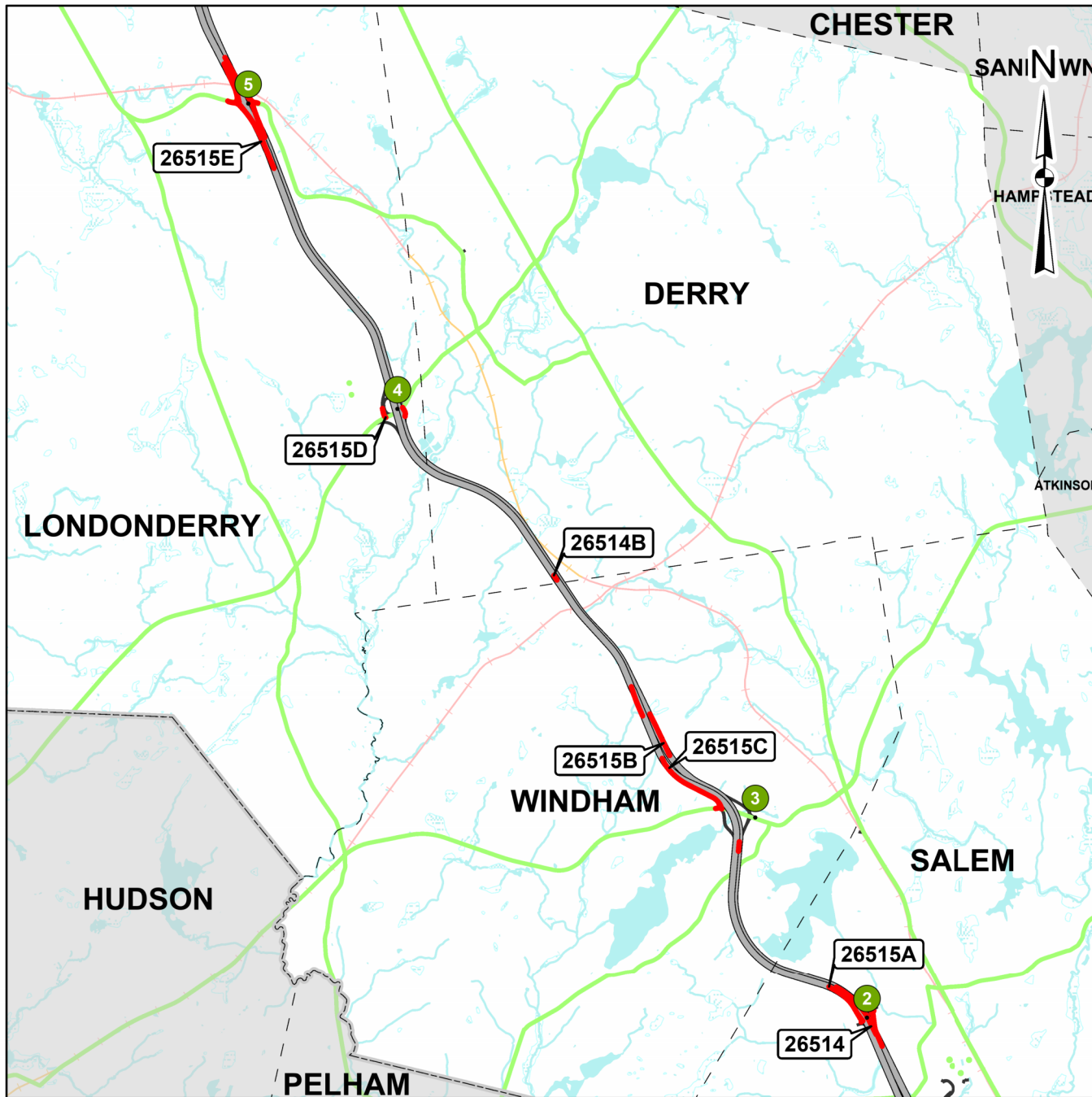
**26515D Londonderry, I-93 Exit 4 NB & SB Off Ramps
Tier 1, Major Rehab, Various**

- **Exit 4 NB Off Ramp:**
 - At NH 102 southerly 350’, Cold plane (Item 417), Full width to a depth of 4” and place a 2 ½” HS binder course (Item 403.11922) and 1 ½” HS wearing course (Item 403.11942). Includes slip ramp.
- **Exit 4 SB Off Ramp:**
 - At NH 102 northerly 350’, Cold plane (Item 417), Full width to a depth of 4” and place a 2 ½” HS binder course (Item 403.11922) and 1 ½” HS wearing course (Item 403.11942). Includes slip ramp.

**26515E Londonderry, I-93 Exit 5 Ramps
Tier 1, Minor Rehab, Various**

- **All Exit 5 Ramps:**
 - Cold plane (Item 417), Full width to a depth of 2” and place a 2” HS wearing course pavement (Item 403.11942). Includes slip ramps.

SALEM/WINDHAM/DERRY/LONDONDERRY (I-93)



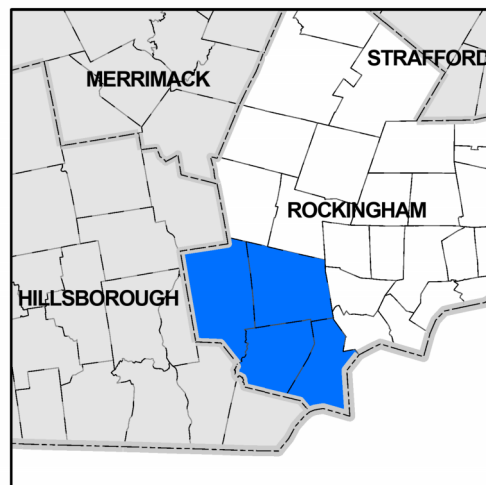
LEGEND

- 45090
- Interstates
- State Routes
- Abandoned Railroad
- Inactive Railroad
- Water Bodies
- Swamps

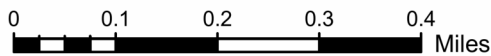
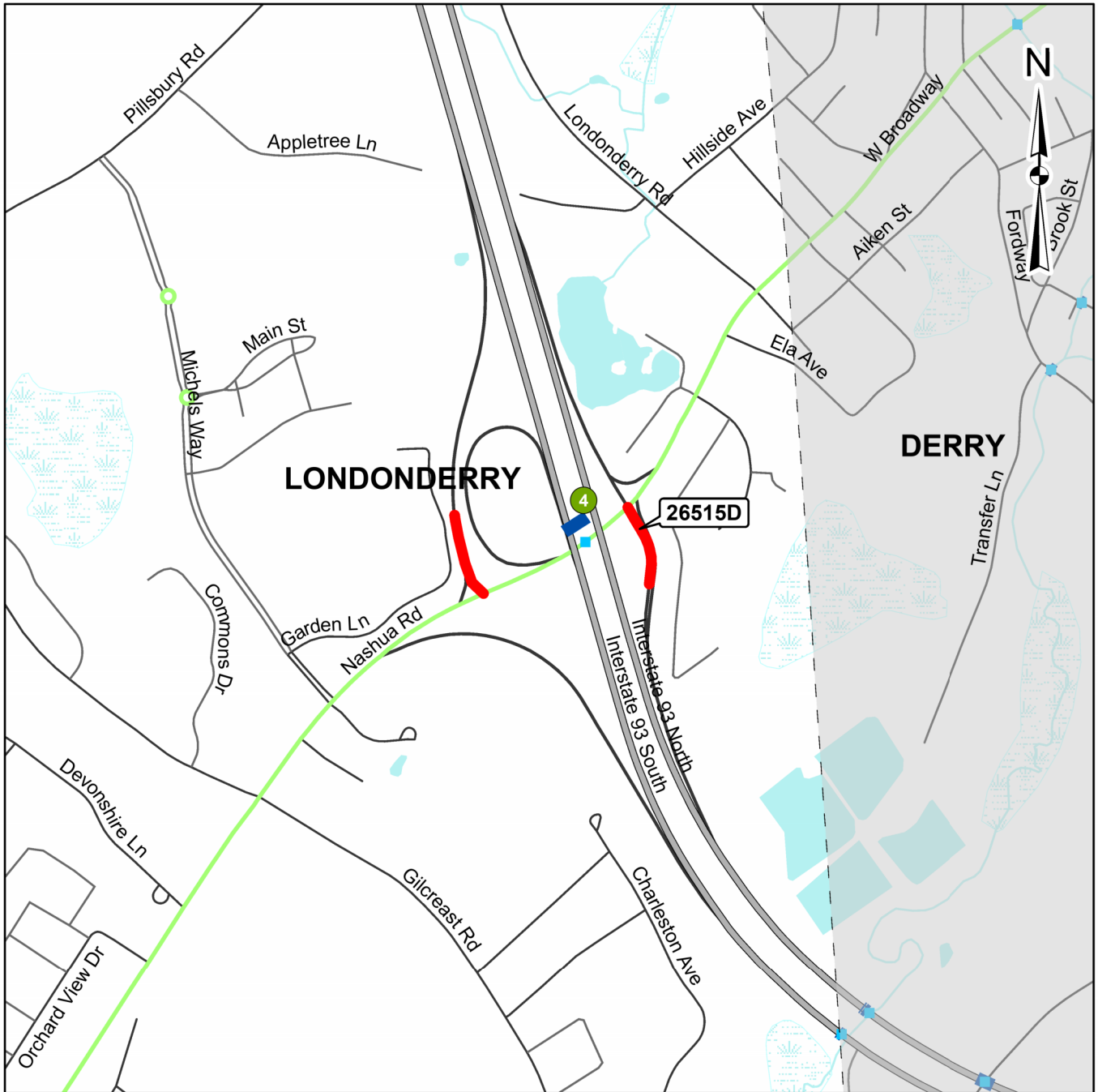
New Hampshire
DOT
 Department of Transportation

State #: 45090
 Federal #: X-A005(696)

**MASTER
 LOCATION MAP**



LONDONDERRY 26515D

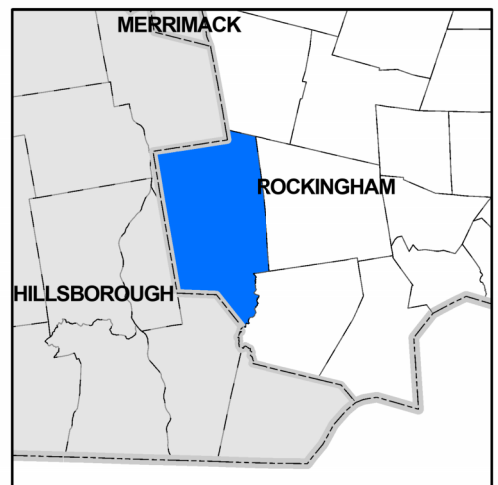


LEGEND	
	26515D
	Interstates
	State Routes
	State Roads
	Compact Roads
	Local Roads
	Private Roads
	Water Bodies
	Swamps

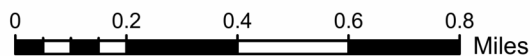
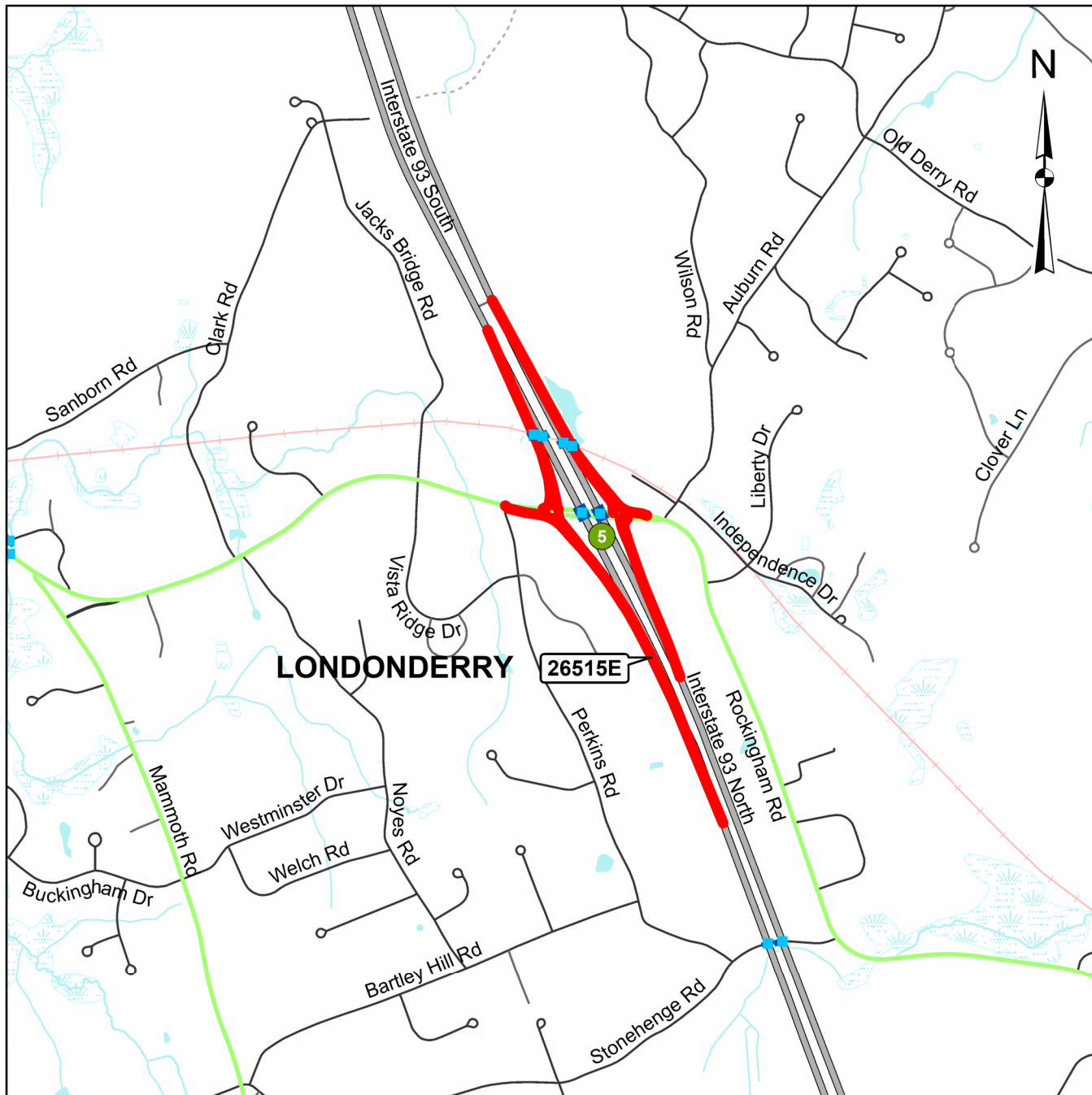


State #: 45090
Federal #: X-A005(696)

SECTION LOCATION MAP



LONDONDERRY 26515E



LEGEND

- 26515E
- Interstates
- State Routes
- State Roads
- Local Roads
- - - Not Maintained (Class 6)
- Private Roads
- - - Inactive Railroad
- Water Bodies
- Swamps

New Hampshire
DOT
 Department of Transportation

State #: 45090
 Federal #: X-A005(696)

**SECTION
 LOCATION MAP**

