

**Town of Londonderry Board of Selectmen
Special Meeting
Wednesday March 15, 2017 (rescheduled from 3/14 due to
weather)
Minutes
Approved March 20, 2017**

1. Call meeting to order

Board Members Present: Paul Gordon, Jim Ameden, Tom Cavanagh,
Georgianne Mora

Staff Present: Stephanie Thompson

Others Present: Bruce Frauman (GNAT), Chad Stoddard, David Clark, Tony Kurjiaka and Fred Gabert.

Paul called the meeting to order at 7:02 p.m.

Welcome to new Board Members and Congratulations!

2. Additions or deletions to the agenda

- **Paul recommended the addition of Executive Session following Old Business for Personnel discussions.**
- **George moved to add Executive Session to the agenda. Tom seconded. Motion passed with all in favor (4-0).**

3. Announcements/correspondence

- Paul thanked the Town's depleted Road Crew for their work during the storm, and to Jim who ran the 550 for a number of hours over the past few days.
 - o Tony commented that it was the best he has seen his road in the past three years.
- Paul shared an updated tax rate calculator sheet from Tina, showing that as of 3/15. As it stands, YTD, and after receiving back the audited documents, the Town is looking at a \$45,715.31 surplus in Highway and \$200,844.05 (much of this from increased collection of delinquent taxes) surplus in the General Fund. These surpluses result in a changed Municipal Tax Rate to \$0.28169, from a little over \$0.34, so there will be a \$0.06 reduction. Paul explained the transition fund and that the Town will be moving to a July-June fiscal year, which will require an 18th month budget, of which 6 months will be covered by the funds in the Transition Fund. School tax is expected to decrease this year as well. Final tax rate will be set in July once Education Tax information comes from State of Vermont.

4. Visitors and concerned citizens

- Chad Stoddard was in attendance to report that while working in Weston today he witnessed Duane Hart operating his tractor, despite being under a Workers Comp claim with the town and with a desk duty order. He provided a letter, as did the individual working with him. Paul advised he was made aware of this late morning today. He spoke with VLCT and it is a personnel matter for discussion later under Executive Session. Jim advised that any decision would be done after in open session.

5. Town official's business

a. Board Reorganization

i. Election of Chair and Vice Chair

Jim made a motion to nominate Paul as Chairman. George seconded. Motion passed with all in favor (4-0).

- George added it seems logical for continuity of the Board and Town. Paul advised he would accept.

George made a motion to nominate Jim Ameden as Vice Chairman. Tom seconded. Motion passed with all in favor (4-0).

- George again added that based on Jim's past experience with the Board, it was logical. Jim advised he would accept. Paul advised the Board has a procedures policy available on the Town website for the Board and citizens to review. He also suggested the Board review the Conflict of Interest policy that was adopted last year.

Paul suggested maintaining 1st and 3rd Monday's at 7 p.m. at the Twichell Building. All were okay with this.

b. Acceptance of resignations

- Paul advised that Will Reed formally resigned from the Board via email correspondence on March 7th, 2017. Paul read Will's note.

Tom made a motion to accept, with regret and with thanks for service, the resignation of Will Reed. Jim seconded. Motion passed with all in favor (4-0).

- George wanted to make a statement that she understood going into this, that it would create an awkward situation between her and Will. She didn't realize his feelings were still so strong and she had hoped they could have served together for the purpose doing good for the town, that she is sorry with how it is playing out and sad to see him go.
- Paul advised we need to post the opening. He read the notice to announce vacancy effective March 15th. The replacement would be for the duration of the term which expires March 2018. A special meeting may be called to elect, or the Board may appoint a replacement. Paul advised in the past appointment has been done, through the term or until Town meeting. Those interested are to submit a letter of interest by Friday March 31st. It will be posted on the website, on the VLCT website, Front Porch Forum and the Town email list. It will also be posted at the Post Offices and Town Hall.

George Made a motion to post the vacancy. Tom seconded. Motion passed with all in favor (4-0).

- George submitted a letter of resignation from the DRB effective as soon as a replacement is appointed. She intends to continue to serve on the WRC.

Jim made a motion to accept, and to post at the same locations as the Select Board vacancy. Tom seconded. Motion passed with all in favor (4-0).

- An email resignation dated March 7th, from Duane Hart that he was providing his 2 weeks-notice and his last day will be March 21st and is willing to help with any transition. He noted VOSHA violations that he noted as reason for departure, which were identified by PACIF. An update, dated March 15th at 5:21 p.m., he advised he was making his resignation effective 5:15 p.m. on March 15th, 2017.

Jim made a motion to accept the immediate resignation. George seconded. Motion passed with all in favor (4-0).

- Paul and Stephanie will work on an advertisement for posting on Friday. It was decided to make applications due by 3/31, and based on response, we could look to extend it when the Board meets on 4/3. Job posting will be forwarded to the Board for approval on at the 3/20 Board meeting. Jim noted we should have the job description available then as well.
- Regarding the Job Description, Paul noted that there were a number of possible responsibilities under the Public Works position, and that there are a number of things that have fallen through the cracks, such as VOSHA and policies, which could be taken by someone in a supervisory position, and some of those would likely fall to the Road Foreman as the Public Works Director position was removed from the budget. Paul shared that Duane had in the past expressed his disappointment and frustration with having to oversee things at the Transfer Station, or doing paperwork. Jim said that could be possibly

worked on between the Road Foreman and Road Commissioner. He said we need to look at how to spread the needed work out without having to add additional staff. Paul suggested additional wording around the responsibility of supplying reports of road supply usage, vehicle maintenance and fuel usage, and other reports as requested by Board, as well as working with the Board and Town Administrator on policies, etc. Also Duane was doing safety “tail gate talks” with staff and Transfer Station which were recommended by PACIF. Jim asked if the Transfer Station could do it – Paul said yes, but then both those persons would need to be up to speed on the policies. Jim said that supervisor at the Transfer Station hasn’t really preformed supervisor duties and maybe they haven’t been explicitly asked. George added the responsibilities need to be made clear, and should be in the job description. She also added that there are trainings and workshops for the Road Foreman that should be written in to be attending as appropriate/necessary. Jim said adding more to the role takes them away from the other work that needs to be done. Paul noted he had been the Transfer Station liaison. Wayne had stepped in recently. He mentioned if anyone on the Board was interested in this to help with the communication and direction/supervision to consider and let the Board know.

- Tony said if a good Road Foreman was hired, the problems would be taken care of. He said if you hired one good man, it wouldn’t all be needed.
- Jim said he had been through this process a number of times in the 10 years and doesn’t want to do it again.
- Chad asked what the reasons those in the past left, but the Board could not advise what the exact reason was.
- Paul will send an amended draft to the Board and they can note their suggestions on the draft to review and adopt on Monday.
- Jim noted that the job descriptions should be more guidelines than requirements, so they are not set in stone and can be amended and deviated from as needed.

c. Road Commissioner

- The position was previously filled by Steve Prouty. According to the VLCT guidelines for the position, one or more can be appointed for 1 year or more, term. They can be a Board member, Community member, or someone from another community. Paul had spoke with Jim and he said he was willing to serve for a year and see how it goes.

George made a motion to appoint Jim as Road Commissioner. Tom seconded. Motion passed with all in favor (4-0).

6. Old business

a. State Police Contract

- The Board reviewed the contract from the Vermont State Police from 3/8/17-3/7/18, for \$86,000. The Policing Committee will be meeting later this month, and will have the new local Commander in attendance.

George made a motion to sign the contract. Tom seconded. Motion passed with all in favor (4-0).

b. Salt/Sand Shed

- Paul provided an update for the new Board members regarding the project. Proposed structure would be wood/trusses frame, concrete walls, metal roof and siding. The height of the internal walls should be at least 6’ and would give a lower rafter height of 18’ and provide appropriate loading space. The next step is to get together an RFP and go out to bid for Engineering. Paul advised the figures shared at Town Meeting are based on estimates, however they could come in lower once we go out to bid. To finance, 2% lending is available through borrowing from the Cemetery Commission.
- Need an engineering plan. We currently have a Site Plan from the Enman and Bill had a sketch done by someone he knew. Jim said drawings could be given to an Engineer. Paul noted some of the pieces have changed. Should choices be provided to look at from the plan so we have more information for cost estimates for different materials. Jim felt that the drawings should provide what we need. Jim said he can take the drawing to get pricing. Purchasing

policy says we need to advertise – we can send to folks, but still need to advertise to give anyone that wants a chance to bid to do so. George will look for sample language online to assist with the process. It was suggested that Paul get back in touch with Bill Wylie – Paul said he will.

c. Hart/Frog’s Leap Property

- Paul advised that in March 2016 the Town bid to acquire the property to protect the taxes owed. The owner/bank had a year to redeem and pay the Town the owed taxes and fees, which they chose not to do. As a result, March 9th, the Town became the owners. It is the intent to sell the property as quickly as possible to recoup the tax money of around \$250,000. There are some options that were discussed with the Town attorney. It can be auctioned, advertised for sealed bids. The prior listing real estate agent indicated they may have an interested buyer. This process could be done with or without a tenant.
- A complicating factor is that there is an existing tenant that resides there who had to the best we know, an oral agreement with prior owner, to trade living space for handyman services. He lives in one of the 4 buildings – two of which have heat and water, another is winterized and the status of the other is unknown. Last week an emergency Town delivery of fuel was taken to the property to ensure there was heat, and with Board approval will continue to do so to avoid any freezing/damage. Tom thinks the tenant should be removed as soon as possible.
- We have 30 days from the date we acquired the property, to get the tax-collector deed to have the right paperwork to proceed with whatever the decision. If we look to evict as soon as possible, what would be done to protect property from freezing, etc.
- George asked if there has been a conversation with the tenant about their intentions – Paul said he has indicated to the Attorney there is only a verbal agreement, and that he would like to stay on as a caretaker for a new owner. Tom asked if there is nothing in writing, if we can just evict. Paul understands we have to go through the process. Paul asked if we should go out to bid on caretaking of the property.

7. Executive Session – Personnel

George made a motion to move into Executive Session. Tom seconded. Motion passed with all in favor (4-0).

The Board went into Executive Session at 8:49 p.m.

8. Adjourn

The Board moved out of Executive Session at 9:20 p.m.

George made a motion to adjourn. Tom seconded. Motion passed with all in favor (4-0). The meeting was adjourned at 9:21 p.m.
