

**Town of Londonderry**  
**Board of Selectmen**  
**Regular Meeting Agenda**  
**Monday July 17, 2017**  
*Approved August 7, 2017*

**1. Call meeting to order**

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

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

**Staff Present:** Stephanie Thompson, Tina Labeau, Mathew Rawson, Sharon Crossman

**Others Present:** Bruce Frauman (GNAT), Dick Dale, Thomas Hutchins, Barbara and Gary Butts, Lee Ferguson, Susan Brosnan, Lila Butler, Marcia Camp, Bette Genser.

**2. Additions or deletions to the agenda**

**3. Minutes**

a. Approval of Regular Board Meeting Minutes – July 3, 2017

**George made a motion to approve the minutes. Bob seconded. Motion passed with all in favor.**

**4. Select board pay orders**

Passed around for review and signing

**5. Announcements/correspondence**

-Paul shared that there was an ACT 250 hearing for Big Rock Quarry. The Town was present and has a concern about the ongoing payment to ANR regarding reclamation of that property and that if a high wall continues to exist after mining is finished, if a property fence will be put up if the property is not sloped. The hearing was continued and a ruling will be later issued. Paul will attend the WRC project review meeting on this matter tomorrow, 7/18 night to share the Town's concern.

-Paul thanked George Mora for her diligent and dedicated work on putting together the LOTO procedure manual. This needs to be sent to VOSHA by later this week. With hers, Jim and Mathew's help it has been completed.

-Reminder - Transportation Project – Upcoming Site Visit & Hearing – Rt 11 Culvert

-Twitchell Building Wet Land Permit Available for Review in Town Clerk's Office

-Paul thanked the Park's Committee for organizing Monday Night music at Pingree Park. It began last Monday and there was a very nice turn out. We look forward to the next performance on 7/24.

**6. Visitors and concerned citizens**

Tom Hutchins – He wanted to know what Pat Salo will be doing about the dog that killed his goat. He said it has bitten another animal and a person as well. Tom shared a photo of the goat, with three legs, who was on a leash. He said last he knew the dog was not registered and he wants it quarantined. He said Pat Salo told him he wouldn't do anything because he wasn't going to get paid.

Paul advised no other dog bite complaints have been received by this Board. Mr. Salo was advised to issue a ticket pursuant to the dog ordinance. We expected Tom and possibly Susan to be at the Board meeting on 7/3. Tom said they thought the meeting was that Wednesday, 7/5. Paul apologized for any inconvenience and reminded that the meetings are warned in advance on town bulletin boards and online. Paul contacted

Mr. Salo for any update for tonight, and he was unable to reach him. A citation should be issued for the dog being unregistered. The Town has rabies documentation. The dog is on private property by permission of the owner. Susan Brosnan, who is the owner of the property advised they are squatting and are not to be there. Paul advised that it is up to the owner to remove them from the property. George said because the dog is on her property, technically with permission, then it is out of the Town's jurisdiction. Susan said a person was bitten and was treated, but George advised that we have not gotten a report. This information should be going to the Town Health Officer from the local clinic. Susan advised she will shoot the dog tonight, and then they left the meeting.

Gary & Barbara Butts – Barbara is concerned about shooting on the Prouty land. They said it was dangerous, and loud and that this summer it has been constant. Now she is afraid to be walking around on the property. A dirt pile is there for overshooting, and it would head right for their property. Gary said he is worried about other things happening there – bon fires, possible drug deals. He said it should be gated off. Paul advised we will be discussing more later in the meeting about what should and should not be allowed. Gary said he is worried about risk to the town of law suit.

Lee Fergusen– Also concerned about the shooting and the duration, as well as the concern of safety and the direction of the targets and risk to her animals.

Lila Butler – same concern – target practice, dog is scared of the sound. Seems like heavy ammo is being used over there, with no property targets. She said daily there are new targets and more litter from expelled rounds. She said it is a beautiful piece of land and this makes it less attractive and safe.

Marcia Camp – concern about target practicing close to her home. Shooting at all hours, even late at night. She called these neighbors and asked them to stop and have not heard since. She thinks we should have guidelines on where and when shooting is allowed. Paul said we do not have an ordinance to control use of neighboring properties and that what she did, contacting the owner, is the best thing she can do. Gary said that VSP advised that shooting cannot happen after dark. She said the town should think about a safe place people can do this to avoid it being near homes. Paul said it is difficult to find a place that would not be near anyone. There is a shooting range in Chester. Tom said it is a \$35/year membership.

Bette Genser – One of her neighbors has gotten a semi-automatic weapon, and was firing off after midnight and 2 a.m. She is not sure who it is and she wanted to make everyone aware. It's near Little Pond Road. Paul noted VSP can be contacted if it is after dark, per what Gary shared. She felt the complaint should come from the Town. Paul asked her to document time and date and get it to him, he will contact Lt. French about what, if anything, they can do, and to verify the after-dark law.

Jim noted there are no state regulations, other than after dark, and Tom added it has to be at least 100 yards from any home. He also said after dark, contacting the Game Warden might be a good option, as they could be shooting at animals. George said public sentiment expressed to our State Representatives, they can look at potential legislative changes. She also suggested a public awareness campaign, with the Chester Telegraph to ask people to use common sense and be good neighbors.

## **7. Town official's business**

### **a. Set Tax Rate**

Tina presented the final tax rate, with education tax and considerations of a surplus. \$100,000 of this surplus applied to the rate to reduce the tax which makes it about a cent and a half less than last year. Education tax is also down. Another \$172,000 surplus - \$72,000 is highway, which could cover some highway deficient we have this year, or could go to the equipment fund, and the other \$100,000 will be set aside for emergency funds. Jim thinks highway funds should stay in the Highway Department. Paul noted we still struggle with dated equipment and are still behind on replacement, which we are working to get updated thanks to additional funds allotted at Town Meeting, so that we do not have to keep spending funds on repairs.

Municipal rate: \$.029467  
Transition Fund: \$.02410  
Local Agreement: \$.00251  
Total: \$.32128

Total Resident rate: \$1.6974  
Total non-residential: \$1.8225

**George made a motion to approve the tax rate of \$.32128 for 2017. Bob seconded. Motion passed with all in favor.**

**b. Planning Commission – Town Plan Revision and Timing**

Sharon updated the Board following the Planning Commissioner hearing on 6/26 for the Town Plan. The PC is looking at comments, corrections and edits. She expects revised maps should be back from WRC later this week, and could be ready to hand off to the Select Board after. The PC made a motion to accept the Town Plan as it was edited and recommend it to the Board. It will be up to the Select Board then to have a public hearing prior to a vote to adopt. The hearing would have to be held not less than 30 days of the date received and not more than 120 days following that date. Paul thanked the Planning Commission for all of their hard work and effort on this task. Sharon said the Town Plan changes will be linked up to Zoning By-Law changes to review standards in various categories, and this will also be a very involved process. Dick noted that the Energy Committee is working on a comprehensive energy plan and once adopted it will replace that full section of the Town Plan.

**8. Transfer Station**

Tom – on 7/12 a witness saw someone put two mattresses over the gate when closed. A plate number was taken and shared with the Town. VSP was contacted and they will be served for littering. Tom reminded everyone that when it is closed it is closed. No drop-offs or access to the take it or leave it section either. It is open 6 days a week and people need to access it during legal times. Paul reminded the public they are our eyes and ears and that the town appreciates the witness stepping forward regarding the activity.

**9. Roads and bridges**

- a. Polk/Mole Access Permit  
Per Jim not a town issue – State highway access.
- b. Pine Tree on Spring Hill Road  
There is a very tall, dead pine tree located between building and powerlines. An RFP will be drafted for next meeting to get assistance with removal. Stephanie will check with GMP about them doing any cutting, first.
- c. Fuel Usage – Mathew reported the following usage for June:

Fuel – Trucks 680  
Buildings – 150

Jim noted they are working to use the Londonderry Forum to share with people when there is a big project or road work, to let citizens know. George and some citizens in attendance said it is helpful.

On the Londonderry Forum, the issue of possible herbicide spraying was being discussed as people thought there was something going on Winhall Hollow Rd. Mathew advised they had not been doing anything up there other than mowing.

**10. Old business**

- a. Sand/Salt Shed  
Paul provided a draft RFP for the phases of construction for the project. Engineering blueprints have been received. Bob is working on an updated topographic map for excavation.

Phases are:  
Site Prep/ground work

Concrete  
Framing  
Electric  
Paving

Copies will be available at the Town Office. It will be posted on the website as well. A pre-bid meeting will be held at 10 a.m. on 8/8.

**George made a motion to approve the RFP. Bob seconded. Motion passed with all in favor.**

**b. Hart/Frogs Leap Property**

Contract for the property of \$255,000 with \$235,000 of the funding is coming to the town as proceeds from the sale covering back taxes and costs incurred by the Town related to the property. Closing will be held 7/28. The Town is working to ensure the inhabitant will be out of the property at that point.

**George made a motion to approve the contract with the Hirschak Company. Tom seconded. Motion passed with all in favor.**

**c. 434 Main Street Reuse – Opening of Bids**

Sharon advised that the Town had been out to bid three times for the reuse work on this project and this third time, we have received a bid.

Bid received from Glebe Mountain Gardens in the amount of \$4,184.14.

The bid includes some donations for the project. Sharon said she would like to review closer.

**Bob moved to approve the bid for up to the amount of the grant and within the conditions of the grant, and after further clarifications with GMG. George seconded. Motion passed with all in favor.**

**d. Genser Property Update**

Stephanie advised there was no update, other than TAM will be in contact as soon as they have a date from Catamount Environmental, which is still expected this month.

**11. New Business**

**a. Prouty Land Rules**

George put together a draft list of welcome and unwelcome activities for the property.

Welcomed: walking, fishing, birdwatching, swimming, sledding, snowshoeing/xc-seeing, picnicking, stargazing.

Unwelcome: shooting/target practice, overnight camping, fires, smoking, alcoholic beverages, signage against mud bogging.

Some thoughts on snowmobiling that would be reasonable use.

Sharon asked in the goals of the property at large, is it the idea of the Board to provide something for everyone, or are we looking at what is more desirable to the public. She said particularly motorized/non-motorized activity, like West River Trail as a non-motorized trail. She asked if we would post the land for no-shooting, or just have that as a policy. Jim said posting is a Fish & Game document that has to be filed with the State, and just in regards to hunting. To prohibit shooting would be more of what we are looking at here. Sharon noted it is hard to do everything, in a blanket manner, and not possibly miss something. For example, use of bow and arrows. Bette asked if it could be designated as a Town Park, and that would note we wouldn't want anything of danger in that space. Jim said to remember, there is going to be a road and a sand and salt shed are going to be put in which will likely take away most of that activity that is happening on the front area of the property. The traffic of people in and out will curb some of the activity. George said there is an area

further back towards the river which is still an area that is accessed. Gary suggested blocking off the rear area from vehicles. Dick shared that the Conservation Commission did a lot of work around pollinators along the river and have looked at the effective use of property related to flora and fauna conservation. Sharon said in current Zoning By-laws there are performance standards like noise, smoke, etc. which happen on one property and unintentional affect others peace and quiet. Bette asked about the property being closed at a certain time of night. Enforcement would be the issue. Bob said to be all inclusive about what is/is not allowed does not really work.

Tom suggested we ask VSP to patrol as part of the contract. Paul said first we need to know what we want to enforce – and right now it could only be for after-dark shooting. We can again ask them to patrol and keep an eye out for any illegal activities.

Paul will post some suggestions on the website. He asked for individuals to advise others to give their input to the Board, via email or dropping off at the Town Office, on what activities should be prohibited. The item will remain on the agenda as we look at suggestions and for further discussion.

Sharon noted that a final use of the property is to be determined per the Town Plan. Doing so would help to create and enforce the guidelines that the Board wants.

Bob thinks that Conservation Commission should be part of the conversation. Paul only cautioned that there had been a number of possible uses identified when the land was received by the Town. Park was not one of the designations at that time. Jim said he recalled Clyde Prouty did not want it to be designated as a park.

## **12. Adjourn**

**Jim made a motion to adjourn. George seconded. Motion passed with all in favor. Meeting was adjourned at 8:34 p.m.**

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