

**Town of Londonderry, Vermont**  
**Selectboard**  
**Regular Meeting Minutes**  
**Monday, January 21, 2019**  
**Twitchell Building - 100 Old School Street, South Londonderry, VT**

**Board Members Present:** James Ameden, Georgianne Mora, Thomas Cavanagh, Robert Forbes, and Taylor Prouty.

**Board Members Absent:** None.

**Others in Attendance:** Town Officials - Kelly Pajala, Tina Labeau, Shane O’Keefe, Mathew Rawson and Kevin Beattie. Members of the Public – Dwight Johnson, Kelly Capen, Doug Friant and Bruce Frauman (GNAT).

**1. Call meeting to order**

Selectboard Chair **Jim Ameden** called the meeting to order at 7:00 PM.

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

*a. George Mora moved to add item 11D, an executive session to discuss the evaluation of a public official or employee, seconded by Taylor Prouty, passed unanimously.*

**3. Minutes**

*a. George Mora moved to approve the minutes of the meeting of January 7, 2019, seconded by Taylor Prouty, passed unanimously.*

**4. Selectboard pay orders**

Pay orders were reviewed and signed by the Board members.

**5. Announcements/Correspondence**

**a. Transfer Station permits**

Town Clerk Kelly Pajala explained that transfer station permits were now available on weekends. Permit order forms can be dropped off at back of office of the Town Office, or via mail with payment. The form is on the Town web site, and they are being delivered to the Transfer station staff as well.

**6. Visitors and Concerned Citizens**

None.

## 7. Town Officials Business

### a. Development Review Board – Consider appointment of alternate member

Development Review Board member Dwight Johnson spoke in support of the Board appointing Sven Erik Federow as an alternate member of the Board. He would be the DRB's first alternate member, and the DRB unanimously recommended his appointment. The Board members reviewed his resume and agreed that he was very qualified for the appointment.

There was discussion about the terms of the DRB and Planning Commission members.

*George Mora moved to appoint Sven Erik Federow to a three-year term as an alternate member of the Development Review Board, Tom Cavanagh seconded, passed unanimously.*

### b. Planning Commission – RFP for Zoning Bylaw Amendment services

Dwight Johnson, speaking on behalf of the Planning Commission, asked the Board to authorize issuance of a Request for Proposals for the drafting of new Zoning Bylaws, the cost of which would be paid by through a Municipal Planning Grant. The Board reviewed a draft, which will be corrected for typographic errors and State required additions. Once

*George Mora moved to authorize the dissemination of the Request for Proposals for the rewriting of the Zoning Bylaw, Bob Forbes seconded, passed unanimously*

### c. Town Treasurer – Review and sign Town Meeting Warning

*Bob Forbes moved to approve the Town Meeting Warning as written, George Mora seconded.*

Doug Friant inquired as to whether there are any budget matters that would be better handled as separate articles. It was noted that there were none, and that anything in the budget that is new or changed from last year is broken out into separate articles.

*Motion passed unanimously.*

There was discussion about whether Board members whose terms expire this year would be running for office again.

### d. Town Treasurer – Review and approve proposed FY2019 budget

Treasurer Tina Labeau presented the budget to the Board members, indicating where there are increases or decreases of note. There was discussion about several line items on note.

The budget increase year-over-year is approximately \$50,000, but with estimated revenue increases the net increase is roughly \$40,000.

O'Keefe was asked to invite Lieutenant French from the Vermont State Police to the next meeting to review the policing budget.

It was the consensus of the Board not include additional funding for reappraisals in the budget due to completion of the reappraisal.

*George Mora moved to approve the proposed FY 2020 budget as amended, Tom Cavanagh seconded.* It was agreed that the final budget figure, once calculated would be included in the minutes.

*Motion passed unanimously.*

[Subsequent to the meeting it was determined that the amended budget amounted to \$1,836,016.77.]

**e. Town Treasurer – Review FY2018 audit**

Labeau reviewed with the Board the matters raised by the auditors in their letters of opinion and findings, including her response to the auditors. All materials produced by the auditors had been provided to the Board ahead of the meeting.

The number of findings is down from previous years has been reduced. The need for segregation of duties has been improved with the addition of the assistant Town Clerk,  
Account

There was discussion about the need for a policy for authorization of journal entries.

No action was taken by the Board

**f. Board of Listers – Annual certificate of no appeals/suits**

O’Keefe noted that Lister Sandra Clark had explained that there are no outstanding appeals or other issues and she recommends that the Selectboard sign the required certificate.

*George Mora moved that the Board sign the Certificate of No Appeal or Suit Pending, Taylor Prouty seconded, passed unanimously.*

**g. Town Administrator – Discuss computer services needs**

O’Keefe noted that he and Labeau have discussed computer system needs, and he felt there is a need for outside technical assistance with computer hardware and software; someone who can take an objective look at our systems. He explained that given their importance to Town operations, computer systems need to be protected and operate efficiently. He mentioned that there several companies that do this work and he would like to work with Tina on this this year, by putting out a request for proposals for systems oversight and assistance that can be handled within the budget. He would then come back to the Board for consideration.

There was brief discussion about managed computer services information provided by two vendors that had been distributed to the Board.

O’Keefe informed the Board that he would be replacing the Town Administrator laptop computer with a new one which, with setup and hardware, would likely cost around \$1,000. The need for software was also discussed.

**h. Town Administrator – Discuss project management for Platt elevation project**

O’Keefe noted that he was working on this FEMA-funded building elevation project and noted that there was a need for project management and compliance verification going forward. He recommended Kevin Beattie for this project administration/oversight role if he is available, which George Mora noted had been previously discussed by the former Town Administrator and she noted that the State of Vermont project manager had stated that the expense would be covered by the grant.

Jim Ameden mentioned that it was previously agreed that this project can’t cost the taxpayers anything. Kevin Beattie mentioned that there was approximately \$7,000 available for administration, but this amount needs to be confirmed as it seems a bit high in comparison to the project cost.

Dwight Johnson noted that new project budget figures would likely be forthcoming as the amounts being used are a few years old.

It was agreed that O’Keefe would report back at the next meeting of budget figures, and that the Board would take action after that.

**8. Transfer Station**

**a. Updates**

Tom Cavanagh stated that things are running as smoothly as they can at the Transfer Station.

**9. Roads and Bridges**

**a. Discuss report from the Traffic Safety Committee AND**

**b. Consider recommendations for Thompsonburg Road Safety Audit**

This was a continuing discussion from the previous meeting. Mora stated that the next logical step would be to establish a traffic ordinance and set speed limits for individual roads and segments of roads based on data and recommendations from traffic safety audits, i.e., the Thompsonburg Road and Middletown Road audits. An ordinance would not include a town-wide speed limit per State VTrans guidelines.

Mora, there is funding for implementation for the Middletown Road recommendations

Ameden said the next step is to accept the recommendations of the Traffic Safety Committee. Mora clarified that there are two sets of recommendations: the VTrans recommendations, and then those of the Traffic Safety Committee, with the VTrans recommendations being most important at this time. It was assumed that the Town could accept all or some of the recommendations. All of the Middletown Road recommendations were previously accepted,

partly because of grant funding for implementation. Mora reported that the Thompsonburg Road audit is almost in final form at this time and is only awaiting a decision on whether the Town is willing to apply for implementation funds at this time, which she assumes it is not. There was discussion about applying for the grant funds, which come from the VTrans high risk roads program.

It was agreed that Mora would distribute the final version of the Thompsonburg Road safety audit when available, and that the Board at the next meeting would set a date for a work session to go over the recommendations of both the audit and the Committee recommendations

**c. Discuss special weight limits for highways and bridges**

O’Keefe presented the Board with a letter from VTrans on the annual report on special weight limits for highways and bridges. Ameden noted that there were no special weight limits in Londonderry, nor are there limits during mud season; it is normally the case that truckers use good judgement.

He recommended that we don’t post our roads during mud season to support area business, but that there should be contact with the Town for their use. O’Keefe and Ameden will work on an attachment to the permit for notice about mud season.

No action was taken.

**d. Approve excess vehicle weight permits**

The Board reviewed an application from Newport Sand & Gravel/Carroll Concrete for a fleet permit for overweight vehicles.

*Bob Forbes moved to approve the excess weight permit for Newport Sand & Gravel Co., Inc. / Carroll Concrete Co., Inc., Taylor Prouty seconded, passed unanimously.*

**e. Updates**

Mathew Rawson noted that in the month of December there was salt usage of 291 tons, and 806 yards of sand, and for fuel usage, 1,358.9 gallons for vehicles and 559 for buildings. And things are going well.

Ameden mentioned that the minutes of the previous meeting note that roads have been in excellent condition this winter, and there have been few complaints, and things are really improving.

**10. Old Business**

**a. Approve amended resolution for FY2019 Municipal Planning Grant - Zoning Bylaw Rewrite**

The Board reviewed an amended resolution for the municipal planning grant received for the Zoning Bylaw rewrite. The original resolution was signed on September 19, 2018, and this new

resolution would replace it by adding Shane O’Keefe as the “Municipal/Authorizing Official” for the grant, replacing Robert Nied.

*Bob Forbes moved to approve the amended resolution for the municipal planning grant, George Mora seconded, passed unanimously.*

The Board members signed the document

**b. Approve letter to Southwest New Hampshire District Fire Mutual Aid**

Following up on the discussion at the previous Board meeting, O’Keefe worked with Ameden on a letter voicing concerns to Southwest New Hampshire District Fire Mutual Aid.

Friant noted that when he had written the letter to the Selectboard that the total contribution from responding towns may be off somewhat based on the way he calculated it, but it was roughly correct. He added that every day there’s a radio that is unreadable. Ameden stated that it’s worse with portable radios.

*George Mora moved to approve and send the letter to Southwest New Hampshire District Fire Mutual Aid, Tom Cavanagh seconded, passed unanimously.*

**11. New Business**

**a. Schedule candidates forum**

It was the consensus of the Board that the candidates forum should take place at 5:30 PM on Monday, February 11, 2019 in the Town Offices

**b. Appoint Zoning Administrative Officer per Planning Commission nomination**

O’Keefe noted that 24 V.S.A. 4488 requires that the Zoning Administrative Officer is to be nominated by the Planning Commission and then appointed by the Selectboard, and stated that on January 16, 2019 the Commission voted to nominate him for the position, effective January 1, 2019.

*George Mora moved to accept the nomination of Shane O’Keefe as Zoning Administrative Officer and appoint him to this position for a three-year term, effective January 1, 2019, Taylor Prouty seconded, passed unanimously.*

**c. Discuss goals for Town Administrator**

O’Keefe stated that it would be helpful to him to know what the Board wants him to as Town and Zoning Administrator over the next 6 months or year so he can focus on those things that are priorities.

Mora stated that she wants to focus on the dam, to see what can be done about it. This would include a study of the potential for downstream impacts of a dam breach, which Kevin Beattie is

working on, and an overall engineering study of the condition of the dam as well. There was some discussion on insurance related to the dam, and liability should there be engineering recommendations that go unimplemented.

Forbes brought up the need for O’Keefe to assist the Planning Commission with the Zoning Bylaw rewrite.

Mora also suggested continued work on two stalled zoning enforcement cases that were recently being handled by the previous TA/ZA, each on Middletown Road: the burned-out house owned by the Twitchells (oil tanks and potential asbestos are issues), and the cellar hole and its detritus at the corner of Route 100 owned by William Melendy. They are high-visibility and concerned neighbors have voiced concerns. Ameden added that continuing with existing enforcement cases was important. Prouty added that follow-up on the tree house violation may be necessary.

O’Keefe brought up his wish to approach zoning enforcement first with informal communication with property owners, followed by formal notices of violation if there is lack of cooperation. If there is a need to proceed further with court action, he would first approach the Selectboard for authority to engage the Town Attorney. The idea of informal cooperation

Ameden expressed interest in reviewing Town policies, with the personnel policy being the first. He suggested forming a committee on the personnel policy, to involve those affected or with expertise. Ameden suggested coming up with a draft and circulating it around.

Other policies should also be reviewed, including financial policies, and the purchasing policy.

Cavanagh suggested that O’Keefe stay on top of the septage field remediation project. O’Keefe noted that contaminated soil disposed of at the Town Garage needs to be analyzed this fiscal year.

Mora suggested follow-up on studies of wastewater in the villages. She noted that she felt that the Planning Commission was expecting the Selectboard to take the lead on this. O’Keefe will confer with Gail Mann of the Planning Commission

Forbes stated that he was also relying on O’Keefe to bring up to the Board matters that should be priorities based on his observations and experience.

#### **d. Executive Session – Evaluation of a Public Officer or Employee**

O’Keefe noted that he had included in the meeting packet an instructional sheet of executive sessions.

*George Mora moved that the Board enter executive session at 9:00 PM to discuss the evaluation of a public officer or employee pursuant to Title 1, Section 313((a)(3), seconded by Taylor Prouty, passed unanimously.* Town Treasurer Tina Labeau was invited to attend the executive session.

The Board came out of executive session at 9:12 PM.

*Taylor Prouty moved that the Selectboard recognizes that the Treasurer position qualifies as a full-time position, and is obligated to retroactively apply benefits to the current Treasurer's start date of January 1, 2016, seconded by George Mora, passed unanimously.*

## 12. Adjourn

*George Mora moved to adjourn the meeting, seconded by Taylor Prouty, passed unanimously.*

Meeting adjourned at 9:15 PM.

Respectfully Submitted,

Shane P. O'Keefe  
Town Administrator

*Approved February 4, 2019.*

\_\_\_\_\_  
James Ameden, Chair

\_\_\_\_\_  
Georgianne Mora, Vice-Chair

\_\_\_\_\_  
Thomas Cavanagh

\_\_\_\_\_  
Robert Forbes

\_\_\_\_\_  
Taylor Prouty