

**Town of Londonderry, Vermont  
Selectboard  
Regular Meeting Minutes  
Monday, March 18, 2019  
Twitchell Building - 100 Old School Street, South Londonderry, VT**

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

**Board Members Absent:** Robert Forbes.

**Others in Attendance:** Town Officials – Town Administrator Shane O’Keefe, Treasurer Tina Labeau, Highway Foreman Matt Rawson, and Planning Commissioners Sharon Crossman, Larry Gubb and Gail Mann. Members of the Public –, George Legace, 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**

Shane O’Keefe noted that a Town Clerk Kelly Pajala would not be available for the planned discussion of E911 address changes under item 9.a., so this agenda matter should be deleted.

*George Mora moved to accept the recommended change to the agenda, seconded by Taylor Prouty, passed unanimously.*

**3. Organization**

**a. Elect a Selectboard Chair and Vice-Chair** [24 VSA 871(a)]

Town Administrator O’Keefe asked for nominations for Selectboard Chair.

*George Mora moved to elect James Ameden as Selectboard Chair, seconded by Tom Cavanagh. O’Keefe asked for other nominations and there were none. Motion passed unanimously.*

Selectboard Chair Jim Ameden asked for nominations for Selectboard Vice-Chair.

*Taylor Prouty moved to elect Georgianne Mora as Selectboard Vice-Chair, seconded by Tom Cavanagh. Ameden asked for other nominations and there were none. Motion passed unanimously.*

**b. Set Regular Meeting Schedule & Location** [1 VSA 312(c)(1)]

*George Mora moved to hold regular meetings of the Selectboard on the first and third Mondays of the month at 7:00 PM at the Town Office building, seconded by Tom Cavanagh. Motion passed unanimously.*

**c. Designate newspaper of record** [17 VSA 2641(b)]

O’Keefe was noted that designation of a newspaper of record is only necessary for printing of the Town Meeting warning, and because the Town Report is sent to all households in town printing

the warning in the newspaper of record is not required. The newspaper of record has been the Vermont Journal, which is delivered to every home in the community.

The question of whether the newspaper of record must be a physical paper as opposed to an online newspaper was discussed. O’Keefe mentioned that he had asked this question of the Vermont League of Cities and Towns and, while not specifically addressed in statute, the best advice from legal staff is that notices in a newspaper should be in a physical newspaper.

*George Mora moved to retain the Vermont Journal as the newspaper of record, seconded by Tom Cavanagh. Motion passed unanimously.*

**d. Designate member with authority to sign warrants & pay orders [24 VSA 1623(a)(1)]**

*Taylor Prouty moved to appoint George Mora as the designated Selectboard member with authority to sign warrants and pay orders, seconded by Tom Cavanagh. Motion passed unanimously.*

**e. Adopt Rules of Order**

O’Keefe raised the idea of updating the rules of order in the coming year.

*Tom Cavanagh moved to re-adopt the Selectboard Rules of Order, seconded by George Mora. Motion passed unanimously.*

**4. Minutes**

*George Mora moved to approve the minutes of the meeting of March 4, 2019, seconded by Taylor Prouty, passed unanimously.*

**5. Selectboard pay orders**

Pay orders were reviewed and signed by the Board members.

**6. Announcements/Correspondence**

Lowell Lake – Taylor Prouty reported on the Lowell Lake working group, with whom he met recently. He mentioned that another meeting is scheduled for March 28 at 6:30 PM at Neighborhood Connections, and are looking for Town support. They have established an email address (lowelllakegroup@gmail.com) and are looking for people to contact them about their organization efforts as they want to get the word out. The group has sent a list of questions to the State of Vermont to start a dialogue and let local views be known.

There may be another meeting in April sponsored by the State on its plans for Lowell Lake. The group wants to ensure that all factors are being considered, including forest management initiatives, land trust interests and applicability of local zoning.

Prouty stated that the group will likely be requesting a letter of support from the Selectboard.

TOPP Phase I – O’Keefe noted that the Invitation to Bid for the Town Office grading and drainage project has been advertised, that a site visit is scheduled on April 3<sup>rd</sup>, and that bids are due on April 11<sup>th</sup>. The Board is scheduled to select a consultant on April 15<sup>th</sup>, and work would be completed within 90 days of contracting.

Emerald Ash Borer – O’Keefe mentioned that the Conservation Commission would be holding an informational meeting on March 19<sup>th</sup> at 6:30 PM at Neighborhood Connections regarding the impacts of the invasion of the emerald ash borer. Selectboards and Conservation Commissions from surrounding towns have been invited.

Incident Command Training – O’Keefe mentioned that there is a training opportunity for municipal executives and senior officials regarding incident command/emergency management on April 16<sup>th</sup> at 2:00 PM at the Windham Regional Commission. He stated that he would attend and that Board members should contact him if they want to attend.

Board and Committee Meetings – O’Keefe mentioned that he and Treasurer Tina Labeau would be sending out to all municipal boards and committees a memo outlining new standards for agenda and minutes to comply with statutory requirements, particularly having to do with website posting.

Dog Registration – Labeau reminded everyone to register their dogs by April 1<sup>st</sup>.

## 7. Visitors and Concerned Citizens

Bruce Frauman stated that he had heard a complaint about the Transfer Station being closed on Town Meeting day and that he had promised the person that he would bring it to the attention of the Board. The person complained that there were no signs, but it was pointed out to Frauman that this was noted on the Town website and the Transfer Station answering machine. It was agreed that posting this at the Transfer station ahead of time would be helpful to the public.

## 8. Annual Appointments

### a. Road Commissioner

[17 VSA 2646(16) & 2651(a)]

Jim Ameden noted that he was the incumbent and said he was open to someone else taking over this position.

*Tom Cavanagh moved to appoint Jim Ameden as Road Commissioner, seconded by George Mora. Motion passed 3-1, with Ameden voting nay.*

### b. Emergency Management Director

[20 VSA 6(a)]

O’Keefe noted that Kevin Beattie stated that he is interested in continuing to serve in this position.

*George Mora moved to appoint Kevin Beattie as Emergency Management Director, seconded by Taylor Prouty. Motion passed unanimously.*

### c. Windham Regional Commission Representatives (2)

[24 VSA 4343(a)]

*Taylor Prouty moved to appoint Georgianne Mora and Denis Pinkernell as representatives to the Windham Regional Commission, seconded by Tom Cavanagh. Motion passed unanimously.*

### d. Health Officer and Deputy Health Officer

[18 VSA 601(a)]

*Taylor Prouty moved to appoint Irwin Kuperberg as Health Officer and Roger Fox as Deputy Health Officer, seconded by Tom Cavanagh. Motion passed unanimously.*

**e. Fire Warden [10 VSA 2641(a)]**

There was discussion about availability of the Fire Warden. It was noted that there are others willing to serve in the position if the incumbent, Jim Twitchell, is no longer interested. It was also discussed that the Town could have a Deputy Fire Warden to assist in case of Jim's absence.

*George Mora moved to pass over this appointment at this time, seconded by Taylor Prouty. Motion passed unanimously.*

Ameden will contact Jim Twitchell and the others interested in the position, and report back at the next meeting.

**f. Tree Warden [24 VSA 871(b)]**

O'Keefe noted that Kevin Beattie stated that he is interested in continuing to serve in this position.

*George Mora moved to appoint Kevin Beattie as Tree Warden, seconded by Tom Cavanagh. Motion passed unanimously.*

**g. 911 Coordinator [30 VSA 7056(a)]**

Labeau noted that Kelly Pajala or Bonnie Cobb would be interested in this position, and she noted that State reporting requirements are more demanding than in the past.

*George Mora moved to appoint Kelly Pajala as E911 Coordinator, seconded by Taylor Prouty. Motion passed unanimously.*

**h. Animal Control Officer [20 VSA 3549]**

*George Mora moved to appoint Pat Salo as the Animal Control Officer, seconded by Taylor Prouty. Motion passed unanimously.*

**9. Town Officials Business**

**a. Planning Commission – Consultant selection for Zoning Bylaw Rewrite project**

Planning Commission Chair Sharon Crossman discussed with the Board the proposals received in response to the Request for Proposals issued on 2/1/2019 and the proposal review process. Proposals were received from the following consultants:

- Robert Nied Associates, Chester, VT (\$17,800)
- Lee Nellis, Saranac Lake, NY (\$19,200)
- Windham Regional Commission, Brattleboro, VT (\$23,940)
- PlaceSense/Brandy Saxton AICP, Windsor, VT (\$24,000)

It was noted that two of the consultants were interviewed by the Commission and that the Commission voted to "forward the proposal of Brandy Saxton, PlaceSense to the Select Board with a recommendation to award a contract for consulting services to complete the Zoning Bylaw rewrite project as proposed".

*George Mora moved to accept the proposal from PlaceSense/Brandy Saxton to provide consultant services for the Zoning Bylaw rewrite project, and to authorize the Town Administrator to execute all necessary documents to employ this consultant, including a service contract after review by the Town Attorney, seconded by Taylor Prouty.*

There was discussion about floodplain bylaws, and a suggestion to consider bylaw recommendations from the Agency of Natural Resources. Crossman spoke to the experience that the recommended consultant has and that this explains the cost differential between other proposers, plus her proposal includes mapping costs. O’Keefe added that 90% of the project cost was covered through grant funding, and that the recommended proposal was very comprehensive.

*Motion passed unanimously.*

**b. Planning Commission – Water and wastewater update**

Planning Commissioners Gail Mann and Larry Gubb spoke to the Board in anticipation of the next meeting discussion with a representative of the Agency of Natural Resources to discuss efforts to study community needs for water and wastewater infrastructure. They distributed information about the efforts and funding for other communities of similar size, and stated that they are interested in a needs assessment and feasibility study the cost of which is estimated to be \$25,000. The ANR representative can answer questions about funding opportunities for engineering and implementation.

**c. Town Treasurer – Year-to-date budget review**

Labeau reviewed the year-to-date budget with the Board, and noted that the only area that was significantly over budget was highway materials and truck/equipment repairs. The overall budget is at about 67% expended.

She noted that the Town purchased the one property offered up at tax sale.

**10. Transfer Station**

Tom Cavanagh noted that there were backhoe repairs needed that were completed, but that the bucket frame was cracked and needed welded, but it is likely that in a year or so a new bucket would be needed. Prices were being considered.

**11. Roads and Bridges**

**a. Consider request for boot drop – Ruck Up, Inc. (for May 18, 2019)**

George Legace spoke to the Board about his organization’s wish to hold a fundraising boot drop on VT Route 11 in the vicinity of Hell’s Peak Roads on May 18, 2019, with a rain date of May 19, 2019. He noted that this approved last year, but the rain put a damper on the event. O’Keefe asked Legace for an insurance certificate, which he said he’d drop off the next day.

*George Mora moved to approve the request from Ruck Up, Inc. to hold a boot drop fundraiser on VT Route 11 in the vicinity of Hell’s Peak Road on May 18, 2019, with a rain date of May 19, 2019, seconded by Taylor Prouty. Motion passed unanimously.*

O’Keefe will write a letter to Legace confirming the Board’s decision for use with State of Vermont authorities. Legace mentioned the other fundraising efforts of the organization.

**b. Review and adopt Traffic & Parking Ordinance**

The Board reviewed the most recent draft of the proposed Traffic and Parking Ordinance. It was noted that there was a typographic error where the speed limit on Thompsonburg Road was still shown as 45 mph. It was also noted that Bob Forbes had reviewed and mapped each intersection in town for stop signs.

Ameden raised the issue of whether it was necessary to include the specific location of each stop sign in the community in the ordinance. He mentioned that the Board simply voted to place some stop signs in the past without an ordinance. O’Keefe noted that he was aware of a community that has an ordinance that includes a regulation within it that allows for some changes to signage without having to go through the 60-day ordinance amendment process.

It was recommended that O’Keefe should inquire into this matter with the Vermont League of Cities and Towns and report back to the Board.

The parking fine amount was briefly discussed. No vote was taken by the Board.

**c. Approve excess vehicle weight permits**

*George Mora moved to approve the excess weight permits (fleet) for Valley Crane Services, Inc., Renaud Brothers, Inc., United Natural Foods, Inc., Bazin Brothers Trucking, Gurney Brothers Construction, Inc., and Beacon Sales Acquisition, Tom Cavanagh seconded, passed unanimously.*

It was noted that mud season was significant this year, and we rely on an honor system for truckers in order to promote local business and the Town does not post its roads. Ameden stated that there have been some that have been abusing this honor system, and that he should direct any violators to him. There was discussion about giving notice to local trucking firms to ensure that they get their permits. It was noted that all permittees get a notice with contact information with their permits

**d. Evaluations**

Ameden brought up the need to conduct employee performance evaluations soon for the Highway Department as well as the Transfer Station, and it was agreed that a special meeting would be held to handle this, possibly during the week of March 25<sup>th</sup>.

O’Keefe was asked to send the evaluation forms out to supervisors this week. It was noted that part-time employees at the Transfer Station have not historically be reviewed.

**12. Old Business**

**a. Discuss managed computer services**

Following up on previous Board discussions, O’Keefe reviewed with the Board proposals from three IT services companies to provide managed computer services for the Town. He noted that the lowest cost proposal was from TechVT Technology Consulting, a Londonderry-based consultant with an annual service cost of \$2,400 plus additional cost for special projects/setups.

It is conditioned on hardware and software upgrades of roughly \$4,000 as specified in his proposal that both O’Keefe and Labeau noted were important to implement.

Labeau noted that one cost saving suggestion from the consultant was providing internet and phone from the Town Office to the Highway Garage. She noted that the budget can handle this kind of expense.

*George Mora moved to contract with TechVT for computer maintenance and management services and authorize expenditure of \$4,000 for hardware and software upgrades, George Mora seconded, passed unanimously.*

### 13. New Business

#### a. Set terms and appointments for Planning Commission

Following up on previous discussions about establishing terms of office for various boards and commissions to provide for orderly and predictable opportunities for citizens to serve the community, the Planning Commission discussed this at its meeting of March 11, 2019 and voted to recommend the following terms of office for its existing members: three 3-Year Terms for Gail Mann, Richard Dale, and Mary Adams Lines; two 2-Year Terms for Dwight Johnson and Sharon Crossman; and two 1-Year Terms for Larry Gubb and the new person to be appointed to fill a vacancy. It was noted that there is presently one vacancy on the Planning Commission and there are four people interested.

*George Mora moved to establish three-year terms of office for the Planning Commission, and appoint the following individuals to the Planning Commission with transitional staggered terms as follows:*

- *Gail Mann, Richard Dale, and Mary Adams Lines for 3-year terms from April 1, 2019 to March 31, 2022,*
- *Dwight Johnson and Sharon Crossman for 2-year transitional terms from April 1, 2019 to March 31, 2021,*
- *Lawrence Gubb for a 1-Year transitional term from April 1, 2019 to March 31, 2020.*

Crossman and Gubb stated that the Commission members were in favor of this process

*Tom Cavanagh seconded, passed unanimously.* O’Keefe will provide notice to the Commissioners of their appointments.

#### b. Consider request for donation of transfer station tickets to the Little School

The Board briefly discussed the request from The Little School for a raffle donation of Transfer Station tickets. It was generally agreed that donating Town services is not a good policy, as it could get out of hand.

*Tom Cavanagh moved to decline the request for donation, George Mora seconded, passed unanimously.*

#### c. 1st Class Liquor License – Upper Tamarack, Inc., DBA Upper pass Lodge

*Bob Forbes moved to approve the first class liquor license for Upper Tamarack, Inc., George Mora seconded, passed unanimously.*

**14. Adjourn**

*Tom Cavanagh moved to adjourn the meeting, seconded by George Mora, passed unanimously.*

The meeting adjourned at 8:35 PM.

The next regular meeting of the Selectboard is scheduled for April 1, 2019 at 7:00 PM.

Respectfully Submitted,

Shane P. O’Keefe  
Town Administrator

*Approved April XX, 2019.*

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James Ameden, Chair

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Georgianne Mora, Vice-Chair

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Thomas Cavanagh

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Robert Forbes

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Taylor Prouty