

**Town of Londonderry, Vermont  
Selectboard  
Meeting Minutes**

**Monday, October 21, 2019  
Twitchell Building - 100 Old School Street, South Londonderry, VT**

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

**Board Members Absent:** Robert Forbes.

**Others in Attendance:** Town Officials – Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Town Clerk Kelly Pajala, Emergency management Director & Tree warden Kevin Beattie, and Planning Commissioners Sharon Crossman and Mimi Lines. Members of the Public – 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**

Jim Ameden suggested a wood chipper discussion be added to the agenda, which had been discussed at the previous meeting.

*George Mora moved to add discussion of the chipper as item 9.c., seconded by Taylor Prouty, passed unanimously.*

Tom Cavanagh asked to Transfer Station part of the agenda a discussion on electrical upgrades.

*Tom Cavanagh moved to add discussion of Transfer Station electrical upgrades as item 8.b., seconded by Taylor Prouty, passed unanimously.*

**3. Minutes Approval – Meeting of October 7, 2019**

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

**4. Selectboard Pay Orders**

Pay orders were reviewed and signed by the Board members.

**5. Announcements/Correspondence**

**Emergency Management Exercise** – Emergency Management Director Kevin Beattie mentioned that a complex state-wide emergency management exercise would be taking place on Wednesday and Thursday of that week, involving all levels of State government, utilities, the Red Cross, the National

Guard and hospitals. He said that he would need some assistance in the Emergency Operations Center, and that road matters would likely be involved but that the need for the road foreman would be minimal. He mentioned it would take up about 6 hours per day each day, and asked about Town Office staff availability. Tina Labeau mentioned she'd be around both days and that Kelly Pajala would be out on Thursday. Shane O'Keefe mentioned that he would be out of the office at a training event on Wednesday but would be available by phone.

**Emergency Shelter Plans** – CRO member Bruce Frauman mentioned a new effort to take care of shelter for people, and potentially animals, that will soon be announced, to be headed up by Laurie Distasio working with Jennifer Probst. There was discussion about this, and he mentioned that the Town could be relieved of the responsibility for sheltering and warming/cooling locations, and there would be better flexibility than working with the Red Cross. Beattie noted that after a few days of a local shelter being in use the Red Cross would open a regional shelter.

**Transfer Station Stickers** – Kelly Pajala mentioned that beginning on November 1<sup>st</sup> the Town would begin selling 2020 Transfer Station permits, as would the other town offices and the waste district.

## **6. Visitors and Concerned Citizens**

None.

## **7. Town Officials Business**

### **a. Emergency Management Director/Tree Warden – Emerald Ash Borer**

Beattie noted that the Emerald Ash Borer has finally been found in Londonderry and about 6 locations around the state. As a result there are now limitations regarding movement of wood from the area. He noted that we're that much closer to having to remove lots of trees at great effort and cost. He wants to work with Road Foreman Josh Dryden on locating ash trees that need felling or removal, either by the Town or by tree companies in cases where the Town can't safely or efficiently do the work. He noted that it costs less the sooner you get to them as they are harder to handle once they're dying, and recommended budgeting for tree removal. Green Mountain Power is budgeting millions of dollars for this effort, and he stated that the Town won't need to budget for trees in utility corridors.

Prouty mentioned the idea of hiring a contractor to handle roadway tree removal. Beattie mentioned that roadside trees would tend to have little harvest value.

Prouty also mentioned setting aside funds for a multi-year effort. Beattie estimated that there are 1,600 roadside ash trees to consider, though most don't appear to be a threat, and will work with Dryden on the effort needed to handle the issue and come back with workforce and budget estimates. The priority is trees likely to fall into the roadway.

### **b. Planning Commission – Discuss economic development initiative**

Planning Commissioners Sharon Crossman and Mimi Lines spoke to the Board about an initiative the Commission is taking to follow up on the Town Plan effort of a few years ago, seeking to prioritize action items, including an effort centered on economic development.

Crossman handed out a list of comments generated during the public input process of that rewrite process to show some of the issues that were important to the community. The many issues brought up in that process were briefly mentioned and she stated that the Commission is looking to refine tune the list and prioritize its efforts.

A recent discussion with State downtown and economic development staff and the Windham Regional Commission brought up projects that could assist the two village areas. At this time the Commission is looking to reach out to the community in the hope of identifying current needs and desires. They plan on placing poster boards up in various locations in the community for people can contribute ideas and see what others are thinking. They would also look to include a link to a survey on the Town's website to gather input, and other methods and venues as well. Crossman mentioned that a follow-up could include a potluck to discuss findings and discuss prioritization.

A next step would include forming a committee with citizen input to work on these projects.

The Board members expressed their support for the Commission's efforts on this proposal. Crossman asked the Selectboard members to help get the word out on the project if they can.

## **8. Transfer Station**

### **a. Updates**

Cavanagh mentioned that he had reached out to Esther Fishman regarding the TAM Waste management contract for waste hauling, and conveyed that TAM will honor the contract until it expires in 2021. He stated that costs are likely to go up with the new contract with Casella Waste Services.

### **b. Discuss electrical upgrades**

Cavanagh mentioned that he had received estimates for electrical upgrades at the Transfer Station for various items from Gary Barton, including \$350 for a broken electrical box carrying power to the recycling area, \$300 for a new post and outlet for the backhoe, \$850 for a 60 amp buried line to the bottle return building. Labeau mentioned that there is \$15,000 budgeted for electrical upgrades and this is well within that amount.

O'Keefe noted that any buried line in a transfer station should get prior approval from the Agency of Natural Resources.

There were no objections to these proposed expenditures.

## **9. Roads and Bridges**

### **a. Updates**

Ameden mentioned that the Road Crew was cleaning up brush from the recent storm, and that the trucks are pretty much set to go for winter. He mentioned the two year old tandem truck had a fan issue and that turns out the vehicle had its frame twisted. While okay for the time being, it will have to have its frame straightened in the spring. He expressed concern

that there were no reports of the vehicle having an incident whereby the frame had been impacted. The fan problem could have led to engine problems. Ameden stated that he has made it clear that any damage incidents involving trucks need to be reported.

Regarding the new truck, Ameden reported that it should be delivered in the next two weeks.

**b. Consider employee compensation rates**

Ameden mentioned that since taking over as Road Foreman, Josh Dryden has been doing a great job and really staying on top of things.

Ameden mentioned the need to establish separation in wage rates between various Town employee positions. There was discussion about the increased cost of benefits, which appears to 12% per year of late, and the overall cost of each employee. Having employees share in the cost of health benefits was discussed, as was the concept of a payment in lieu of the provision of health insurance for those who can prove coverage elsewhere.

Ameden stated that there should be a salary cap on every position. Labeau noted that the Vermont League of Cities and Towns has just published a survey of municipal wage rates that is available to all Board members. Ameden that the Board needs to take a good look at the overall compensation package for employees.

*George Mora moved to adjust the hourly rate of pay for Josh Dryden to \$24.50, effective this pay period, seconded by Taylor Prouty, passed unanimously.*

**c. Discuss wood chipper**

Following up from the previous meeting, Ameden stated that the used chipper available at Brown's for \$16,000 appears to be a very good deal, and the equipment can really be useful to the Highway Department. He noted that there is money in the equipment fund to handle this purchase, and it can be done in two payments if necessary.

Taylor Prouty questioned whether this could be repaired and maintained locally, and Ameden noted that it could, with the Road Crew able to handle the general maintenance. It was agreed that this unit would offer increased productivity, efficiency and safety for the Town.

*George Mora moved to authorize the purchase of a used wood chipper from Brown's at a cost of \$16,000, to be paid for through the Highway Equipment Fund, seconded by Taylor Prouty, passed unanimously.*

**10. Old Business**

**a. Town Office Renovation Project - Declaration of Official Intent for bond vote**

Related to the proposed bond for the TOPP Phase II project, O'Keefe noted that 1) bond counsel J. Paul Giuliani has indicated that the proposed bond vote would require a special

Town Meeting coincident with the regular Town Meeting, and 2) that adoption of a declaration of Official Intent for bond vote is necessary to include costs accrued before a bond vote, such as engineering, design and site remediation costs, to be repaid through the bond.

*Taylor Prouty moved to adopt the Declaration of Official Intent of the Town of Londonderry to Reimburse Certain Expenditures from Proceeds of Indebtedness, and to request that the Town Clerk certify the Selectboard's adoption, and to attach said certified Declaration to the minutes of this meeting of the Selectboard, seconded by George Mora, passed unanimously.*

**b. Platt Elevation project – Discuss Vermont Emergency Management response to conditional award of contract**

The Board reviewed comments from Vermont Emergency Management with regard to O'Keefe's notification that the bids for the building elevation project came in well over the award amount and that the low bidder was the property owner.

It was agreed that O'Keefe will draft a formal award modification request and forward it to Board members prior to submittal to the State. He will also provide to the State information on how the Board's conditional bid award conforms with the Town's purchasing policy.

**11. New Business**

**a. Planning Commission resignation/vacancy**

The Board discussed the resignation of Gail Mann from the Planning Commission and O'Keefe recommended advertising the vacancy and that the Commission take the lead in interviewing candidates and make a recommendation to the Selectboard.

Crossman mentioned that Gail has been a very valuable member of the Commission, and has agreed to stay on to help out with the water and wastewater study project.

*George Mora moved to accept Gail Mann's resignation from the Planning Commission, and thank her for the time and effort that she has put in, and willingness to stay on until the vacancy is filled, and to direct the Town Administrator post the vacancy caused by Gail's resignation, and ask the Planning Commission to interview all applicants for the position and make a recommendation to the Selectboard on filling the vacancy, seconded by Taylor Prouty, passed unanimously.*

Crossman stated that she welcomed a Selectboard member to participate in the interviews.

**b. Windham Regional Commission grant proposal for regional broadband study**

Pajala and Mora gave background information on this effort by the Windham Regional Commission to do a study on the provision of broadband internet services in the region. Mora mentioned that they had attended a meeting put on by the Public Service Department

and the Windham County Delegation about the need for “last mile” services. It is clear that the private sector providers are not likely to provide this service on a market basis.

Funding has been set aside to address this situation, and municipalities could work on their own or with neighboring towns to establish broadband utilities. The Windham Regional Commission is seeking to consider a regional approach whereby a single “communications union district” could be created, which would alleviate towns from a daunting task of going it alone. Pajala mentioned that a second funding round and technical assistance would be available in the coming year, and this effort could provide the region with a leg up on future implementation funds. She mentioned that there are Bennington County communities interested in this effort, and there could be a southern Vermont district covering the entire a region. There may be boilerplate Town Meeting article in support of the broadband effort, she stated, and municipal taxes would not be used for implementing this effort.

The WRC is seeking letters of support for the application. Crossman stated that she felt that the project is in line with the Town Plan objectives and she believed that the Planning Commission would be in support of this effort.

*Taylor Prouty moved to authorize the Selectboard Chair to sign a letter of support for the Windham Regional Commission’s grant proposal for a regional broadband study, seconded by Tom Cavanagh, passed unanimously.*

O’Keefe will draft a letter for Ameden to sign on behalf of the Town.

## 12. Adjourn

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

The meeting adjourned at 8:18 PM.

The next regular meeting of the Selectboard is scheduled for November 4, 2019.

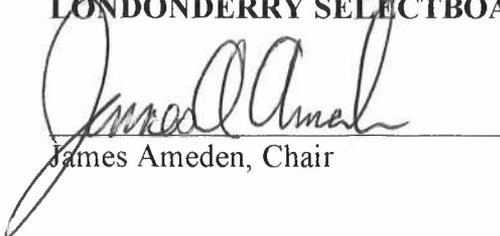
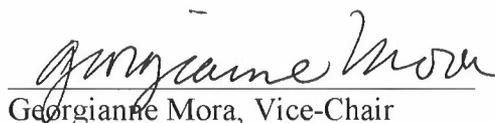
Respectfully Submitted,



Shane P. O’Keefe  
Town Administrator

*Approved November 4, 2019.*

## LONDONDERRY SELECTBOARD

  
James Ameden, Chair  
Georgianne Mora, Vice-Chair



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Thomas Cavanagh

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Robert Forbes

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Taylor Prouty

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DECLARATION OF OFFICIAL INTENT  
OF THE TOWN OF LONDONDERRY  
TO REIMBURSE CERTAIN EXPENDITURES  
FROM PROCEEDS OF INDEBTEDNESS

WHEREAS, the Town of Londonderry, Vermont (the "Issuer") intends to construct public building improvements to be considered by the Issuer at the annual meeting thereof to be held on March 3, 2020 (the "Project"); and

WHEREAS, the Issuer expects to pay certain capital expenditures (the "Reimbursement Expenditures") in connection with the Project prior to the issuance of indebtedness for the purpose of financing costs associated with the Project on a long-term basis;

WHEREAS, the Issuer reasonably expects that for that part of the Project consisting of design, permitting, acquisition, contract administration, fiscal and construction costs, debt obligations in an amount not expected to exceed \$300,000 will be issued and that certain of the proceeds of such debt obligations will be used to reimburse the Reimbursement Expenditures; and

WHEREAS, the Issuer declares its reasonable official intent to reimburse prior expenditures for the above-described part of the Project with proceeds of a subsequent borrowing:

NOW THEREFORE, the Issuer declares:

Section 1. The Issuer finds and determines that the foregoing recitals are true and correct, and that all of the capital expenditures covered by this Resolution were or will be made not earlier than 60 days prior to the date of this Resolution.

Section 2. This declaration is made solely for the purposes of establishing compliance with the requirements of Section 1.150-2 of the Treasury Regulations. This declaration does not bind the Issuer to make any expenditure, incur any indebtedness, or proceed with the Project.

Section 3. The Issuer hereby declares its official intent to use proceeds of indebtedness to reimburse itself for Reimbursement Expenditures, within 18 months of either the date of the first expenditure of funds by Issuer for such Project or the date that such Project is placed in service, whichever is later (but in no event more than three years after the date of the original expenditure of Issuer funds for such Project), and to allocate an amount not to exceed \$300,000 of the proceeds thereof to reimburse itself for its

expenditures in connection with the Project.

Section 4. The Issuer's debt obligations for the aforementioned purpose will not be "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986.

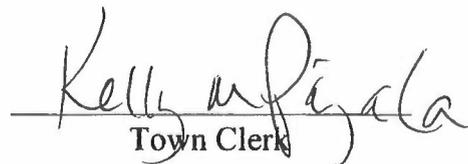
Section 5. All prior actions of the officials and agents of Issuer that are in conformity with the purpose and intent of this Resolution and in furtherance of the Project shall be and the same hereby are in all respects ratified, approved and confirmed.

Section 6. All other resolutions of the legislative body of the Issuer, or parts of resolutions, inconsistent with this Resolution are hereby repealed to the extent of such inconsistency.

Section 7. It is hereby found that all discussions and deliberations of the legislative body of the Issuer leading to the adoption of this Resolution occurred at one or more meetings of the legislative body conducted pursuant to public notice and open to public attendance.

Section 8. This declaration shall take effect from and after its adoption.

The undersigned, Town Clerk of the Issuer, hereby certifies that the foregoing is a full, true and correct copy of the declaration of the legislative body of said Issuer duly made at a meeting thereof held on the date, specified below, and that said declaration has not been amended, modified or revoked.

  
Town Clerk

October 21, 2019