

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Monday, November 16, 2020
Meeting held remotely via online video with no physical presence

Board Members Present: Georgianne Mora, Taylor Prouty, Vincent Annunziata, and James Fleming (via telephone).

Board Members Absent: Thomas Cavanagh.

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Town Clerk Kelly Pajala, Board of Listers Chair Sandra Clark, Emergency Management Director Kevin Beattie, Planning Commission Chair Sharon Crossman. Others – Jeremiah Sund, Melissa Hart and resident Richard Phelan, and Cherise Forbes (Chester Telegraph).

1. Call meeting to order

Selectboard Chair George Mora called the meeting to order at 6:03 PM.

She noted that in response the Governor Scott’s January 20, 2020 declaration of a State of Emergency due to the spreading COVID-19 pandemic, and his “Stay Home, Stay Safe” executive order restricting and minimizing all unnecessary activities outside of the home, and in accordance with Act 92, signed into law on by the Governor on March 30, 2020, which allows for changes to the Vermont Open Meeting Law to protect the health and welfare of the public, that the meeting was being held entirely remotely with no physical presence.

She added that the meeting was being conducted entirely on Zoom meeting software and that the Board members and staff were participating by video except for Board member Jim Fleming, who was participating via telephone. She noted that the public was permitted to participate via video or telephone. And that the agenda posted on November 13, 2020, and still available on the Town’s website, provided information on how the public could participate in the meeting.

She noted a few matters of meeting process, including the requirement that all non-unanimous votes by the Board must be taken by roll call vote, with each member stating their name and vote.

Mora provided some technical guidance for participation by both phone and video. Each of the Board members than vocally identified themselves.

2. Additions or deletions to the agenda

Sandra Clark asked that the Board add to the agenda a vote on a change to the Grand List under Errors and Omissions to provide for the formal separation of properties with SPANs of 10888 and 10890.

Taylor Prouty moved to add the following matter to the Town Officials Business section of the agenda: Errors and Omissions regarding Parcel SPAN #10890 & 10888 as item 7.c, seconded by Jim Fleming, passed unanimously.

3. Minutes Approval – Meeting of November 2, 2020

Vincent Annunziata moved to approve the minutes of the Selectboard meetings of November 2, 2020, seconded by Jim Fleming, passed unanimously.

4. Selectboard Pay Orders

Jim Fleming moved to approve the pay orders for payroll and accounts payable, seconded by Taylor Prouty, Passed unanimously.

5. Announcements/Correspondence

O'Keefe mentioned that the budget process has begun, as Tina Labeau, George Mora and he had met the previous week and plan to meet again the next day, and that Labeau had that day sent out budgets to various departments, boards and committees.

He also noted that he would be on vacation next week, and also plan to take off the week of Christmas (other than the Selectboard meeting on December 21). He mentioned that he had yet to take any vacation or personal days off this year.

O'Keefe noted correspondence included in the Board's meeting packet was as follows:

- The draft Road Safety Audit of VT Route 11 in the north village area prepared by VTrans and dated 9/22/2020, but just received this past week, which had been requested by the Board on 8/3/2020. Mora mentioned that elements of this audit could be discussed later in the meeting on the topic of traffic speeds.
- A letter from the Windham County Sheriff's office, dated 10/27/2020, providing its service rates for FY2022.
- Letters of thanks from the following organizations for FY2021 Town contributions:
 - The Moover - \$200 (Southeast Vermont Transit)
 - SEVCA - \$1,700 (Southeast Vermont Community Action)
 - Grace Cottage Hospital - \$750
 - Mountain Valley Health Council - \$5,000

Kelly Pajala discussed how the Clerk's office would be running until there are new changes to COVID-19 guidelines. She stated that they'll continue to use the pickup window, email, and online resources as much as possible, and that land records are now online on the Town's website and in a user-friendly format. She stated that there will continue to have one appointment for people in the vault a day, with appointments required ahead of time, including for Town staff, and for everyone to call ahead of time. Pajala stated that they are limiting things as much as possible without entirely shutting down, but if there are further guidelines that require it things will be closed to the public.

Sharon Crossman mentioned that there is a grant opportunity with the Preservation Trust of Vermont for between \$50,000 and \$100,000 to support the Town Hall renovation project that she is pursuing. O'Keefe noted that he, Crossman, Larry Gubb and Mimi Lines all visited the old town hall in Swanzey, NH to see the renovation work done there that could be a good model for Londonderry.

Tina Labeau noted that the new Transfer Station stickers would be available for sale after Thanksgiving.

6. Visitors and Concerned Citizens

None.

7. Town Officials Business

a. Emergency Management Director – COVID-19 response updates

Kevin Beattie mentioned that things are changing quickly, as there is rapid spread nation-wide and in Vermont. As a result, the state of emergency has been extended by the Governor to December 15th the State Emergency Operations Center has restarted weekly conference calls as has the local EOC. He said that the main thing to stress is that in Vermont it has been determined that the community spread is through family and private gatherings, and not so much stores and restaurants. People will have to do things differently this holiday season, he noted, as it not safe to attend gatherings with family and friends outside of your immediate household.

He noted several changes announced by the Governor:

- The travel map is suspended, as any travel into the state and any Vermonters returning to the state from anywhere must quarantine
- Bars and clubs are closed
- Sports programs are suspended
- In-person meetings are strongly discouraged

Beattie mentioned that one of the difficulties the State is seeing is people not cooperating or responding to contact tracing. He stressed that it is extremely important to participate in this effort to help slow the spread of the pandemic.

He mentioned that all of the COVID-19 FEMA grants are in good shape.

Vincent Annunziata expressed his displeasure with the Governor telling people what they can do in their own homes, particularly during the holidays, and provided some figures with regard to infection rates in southern Vermont. He questioned whether the Selectboard should be telling people to follow the Governor's requests on this matter.

Mora stated that she felt that the Board is not doing this, that it is not a position to enforce the Governor's directives, and that any concerns should be directed to the Governor.

Annunziata stated that many people are not complying with the directives and the directives are only hurting those who are following them. He noted the difficulty of isolation on children, and mentioned that he did not feel that we should be locking things down for something that does not seem to be a big deal. He mentioned that people have expressed to him issues of the lockdown will have on work, schools and church, and that we should not tolerate the Governor telling us what to do at home.

Mora acknowledged the frustration people are feeling and noted that people will follow their own instincts, and time will tell who was right and wrong, and reiterated that it was not up to the Selectboard to tell people what to do. Annunziata said that we should support individuals and their choices, and suggested that Board members can express frustration with the Governor.

Pajala noted that she felt that people's frustration is with the virus, and that the Governor is providing as much information as possible and making suggestions about what they can do to protect themselves and their families and, by extension, the community. People are choosing to follow the guidelines to reduce risk and protect loved ones, and shaming them for that is inappropriate. She agreed that it is not the Board's role to enforce the Governor's guidelines, but it is irresponsible for the Board to tell people to disregard them. Pajala mentioned that those responsible for making hard decisions for an entire population are trying to get everyone the best information that they can on how to protect themselves. And it does come down to people's

choices on how they act, but people should not make others feel bad about making responsible decisions.

Jim Fleming noted that a vaccine will be available soon enough and lot of the stress and anxiety we're feeling will be behind us; people need to ride it out.

Taylor Prouty mentioned how helpful and important it is for Kevin Beattie to provide the Board and the public with pandemic-related information, and it is a very good platform for this. He noted that it is not necessarily tied to Board views or actions, and viewers can choose to do whatever they wish with the information.

Beattie clarified that he is a Town Officer but as Emergency Management Director he works under the State of Vermont emergency management hierarchy, and when he reports to the Selectboard he is speaking from the State level.

b. Town Treasurer – Year-to-date budget review

Tina Labeau mentioned that Town was one-third the way through the fiscal year and the budget is in good shape, and tax collections coming in well. Expenses are down in some categories due to Town due to not conducting as much business.

There were miscellaneous questions asked and answered.

c. Board of Listers – Errors and Omissions (Parcel SPAN #10890.000 & 10888.000)

Clark asked that the Board approve a change to the Grand List under Errors and Omissions to provide for the formal separation of properties with SPANs of 10888 and 10890 on the Grant List for 2020, as they are not contiguous as previously thought. These are tax parcels 104006.000 and 062010.000, respectively.

George Mora moved to separate parcels 10888 and 10890 for purposes of rectifying the Grand List, seconded by Vincent Annunziata, passed unanimously.

8. Transfer Station/Solid Waste Management

a. Updates

None.

9. Roads and Bridges

a. Updates

Prouty noted that Road Foreman Josh Dryden had heard from Animal Control Officer Pat Salo about a new beaver dam on Spring Hill Road, and Salo will determine if the beaver are creating a nuisance and whether they should be trapped to alleviate the issue.

b. Traffic speeds on VT Routes 11 and 100

Mora noted that excessive traffic speeds on the State highways is an ongoing problem, and she mentioned the local initiative to erect signs saying things such as “Drive Like Your Kids Live Here” to slow traffic have been unsuccessful. Property owners are continuing to contact her and have noted that VTTrans may have a funding program for radar speed signs.

Sharon Crossman reported that the Main Street Working Group of Project Londonderry is supportive of these signs and is willing at assist with fundraising for them.

O’Keefe reported that he had spoken with the VTrans District 2 Office and found that the signs are roughly \$4,000 installed and would require a permit from VTrans if installed along State highways, and that the State would not participate in the cost. Recent examples of installations were briefly mentioned, and the number and varieties of such signage was discussed.

How to fund the radar speed signs was discussed, including a funding article on the Town Meeting warning. There was also discussion about private donations for the effort, for which the Board expressed much interest.

Richard Phelan suggested movable pole-mounted signs, noting that signs remaining at one location may tend to be ignored, and added that he’d provide an example.

There was general agreement among Board members that it was a good idea to pursue these signs.

O’Keefe was asked to pursue next steps for placement of radar speed signs, including a mobile cart on a temporary basis. He was also asked to check on the minimum State highway speed limits.

Mora described some of the findings and recommendations of the draft VTrans north village traffic safety audit, including short- and medium-term adjustments that can be made. She recommended that the Board members be sure to read it.

c. Access permit 2020-07 – 1878 Landgrove Road, Parcel #001038.000 (Stern)

Prouty noted that Road Foreman Josh Dryden had met with the property owner on this application and they simply wish to preserve a pedestrian walking path to the existing barn from their home across the road, and noted that most of the work is already done. A previous permit was recently approved by the Board for a vehicular access related to the barn. Dryden and Prouty do not feel that the proposal poses a problem.

O’Keefe suggested that if there are any stones or other structural elements put down within the right-of-way related to the pathway that the Town should receive and approve some plans to avoid any potential hazardous conditions. Prouty agreed that any further work beyond what is already there should require plans.

It was noted that the Town’s raising the level of the road surface through recent paving has created a larger elevation change to the barn than the previous condition, and it was reasonable for the property owner to request the pedestrian access way.

Taylor Prouty moved to approve access permit application No. 2020-07, submitted by Paul Stern for parcel #001038.000, located at Landgrove Road for pedestrian access only, to include the existing stairway within the Town Highway right-of-way with the condition that if any stonework is to be constructed within the right-of-way a set of preconstruction plans be submitted to the Town, seconded by George Mora, passed unanimously.

10. Old Business

a. Consider Town Assessor job description and budget adjustments

Following up from the previous meeting the Board reviewed a proposed job description for the new Town Assessor position, and discussed budget adjustments prepared by Labeau necessary to accommodate it. Included in the meeting packet was a survey of salaries for the position from other Vermont communities prepared by the Vermont League of Cities and Towns, which shows the proposed salary to be right at the state average.

Jim Fleming moved to approve the job description for the new position of Town Assessor as presented, and approve the recommended fiscal year 2021 budget adjustments to accommodate hiring an employee for the position, seconded by Taylor Prouty, passed unanimously.

b. Discuss Town Administrator and Zoning Administrator/Floodplain Administrator positions

Mora noted that the Board has decided to separate out the Zoning Administrator/Floodplain Administrator from the Town Administrator position, and to proceed with hiring a part-time ZA/FA position. She mentioned some pushback she had received that by taking away the ZA/FA responsibilities it makes the TA a part-time job. She stated that she disagrees with that opinion as the TA position has numerous responsibilities and requires full-time attention.

Prouty recalled that the TA's assistant position is not being hired back and this offsets the shift in responsibilities and supports the proposed change.

O'Keefe noted that there are significant projects ongoing and upcoming that need his full attention and policy work that is not being done due to the zoning work. He added that about 95% of the work of the assistant was on zoning matters that would be taken up by the new ZA/FA position. He mentioned that if the Board prefers to keep the status quo he was fine with that, but stated that he believes splitting the position is best from an organizational efficiency standpoint.

Mora reiterated her support for the split in responsibilities, and noted that a new contract with O'Keefe would have to be drawn up. Prouty added that it is important to have availability for new responsibilities and the existing condition, where we're always playing catch-up, provides little opportunity to take on or adapt to new challenges.

No further vote or action was taken on this matter.

On hiring a new ZA/FA, Mora mentioned that she was seeking to assemble an interview panel including two members each from the Selectboard, Planning Commission and Development Review Board. There were no objections to this arrangement.

c. Review bids and award contract for Pingree Park & Town Hall winter maintenance services

O'Keefe noted that there was only one qualifying bid received in response to the Invitation to Bid for this service, as the other submittal was not filed electronically nor did it include the required bid form. The only qualifying bid was from Hart's All Season Maintenance of Londonderry.

O'Keefe noted that removal of snow at the Town Hall was not a requirement of the bid, and Labeau noted that the Road Crew has agreed to handle this.

Taylor Prouty moved to 1) accept the bid from Hart's All Season Maintenance for winter plowing and sanding of Pingree Park and the Town Hall in the amount of \$1,480 per season for the former, and \$30 for either plowing or sanding of the latter, and 2) authorize the Town Administrator to enter into a contract agreement for these services on behalf of the Town, seconded by Vincent Annunziata, passed unanimously.

d. Septage Fields Project – Consider proposal for PFAS groundwater monitoring plan services

Following up from the previous meeting, where O'Keefe noted that the State DEC had required the Town to hire a consultant to develop a groundwater monitoring plan at the former septage

fields due to PFAS contamination, he presented to the Board a proposal received from Waite-Heindel, the company that had done the previous work for the Town. There was discussion about the scope of services for this project and for future ongoing sampling work required which will be an ongoing expense.

Taylor Prouty moved to 1) determine that the proposal for development of a groundwater monitoring plan from Waite-Heindel related to PFAS remediation at the former septage fields, estimated to cost \$2,475, constitutes a professional service exempt from the Purchasing Policy's bid process, and 2) accept the proposal as submitted, and 3) authorize the Town Administrator to sign any documents necessary for the hiring of the firm to conduct the necessary work, seconded by Vincent Annunziata, passed unanimously.

e. Platt Elevation Project – Consider proposals for construction engineering/oversight

O'Keefe spoke about the status of the construction process for this project and mentioned that it required hiring an engineer for construction engineering and project verification purposes. The reluctance of the existing project engineer, Beck Engineering, to continue with the project due to nonpayment of bills by the property owner was mentioned, and O'Keefe stated that he had secured proposals from other engineers, which had been presented to the Board in the meeting packet.

Because one outstanding bill has been paid by the property owner, and the others may be made soon, O'Keefe recommended holding off on a decision at this time to see if the Town can work with Beck due to his familiarity with the project and likely cost savings.

There was general agreement to hold off to the next regular meeting for a decision on this matter.

f. Ratify Board vote regarding 2nd Class Liquor License – Mountain Energy of Vermont, Inc., DBA Mountain Energy

The matter of a granting a 2nd Cass Liquor License was added to the agenda at the previous regular meeting and therefore required ratification per the Board's Rules of Procedure.

Vincent Annunziata moved to ratify the Board's November 2, 2020 decision to approve a 2nd Class Liquor License for Mountain Energy of Vermont, Inc. doing business as Mountain Energy, related to property located at 3590 VT Route 100, seconded by Taylor Prouty, passed unanimously.

11. New Business

a. Executive Session(s) – The appointment or employment or evaluation of a public officer or employee, per 1 V.S.A. 313 (a)(3)

George Mora moved to enter executive session to consider the hiring of a Town employee, pursuant to Title 1 V.S.A Section 313(a)(3) to include Jeremiah Sund, Tina Labeau and Sandra Clark, seconded by Taylor Prouty, passed unanimously.

The Board entered in executive session at 7:33 PM. The Board came out of executive session at 7:48 PM.

Vincent Annunziata moved to hire Jeremiah Sund to the part-time position of Town Assessor working an average of 24 hours per week, beginning on January 1, 2021, at an hourly rate of \$44.00/hour, seconded by Jim Fleming, passed unanimously.

There was a brief discussion on the open Road Crew position and an applicant who has expressed interest in the job. Prouty noted and that the individual would like to use a Town truck to pass the CDL test, and that he and Josh Dryden would soon be meeting with the applicant. Mora suggested expediting the hiring process by scheduling a special Board meeting if possible.

12. Adjourn

Vincent Annunziata moved to adjourn the meeting, seconded by Taylor Prouty, passed unanimously.

The meeting adjourned at 7:48 PM. The next regular meeting of the Selectboard is scheduled for December 7, 2020.

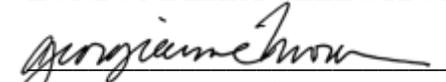
Respectfully Submitted,



Shane P. O'Keefe
Town Administrator

Approved December 7, 2020.

LONDONDERRY SELECTBOARD


Georgianne Mora, Chair