

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Monday, August 16, 2021
Twitchell Building - 100 Old School Street, South Londonderry, VT

Board Members Present: Thomas Cavanagh, Taylor Prouty, Vincent Annunziata, Melissa Brown and James Fleming.

Board Members Absent: None.

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Town Clerk Kelly Pajala, Solid Waste Manager Esther Fishman, Road Foreman Josh Dryden, and Town Assessor Jeremiah Sund. Others – Residents Mimi Wright (6:10 PM), Jonathan Wright (6:54 PM), and Austin Morse (7:13 PM), and Bruce Frauman (GNAT).

1. Call meeting to order

Selectboard Chair Tom Cavanagh called the meeting to order at 6:01 PM.

2. Additions or deletions to the agenda

Vincent Annunziata moved to adjust the agenda by adding, as item 11.d. of the New Business section of the agenda, consideration of a request to use the Town Office meeting room, seconded by Taylor Prouty. The motion passed unanimously.

3. Minutes Approval – Meeting(s) of 7/26/2021

Vincent Annunziata moved to approve the minutes of the Selectboard meeting of July 26, 2021, seconded by Jim Fleming. The motion passed unanimously.

4. Selectboard Pay Orders

Vincent Annunziata moved to approve the pay orders for payroll and accounts payable, seconded by Taylor Prouty. The motion passed unanimously.

5. Announcements/Correspondence

Shane O’Keefe mentioned that the Town did not receive any bids for the decorative window and door work at the Town Hall, so we’re going to pass on that for the time being in case there are other opportunities for the funds in the coming months. He also mentioned that there are still vacancies on the Energy Committee, Conservation Commission, Development Review Board and Planning Commission.

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

- The July 2021 invoice and activity report from the Windham County Sheriff’s Office – for the period July 21 through 31.

He also mentioned that a meeting with the Sheriff and representatives from the Town of Jamaica is being scheduled.

Tina Labeau noted that the first distribution of funds from the American Rescue Plan, in excess of \$86,000, arrived last week.

Cavanagh went over the July activity report from the Windham County Sheriff's Office. Melissa Brown asked about providing input to the Sheriff's Office and there was general discussion about communications, interest in reviewing radar cart data.

6. Visitors and Concerned Citizens

None.

7. Town Officials Business

a. Town Assessor – Grand List Errors & Omissions[32 VSA 4261]

Jeremiah Sund spoke to the Board about an error affecting two properties, specifically that two bills went to the wrong property owners due to a property transfer involving an easement, and that the Board's vote is needed to reverse the error. He noted that the property values, and therefore the Grand List, did not change.

Taylor Prouty moved to correct a grant list error with regard to ownership of parcels 035017.000 and 035017.004, also referred to as SPAN 357-110-11169 and 357-110-23172, respectively, seconded by Jim Fleming. The motion passed unanimously.

8. Transfer Station/Solid Waste Management

a. Updates

None.

b. Discuss contracts for solid waste management services

Esther Fishman spoke about the proposed solid waste contracts authorized two meeting prior, and mentioned that Casella has insisted on an annual cost increase based on the Consumer Price Index for the three-year contract. The alternative is a one-year contract (without any CPI adjustment) which would require going out to bid again next year. She mentioned that she recommended allowing for the annual adjustment. She mentioned that the other bidder was at a higher price and is not fully prepared to meet the scope of services due to a number of factors.

O'Keefe clarified that the Town had gone out to bid and received two bids, and Casella's proposal did not include an annual increase, but that he supported Fishman's recommendation.

The Board members discussed the service contract alternatives. O'Keefe also suggested that the Board authorize either him or Fishman to execute the Grow Compost contract

Jim Fleming moved, with regard to the proposed contract for solid waste disposal services with Casella Waste Services, which was authorized at the July 12, 2021 Board meeting, to allow for an annual cost of services escalation tied to the consumer price index, and with regard to the proposed contract for composting services with Grow Compost of Vermont, to authorize the Town Administrator to execute all necessary documents to employ the

contractor, including a service contract after review by the Town Attorney, seconded by Taylor Prouty. The motion passed unanimously.

9. Roads and Bridges

a. Updates

Josh Dryden noted the following usage for the month of July 2021:

Salt – 0 tons Sand – 0 yards Vehicle Fuel – 337.4 gallons
Heating fuel (gallons): Town Office Generator - 0, Transfer Station – 0

He mentioned that the paving has been completed except for the shoulders, which will be handled on some rainy day by the contractor, and manhole covers on Magic Access still need to be raised.

Dryden mentioned that the tires for the grader are in need of replacement and he has received some price estimates, with the best at \$7,944 plus installation cost. He added that the grader is overdue for a rear-end service which would need to be done soon at the dealership in Williston, which will require transporting. O’Keefe suggested having the tires done at the time of the rear-end service.

He noted that he is starting to prepare the Highway Department for winter, and asked O’Keefe if he could solicit bids for road salt.

Dryden discussed with the Board road repair work done as a result of the rain storm on 7/29/2021, and possible requests for funds from FEMA. The Spring Hill Road culvert, which needs to be replaced by a bridge, had some damage due to the storm, and may have some additional funding availability; O’Keefe will explore this.

10. Old Business

a. Discuss and approve special Town Warning [17 VSA 2641 & 2642]

The Board reviewed various options for articles to be voted on at the September 17, 2021 special Town Meeting.

Regarding authorizing cannabis-related businesses, the Board considered whether to hold separate votes for retail cannabis sales and integrated licenses or to allow both in a single article. It was the consensus of the Board to have two separate articles: one authorizing retail cannabis sales and one authorizing integrated licenses.

Regarding establishment of local option taxes, the Board considered whether to have a single article authorizing local taxes on sales, rooms, meals and alcoholic beverages, similar to the article at the 2020 annual Town Meeting, or to have individual votes on each or just some of the local option taxes. Cavanagh suggested only voting on a sales tax at this time as that is the local option tax linked directly to the sale of cannabis and noted that many surrounding towns already have this tax. Sales tax revenue would be used to reduce the municipal property tax rate.

Potential for revenues derived from all of the local options taxes was discussed. Sales tax would include items purchased elsewhere and delivered to Londonderry, such as with construction material deliveries and internet sales.

The Board also discussed the inclusion of an article authorizing the Board to appoint the first and second constable instead of their continuing to be elected. The vote authorizing this must be by Australian ballot, so this special meeting is the appropriate forum.

Scheduling of informational hearings was discussed, and it was pointed out that one must be held within 10 days of the vote. The question arose as to who the Board could invite to speak to the articles, particularly the cannabis votes, and options included the Vermont League of Cities and Towns, and Pajala suggested including those in the cannabis business, and local education and prevention services providers such as The Collaborative.

As to location of the hearings, O'Keefe confirmed that he had spoken with the Town's project engineer for the Town Hall restoration project, who had confirmed that there would be no problem with the contractor accommodating the hearings.

As to dates and times, after extended discussion it was mutually agreed to hold the hearings at 6:00 PM on August 31st and September 8th.

Jim Fleming moved to approve and sign the Warning for the special Town Meeting, to be held by Australian ballot, on September 17, 2021, seconded by Vincent Annunziata. The motion passed unanimously. The warning as signed is attached to these minutes.

Pajala stated that ballots would be available by August 18th. She also stated that she would work with Cavanagh and O'Keefe to reach out to potential speakers at the hearings.

b. Consider reinstating requirement for wearing protective masks at Town Offices

Pajala explained that, given the trends with COVID-19 infections of late, indoor wearing of masks is gathering greater interest with other municipalities, and suggested that the Board consider whether access to the Town Office should be limited and/or whether protective mask use for visitors should be required. She said that the pick-up window is still in use and continues to work very well for staff and visitors alike, and her preference is to close the Town Office to the public except by appointment. It was noted that mask wearing by all visitors would be best to avoid uncomfortable situations by staff.

Melissa Brown moved to order that the Town Office shall be closed to all visitors during regular business hours except by appointment or at the discretion of Town Office workers, and that during such time protective facemasks shall be worn by all visitors, seconded by Jim Fleming. The motion passed 4-1, with Cavanagh, Prouty, Brown and Fleming voting AYE, and Annunziata voting NAY.

11. New Business

a. Discuss process for Williams Dam Study

O'Keefe discussed the proposed study of the Williams Dam that was approved at the annual Town Meeting, where \$50,000 was allocated to evaluate the condition of the dam and to determine the comparative cost of its repair, replacement or removal. He stated that he has issued a request for proposals to qualified engineers, with proposals due on September 1st, and he has recruited Emergency Management Director Kevin Beatie and State DEC Dam Safety Engineer Ben Green to assist with the proposal review process and subsequent meetings with the chosen consultant. O'Keefe invited any Board member interested in this to

participate, and asked about whether the Board wished to establish a working committee on the project or whether they were comfortable with O’Keefe, Beattie and Green working on it on behalf of the Town. There was no objection to just the three working on it and that there be periodic updates given to the Board, and Annunziata suggested that maybe a member of the Conservation Commission should be invited to participate.

O’Keefe stated that he hopes to have study results in time for next year’s annual Town Meeting.

TAYLOR FARM - Resident Jonathan Wright expressed his continued interest in working with the Board and clarifying situations at the farm, and briefly spoke about his progress toward bringing the Taylor Farm into compliance with the signage provisions of the Zoning Bylaw. He stated that he has taken down the hay wagons with the banners on them, he has removed some of the smaller roadside signage, while the old truck that says “Vermont Cheese” still remains. He stated that his intention is to put a lighting timer on the main entrance sign.

O’Keefe mentioned that normally matters such as this, which the public may wish to hear, is addressed under a specific agenda item or mentioned under the Visitors and Concerned Citizens part of the agenda, and that discussing at this stage of the meeting may be unfair to the public. Wright stated that he just wanted to clarify with the Board that they were taking steps in a positive direction. Mimi Wright clarified that they were also working with the State of Vermont. The Wrights left the meeting at 7:12 PM.

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

Taylor Prouty moved to enter executive session to consider the employment of a Town employee, pursuant to Title 1 V.S.A Section 313(a)(3), and invite Road Foreman Josh Dryden, Town Administrator Shane O’Keefe and Austin Morse to attend the executive session, seconded by Vincent Annunziata. The motion passed unanimously.

The Board entered executive session at 7:13 PM. Dryden and Morse left the executive session at 7:27 PM, and Dryden was invited back in at 7:53 PM.

The Board came out of executive session at 8:04 PM.

c. Consider employment of new employee

Taylor Prouty moved to offer employment to Austin Morse to serve as a road crew member and equipment operator with the Town’s Highway Department on a full-time basis, with an hourly rate of \$24.00, seconded by Vincent Annunziata. The motion passed unanimously.

Morse stated that he would let the Town know in a few days whether he would accept the offer. There was discussion about the Town’s employment benefits. Morse and Dryden left the meeting at 8:08 PM.

d. Consider request to use the Town Office meeting room

The Board reviewed a request from the Vermont Institute of Natural Science to hold an educational event at the Town Offices called “Raptors: Inspiring Conservation” on Saturday, August 16th.

Taylor Prouty moved to authorize use of the Town Office assembly room on September 4, 2021 at 11:30 AM by the Vermont Institute of Natural Science for an educational event conditioned on there being no admission charged for attendees, and to authorize the Town Administrator to sign the permit on behalf of the Town, seconded by Jim Fleming. The motion passed unanimously.

12. Adjourn

Jim Fleming moved to adjourn the meeting, seconded by Taylor Prouty. The motion passed unanimously.

The meeting adjourned at 8:10 PM. The next regular meeting of the Selectboard is scheduled for August 30, 2021.

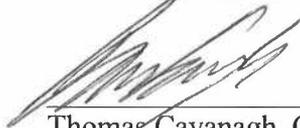
Respectfully Submitted,



Shane P. O'Keefe
Town Administrator

Approved August 30, 2021.

LONDONDERRY SELECTBOARD



Thomas Cavanagh, Chair

WARNING

TOWN OF LONDONDERRY SPECIAL TOWN MEETING

SEPTEMBER 17, 2021

The legal voters of the Town of Londonderry, Vermont are hereby warned and notified to meet in the Town Office, 100 Old School Street in said Town on September 17, 2021, at 7:00 a.m. to transact the following business by Australian ballot:

- Article 1: Shall the town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863?
- Article 2: Shall the town authorize integrated licensees in town pursuant to 7 V.S.A. § 863?
- Article 3: Shall the town authorize the assessment of a one percent (1%) local option tax on sales, pursuant to 24 V.S.A. § 138, the proceeds of which shall be applied as General Fund revenue to reduce the municipal property tax rate?
- Article 4: Shall the town authorize the Selectboard to appoint a first constable and if needed, a second constable, in accordance with 17 V.S.A. § 2651a?

Polls open from 7:00 a.m. to 7:00 p.m.

The legal voters of the Town of Londonderry are further notified that the Londonderry Selectboard will hold informational hearings on all such Articles on both August 31, 2021 at 6:00 p.m. and September 8, 2021 at 6:00 p.m. at the Town Hall, 139 Middletown Road.

Dated at Londonderry this 17th day of August 2021

Selectboard of the Town of Londonderry



Thomas Cavanagh, Chair



Vincent Annunziata, Vice Chair



Taylor Prouty

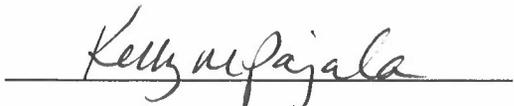


Melissa Brown



James Fleming

Received for the record this 16th day of August 2021



Kelly M. Pajala, Town Clerk