

Town of Londonderry, Vermont
Selectboard
Regular Meeting Minutes
Monday, July 1, 2019
Twitchell Building - 100 Old School Street, South Londonderry, VT

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

Board Members Absent: Robert Forbes

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Town Clerk Kelly Pajala (7:12 PM), Emergency Management Director & Tree warden Kevin Beattie, Highway Foreman Mathew Rawson, Planning Commission Chair Sharon Crossman (7:08 PM) and Development Review Board member Bob Maisey. Members of the Public – Levi Dryden, Duane Hart, Melissa Hart, Bruce Frauman (GNAT/Chester Telegraph) and Sean Cunningham (Chester Telegraph)

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

None.

3. Minutes Approval – Meetings of June 17, 2019 & June 24, 2019

George Mora moved to approve the minutes of the Selectboard meeting of June 17, 2019, seconded by Taylor Prouty, passed unanimously.

George Mora moved to approve the minutes of the Selectboard meeting of June 24, 2019, seconded by Tom Cavanagh, passed unanimously.

4. Selectboard pay orders

Pay orders were reviewed and signed by the Board members. O’Keefe noted that the \$30,812.00 payment to Hodgkins & Sons for the TOPP Phase I project should be reduced to \$28,725.80 due to project cost retainage. This was confirmed by Treasurer Tina Labeau.

Taylor Prouty moved to correct the amount of the payment to Hodgkins & Sons as recommended, seconded by Tom Cavanagh, passed unanimously.

5. Announcements/Correspondence

Septic Fields – O’Keefe noted that the septic fields have been hayed, tilled, limed and seeded, and the payment to Hart’s All Season Maintenance is in the pay order, and Endyne conducted the soil and groundwater testing that morning.

Springfield Hospital – He also noted that the Board’s meeting packet included a notice from Springfield Hospital about its bankruptcy filing.

Water/Wastewater project – O’Keefe shared a copy of the Request for Qualifications that had been issued that day seeking submittals from engineers interested in conducting the feasibility study for village municipal wastewater and water systems.

Brattleboro Development Credit Corporation – He also noted that the meeting packet included an announcement from BDCC about a new community facilities assistance program. He suggested that there could be assistance for improvements to the Town Office and Town Hall.

It was noted that BDCC has asked to meet with the Board to discuss its assistance to the Town, and Ameden suggested seeing if the agenda for the July 15 meeting works for them.

Town Office Renovations – O’Keefe pointed out that the floors in the Town Clerk and Town Treasurer’s office have been refinished and they look great. Labeau mentioned that the new counters would be coming the next day.

6. Visitors and Concerned Citizens

Emergency Preparedness Training – Bruce Frauman from the Mighty Londonderry Community Resilience Organization noted that the G-191 training has been rescheduled from July 24 and 25 to July 31 and August 1 from 5:00 PM to 8:30 PM to avoid conflict with another meeting being held. His training provides officials with the knowledge and skills they need to operate an EOC and interface it with an Incident Command System (ICS) field operation.

7. Town Officials Business

a. Emergency Management Director/Tree warden – Emerald Ash Borer

Tree Warden Kevin Beattie gave an update on infestation of emerald ash borers (EAB), noting that there are an increasing number of findings of EAB infestations in Vermont, as close as 30-40 miles from Londonderry. He is meeting with tree wardens from neighboring communities and they are all making recommendations to their respective Selectboards.

He stated that he estimates there are 1,600 ash trees in in Town rights-of-way, or roughly 35 trees per mile. He is not certain about how many trees will be handled by Green Mountain Power in its line clearing efforts, and how many will be done by the Town either by Town forces or contractors. He spoke about establishing a capital reserve fund for this effort, and mentioned that some towns are preemptively taking down trees, which is likely to cost less overall and is safer.

Beattie mentioned that the trees can be infected for 4 or 5 years before they show signs. It was suggested that the Town crew look for hazard trees to address sooner. Overall projected costs are in the vicinity of \$200 thousand but could be less.

Ameden suggested that the Highway crew should keep records of potential problem trees outside of the utility right-of-way that the Town will likely have to handle, such as when doing roadside mowing.

Mora also raised the issue of infestation brown-tailed moth caterpillars, particularly in Maine.

b. Emergency Management Director – Hazard Mitigation Grant for Local Hazard Mitigation Plan

Beattie gave an update on the grant for preparation of the Local hazard Mitigation Plan. It will go out to bid soon. He mentioned that the grant was for \$7,612.50 in FEMA funding which comes with a 25% local match, which can be in-kind work.

c. Planning Commission – Discuss request for assistance from Windham Regional Commission for assistance regarding Lowell Lake plan

George Mora mentioned that she had stated to the Lowell lake Working Group that they might want to contact the Windham Regional Commission to assist with planning and zoning issues. The response to the LLWG from WRC indicated that such requests must come from the Selectboard or Planning Commission. Both Mora and Crossman followed up independently with phone calls to WRC's Executive Director, who indicated that the WRC may be able to assist with regard to the State's plans for Lowell Lake State Park, such as its compliance with the Town Plan and the regional Plan, and clarification of the Conservation District overlay. Mora and Crossman look to meet with the WRC's Assistant Director and want to make sure there is Selectboard buy-in to this process. Crossman stated that the Planning Commission was discussed this and is also supportive of the idea. She stated that the Conservation Commission has urged the Planning Commission to produce a position statement, which has not been done yet. In anticipation of concept plans coming from the State soon, she said the Commission members feel that they need to get up to speed on the State's plan and its compatibility with the Town Plan goals; they want to be able to participate intelligently from an informed perspective. She stated that the Commission voted to recommend that we take this opportunity to work with WRC with Selectboard support.

Crossman stated that this assistance from WRC may be part of the Town's annual services offered at no additional cost. Mora and Crossman will find out about this and report back if there are additional fees.

George Mora moved to request technical assistance from the Windham Regional Commission to assess the compatibility of current VT State Parks management plans with the Londonderry Town Plan and Windham Regional Plan, and other pertinent standards, to be considered by the Town in the event of new development plans presented for Lowell Lake State Park, seconded by Tom Cavanagh, passed unanimously.

d. Zoning Administrator – Review demolition progress in zoning enforcement matter

Regarding ongoing Zoning Bylaw violations at property located at 213 Middletown Road owned by James Twitchell, which has been discussed at the previous several meetings, O'Keefe stated that he had inspected the property earlier in the day and all building debris has been removed from the site to his satisfaction as Zoning Administrator.

He noted that the excavation area was not up to grade except for one side of the cellar hole, and he recommended that the site be covered over or filled to grade with clean fill to eliminate a falling hazard as required by Zoning Bylaw Section 401. He mentioned that early in the process he had discussed this with the property owner. He stated that by and large the

violation had been remediated, and that the cellar hole is simply a detail. Ameden stated that he'd discuss this with Bob Forbes, who has assisted Mr. Twitchell, about this.

8. Transfer Station

Tom Cavanagh mentioned that the new Transfer Station Use Policy seems to be working well except for a few people who are not fully following it, but it's being worked on. Tina Labeau mentioned that the new speed limit signs for the Transfer Station would be coming this week.

9. Roads and Bridges

a. Department updates

Matt Rawson noted that some blacktop is in the works, and vehicle fuel usage was 352.8 gallons last month.

Ameden noted that new Highway Department employee Daniel Diaz, will be starting on July 10th.

Ameden also noted that the flail head mower has been ordered and will be delivered in the next few weeks. It was budgeted at \$20,000 and came in at about \$15,500.

b. Sign letter to VTrans requesting reduction of speed limit and dedicated turning lane on Route 11 in vicinity of the Flood Brook School

This matter was discussed at the previous meeting. O'Keefe had researched the previous effort of four years ago to have the speed limit reduced and had provided the Board with all relevant correspondence and the State's traffic study. The Board reviewed the proposed letter to the State.

Taylor Prouty moved to sign a letter to VTrans requesting reduction of the speed limit during school hours and a dedicated eastbound turning lane in the vicinity of the Flood Brook School, seconded by George Mora, passed unanimously.

c. Letter of intent to participate in the 2019 Municipal Roads Grants in Aid Program

The Board briefly reviewed documentation participate in the Municipal Roads Grants-in-Aid program, which provides funding specifically dedicated to assist the Town with requirements of the Municipal Roads General Permit. The Town works with the Windham regional Commission on this effort.

Taylor Prouty moved to sign a letter of intent to participate in the 2019 Municipal Roads Grants in Aid Program, seconded by George Mora, passed unanimously.

10. Old Business

a. Discuss TOPP Phase I progress – change order

O'Keefe noted that the project again has run in to ledge by the well head and it is recommended that the drainage plan be amended to drain some of the building toward and down the bank leading from the Town Office to the Town Garage Street. The proposed extra

cost for this change order is \$4,795. Including the first change order of \$6,853, the total project cost is now at \$83,003, up 14% from the original bid of \$71,355.

Taylor Prouty moved to approve a change order #2 for the TOPP Phase I project in the amount of \$4,795, and authorize the Town Administrator to execute any necessary related contractual documents, seconded by George Mora, passed unanimously.

11. New Business

a. Consider membership and terms of appointment for Conservation Commission

O'Keefe noted that he had been working with each of the Town's boards and commissions to straighten out member terms, and he provided the most recent minutes of the Conservation Commission, which had voted to recommend that the Commission go from 5 to 7 members, to establish revised terms for its members and also to appointment of a new member, Jane MacKugler.

There was discussion about some of those serving on the commission not having been approved by the Selectboard. Amended stated that the boards and commissions need to better inform the Selectboard of their actions.

George Mora moved to increase the membership of the Conservation Commission from 5 to 7 members, and appoint the following individuals to the Commission with transitional staggered 4-year terms as follows: Kathie Stone and Steve Swinburne for terms extending from 2017 to May 31, 2021; Sunny Wright and Irwin Kuperberg to terms extending from 2018 to May 31, 2022; and, Helen Hamman, Mark Wright and Jane MacKugler to terms extending from 2019 to May 31, 2023, seconded by Taylor Prouty, passed unanimously.

b. Review bids and award contract for 2019 parks maintenance

O'Keefe noted that he had put out an invitation to bid for parks maintenance, and that bids came in from Alberti Landscape & Construction, Dryden's Outdoor, Inc., Hart's All Season Maintenance, Dana R. Griswold, and David Van Houton. The Board reviewed the bids and a tabulation of the bids prepared by O'Keefe, and it was noted that there were low bids from several of the bidders for various work covered under the Invitation to Bid. The selection criteria were briefly discussed.

Taylor Prouty moved to accept the bid from Dryden's Outdoor, Inc. for maintenance of Memorial, Pingree and Williams Parks, and to authorize the Town Administrator to enter into a contract agreement for these services on behalf of the Town, seconded by , passed unanimously.

c. Sign letter to sender of old postcard of Lowell lake

The Board reviewed a postcard showing Lowell Lake from long ago and an accompanying letter. Town Clerk Kelly Pajala spoke to this matter and suggested the Board acknowledge this with a letter of thanks.

Tom Cavanagh moved to sign a letter of thanks to Lowell Joerg for sending an historic photograph of Lowell Lake, seconded by George Mora, passed unanimously.

d. Request to donate property to the Town – Brophy Lane (Parcel #066032.000)

The Board reviewed a request to accept a gift of unimproved property on Brophy Lane owned by Marie Hill. An engineering report indicates that the property is undevelopable, and O’Keefe noted that she has offered it to her neighbors, but they’re not interested. Ameden noted that he was of the opinion that the Town should not take property off the tax roles unless there is a direct benefit to the Town. There was general agreement between the Board members that it would not be a good precedent to accept property in this way.

George Mora moved to decline the offer of a gift of unimproved property located on Brophy Lane (Parcel 066032.000) from property owner Marie Hill, seconded by Taylor Prouty, passed unanimously.

O’Keefe will write the owner a letter noting the Board’s decision and its appreciation of the offer.

12. 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 that the Board enter executive session to discuss the evaluation of a Town employee, pursuant to Title 1, Section 313(a)(3)a, seconded by George Mora, passed unanimously.

The Board entered executive session at 8:05 PM. O’Keefe was invited to attend at 8:35 PM.

The Board came out of executive session at 9:18 PM. No announcements or decisions were made.

13. Adjourn

George Mora moved to adjourn the meeting, seconded by Taylor Prouty, passed unanimously.
The meeting adjourned at 9:19 PM.

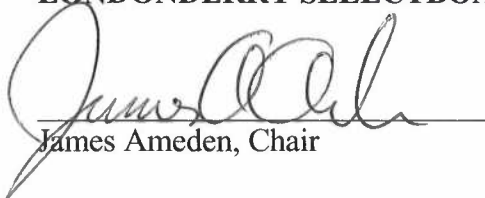
The next regular meeting of the Selectboard is scheduled for July 15, 2019, following a 6:30 PM meeting of the Board of Civil Authority.

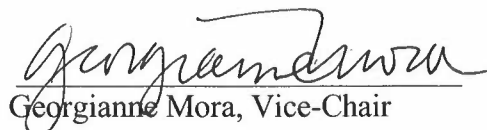
Respectfully Submitted,

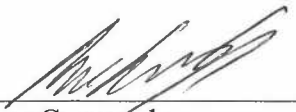

Shane P. O’Keefe
Town Administrator

Approved August 5, 2019.

LONDONDERRY SELECTBOARD



James Ameden, Chair


Georgianne Mora, Vice-Chair



Thomas Cavanagh

Robert Forbes



Taylor Prouty

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