

Town of Londonderry, Vermont
Selectboard
Regular Meeting Minutes
Monday, July 15, 2019
Twitchell Building - 100 Old School Street, South Londonderry, VT

Board Members Present: Georgianne Mora, Robert Forbes, and Taylor Prouty.

Board Members Absent: James Ameden and Thomas Cavanaugh.

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Town Clerk Kelly Pajala, Board of Listers Chair Sandra Clark, and Conservation Commission Chair Irwin Kuperberg. Members of the Public – Jackie Borella of The Collaborative, Mike Owens of Ski Magic, Jonathan Wright of the Taylor Farm, Brattleboro Development Credit Corp. (BDCC) representatives Jennifer Stromsten and R.T. Brown, Bruce Frauman (GNAT) and Sean Cunningham (Chester Telegraph)

1. Call meeting to order

Selectboard Vice Chair **George Mora**, taking over as Chair in the absence of Jim Ameden, called the meeting to order at 7:12 PM.

2. Additions or deletions to the agenda

Shane O’Keefe suggested adding to the agenda the receipt and review of the Treasurer’s internal financial control document, per 24 V.S.A. 872(c) to the Town Officials part of the agenda, adding the approval of a VTrans finance and maintenance agreement for the Thompsonburg Road signage to the Roads and Bridges part of the agenda, and to delete review of the invitation to bid for the Platt elevation project from the Old Business part of the agenda, as the document was not ready yet.

Robert Forbes moved to add the Treasurer’s financial document review and the VTrans finance and maintenance agreement to the agenda, and to delete the discussion on the Platt Elevation Project Invitation to Bid from the agenda, seconded by Taylor Prouty, passed unanimously.

3. Minutes Approval – Meetings of July 1, 2019

As Bob Forbes was not at the previous meeting and only three Board members were present, it was agreed to pass over the approval of the minutes and handle it at the next meeting.

4. Selectboard pay orders

Pay orders were reviewed and signed by the Board members.

5. Announcements/Correspondence

Stratton Corp. use of former Swiss Inn – O’Keefe noted that the Town had received a letter of intent from VTrans regarding access improvements proposed by Stratton Corporation’s intended

use of the former Swiss Inn on VT Route 11 for employee housing, which has already received approval from the Development Review Board.

Emergency Preparedness Training – Bruce Frauman from the Mighty Londonderry Community Resilience Organization reiterated that the G-191 training will be held on July 31 and August 1 from 5:00 PM to 8:30 PM to provide officials with the knowledge and skills they need to operate an EOC and interface it with an Incident Command System (ICS) field operation. He plans to invite the Town Road Crew.

6. Visitors and Concerned Citizens

a. Meet with representatives of Brattleboro Development Credit Corporation

Jen Stromsten and R.T. Brown gave a presentation to the Board on BDCC's programs and activities, and presented written materials including a community profile document with data and community overview. Information included an annual funding request for the SeVEDS program for consideration in the upcoming FY2021 budget in the amount of \$5,307. Stromsten explained that municipal dollars are critical to their mission to spur economic development. She also noted that BDCC is the local contact for many State of Vermont economic development programs.

Brown described the Rural Microentrepreneur Loan Program and the new Community Facilities Assistance Program, which assist small businesses and communities, respectively.

There was discussion about the Town's eligibility for USDA funds. O'Keefe suggested that the Town Office Planning Project might be a great project for this program. He and Brown will meet to explore this further.

Jackie Borella talked about The Collaborative's desire to establish an infant childcare facility and that she has been in discussion with BDCC on this.

7. Town Officials Business

a. Town Treasurer – Year-end budget review

Tina Labeau reviewed with the Board the preliminary end-of-year FY2019 budget. There was an overall budget deficit of \$169,582 due primarily to Highway Department winter operations expenses, particularly equipment repairs, salt and sand. Non-personnel winter road expenses were over budget by \$203,386. The salt expense was very high due to the need to start from scratch because of the new salt shed. Most other departments and budget lines were within budget. The auditors are coming to begin the audit in August.

O'Keefe suggested considering a winter supply capital reserve fund

b. Town Treasurer – Set tax rate

Labeau presented the calculations for the tax rate, and information from the State for education rates.

Taylor Prouty moved to move to set the Town tax rate for 2019 at .38185 per \$100 of assessed value, and to accept the Residential and Non-residential education tax rates of 1.5251 and 1.5773, respectively, seconded by Bob Forbes, passed unanimously.

c. Town Treasurer -- Receive & review Treasurer's internal financial control document [24 V.S.A. 872(c)]

The Board reviewed the Treasurer's financial management self-assessment questionnaire, which is a statutory requirement.

Taylor Prouty moved to acknowledge, pursuant to 24 V.S.A. 872(c), receipt of the Town Treasurer's internal financial control document, which was prepared in conformance with 24 V.S.A. 1571(b), respectively, seconded by Bob Forbes, passed unanimously.

d. Listers – Homestead penalties [32 VSA 5410(g)]

Lister Sandra Clark asked that the Board waive the penalty, the amount of \$2,260.52, for 15 taxpayers at this time. Waiver would also be for any others that may come in the future this year. Clark stated that she made 42 phone calls over two days to reduce the number of those subject to penalty.

Taylor Prouty moved to waive the homestead penalty as provided for under 32 V.S.A. 5410(g), seconded by Bob Forbes, passed unanimously.

e. Listers – Consider online posting of property record cards

Clark also brought up the idea of posting the property record cards, which are public records, on the Town website. This was done a year ago and then quickly taken down due to citizen complaints. She suggested discussing when there is a full Board present.

There was a brief discussion of the issues surrounding this matter, and then it was agreed to discuss this at length at the next meeting.

f. Town Clerk – Outside consumption permit

Kelly Pajala stated that this matter actually involved a catering permit and not an outside consumption permit.

She presented to the Board a catering permit application from Magic Mountain Ski Area for another event at the Taylor Farm on VT Route 11. She reminded the Board that at the June 3, 2019 she stated that if this sort of event becomes a more frequent occurrence at the farm she would not issue a new permit without first coming before the Selectboard.

Michel Owens of Ski Magic and Jonathan Wright of the Taylor Farm spoke about the event, scheduled for July 19, 2019. Owens presented an event plan map showing controlled areas and check points. Wright stated that the State Liquor Control staff suggested that he not himself get a permit, but to do BYOB events and on occasion have a caterer do the event, such as the one now being discussed. He stated that catered events would be infrequent, maybe one more this summer, but that he'd continue with BYOB events.

Pajala mentioned that the Town has an Alcoholic Beverages Ordinance that applies to alcohol consumption in public places such as the Taylor Farm, a copy of which she will give to Mr. Wright.

The attendance at such events was discussed, and Wright stated that events can be attended by as many as 300 people.

O’Keefe inquired about how long these events have been taking place. Wright stated that the dairy farm operations are winding down and to keep the farm intact they started with pizza nights two years ago, last summer on Friday and Saturday nights, and this summer on Wednesdays and Friday evenings, with attendance at about 40-50 and 100, respectively, depending on what’s being promoted.

O’Keefe asked if he had been to the development Review Board for local permitting, and Wright stated that he had not. O’Keefe stated that events like this might go beyond agritourism and become a land use requiring DRB review. Wright stated that he is happy to do what people feel is appropriate.

Wright appealed to the Town for support, as the farm is hanging on by a thread.

O’Keefe said his initial thought was that the farm, with these events, was not in strict conformance with the Town’s Zoning Bylaw and recommended that he and Wright meet to discuss applicability. Wright stated that he’d be happy to do that.

Bob Forbes moved to authorize the Town Clerk to issue an outside consumption permit to Magic Mountain Ski Area to an event as specified in the permit application at the Taylor Farm on July 19, 2019, seconded by Taylor Prouty, passed unanimously.

g. Conservation Commission – Discuss LCC membership

Conservation Commission Chair Irwin Kuperberg inquired about how new Conservation Commission would be selected. He noted that the Selectboard voted last meeting to appoint an individual recommended by the Commission without interviewing the person.

O’Keefe recommended that a month or so before the end of terms of any public body that the positions be advertised and those interested can apply for consideration by the Board. If there are a number of applicants they could be interviewed by the public body, which can make a recommendation to the Board for its consideration. This recently took place with the Planning Commission, which interviewed a number of interested citizens and recommended one to the Board.

h. Conservation Commission – Discuss LCC actions regarding Lowell Lake State Park

Kuperberg mentioned that he was speaking as a Conservation Commission (LCC) member, private citizen who uses Lowell Lake and member of the Lowell Lake Working Group as a LCC appointee regarding the State Department of Forests, Parks and Recreation’s (FPR) upcoming presentation of plans for the Lowell Lake State Park. He has met with FPS stewardship team and reported that they were working on four separate alternatives for the facility.

He mentioned that the Working Group had submitted a freedom of information request to FPR and received many documents, and he stated that there were alarming findings. He felt that there was misleading information regarding the historic designation and project costs. He stated he was concerned that there is no environmental impact studies, carrying capacity (both biological and social) analyses or consideration of wildlife corridors.

Kuperberg handed out a statement of concerns as well as proposed plans for the facility, and stated that FPS believes it will be exempt from many State regulatory requirements, including Act 250, and local zoning.

He stated that he was concerned about the State ignoring public involvement and comments. He spoke about a meeting held in May with over 100 people present and that there was overwhelming opposition to the FPR overnight camping plan. He presented a written statement from the LCC adopted on June 25, 2019, which calls for FPR to “withdraw any plans for overnight lodging”, and to “limit the size of planned parking area expansion in order to control access by maintaining or reducing the current number of spots”.

Kuperberg presented a statement from the Windham Conservation Commission in support of the LCC position, and the Weston Conservation Commission will be meeting soon on this. He stated that he felt that this was a call to action for the Selectboard to stand with the LCC and issue a statement in opposition to the overnight parking plan.

Mora stated that she felt that this would be better discussed with the full membership of the Selectboard. She noted that the Selectboard had authorized the Planning Commission to work with the Windham Regional Commission (WRC) to review the FPR plan for conformance with regional and Town plans. She suggested that she and Planning Commission Chair Sharon Crossman sit down with Kuperberg to go over some of the documents received from the freedom of information request that could help with discussions with the Windham Regional Commission.

It was discussed whether to place this matter on the Selectboard agenda for the next regular meeting. Mora stated that she could not promise that the Board would concur on a statement before the work with WRC is complete. Kuperberg stated that he was agreeable to waiting until such time as the WRC has completed its plan reviews.

Pajala state that there will be a 60-day public comment period after the upcoming FPR presentation on July 25, 2019.

8. Transfer Station

a. Temporary backhoe rental

The Board acknowledged an emergency expenditure of \$1,000 for backhoe rental due to the condition of the existing unit.

9. Roads and Bridges

a. Approve VTrans finance & maintenance agreement for Thompsonburg Road signs

The Board briefly discussed the State funded project to erect traffic control signs on Thompsonburg Road, which was discussed a few weeks ago and funding has come through quickly. O’Keefe noted that these signs and those for Middletown Road would go up next year.

Taylor Prouty moved to approve the finance and maintenance agreement with VTrans for new signage on Thompsonburg Road, and to authorize the Town Administrator to execute the agreement on behalf of the Town, seconded by Bob Forbes, passed unanimously.

10. Old Business

a. Discuss TOPP Phase II design/engineering procurement

An overview of the Town Office planning Project was given by O'Keefe to the BDCC representatives.

He mentioned that Phase II of the project, which calls for the design work for the renovation, should be done over the coming months in preparation for next annual Town meeting, and he discussed procurement for the designer. Options were to do sole source negotiations with the firm that did the preliminary design work a few years back, or to issue a request for proposals or request for qualifications to open it up to other firms.

He was proposed that the Town bypass the procurement process and negotiate with the existing designer, but was concerned about ensuring that such procurement would not preclude federal funding opportunities. O'Keefe will meet with R.T. Brown and representatives of the USDA Rural Development to discuss the project.

O'Keefe will come back to the next regular meeting to discuss this.

11. New Business

a. Appoint representative to the Vermont Community Leadership Summit

It was noted that the Town has been invited to send a representative free of charge to the Vermont Community leadership Summit in Randolph on August 12, 2019. O'Keefe and Pajala recommended Sharon Crossman, who has expressed interest.

Bob Forbes moved to appoint Sharon Crossman as the Town's representative to the Vermont Community Leadership Summit, seconded by Taylor Prouty, passed unanimously.

b. Emergency Management Director of the Year

It was noted that the nominations are being accepted by Vermont Emergency Management for 2019 EMD of the year. O'Keefe and Pajala recommended Kevin Beattie.

Taylor Prouty moved to nominate Kevin Beattie as Vermont's Emergency Management Director of the Year, seconded by Bob Forbes, passed unanimously.

Taylor Prouty will work on this, and Bruce Frauman offered to assist.

12. Adjourn

George Mora moved to adjourn the meeting, seconded by Taylor Prouty, passed unanimously.
The meeting adjourned at 8:47 PM.

The next regular meeting of the Selectboard is scheduled for August 5, 2019.

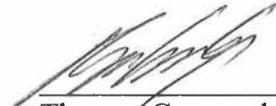
Respectfully Submitted,

Shane P. O'Keefe
Town Administrator

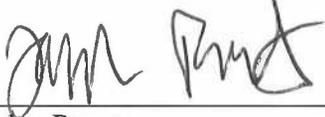
Approved August 5, 2019.

LONDONDERRY SELECTBOARD

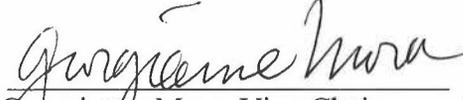
James Ameden, Chair



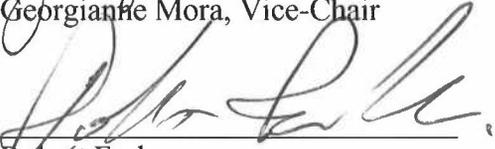
Thomas Cavanagh



Taylor Prouty



Georgianne Mora, Vice-Chair



Robert Forbes

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