

**Town of Londonderry, Vermont
Selectboard
Regular Meeting Minutes
Monday, September 9, 2019
Twitchell Building - 100 Old School Street, South Londonderry, VT**

Board Members Present: James Ameden, Georgianne Mora and Robert Forbes.

Board Members Absent: Taylor Prouty and Thomas Cavanaugh

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe, Town Clerk Kelly Pajala, Town Treasurer Tina Labeau, Road Foreman Joshua Dryden, Tree Warden and Emergency Management Director Kevin Beattie, Planning Commission Chair Sharon Crossman (7:45 PM). Members of the Public – Flood Brook School Principal Neal McIntyre, Tom Platt, Bruce Frauman (Chester Telegraph) and Jarrett Slade (GNAT)

1. Call meeting to order

Selectboard Chair Jim Ameden, called the meeting to order at 7:02 PM.

2. Additions or deletions to the agenda

Shane O’Keefe suggested adding to the agenda a discussion on an appeal of a decision of the Development Review Board

Bob Forbes moved to add to the agenda a discussion on an appeal of a decision of the Development Review Board to the Town Officials Business portion of the agenda as item 7.b., seconded by George Mora, passed unanimously.

O’Keefe also suggested adding to the agenda the appointment of an Acting Zoning Administrator while he is away on vacation.

George Mora moved to add to the agenda the appointment of an Acting Zoning Administrator to the Town Officials Business portion of the agenda as item 7.c., seconded by Bob Forbes, passed unanimously.

3. Minutes Approval – Meetings of August 19, 2019

George Mora moved to approve the minutes of the Selectboard meeting of August 19, 2019, seconded by Bob Forbes, passed unanimously.

4. Selectboard Pay Orders

Pay orders were reviewed and signed by the Board members.

5. Announcements/Correspondence

Bruce Frauman noted that the Weston Selectboard would be meeting with Rich Cogliano from Vermont Emergency Management the following evening to discuss the recent emergency

management training that took place at the Londonderry Town Offices, and the it will be a public discussion.

Kelly Pajala announced that the Town Clerk's and Town Treasurer's offices would be closed Thursday and Friday this week due to training. O'Keefe noted that his office would be open on Thursday.

Pajala also reminded everyone that tax payments are due on October 1st.

6. Visitors and Concerned Citizens

None.

7. Town Officials Business

a. Tree Warden – Discuss birch trees at Town Offices

Kevin Beattie noted that the birch trees outside the Town Offices were in need of care due to apparent disease, and suggested bringing in Matt Moser to take a look at them and make recommendations. He noted that these trees were planted in years past by Clyde Prouty and should receive proper care.

The Board was agreeable with Beattie's recommendation, and Beattie will make the contact and get back to the Board on this.

b. Zoning Administrator – Discuss appeal of Development Review Board decision

O'Keefe distributed to the Board documents related to an appeal filed with the Vermont Environmental Court by Vermont Woodchips, Inc. related to the recent decision of the Development Review Board to deny an appeal of a Notice of Violation issued to the property owner by the Zoning Administrator. He noted that the Town needs to respond with the names and addresses of those who participated in the DRB hearing, and asked the Board members whether they were amenable to the Town Attorney entering an appearance on behalf of the Town.

George Mora moved to authorize Fisher and Fisher to enter an appearance on behalf of the Town, seconded by Bob Forbes, passed unanimously.

c. Zoning Administrator – Appoint Acting Zoning Administrator

O'Keefe noted that he will be out of the office between September 13 and 25 and suggested that the Board appoint Sharon Crossman as Acting Zoning Administrator in his absence to handle any immediate needs.

George Mora moved to appoint Sharon Crossman as Interim Zoning Administrator while O'Keefe is on vacation, seconded by Bob Forbes, passed unanimously.

8. Transfer Station

a. Discuss plowing & sanding procurement

Ameden noted that Tom Cavanagh asked for this matter to be acted on as soon as possible. O’Keefe noted that the Request for Proposals he had prepared was the same as that from last year but with dates changed.

George Mora moved to approve the request for proposals for plowing and sanding of the transfer station, seconded by Bob Forbes, passed unanimously.

9. Roads and Bridges

a. Department updates

Ameden introduced Josh Dryden as the new Road Foreman, and Dryden mentioned he is trying to make necessary connections for the job.

Dryden noted that for August we transferred 170 gallons of fuel to buildings, used 189 gallons of fuel for vehicles, and we took a delivery of 8,852 gallons.

He spoke about the process for delivery of the new Highway Department truck.

b. Discuss roadside mower

Ameden noted that despite reservations about the new roadside flail mower, we’re scheduled to take delivery of this attachment for the JCB Hydradig, and paying the high restocking fee to reject it was not acceptable. He said we should make the best use of it as possible.

Roadside mowing efforts and process were discussed. It was mentioned that the new unit could prove very useful under certain conditions. There were no objections to taking delivery.

c. Discuss VT Traffic Committee decision on Town’s request for reduction of speed limit and dedicated turning lane on Route 11 in vicinity of the Flood Brook School

Flood Brook Principal Neal McIntyre met with the Board to discuss the recent decision of the Vermont Traffic Committee to approve a time-limited 40 mile per hour speed zone in the vicinity of the school. He spoke about how the meeting went, noting that they came around to agreeing to the Town and School’s request.

O’Keefe noted that the agreement with the State on this project would most likely be with the School District as the school would have control of when the flashing signs would need to be operable.

There was discussion about how to pay the 50% local share of the approximately \$10,000 cost of the signage project. McIntyre suggested that the School District would pay for some as would the four sending towns, including Londonderry. The cost split used with the Flood Brook School generator project was mentioned as an option. The Board had no objection to

contributing to the project, with the amount to be determined once more information was available.

It was agreed that O’Keefe would contact VTrans and determine how the process would proceed going forward and the approximate cost of the sign project.

10. Old Business

a. Award contract for TOPP Phase II design services

The Board reviewed a proposed scope of work and price proposal from Cole Company, Inc. for design services related to TOPP Phase II. It was noted that this would be a sole-source solicitation because of the quality work done by the company in years past for the Town on this project. Some of the work already done would need to be revisited, such as the space usage program and conditions assessment. This work would bring us to the point of having enough information, such as design and cost projections, to go to the March 2020 Town Meeting with a funding request.

Final design plans and construction management would be an additional cost depending the results of a Town Meeting vote.

George Mora moved to accept the proposal for programing, design development and cost estimation from Cole Company, Inc. for TOPP Phase II in the amount of \$21,250, and to authorize the Town Administrator to execute all necessary documents to employ the company, including a service contract after review by the Town Attorney, seconded by Bob Forbes, passed unanimously.

b. Discuss Platt Elevation Project procurement

O’Keefe noted that the recent Invitation to Bid for this project resulted in no responses having been received, which he believes had to do with the December 15 project completion date. He suggested putting it out to bid again in a few months with a completion date later in the year.

Tom Platt, property owner, noted that one contractor had met with him and suggested that he could do the project this fall. He suggested going with that contractor. There was question why that contractor hadn’t bid on the project.

O’Keefe noted that the State funding for the project requires that the Town abide by its own Procurement Policy, and that sole source negotiation for a construction project such as this was not allowed under the Town policy and doing so could jeopardize the funding.

There was discussion about whether to again put the project out as a single contract, or whether it made sense to have bids for each of the project trades with one general contractor running the project. Platt asked if he could act as the general contractor for the project.

O’Keefe will contact the State to see if this was permissible.

Forbes suggested putting the project out to bid as soon as possible.

Bob Forbes moved to repost a bid request for the Platt Elevation project with bids to be considered on October 7, 2019, and with project completion for March 15, 2020, seconded by George Mora, passed unanimously.

c. Request for restitution for Town Office burglary

The Board reviewed documentation provided by Tina Labeau from the office of the Windham County State's Attorney on restitution for funds stolen from the Town several years back.

George Mora moved to authorize the Town Administrator to submit requests for restitution on the amount of \$6 and \$240 from the Windham County State's Attorney's Office for the burglary of the Town offices in 2015-16, seconded by Bob Forbes, passed unanimously.

11. New Business

a. Consider discussion of warning a special meeting regarding the State's development plans for Lowell Lake

Ameden noted that this was a continuation of the discussion at the previous meeting. He noted that there was no final plan from the Vermont Department of Forests, Parks and Recreation so there is only speculation as to what will be forthcoming, and therefore there is no certainty on what question should be asked of the Voters. He stated that the Board should wait for a final plan from the FPR and then make a decision how to proceed.

The State's process was discussed, and it was noted that once a final proposal was made there would be a public comment period. This public comment period was confirmed by Kelly Pajala.

There was discussion on the previous vote on wind turbines. The process of how to conduct a special Town Meeting was discussed, and Pajala noted that a formal Australian ballot vote is not permissible in Londonderry at this time. She mentioned that paper ballots are permissible at a Town Meeting at the request of seven voters. It was noted that any vote on a matter such as this would be advisory only and not binding.

Due to the uncertainty with the project, and also the fact that there was only three Board members present, there was discussion about tabling the matter. No action was taken by the Board.

b. Emergency Operations Center training

It was noted that there was a training session the following evening on Emergency Operations Center Training at it was necessary to determine if a quorum of the Board would be present. It was determined that only two Board members were likely to be in attendance so there was no reason to warn a special meeting or continue the extant meeting.

Handouts for the meeting were distributed to the Board members.

12. Adjourn

Bob Forbes moved to adjourn the meeting, seconded by George Mora, passed unanimously.

The meeting adjourned at 9:02 PM.

The next regular meeting of the Selectboard is scheduled for September 23, 2019 at 7:00 PM.

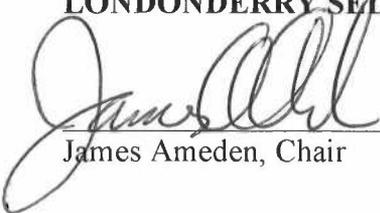
Respectfully Submitted,



Shane P. O'Keefe
Town Administrator

Approved September 23, 2019.

LONDONDERRY SELECTBOARD



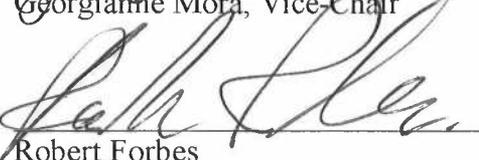
James Ameden, Chair

Thomas Cavanagh

Taylor Prouty



Georgianne Mora, Vice-Chair



Robert Forbes

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