

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Monday, March 16, 2020
Twitchell Building - 100 Old School Street, South Londonderry, VT

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

Board Members Absent: None.

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe, Emergency Management Director Kevin Beattie (via speakerphone), Town Clerk Kelly Pajala (via speakerphone), Planning Commission Chair Sharon Crossman (via speakerphone), Champion Fire Department #5 Fire Chief Jeffrey Duda. Others – Residents David Rackear Bruce Frauman (GNAT).

1. Call meeting to order

Acting Selectboard Chair George Mora called the meeting to order at 7:00 PM. It was acknowledged that Board member Taylor Prouty was participating remotely via speakerphone.

Mora spoke briefly to the new Board members about some of the standard meeting processes.

2. Additions or deletions to the agenda

It was noted that in order to expedite the meeting to address essential matters, particularly the discussion with the Emergency Management Director on actions and preparations related to the spreading COVID-19 virus, it was necessary to delete several matters from the agenda.

Taylor Prouty moved to delete from the agenda the following items:

- **From Town Officials Business**
 - b. Emergency Management Director – Discussion & update on Local Emergency Management Plan*
 - c. Emergency Management Director – Discussion & update on Hazard Mitigation Plan*
 - d. Town Treasurer – Year-to-date budget review*
 - **From Roads and Bridges**
 - b. Discuss VT Route 11 paving project and long-term traffic safety*
- seconded by Tom Cavanagh, passed unanimously.*

There were also a few matters that needed to be added to the agenda to immediately assist local businesses.

Tom Cavanagh moved to add to the agenda the following items:

- **To New Business**
 - c. 1st Class Liquor License – Jake’s Marketplace Cafe, Inc., DBA Jake’s Marketplace Cafe*

- d. **3rd Class Liquor License – Jake’s Marketplace Cafe, Inc., DBA Jake’s Marketplace Cafe**
 - e. **Outside Consumption Permit – Jake’s Marketplace Cafe, Inc., DBA Jake’s Marketplace Cafe**
 - f. **2nd Class Liquor License – Michael & Tammy Clough, DBA Mike and Tammy’s Main Street Deli/Market**
 - g. **1st Class Liquor License – Upper Tamarack, Inc., DBA Upper Pass Lodge**
 - h. **3rd Class Liquor License – Upper Tamarack, Inc., DBA Upper Pass Lodge**
 - i. **2nd Class Liquor License – O’Connor’s Corner Store, LLC, DBA The Corner**
- seconded by Vincent Annunziata, **passed** unanimously.

3. Organization

- a. **Elect a Selectboard Chair and Vice-Chair** [24 VSA 871(a)]

Tom Cavanagh moved to elect Georgianne Mora as Selectboard Chair, seconded by Jim Fleming, passed unanimously.

Vincent Annunziata moved to elect Thomas Cavanagh as Selectboard Vice Chair, seconded by Jim Fleming, passed unanimously.

- b. **Set Regular Meeting Schedule & Location** [1 VSA 312(c)(1)]

Mora mentioned that O’Keefe has brought up the idea of changing the time of day of regular meetings, as it may be a better fit for some people’s schedule. This was briefly discussed.

Jim Fleming moved to hold regular meetings of the Selectboard on the first and third Mondays of the month at 6:00 PM at the Town Office building at 100 Old School Street in South Londonderry, seconded by Tom Cavanagh, passed unanimously.

- c. **Designate newspaper of record** [17 VSA 2641(b)]

Taylor Prouty moved to designate the Vermont Journal as the Town’s newspaper of record, seconded by Tom Cavanagh, passed unanimously.

- d. **Designate member with authority to sign warrants & pay orders**
[24 VSA 1623(a)(1)]

Jim Fleming moved to appoint Georgianne Mora as the designated Selectboard member with authority to sign warrants and pay orders, seconded Vincent Annunziata, passed unanimously.

- e. **Adopt Rules of Order**

The Board reviewed proposed Rules of Order with minor grammatical changes and a change to note that the first order of business of a Board meeting is to either add or delete agenda items, as required by statute.

Taylor Prouty moved to adopt the revised Selectboard Rules of Order, seconded by Tom Cavanagh, passed unanimously.

4. Minutes Approval – Meeting of March 2, 2020

Tom Cavanagh moved to approve the minutes of the Selectboard meeting of March 2, 2020, seconded by Vincent Annunziata, passed unanimously.

5. Selectboard Pay Orders

Pay orders were reviewed and signed by the Board members.

6. Announcements/Correspondence

O’Keefe reminded those in the village areas that may have received a survey regarding water and wastewater systems as part of the community systems project to please return the surveys as soon as possible.

He also noted that online surveys for the Windham Region Broadband study should be completed by everyone as well. Mora spoke to the importance of this initiative, and 4,000 of 6,000 desired surveys have been received, and the deadline is being extended to March 20.

Mora noted that she had received a request for the Town Road Crew to make repairs on the parking lot of South Londonderry Post Office, which is in terrible condition. As this is private property, she recommended that this not be taken up for discussion and to leave it up to the landlord. Several other Board members agreed.

O’Keefe noted that the deadline for completion of the comprehensive Zoning Bylaw Amendment as required by the Agency of Commerce and Community Development Planning Grant is being extended due to the concerns with holding the required public meetings.

Correspondence included in the meeting package was as follows:

- A copy of the Lowell Lake State Park Master Planning Update of March 7, 2020.

7. Visitors and Concerned Citizens

None.

8. Annual Appointments

a. Road Commissioner

[17 VSA 2646(16) & 2651(a)]

Prouty noted that Jim Ameden, who has been serving as Road Commissioner for years, has decided he wished to step down from the position for now, and that he was willing to assume this position in his stead. He mentioned that he had spoken with Road Foreman Josh Dryden about Highway Department matters, and he will meet with Jim Ameden to help with the transition.

Beattie recommended that Prouty should attend some of the regional meetings of Road Foremen, as they can be very helpful.

Tom Cavanagh moved to appoint Taylor Prouty as the Town’s Road Commissioner, seconded by Vincent Annunziata, passed unanimously.

b. Emergency Management Director [20 VSA 6(a)]

Kevin Beattie expressed his interest in continuing to serve the Town in this position. *Taylor Prouty moved to appoint Kevin Beattie as the Town's Emergency Management Director, seconded by Tom Cavanagh, passed unanimously.*

c. Windham Regional Commission Representatives (2) [24 VSA 4343(a)]

It was noted that George Mora and Denis Pinkernell have been serving as WRC representatives and that each has stated their interest in continuing to serve the Town in this position.

Jim Fleming moved to appoint Georgianne Mora and Denis Pinkernell as the Town's representatives to the Windham Regional Commission, seconded Vincent Annunziata, passed unanimously.

d. Tree Warden [24 VSA 871(b)]

Kevin Beattie expressed his interest in continuing to serve the Town in this position.

Tom Cavanagh moved to appoint Kevin Beattie the Town's Tree Warden, seconded by Jim Fleming, passed unanimously.

e. 911 Coordinator [30 VSA 7056(a)]

Kelly Pajala expressed her interest in continuing to serve the Town in this position.

Taylor Prouty moved to appoint Kelly Pajala as the Town's E911 Coordinator, seconded by Tom Cavanagh, passed unanimously.

f. Animal Control Officer [20 VSA 3549]

O'Keefe noted that Pat Salo has been serving Animal Control Officer and has stated his interest in continuing to serve the Town in this position.

Tom Cavanagh moved to appoint Pat Salo as the Town's Animal Control Officer, seconded by Vincent Annunziata, passed unanimously.

g. Planning Commissioner (2 for 3 years, 1 for 2 years)

It was noted that the terms of incumbent Planning Commissioners Larry Gubb and Elsie Smith would expire at the end of the month. O'Keefe stated that they were interested in continuing to serve on the Commission, and there is still a vacancy from the resignation of Gail Mann that still need to be filled. Andrew Rackear spoke to the Board about his interest in serving on the Planning Commission.

Vincent Annunziata moved to appoint move to appoint Larry Gubb and Elsie Smith to the Planning Commission for three-year terms ending 3/31/2023, and to appoint Andrew Rackear to a two-year term ending 3/31/2022, seconded by Jim Fleming, passed unanimously.

9. Town Officials Business

a. Emergency Management Director – Discuss preparations for Covid-19, such as continuity of operations of Town functions, Town Health Officer and EMD functions/responsibilities

It was decided to move this item to the end of the meeting, and to move quickly through the balance of the agenda.

b. Planning Commission – Request for letter to VT Council on Rural Development for Community Visit

Planning Commission Chair Sharon Crossman discussed with the Board the Planning Commission's wish to participate in the Vermont Council on Rural Development's Community Visit Program. She described the many opportunities this program can bring to the town and other communities that have. A letter expressing participation in the program is needed in order to get on the waiting list of communities interested in participating.

Taylor Prouty moved to authorize the Selectboard Chair to sign a letter to the Vermont Council on Rural Development requesting that the Town participate in its Community Visit Program, seconded by Tom Cavanagh, passed unanimously.

c. Planning Commission – Discuss application for Northern Borders Regional Commission Economic & Infrastructure Development Grant program

Planning Commission Chair Sharon Crossman noted that there was a recent meeting in Londonderry about this regional project implementation grant program, and it appears to be a great opportunity for funding design or other stages of projects that may develop from the ongoing community water/wastewater study. A letter of intent was needed to initiate the project, and the grant will need to be written thereafter.

Tom Cavanagh moved to authorize the Selectboard Chair to sign a letter of interest for the Town to submit an application to the Northern Borders Regional Commission Economic and Infrastructure Development Grant Program for a project advancing solutions to water and wastewater issues particular to the village areas of the community, and to authorize the Town Administrator to execute any documents in support of the application, seconded by Taylor Prouty, passed unanimously.

10. Transfer Station

a. Updates

Cavanagh noted that everyone at the facility is healthy, but that the facility did not have enough hand sanitizer or disinfectant wipes at this time to protect staff from viral infection. He noted that all Town employees work with the public every day, and he called for anyone with extra supplies of these items to offer them to the Town.

He also noted that the facility is not sorting bottles at this time.

11. Roads and Bridges

a. Updates

Prouty stated that he had met with Josh Dryden and had discuss schedules and disruptions caused by the COVID-19 pandemic, and the needs and challenges to accommodate family concerns. Mora stated that the Town as an employer should be open to changes to accommodate family/health matters. There was general agreement that leniency with leave requirements was in order.

b. Adopt amendment to the Traffic & Parking Ordinance (Correct error from previous meeting)

O'Keefe noted that a typographical error in the amendment adopted at the previous meeting needed to be corrected and therefore the amendment needed to be readopted in corrected form.

Tom Cavanagh moved to rescind the Board's decision made on March 2, 2020 to amend the Traffic and Parking Ordinance, and to adopt a corrected version of an amendment to the Traffic and Parking Ordinance affecting Middletown Road (Town Highway 5) as presented, such amendment to take effect after 60 days unless a petition is filed as provided for under 24 V.S.A. § 1973(b), seconded by Vincent Annunziata, passed unanimously.

The text of the amendment to the Traffic and Parking Ordinance is as follows, with language to be added underlined, and language to be deleted shown in ~~strikethrough~~:

ARTICLE IV. SPEED REGULATIONS

Section 1. Paved Town Highways

On the basis of engineering and traffic studies, the following speed limits measured in miles per hour (MPH) are hereby established for specific Town Highways (TH) and portions thereof:

TH #5. A maximum speed of 30 MPH from its intersection of VT Route 100 northerly to a point 1,000 feet north of the intersection of TH #55 (Crescent Street), then a maximum speed of 40 MPH northerly to a point 500 feet south of the intersection of VT Route 11, then a maximum speed of 30 MPH northerly to its intersection of VT Route 11.

Right of Petition - Notice is hereby given of the right to petition for a permissive referendum vote on this ordinance amendment at an annual or special meeting as provided for in Title 24, Vermont Statutes Annotated, Section 1973. Such petition for a permissive referendum must be signed by not less than five (5) percent of the qualified voters of the Town of Londonderry and shall be presented to the Selectboard or the Town Clerk within forty-four (44) days following the date of adoption.

Effective Date - Unless a petition is filed in accordance with Title 24, Vermont Statutes Annotated, Section 1973, the Ordinance shall become effective sixty (60) days after its adoption.

O’Keefe will take care of properly posting the new ordinance as required by Vermont Statutes.

c. Consider application(s) for excess vehicle weight permits [23 VSA 1400a]

The Board reviewed and considered several overweight vehicle permit applications.

Tom Cavanagh moved to I move to approve excess weight permits for: Camp Precast Concrete Products, Inc.; Duquette Forestry Transportation, Inc.; Connecticut Valley Trucking, Inc.; Fuller Sans & Gravel, Inc.; Fabian Earth Moving, Inc.; Gurney Brothers Construction, Inc.; and Bazin Brothers Trucking, Inc., seconded by Vincent Annunziata, passed unanimously.

12. Old Business

None.

13. New Business

a. Discuss appointment of Collector of Delinquent Taxes [17 VSA 2651d]

The Board briefly discussed this position, which it is now authorized to appoint by virtue of the recent Town Meeting vote. Labeau reiterated her interest in filling this role, and O’Keefe noted that she is particularly qualified to do the job as she assists with it already.

Jim Fleming moved to appoint Bettina Labeau as the Town’s Collector of Delinquent Taxes, as permitted by 12 V.S.A. section 2651d and the vote on Article 1 of the annual Town Meeting held on March 3, 2020, effective immediately, seconded by Tom Cavanagh, passed unanimously.

b. Zoning Bylaw amendment – Section 402 – set public hearing date

O’Keefe noted that the Planning Commission held a public hearing on March 9, 2020 on a proposed Zoning Bylaw amendment specific to Bylaw Section 402, Access and Frontage Requirements, and afterward voted to authorize the Planning Commission Chair to submit the proposed amendment along with a required report to the Selectboard for hearing and adoption. The submittal was provided in the meeting packet, and the amendment pertains only to land development on private roads and public roads not maintained by the Town or State. It allows for administrative review of projects below a certain threshold so as not create a significant burden on those doing minor projects. Given the uncertainty with public gatherings going forward he recommended accepting the amendment from the Commission and holding off on scheduling the required public hearing necessary for adoption.

Taylor Prouty moved to accept the submission of a proposed Zoning Bylaw Amendment and associated report related to Section 402, Access and Frontage Requirements, from the Planning Commission, as provided for under 24 V.S.A. section 4441(g), and to table further discussion on the proposed amendment and the setting of a public hearing date until an upcoming regular meeting of the Board, seconded by Tom Cavanagh, passed unanimously.

- c. **1st Class Liquor License – Jake’s Marketplace Cafe, Inc., DBA Jake’s Marketplace Café**
- d. **3rd Class Liquor License – Jake’s Marketplace Cafe, Inc., DBA Jake’s Marketplace Cafe**
- e. **Outside Consumption Permit – Jake’s Marketplace Cafe, Inc., DBA Jake’s Marketplace Café**

Vincent Annunziata moved to approve 1st and 3rd Class Liquor Licenses and an Outdoor Consumption Permit for Jake’s Marketplace Café, doing business as Jake’s Marketplace Café., related to property located at Mountain Marketplace, VT Route 100, seconded by Tom Cavanagh, passed unanimously.

- f. **2nd Class Liquor License – Michael & Tammy Clough, DBA Mike and Tammy’s Main Street Deli/Market**

Vincent Annunziata moved to approve a 2nd Class Liquor License for Mike and Tammy Clough, doing business as Mike & Tammy’s Main Street Deli/Market, related to property located at 2170 VT Route 11, seconded by Tom Cavanagh, passed unanimously.

- g. **1st Class Liquor License – Upper Tamarack, Inc., DBA Upper Pass Lodge**
- h. **3rd Class Liquor License – Upper Tamarack, Inc., DBA Upper Pass Lodge**

Vincent Annunziata moved to approve 1st and 3rd Class Liquor Licenses for Upper Tamarack, Inc., doing business as Upper Pass Lodge, related to property located at 420 Magic Mountain Access Road, seconded by Jim Fleming, passed unanimously.

- i. **2nd Class Liquor License – O’Connor’s Corner Store, LLC, DBA The Corner**

Vincent Annunziata moved to approve a 1st Class Liquor License for O’Connor’s Corner Store, LLC, doing business as The Corner, related to property located at 1 Main Street, seconded by Tom Cavanagh, passed unanimously.

14. Emergency Management Director – Discuss preparations for Covid-19, such as continuity of operations of Town functions, Town Health Officer and EMD functions/responsibilities

Emergency Management Director Kevin Beattie gave a comprehensive update on the status of preparations and responses related to the spreading COVID-19 virus pandemic

He mentioned that a three-town Emergency Management Director effort with Weston and Landgrove has been established. They have formed a mailing list of important players in the communities, such as EMTs, healthcare facilities, health officers, fire chiefs, not-for-profits such as social service agencies, schools and churches, and key stores.

He has spoken to many of these entities to discuss food supplies and transportation. The Flood Brook School is closing, and the school is making arrangements for remote education. It was noted that second-homeowners from elsewhere are sheltering in place locally thus increasing the number of people potentially requiring services and resources for a time.

He noted that he had just heard from the VT Department of Health that all 50 states have declared states of emergency, and in Vermont all bars and restaurants must close, except for take-out od deliveries, from March 17 to April 5.

He emphasized the overriding health need right now if to slow the spread of the virus to ensure the protection of the vulnerable and high-risk populations, and to protect from overburdening our medical infrastructure.

Beattie mentioned that he had deputized Tina Labeau and George Mora as deputy Emergency Management Directors due to the needs generated by this emergency.

On Town-level continuity of operations, he stressed the need to be flexible with work schedules as discussed previously. For Town officials, he urged working remotely if possible, and he suggests to make sure there are backup people for critical functions.

He stated that it should be considered whether the Town Office should be closed, but that is up to the Selectboard and Town Clerk. Pajala noted that he and the others in her office have discussed limiting access to the public, and noted that some functions must continue. Beattie suggested possibly closing entirely to the public but maintaining a presence in the building. She noted that bankers and lawyers are discussing how to work with Town Offices, and the Secretary of State's office is working on strategies.

Prouty noted that the Board should work with staff and officials to ensure that they feel safe in the workplace.

O'Keefe noted that he would have to work from home for at least the next week. He noted that Sharon Crossman and he have coordinated on how to continue operations, and he would take things day-by-day, and possibly come in over the weekends when no one is around.

Labeau noted that she is encouraging people to do work over the phone or to make appointments to come in.

Fleming left the meeting at 8:15 PM.

There was discussion about the Transfer Station and the need to continue operations. Annunziata suggested that there should be a way for volunteers to assist those who can't or shouldn't venture from their home. Cavanagh will work on resolving some of these issues, and we have to play all of this by ear. Beattie suggested that the public going to the Transfer Station was a low-risk activity for all involved. Labeau suggested that people could make donations to the Town for punch cards for those unable to visit the Transfer Station.

Prouty brought up a discussion of supply stream disruptions, such as through store closures or hoarding. Beattie mentioned that he did not anticipate short-term problems. He added that fuel for Town vehicles and emergency response vehicles could be handled through the Town's fuel supply through mutual aid agreements.

Bruce Frauman, representing the Mighty Londonderry Community Resilience Committee, noted that the Committee met this past week on the COVID-19 matter, and has had very good turnout with great contributions. He stressed the need to pay attention to information from the CDC and the Vermont Department of Health.

There was a discussion of Flood Brook School and other school-related issues. Pajala noted the importance of supporting area day care providers.

Fire Chief Jeff Duda stated that they are working on continuity of service and there is strong mutual aid between the many emergency response organizations, all of who are adjusting to circumstances as they arise. Firefighters are changing their methodologies to adjust to the need to create separation between others. He said we all need to adopt to the circumstances.

15. Adjourn

Tom Cavanagh moved to adjourn the meeting, seconded by Taylor Prouty, passed unanimously.

The meeting adjourned at 8:35 PM. The next regular meeting of the Selectboard is scheduled for April 6, 2020.

Respectfully Submitted,



Shane P. O'Keefe
Town Administrator

Approved April 6, 2020.

LONDONDERRY SELECTBOARD



Georgianne Mora, Chair

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