

**Town of Londonderry, Vermont**  
**Selectboard**  
**Meeting Minutes**  
**Monday, April 20, 2020**  
**Meeting held remotely via online video with no physical presence**

**Board Members Present:** Georgianne Mora, Thomas Cavanagh, Taylor Prouty, Vincent Annunziata, and James Fleming (6:15 PM, via telephone).

**Board Members Absent:** None.

**Others in Attendance:** Town Officials – Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Emergency Management Director Kevin Beattie, Town Clerk Kelly Pajala, Recycling Coordinator Esther Fishman, Conservation Commission Chair Irwin Kuperberg. Others – Bruce Frauman (GNAT).

**1. Call meeting to order**

Selectboard Chair George Mora called the meeting to order at 6:00 PM.

**2. Additions or deletions to the agenda**

Tom Cavanagh asked to have a discussion on when to reopen the Transfer Station on Sundays.

*Tom Cavanagh moved to add to the Transfer Station section of the agenda (#8.b.) the reopening of the Transfer Station on Sundays, seconded by Taylor Prouty, passed unanimously.*

Taylor Prouty suggested adding to the agenda a discussion of the purchase of a new mower.

*Taylor Prouty moved to add to the Roads and Bridges section of the agenda (#9.f.) the purchase of a new mower, seconded by Vincent Annunziata, passed unanimously.*

Kevin Beattie requested that the Board discuss a town-wide mailing to those who do not get electronic media related to community services. He noted that Neighborhood Connections arranged for this in Weston and would like to do the same in Londonderry, Landgrove and Peru.

*Taylor Prouty moved to add to the Town Officials section of the agenda (#7.c.) a discussion of a town-wide mailing for people without internet access, seconded by Vincent Annunziata, passed unanimously.*

**3. Minutes Approval – Meeting of April 6, 2020**

*Vincent Annunziata moved to approve the minutes of the Selectboard meeting of April 6, 2020, seconded by Taylor Prouty, passed unanimously.*

#### **4. Selectboard Pay Orders**

Pay orders were reviewed by the Board members. There would be single-source signing by the Board members. There was a brief discussion on the necessity to approve a motion for this matter. It was agreed that it was a best practice to do so.

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

#### **5. Announcements/Correspondence**

O’Keefe reminded the Board and those at home to complete the 2020 census if you haven’t done so yet.

Correspondence included in the Board’s meeting package was as follows:

- A 4/13/2020 letter of thanks to the Selectboard from Marge Fish of the Londonderry Volunteer Rescue Service for providing hand sanitizer, thanks especially to Kevin Beattie.
- A copy of a new caterer’s license application submitted by Ski Magic, LLC for the Magic Mountain Ski Area

Tina Labeau, on behalf of Kelly Pajala, announced that Town Clerk’s office is opening up for researchers on the following day, one person at a time by appointment.

Jim Fleming joined the meeting at 6:15 PM.

#### **6. Visitors and Concerned Citizens**

Irwin Kuperberg mentioned that in the vicinity of Lowell Lake someone has placed stickers on Town parking signs and Lowell Lake signs stating “Locals Only”, and that he removed them. He asked if the Board would be putting out a statement out on this. It was agreed that no action would be the best course of action at this time.

#### **7. Town Officials Business**

##### **a. Emergency Management Director – COVID-19 response updates**

Emergency Management Director (EMD) Kevin Beattie briefed the Board on the COVID-19 pandemic and declared state of emergency. He noted that, while not an official Emergency Operations Center (EOC) opening with notice to the State of Vermont, a virtual EOC was opened on March 13, 2020 in collaboration with the Towns of Weston, Landgrove and Peru. An extensive email list of COVID-19 responders has been assembled and communications has been ongoing with those on the list.

He noted that there have been a number of response stages that we’ve gone through during this time and we’re headed toward the recovery phase, but it will evolve slowly depending on containment.

Virus numbers state-wide are trending well he said, with the number of cases plateauing due to the efforts of the State and everybody else, and it would have been much worse if not for the many positive steps taken. He applauded the Governor and State staff on their management of the crisis.

Beattie reported that business operations directives have recently changed, with up to two people able to work together at this time, allowing some businesses to get back to business. Lodging restrictions are still in place. On local compliance, there has been lots of influx from out-of-staters which was somewhat problematic, but this has calmed down. Beattie mentioned issues with compliance with the 14-day quarantine orders, and with maintaining social distancing, and that a lot of time was spent on dealing with this. He noted that there were ways to report noncompliance, and the State Police visited with a few businesses.

He stated that everyone should assume that COVID-19 is in the community. He added that we're likely to be in a response phase until such time as there is a vaccine for the virus. There will be a lot of economic issues facing the community that we will all have to deal with, and many local organizations will need to work on this.

Beattie thanked Tom Cavanagh for donating masks that have gone to the rescue squad. Ten gallons of sanitizer was purchased and distributed to Town governments, first responders, Flood Brook, social service agencies and a bit to essential businesses, and two gallons are in reserve. There has been great success on getting masks locally, including many people making them, but there will be a long-term need going forward. Local compliance with wearing masks has been about 90% within town he stated, and 100% with business employers.

He noted that while the local parks are closed there are still no signs up discouraging their use, and mentioned that they are needed. Pajala indicated that this would be taken care of.

Beattie mentioned that there is a state-wide ban on burning brush, and discouraged anyone from engaging in dangerous recreational activities as emergency responders are unable to perform normal rescue functions and should not be put in harm's way unnecessarily.

**b. Emergency Management Director – Discussion & update on Local Emergency Management Plan**

Beattie mentioned that the Local Emergency Management Plan requires an annual update after Town Meeting, and is due May 1st of the year.

*Vincent Annunziata moved to adopt the 2020 update of the Town of Londonderry Local Emergency Management Plan, and authorize the Selectboard Chair to execute any documents necessary for this action, seconded by Tom Cavanagh, passed unanimously.*

Beattie stated that he would submit it to the Windham Regional Commission on behalf of the Town.

**c. Emergency Management Director -- Town-wide mailing for people without internet**

Beattie spoke to the Board about a letter or card he'd like to have sent out to those in the community without internet access to provide information on available assistance. It would be modelled on a letter sent to Weston residents put together by Nicole Wengerd of Neighborhood Connections, and would include information not just on response to the COVID-19 pandemic, but would include longer term recovery efforts to deal with loss of jobs and money, and other difficulties facing residents. He stated that the primary contact would be Emergency Management, but other contacts would be provided in the mailer. The Community Resilience Organization would run with this for the most part, and Bruce Frauman noted that something like this would benefit everyone in town.

The cost of the mailing was not immediately available. Labeau noted that there are roughly 1,700 tax bills mailed out, but that includes non-residents. Beattie assumed that the number to be mailed was about 900. It was mentioned that there were 1,420 postal delivery locations, and that the cost of delivery could be pro-rated with the other communities.

*Taylor Prouty moved to have Georgianne Mora review and sign a town-wide mailing regarding contacts during the pandemic on behalf of the Board, with Emergency Management Director Kevin Beattie to co-sign it, seconded by Vincent Annunziata, passed unanimously.*

Frauman noted that Community Resilience Organization funds and Emergency Management Director funds were available for this effort. Labeau reminded the Board that the Town had received a \$1,000 donation, and it was the feeling that this effort would be a good use of the contributed funds.

Reimbursement to the Town for supplying hand sanitizer to neighboring communities was discussed. Beattie will bring this up with the other EMDs.

**d. Discuss Town Constable positions**

[17 V.S.A. §2646(7)]

Because no one was elected to the position at the recent Town Meeting, previously elected Constable Roger Sheehan remains in office. It was noted that Sheehan was moving out of town and therefore the position will be vacant until he leaves or resigns. Once there is a vacancy a 10-day notice of the vacancy is required.

Beattie stated that he is willing to take on this position to the next Town Meeting. O'Keefe mentioned that the Constable position can be appointed by the Selectboard if approved by the Voters at Town Meeting, and suggested putting this on the Town Warning for next year. Mora noted that we should stand by until the Town receives word from Sheehan.

**e. Town Treasurer – Year-to-date budget review and COVID-19 budget considerations**

Labeau noted that the Town has expended 83% of the budget while at 75% of the fiscal year, but that there are many expenses that take place early in the year to explain this, and felt that we're doing pretty well.

She spoke about a list of potential cuts or and areas where we can hold off on spending. She had originally included paving as a place to save but has since learned that paving is proposed to begin next week. It was agreed that the Town should not be putting off paving to the next year. She felt there an opportunity to save about \$60,000, and noted that there have not been many expenditures of late. She said that revenue from the Transfer Station was looking good, and that taking payment via credit card has worked very well.

It was noted that about 500 of the 1,700 tax bills are paid through escrow.

Labeau noted that the Listers office has mentioned that all is going well with the Grand List. She noted her concern about having to pay the school its annual payment without having to borrow funds. O’Keefe noted that the Legislature may be working on a fix for that. Kelly Pajala noted that things were not looking good for municipalities, particularly with the education payment obligation.

## **8. Transfer Station/Solid Waste Management**

### **a. Updates**

Cavanagh mentioned that the staff continues to do a great job.

### **b. Reopening Transfer Station on Sundays**

He noted that there is an applicant for the part-time Sunday position, and inquired of the Board whether we should consider reopening on Sundays. It was the feeling that if the candidate was to be hired then reopening could be considered sooner as opposed to later.

It was agreed that Cavanagh and Fishman would interview the applicant and then, if they are able to recommend the candidate, come back at the next meeting to interview with the Board.

## **9. Roads and Bridges**

### **a. Updates**

Labeau mentioned that the Board should decide on whether to proceed with the continuation of the FY20 paving. Prouty mentioned that because of the delay the contractor is willing to renegotiate the contract price for the work, or be flexible with the required work to save on cost. The proposed paving is for Landgrove Road.

Beattie mentioned that all municipal projects receiving State funding are presently on hold, and because there is paving money from the State the Town should check with the VTrans District 2 office before proceeding with the paving work. O’Keefe agreed and said he’d handle this. O’Keefe also mentioned that he was in the process of preparing the bid package for FY21 paving.

There was discussion about the culvert inventory prepared in 2013, and when it could be updated through the Windham Regional Commission. It was agreed that this should be done soon and O’Keefe will contact WRC to initiate this effort. Road Foreman Josh Dryden will review the existing culvert list and update information on some of the most troubling locations. Beattie reminded the Board that there is a georeferenced map of the culverts.

Regarding the salt/sand shed, Prouty reported that he has inspected the structure, that a truck damaged the top of the opening on salt side, and mentioned that it is likely just cosmetic damage and not structurally dangerous. He said it would be a big project to fix the damage and recommended holding off for the time being. He also noted that the loader backed into the concrete stem wall and the wall is now cracked. Prouty suggested that some markings could be placed on the structure and some safety and process training of staff implemented, and he'll speak to the Road Foreman on this. He noted that the damage was likely caused some time ago and not by existing staff. It was agreed that repair of the damage would be handled at a later date.

Fleming brought up an issue of increased use of the Town Office parking lot of late and suggested a "Children at Play" sign on Old School Street just below the crest of the hill. He also noted that those exiting the Town Office should stop before entering Old School Street. O'Keefe suggested a "slow please" sign at the exit of the parking lot.

Regarding repairs of the Town Office garage door, Prouty inquired of Fleming if he could assist with shimming the opening to accommodate the new door installation. Fleming agreed to help out.

**b. Consider new request for boot drop – Ruck Up, Inc. (change to August 8, 2020)**

The Board briefly discussed a request to reschedule the Ruck-Up, Inc, boot drop.

*Taylor Prouty moved to rescind the Board's February 17, 2020 vote authorizing the annual Ruck Up, Inc. boot drop fundraiser on VT Route 11 in the vicinity of Hell's Peak Road, and instead authorize a rescheduled boot drop fundraiser for August 8, 2020 at the same location, with a rain date of August 9, 2020, subject to provision of proof of adequate liability insurance, seconded by Vincent Annunziata, passed unanimously.*

**c. Authorize submittal of VTrans Municipal Highway Structures Grant application**

O'Keefe noted that the annual VTrans structures grant program is open for applications, and while the Town is not next on the list of recipient towns, he feels that it makes sense to apply in case other communities are not able to submit applications. After discussing road structure needs with Prouty and Josh Dryden, it is recommended that replacement of culvert #12 on Spring Hill Road be considered for this program. Prouty confirmed that the culvert is rusted, particularly on the bottom, and the road surface is broken up. Beattie noted that it may be that a box culvert is the only solution.

*Tom Cavanagh moved to authorize the Town Administrator to submit an application for funding under the VTrans Municipal Highway Grant program for replacement of culvert #12 on Spring Hill Road, seconded by Taylor Prouty, passed unanimously.*

**d. Consider bids for a new Highway Department vehicle**

The Board reviewed bids provided by the Road Foreman for a new replacement vehicle, which was voted at the most recent Town Meeting. Prouty spoke to each and noted that the truck from Ford of Claremont, NH is on the lot and available, and the dealer said it would lease the truck to the Town and take payment this July. The other trucks would not be

available until the fall at best and did not have the same desired features. The truck from John C. Stewart Ford would be the least expensive by about \$3,000. Prouty also noted that the Road Crew members are using their own vehicles for work purposes and the immediate purchase would help alleviate this condition. The Claremont dealership was the only one to offer a trade-in on the old Ford 550, offering \$2,500, and provided a big municipal discount to the Town. It was the consensus that the vehicle available now was the best overall deal.

*Taylor Prouty moved to waive the bid process specified in the Town Purchasing Policy and accept the bid from Claremont Ford in the amount of \$39,434 for a new Highway Department vehicle, and to authorize the Town Treasurer to execute all necessary documents to purchase and register the vehicle, seconded by Tom Cavanagh, passed unanimously.*

**e. Consider application(s) for excess vehicle weight permits [23 V.S.A. §1400a]**

The Board reviewed applications for overweight vehicle permits.

*Taylor Prouty moved to approve excess weight permits for the following companies and authorize the Town Administrator to sign the application forms on behalf of the Town: David Chaves Excavating, Inc. & DF Transportation, LLC, seconded by Tom Cavanagh, passed unanimously.*

**f. Purchase of new mower**

Prouty noted that he had spoke with Kelly Pajala of the Parks Board on this, and noted that the Josh Dryden has received three separate proposals for mowers: one from Brown Enterprises in Londonderry, one from Benny's in Chester and one from John Deere. It was noted that the unit from John Deere was very expensive, and the one from Benny's was less cost by a few hundred dollars but had a suspension setup that was not desired. The unit from Brown's was felt to be the best fit.

Labeau noted that the riverside park fund paid for the last mower and it was Pajala's recommendation that the fund be used to pay for this new one. She mentioned that the Town spent \$5,000 to contract mowing last year, and added that there appears to be \$83,000 in the fund and the unit proposed for purchase would cost \$7,350.

*Taylor Prouty moved to purchase a new mower from Brown's for \$7,350, using funds from the riverside park fund, seconded by Jim Fleming, passed unanimously.*

Fleming noted that it was good practice to spend Town funds locally.

**10. Old Business**

**a. WRC Regional Broadband initiative – Update**

Mora noted that an email was received from the WRC on the Windham Regional Broadband Project requesting input on moving the project forward during the pandemic. Specific questions were:

- Is it appropriate to move forward with a Zoom call/webinar at this time?

- Please let us know if your community feels comfortable with sticking to the original business plan completion schedule.
- Is it likely that your town will choose to join a CUD when it's able to engage the public to make that decision?

It was the consensus of the Board that Mora should contact the Windham Regional Commission indicating that the answer to all the questions for the Londonderry is “yes”.

**b. Feral Swine monitoring on Town property**

Following up on the discussion at the previous meeting, Kuperberg described information received from the USDA related to the baiting stations for the feral swine research, noting that it is unlikely that bear would be attracted to them due to small quantity of bait corn. It was agreed that baiting would not be done at the Transfer Station due to bear issues and that the bait stations should be labelled.

*Taylor Prouty moved to move to authorize the USDA Wildlife Services to conduct feral swine research on the following Town-owned properties for a period of one year, and authorize the Town Administrator to execute documentation authorizing such use on behalf of the Board: 1) Transfer Station land, Parcel 103010.100, 40 acres (on map 2); 2) Custer Sharp/Middletown Road land, Parcel 062024.100, 25 acres (on map 14); and, 3) Shamburg Property, Parcel 073008.000, 101.7 acres (on map 14), seconded by Tom Cavanagh, passed unanimously.*

**c. Zoning Bylaw amendment – Section 402 – set public hearing date**

O’Keefe noted that the Board had received the proposed Zoning Bylaw amendment from the Planning Commission at the March 16, 2020 meeting, but due to the need to expedite the meeting the discussion when to hold a meeting was passed over. He recommended holding the public hearing on May 18, 2020.

*Taylor Prouty moved, with regard to the proposed Zoning Bylaw amendment related to Section 402, Access and Frontage Requirements, filed by the Planning Commission along with the associated report in keeping with 24 V.S.A. section 4441(g), and accepted by the Board on March 16, 2020, to hold a public hearing, as required under 24 V.S.A. section 4442(a), on May 18, 2020 at or about 6:00 PM, and direct the Town Administrator to ensure proper public notice of the hearing, seconded by Vincent Annunziata, passed unanimously.*

**11. New Business**

**a. 2nd Class Liquor License – Derry Downtown, Limited, DBA Derry Downtown, Limited**

*Tom Cavanagh moved to approve a 2nd Class Liquor License for Derry Downtown, Limited, doing business as Derry Downtown Limited, related to property located at 2116 VT Route 11 (North Main Street), seconded by Vincent Annunziata, passed unanimously.*

**b. 1st & 3rd Class Liquor Licenses and Outside Consumption Permit – Ski Magic, LLC, DBA Magic Mountain Ski Area**

*Tom Cavanagh moved to approve 1st and 3rd Class Liquor Licenses and an Outdoor Consumption Permit for Ski Magic, LLC, doing business as Magic Mountain Ski Area, related to property located at 495 Magic Mountain Access Road, seconded by Vincent Annunziata, passed unanimously.*

**c. Consider employee compensation matter**

Beattie mentioned that since about March 13, 2020 he has spent most of his time on COVID-19 pandemic response for the Town as EMD and felt that he should be compensated, and that the compensation would be reimbursable by FEMA. He started off working approximately 8 hours per day, but was down to around 2-3 hours now, and noted that we are soon to transition from a response phase mode to the pandemic to the recovery phase.

He stated that he has begun creating detailed records of his time, and asked that any compensation be retroactive to when he can reliably determine his time dedicated to the COVID-19 emergency. He mentioned that the FEMA reimbursement is likely to be 75%, and that there may be State of Vermont funding reimbursement as well. The local share would be between 8½% and 25%, and he mentioned that funding would be reduced during the recovery phase.

*George Mora moved to compensate the Town's Emergency Management Director Kevin Beattie at a rate of \$22.50 per hour for all emergency preparedness and response efforts related to the COVID-19 pandemic, effective retroactively to when FEMA reimbursement is possible until such time as eligibility for FEMA reimbursement is ended, seconded by Tom Cavanagh, passed 4-0-1 by roll call vote as follows: Mora – Aye, Cavanagh – aye, Annunziata – aye, Fleming – aye, Prouty – abstained.*

**12. Adjourn**

*Taylor Prouty moved to adjourn the meeting, seconded by Vincent Annunziata, passed unanimously.*

The meeting adjourned at 8:39 PM. The next regular meeting of the Selectboard is scheduled for May 4, 2020.

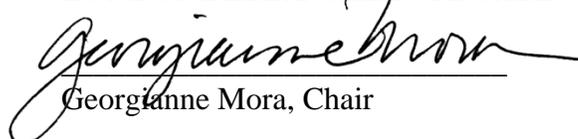
Respectfully Submitted,



Shane P. O'Keefe  
Town Administrator

*Approved May 4, 2020.*

**LONDONDERRY SELECTBOARD**



Georgianne Mora, Chair