

**Town of Londonderry, Vermont**  
**Selectboard**  
**Meeting Minutes**  
**Monday, June 1, 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 (via telephone).

**Board Members Absent:** None.

**Others in Attendance:** Town Officials – Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Town Clerk Kelly Pajala, Emergency Management Director Kevin Beattie, Recycling Coordinator Esther Fishman. Others – Residents Jonathan Wright and Hunter Kaltsas, and Bruce Frauman (GNAT).

**1. Call meeting to order**

Selectboard Chair George Mora called the meeting to order at 6:03 PM.

She noted that in response the Governor Scott’s January 20, 2020 declaration of a State of Emergency due to the spreading COVID-19 pandemic, and his “Stay Home, Stay Safe” executive order restricting and minimizing all unnecessary activities outside of the home, and in accordance with Act 92, signed into law on by the Governor on March 30, 2020, which allows for changes to the Vermont Open Meeting Law to protect the health and welfare of the public, that the meeting was being held entirely remotely with no physical presence.

She added that the meeting was being conducted entirely on Zoom meeting software and that the Board members and staff were participating by video except for Board member Jim Fleming, who was participating via telephone. She noted that the public was permitted to participate via video or telephone. And that the agenda posted on May 29, 2020, and still available on the Town’s website, provided information on how the public could participate in the meeting. She noted a few matters of meeting process, including the requirement that all non-unanimous votes by the Board must be taken by roll call vote, with each member stating their name and vote.

Mora provided some technical guidance for participation by both phone and video. Each of the Board members than vocally identified themselves.

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

None.

**3. Minutes Approval – Meeting of May 18, 2020**

*Vincent Annunziata moved to approve the minutes of the Selectboard meeting of May 18, 2020, seconded by James Fleming, passed unanimously.*

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

Pay orders were reviewed by the Board members. There would be single-source signing by the Board members.

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

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

Hazard Waste Collection Day - Esther Fishman noted that the hazardous waste collection day would be held at the Flood Brook School on Saturday, June 6th between 9:00AM and 1:00 PM. Due to the COVID-19 pandemic, all participants must remain in vehicle, must wear a protective facemask, all items for disposal must either be in the trunk of a car or bed of a truck, and no pets should be left at home. There is a list of what to bring and not to bring on the Town website.

Correspondence included in the Board's meeting packet was as follows:

- A letter dated 5/19/2020 from the VT Department of Environmental Conservation (DEC) granting the Town's request to close the permit for the former septage fields by the Transfer Station.
- An outside consumption permit issued by the Town Clerk to Upper Tamarack, Inc. for the Upper Pass Lodge for the period May – October.

Kelly Pajala noted that as of that day the Town Clerk's Office was open during all regular hours for vault access by appointment only, and that the Zoning Administrator's office is also by appointment only. All other tasks will continue to be done by phone, email and use of the pickup window. All visitors must use face masks, use hand sanitizer and maintain a safe distance from others. A contactless thermometer is on order.

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

Fleming noted that Jon Wright wished to speak about a specific matter later in the meeting.

#### **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 the declared state of emergency. He noted that the mountain towns virtual Emergency Operations Center (EOC) is still activated, as is the State EOC, and that there has been turnover with EMDs from other participating towns. He reported that there are few changes in status, with continued low infection numbers locally.

He said he is working with the Army Corps of Engineers on the Winhall Brook Campground, and noted that the regional office contends that they do not need to comply with State requirements. He mentioned that he is having good conversations with the local office however on different options to promote quarantining.

Pajala stated that she is working on this at the State level to confirm whether Federal agencies are bound by State directives. She believes they can be forced to comply with State health orders. Beattie reported that the U.S. Forest Service and the National Park Service are complying with the State directives.

On food distribution, Beattie said that this would take place daily in June but the schedule of where and when is not available yet. Instead of the MREs and boxed meals, future distributions would be of fresh food.

He reported that the food distribution at Bromley Mountain was a challenge, with about 1,000 cars and lots of waiting, and they ran out of food early.

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

### **a. Updates**

Cavanagh noted that the Assistant Fire Warden authorized opening up the brush pile for burning as of that day.

### **b. Consider reopening the take-it-or-leave-it service and acceptance of returnables**

Cavanagh noted that after discussion with Beattie and staff, he recommends not reopening the take-it-or-leave-it service quite yet. He noted that Beattie had no issues with acceptance of returnables, and that he was for restarting this service.

Fishman stated that she agreed that, due to lack of ability to properly monitor the facility, it was not advisable to restart the take-it-or-leave-it service.

It was agreed that taking returnables could restart.

## **9. Roads and Bridges**

### **a. Updates**

Taylor Prouty noted that the paving bid is being worked on will go out soon.

He noted that the Town has been requested to remove two 24-inch pine trees located within the Thompsonburg Road right-of-way along a resident's driveway, that are dead or dying. He stated that we may need to put that out to bid if determined if it's the Town's responsibility. He will follow up with this with Tree Warden Kevin Beattie. Beattie recommended getting quotes from a local tree service.

Prouty also spoke about the proposed improvements to the Under the Mountain Road right-of-way and legal trail approved by the Board on 12/16/2019. He noted that he had received a letter from an abutting landowner expressing concern about the project, and that he and O'Keefe would be working on this. There is a temporary work stoppage for some of the project until such time as further discussion takes place. O'Keefe noted that he had referred the matter to the Town Attorney for comment, and this input would be paid for by the private property owners doing the project. Prouty will give an update at the next meeting.

Prouty also noted that the Highway Department has received an expression of interest in the old mower and asked about selling it. The Town Purchasing Policy was referenced, and it was agreed to seek sealed bids as provided for in the Policy. Prouty will forward a description and photos to O’Keefe for creating the advertisement.

Labeau noted that the Town has received a \$970 rebate on the new truck.

**b. Traffic safety on Thompsonburg Road/Main Street**

Mora gave a brief history of recent efforts to reduce traffic speeds on Thompsonburg Road, including the formation of a traffic committee about two years ago to determine if speed limits were warranted, the engagement of the Windham Regional Commission and VTrans to assist with safety audits, and the adoption of a new Traffic and Parking Ordinance in April 2019 establishing speed limits including on Thompsonburg Road. And a March 2020 amendment included speed limits on Middletown Road. New signs are scheduled to be placed along Middletown and Thompsonburg Roads this summer by VTrans. Despite these efforts, Mora stated, drivers are still speeding.

Traffic enforcement was discussed. It was noted that warning signs approved by the Board on 2/3/2020 have not been placed.

Vincent Annunziata expressed an interest in erecting radar speed signs, and has requested prices on these. This alternative was discussed further. Also fixed versus mobile sign units were discussed.

Fleming asked if units can be placed that photograph and send a violation notice to those who are speeding. O’Keefe suggested using mobile signs that are available from VTrans and the Vermont State Police.

Mora noted that the Windham County Sheriff’s Department had recently written to the Town about contracting hours, and she suggested looking into this. O’Keefe agreed to contact the Vermont State Police to step up enforcement on Thompsonburg Road.

Regarding truck traffic as discussed at the previous meeting, Prouty stated that he had heard that some positive efforts have been made by Hunter Kaltsas to address concerns of neighbors about traffic coming related to the Rowes Road gravel pit. He noted that there is another pit on Rowes Road that also produces truck traffic in the area, and that Kaltsas is involved as a customer. O’Keefe mentioned that he had received from Kaltsas the requested figures on truck trips and yards of gravel as discussed at the 5/18/2020 Board meeting.

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

The Board reviewed an application for an overweight vehicle permit.

*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: Hunter Excavating, Inc. / Hunter Transport / Hunter Timber Harvesting, seconded by Vincent Annunziata, passed unanimously.*

**d. Endorsement of VTrans installation of flashing beacons on Route 11 in vicinity of the Flood Brook School**

O’Keefe mentioned that VTrans has requested that the Board formally endorse the proposed installation of flashing beacons at the Flood Brook School, and that there is no further obligation for the Town. The School and VTrans will split the cost of the project, and the Town has committed to fund \$1,530 of the cost.

*Vincent Annunziata moved to reiterate the Board’s support for the installation of flashing beacons and other related signage along VT Route 11 in the vicinity of the Flood Brook School, for which the Board committed to contribute \$1,530 on October 7, 2019 toward the School’s one-half of the installation cost, and to authorize the Selectboard Chair to execute the VTrans Flashing Beacon Endorsement Form on behalf of the Board, seconded by Georgianne Mora, passed unanimously.*

**10. Old Business**

None.

**11. New Business**

**a. Award contract for inspection services for Town Hall, and authorize use of Town Building Reserve Fund**

O’Keefe noted that the Planning Commission is working to complete work for long-term improvements to the Town Hall, and the Commission received one submission for inspection and sampling work.

The cost is proposed to come from the Town Buildings Reserve Fund, and the Planning Commission is willing to spend from its General Fund budget as well. O’Keefe noted that the fund has a balance of over \$150,000 at this time and that asbestos remediation and septic system work at the Town Office is likely to also come from this funding source in the coming months.

*Taylor Prouty moved to 1) determine that the proposal for inspection and sampling work from KAS Environmental Science and Engineering related to Town Hall inspection and sampling at the Town Hall, estimated to cost \$5,000, constitutes a professional service exempt from the Purchasing Policy’s bid process, and 2) accept the proposal as submitted, and 3) authorize the Town Administrator to sign any documents necessary for the hiring of the firm to conduct the necessary work, and authorize the expenditure to be paid from the Town Building Reserve Fund, seconded by Vincent Annunziata, passed unanimously.*

**b. Discuss heating oil delivery for Town facilities**

O’Keefe noted that he had discussed with Road Foreman Josh Dryden transitioning from the current practice of the Road Crew filling heating fuel tanks at Town facilities to contracting for this service with a fuel delivery service. He stated his belief that the Road Crew has plenty of other work to do in the winter months, and that there are safety and liability concerns as well, noting that he had witnessed an employee almost injuring himself while fueling the Town Office.

Beattie mentioned that because the Town buys fuel in bulk the price is very good and asked if anyone had considered the difference in cost. Labeau said that fuel delivery would come at a significantly higher cost. Prouty estimated a 25-cent cost difference per gallon.

O’Keefe will work with Labeau on a cost comparison and report back to the Board.

**c. Discuss Town ordinance prohibiting burning of trash**

Mora noted that there has been a complaint from a homeowner about a neighbor burning trash in an outdoor furnace, and that complaints filed with the DEC have not received a response. She mentioned that Beattie has looked into this and that it is recommended that towns pass local ordinances based on State statutes to aid with enforcement. Beattie noted that there are quite a few people in town that burn trash in barrels.

O’Keefe raised the issue of enforcement of such an ordinance if established.

Kelly Pajala clarified that the complaint had not been filed with the Air Quality Division as it should have been, but that she contacted that office and is waiting to hear back on the enforcement progress. The Health Officer also contacted the State she noted.

O’Keefe was asked to look into local trash burning ordinances from other towns and report back to the Board.

**Taylor Farm – West River Farmers Market**

Jon Wright of the Taylor Farm stated that he at the beginning stages of looking into providing space for perhaps 10 vendors at his farm as overflow from the West River Farmers Market (WRFM). Opening weekend is proposed to be July 4<sup>th</sup> weekend, and he understands that there are Town approvals required.

Beattie mentioned that no fairs or festivals are permitted at this time due to State pandemic directives, and that a craft fair might not be allowed at this time. But if held in conjunction with the WRFM this idea may be permissible. He suggested that Wright’s proposed operation could be handled as an addendum to the WRFM’s vendor license and its operating plan.

Wright said that he does not want to create a craft fair, just an adjunct to the WRFM. He said the impetus for the project is his doubt that he will be able to do any wood-fired pizza events this year.

Mora stated that she was supportive of the idea provided it complies with State pandemic directives, and any local zoning issues. Wright said that he would reach out to the Town for advice on how to go about this project.

O’Keefe noted that he was going to write him a letter as a follow-up to a March visit he had made to the farm with regard to local permitting.

It was decided to wait and hear about what the WRFM decides to with Wright’s request.

## 12. Adjourn

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

The meeting adjourned at 7:26 PM. The next regular meeting of the Selectboard is scheduled for June 15, 2020.

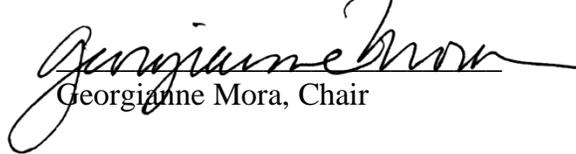
Respectfully Submitted,



Shane P. O'Keefe  
Town Administrator

*Approved June 15, 2020.*

**LONDONDERRY SELECTBOARD**



Georgianne Mora, Chair