

Town of Londonderry, Vermont
Selectboard
Special Meeting Minutes
Monday, July 15, 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, Solid Waste Coordinator Esther Fishman, Deputy Town Clerk Bonnie Cobb, Road Foreman Josh Dryden, Road Crew member Jarrett Sanderson. Others – Residents Doug Friant, Elsie Smith, Margarite Brown, West River Farmers Market President Mark Fischer, and Bruce Frauman (GNAT).

1. Call meeting to order

Selectboard Chair George Mora called the meeting to order at 6:32 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 July 13, 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

Mora noted that when the agenda was set that there was some uncertainty about the matters needed to be discussed and asked to explore ramifications of recent cases of COVID-19 in Londonderry, and specifically to discuss implementing a protective mask requirement in town and operations for the Farmers Market for the near future.

Taylor Prouty moved to revise the agenda to add a discussion on mandating the wearing of protective masks, seconded by Vincent Annunziata, passed unanimously.

Taylor Prouty moved to revise the agenda to add a discussion on the operational status of the West River Farmers Market, seconded by Tom Cavanagh, passed unanimously.

3. Acknowledgement of inadvertent violation of VT Open Meeting Law [1 VSA 312(c)(3)]

Mora noted that the Board hastily called an emergency meeting this past Sunday, which came on so quickly and unexpectedly that the Board inadvertently overlooked giving advance public notice of the meeting in violation of the Vermont Open Meeting Law.

Jim Fleming moved to acknowledge an inadvertent and unintentional violation of the Vermont Open Meeting Law, specifically the Town not providing public notice prior to the July 12, 2020 emergency meeting as required by 1 V.S.A. § 312(c)(3), and to reiterate the Board's desire to at all times adhere to the provisions of the Vermont Open Meeting Law, seconded by Vincent Annunziata, passed unanimously.

4. Discuss possible COVID-19 exposure at Londonderry Town Office

Tina Labeau noted that she, Kelly Pajala and Bonnie Cobb have all tested negative for COVID-19. Pajala spoke about Town Office operations and noted that she and Tina want to close their office to indoor visitors and will modify the drive-up window with plexiglass, and wait until the next week or so to see how things develop before taking further steps to accommodate visitors. One likely scenario to limit the number of people coming in would include allowing only one visitor in the morning and one in the afternoon, to allow for ample time to clean the office.

Pajala noted that plexiglass shields will also be placed between desks in the Clerk and Treasurer's office. And she mentioned that Labeau is trying to set up the Listers to be able to work remotely as best as possible.

O'Keefe mentioned that he and Sharon Crossman were continuing to work remotely, and thanked Pajala, Labeau and Cobb for helping out with files and scanning.

Pajala added that her office will continue to provide services to the public as safely as possible, and will limit the office for the time being to two staff members at a time unless there are special tasks requiring three, such with processing tax bills.

5. Discuss ramifications of recent confirmed cases of COVID-19 in the town of Londonderry

Kevin Beattie stated that there were 18 positive tests that came out of the Manchester Medical Center for Londonderry residents, but no new cases in the town that he knew of. He said that we're in a holding pattern insofar as number of infections until contact tracing information comes back in the next week, but said it is likely that we have a significant amount of COVID-19 in the community.

There was extended discussion on testing locations and methodologies.

6. Discuss mandating the wearing of protective masks

Mora spoke to her interest in the Board passing an emergency order requiring the wearing of masks in any place of business in Londonderry that requires customers/visitors and employees to wear a mask with some exceptions. An exception would be for cashiers in stores, where a translucent shield or sneeze guard is used between customers and the work location. She pointed out that the Manchester, Vermont emergency order as a good example of what Londonderry can emulate.

Enforcement of such an order was discussed, as was public tendencies toward voluntary compliance and occasional lack of compliance. As there is no “teeth” to such an order, the community may end up seeing citizens policing other citizens, it was mentioned. Those that are already following the protective mask guidelines are the ones that will listen to this sort of mandate, and those not presently willing to wear a mask in public will not likely follow any new local government direction. It was also mentioned that there are compliance hotlines at the State of Vermont for those not in compliance with State guidelines and regulations.

Vincent Annunziata stated that he felt that the wearing of facemasks should come from a compassionate place, and not a legislative place. Tom Cavanagh expressed concern about self-policing of such an order. Prouty, Fleming and Beattie expressed support for the proposed order.

Esther Fishman has ordered 500 protective facemasks which can be shared with stores for those wishing to enter without a mask. Doug Friant spoke in favor of adopting the emergency order. He mentioned that a business would be able to refuse service to those without a mask.

Posting of notice of an order at business locations was discussed and recommended, and Beattie noted that there is overwhelming compliance in Manchester with its local order. Allowable exceptions to the order were discussed. On signage, it was agreed that the Town would craft the language and the poster and Pajala volunteered to print them and distribute them to businesses.

There was mention of compliance with Roberts Rules of Order for the meeting. Mora noted that the meeting was being run the same as other Board meeting but she will look into the matter.

Mora and Fleming spoke to essential workers and the elderly being the ones most at risk from non-compliance with use of protective masks.

Jim Fleming moved to order that as soon as possible, but no later than by no later than July 18, 2020, all establishments located in the Town of Londonderry that invite the public into their premises for the purpose of transacting business, shall require both staff and customers (or visitors) to wear cloth face coverings or face shields over their nose and mouth while inside the building of the establishment. Limited exceptions to this requirement are to specified in a formal written resolution to be attached to the minutes of this meeting and publicly distributed, and this order shall remain in effect until the Board amends, rescinds or suspends this order or until the Governor declares an end to the COVID-19 State of Emergency in Vermont, whichever occurs first, seconded by Taylor Prouty, passed 4-1 with roll call votes as follows:

Aye – Mora, Cavanagh, Prouty and Fleming.

Nay – Annunziata.

7. Discuss operation status of the West River Farmers Market

Based on the recent COVID-19 outbreak, West River Farmers Market President Mark Fischer spoke about the safety measure that the market was following and stated that it is a much safer alternative to indoor markets. He noted that there are about 24 vendors at this time at the market, including craftspeople, and because of the recent outbreak they are prepared to bring the number down to 12 to include only essential food product sales such as those selling vegetables, meats and dairy. This will reduce overall numbers of people at the weekly event, thus helping with physical distancing. They are also considering limiting the number of people coming and going, and taking names and contact information of visitors for potential contact tracing. He said that the market will respect anything that the Selectboard decides.

Beattie stated that he has looked into this quite a bit and his first thought is to ask the market to hold off for a week, but he is comfortable with essential food sales at least for this week and then see how it goes from there. There was general support for farms, farmers and essential workers to continue to work with appropriate precautions.

Fischer hoped to see the full complement of vendors, but is amenable to anything the Board would prefer.

Mora said that she did not think that there needed to be any action on the part of the Selectboard at this time. She stated that with it being primarily an outdoor activity, with contact tracing being possible, and the market keeping an eye on crowding and social distancing, she has no concerns with all of the vendors being there, but warned that we all need to monitor where things are going with regard to the pandemic and be prepared to revisit market operations. Pajala and Beattie agreed that the efforts suggested by the market were very good steps. Beattie suggested that controlling crowd size can be very difficult and hopes that the numbers will be reduced on their own due to the existing outbreak. Fischer noted that crowding has never been a problem and the flow of visitors generally goes pretty smoothly. The idea of limiting parking to control crowding was briefly discussed. Beattie noted that even on busy days he counts only about 40 visitors at any one time.

Friant noted that the mask order already passed did not address outside endeavors. There was discussion about Mora and O'Keefe refining the language to deal with this and bringing it back to the Board.

Mora said that there is a lot of uncertainty and fear at this time, and peoples' emotions and responses are high. She asked everyone to stop and think before you act because it's easy to overreact. She suggested that we all be as decent and kind to each other as we can and have sympathy for others.

8. Adjourn

Mora noted that it was former Selectboard member Bob Forbes' birthday, and he was wished a happy birthday.

Tom Cavanagh moved to adjourn the meeting, seconded by Vincent Annunziata, passed unanimously.

The meeting adjourned at 7:56 PM. The next regular meeting of the Selectboard is scheduled for August 3, 2020.

Respectfully Submitted,



Shane P. O'Keefe
Town Administrator

Approved August 3, 2020.

LONDONDERRY SELECTBOARD



Georgianne Mora, Chair