

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Monday, July 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 (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, Others – Residents Richard Phelan and Bruce Frauman (GNAT).

1. Call meeting to order

Selectboard Chair George Mora called the meeting to order at 6:01 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 17, 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

George Mora asked to have a discussion on townspeople’s use of email, texts, phone and Facebook messenger to contact Selectboard members about things they want done, noting that it’s becoming problematic.

Taylor Prouty moved to add a discussion on contacting Town officials to the Town Officials section of the agenda as item 7.e., seconded by Vincent Annunziata, passed unanimously.

3. Minutes Approval – Meetings of July 6, 2020 & July 12, 2020

O’Keefe noted some changes to the previously posted draft minutes regarding the membership of the Deerfield Valley Communications Union District, and to add as an addendum the newly adopted illegal burning ordinance.

Taylor Prouty moved to approve the minutes of the Selectboard meeting of July 6, 2020, with corrections to clarify the number of members of the Deerfield Valley Communications Union District, and to include as an addendum the approved language of the Ordinance Regulating the Disposal of Solid Waste Through Open Burning, seconded by Tom Cavanagh, passed unanimously.

Taylor Prouty moved to approve the minutes of the Selectboard meeting of July 12, 2020, seconded by Tom Cavanagh, passed unanimously.

4. Selectboard Pay Orders

Pay orders were reviewed by the Board members. Following up from the July 6, 2020 meeting, O’Keefe noted that information from the Conservation Commission on its reimbursement request has been received, but had not made its way to the pay order yet and will be included in the next pay order.

Tom Cavanagh moved to approve the pay orders for payroll and accounts payable, seconded by Vincent Annunziata, passed unanimously.

5. Announcements/Correspondence

Kelly Pajala again reminded registered voters and those residents who want to vote that absentee ballots for the August 11th Primary are available and she explained the various ways to get a ballot. She noted that US Postal Service delivery may vary even when ballots are mailed at the same time to the same address. She stated requests are coming in quickly and there are more than with previous elections, and suggested that residents should get their requests in as soon as possible.

She added that the pickup window was now open for Town Office business, and noted that only two researchers would be allowed in each day (one in the AM, one in the PM) to limit office usage.

O’Keefe noted that correspondence included in the Board’s meeting packet was a 7/12/2020 letter from New York resident Skyler Cruz Wolsey providing recommendations on traffic control for the intersection of VT Routes 11 and 100, which he mentioned that he had forwarded on to VTrans. O’Keefe was asked to write an acknowledgement letter to Mr. Wolsey.

6. Visitors and Concerned Citizens

None.

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 mentioned that for the local area the current situation is that things are still up in the air as to the recent outbreak situation, as test results are still pending. He offered the advice that to protect others people should act as though they have the virus if they may have been exposed.

Mora provided detailed figures on testing and results that she had heard from a briefing from Health Commission Dr. Mark Levine, which indicated that recent positive tests constituted separate instances and not a regional outbreak. She mentioned that Dr. Levine and State epidemiologist Dr. Kelso will be meeting with National Institutes of Health (NIH) and Centers for Disease Control and Prevention (CDC) the following day on the matter due to the mysterious nature of the testing. Beattie mentioned that the VT Department of Health acknowledges that they cannot explain what happened and has reached out to the CDC to sort it out. He noted that the good news is that we're not seeing a rapid increase in cases.

The Farmers Market went well he noted, as they took contact information for 400 people who came through the event, with only one person objecting.

He also mentioned a very informative interview on Vermont Public Radio on the recent pandemic testing events in Manchester and the mountain towns that he suggested everyone hear.

Beattie also noted that he had connected with Ethan Phelps of the VT Department of Forests, Parks and Recreation about Lowell Lake State Park and they had agreed that the Town's emergency order requiring masks did not affect park operations.

b. Town Treasurer – Set tax rate

Tina Labeau went over the calculations for the proposed tax rate calculations. She also went over the State education rates.

Mora noted that a quick calculation would see a tax increase from \$3,800 to \$4,000 for home valued at \$200,000, which is not an insignificant increase, and the Town has no control over the education tax rates. Funds to be raised for the Emerald Ash Borer reserve fund were removed from the calculation as the Town Meeting voted stated that the \$3,000 for this would be raised through unrestricted fund balance.

There was a discussion about the calculation of and the lack of local control over the education rate. Pajala offered a brief explanation of education rates, and offered to discuss this individually, and mentioned that Londonderry is one of the Vermont communities that sends more money to the State for educating Vermonters than it receives. She added that education funding formula may be looked at due to the COVID-19 pandemic, as current education spending does not take this crisis into account nor does reflect that there is a huge deficit in the State education fund. Education spending has not gone down due to the COVID-19 crisis, she stated.

Taylor Prouty moved to set the Town tax rate for 2020 at .40401 per \$100 of assessed value, and to accept the Homestead and Non-Homestead education tax rates of 1.6130 and 1.6380, respectively, seconded by Vincent Annunziata, passed unanimously.

c. Town Treasurer – Receive & review Treasurer’s internal financial control document [24 V.S.A. 872(c)]

The Board reviewed the Treasurer’s financial management self-assessment questionnaire, which is a statutory requirement. There was discussion about Selectboard training on financial matters, which can be provided by the Vermont League of Cities and Towns. Labeau offered to do some practical financial training for Board members.

Taylor Prouty moved to acknowledge, pursuant to 24 V.S.A 872(c), receipt of the Town Treasurer’s internal financial control document, which was prepared in conformance with 24 V.S.A. 1571(b), seconded by Tom Cavanagh, passed unanimously.

d. Listers – Homestead penalties [32 V.S.A. 5410(g)]

Labeau noted the Lister’s office has requested that the Board waive the penalty altogether this year due to the pandemic crisis. She added that the penalty is normally set by the Selectboard anywhere between 3% and 8%, and helps to offset the cost of updating information and sending out new tax bills.

Taylor Prouty moved to waive the homestead penalty as provided for under 32 V.S.A. 5410(g), seconded by Tom Cavanagh, passed unanimously.

e. Discussion on contacting Town officials

Mora mentioned that she has been fielding a large number of contacts via mail, email text and instant messaging from people in town requesting that the Board take measures on various matters. She mentions to them that no one Board member can act on behalf of the Board, and also noted that there are request for service that go well beyond the Board’s or Town’s authority.

She suggested finding a way to educate the community about what it is the Board can do for them and how to go about providing input to the Board. She noted that every Board meeting has a separate “visitors and concerned citizens” item on the on the agenda.

Annunziata stated that when people to come to him about Town issues he recommends that people show up to meetings instead of venting online.

O’Keefe recommended putting on the Town website a “frequently asked questions” document that can provide information on what the Town or Board can and cannot do.

Mora noted that the Board members are attuned to the people of the community and will do whatever they can to be of assistance, but can only do what is permitted under law and must act as a Board and not individually.

8. Transfer Station/Solid Waste Management

a. Updates

Tom Cavanagh noted instances of people dumping non-burnable items in the burn pile, and stated that people should only bring brush, unpainted wood, wood without nails, and no plywood or pressure-treated wood is permitted. Mora mentioned some garbage had been left out front and animals have gotten into it.

Labeau mentioned that countertop compost buckets are again available for sale at the Town of Office for \$5.00.

9. Roads and Bridges

a. Updates

Taylor Prouty reported that there have been some Road Crew absences due to the recent COVID-19 issues, and the staff is now getting back to normal.

He mentioned that there had been a site meeting on the engineering for the private upgrade to the trail and the end of Under the Mountain Road, and that it's still being worked on, with two separate options being considered. Further updates will be forthcoming soon he noted.

10. Old Business

a. Ratification of Health Order requiring wearing of protective face masks

Mora spoke about the need to adopt final language to the emergency order adopted on July 15, 2020, which she noted was almost identical to that adopted by the Town of Manchester, but it includes the designates Town's Emergency Management Director to provide community guidance on the applicability of the order.

O'Keefe mentioned that the ratification was also an appropriate matter of process as the original meeting agenda did not include adoption of the emergency order, and it makes sense with any added agenda item to provide for ratification of decisions at the subsequent meeting in case citizens wished to speak to the matter. This practice is common with other communities.

Taylor Prouty moved to ratify the Board's July 15, 2020 decision to adopt an emergency health order requiring the wearing of protective face coverings within the town of Londonderry, seconded by Jim Fleming, passed 4-0-1 with Vincent Annunziata abstaining from the vote.

b. Review bids and award contract for heating oil delivery for Town facilities

There was a brief discussion on this matter, and it was decided to hold on off on further consideration until the next meeting so that Road Foreman Josh Dryden can discuss this proposal to change Town facility fueling procedures.

c. Review proposed invitation to bid for Town Garage connection to the Town Office generator

The Board reviewed the Invitation to Bid for this project, the scope of services of which was prepared by electrician Gary Barton.

Tom Cavanagh moved to approve the Invitation to Bid for the Town Garage connection to the Town Office generator, and authorize the Town Administrator to take all necessary steps to solicit bids for review by the Board, seconded by Vincent Annunziata, passed unanimously.

d. Parks Board appointments

O’Keefe mentioned that the Parks Board was another local public body that he is hoping to reestablish the terms of office and appointments. This has been done over the past year or so already for the DRB, Planning Commission and Conservation Commission. The Parks Board switch over from a voted board to an appointed board in January 2017.

Pajala noted that the minutes shared with the Selectboard for the January 17, 2017 Selectboard meeting contained incorrect minutes and she mentioned that she had earlier in the day provided the correct minutes. She clarified some of the missing information.

Taylor Prouty moved to re-establish the three-year terms of office for the Town of Londonderry Parks Board, and appoint the following individuals to the Board with transitional staggered terms as follows: Kelly Pajala, Taylor Barton and Matt Scott to April 30, 2023; Nadine Van Houten and Steve Bergleitner for 2-year transitional terms to April 30, 2022; and, Elizabeth Labeau and Marge Fish for 1-Year transitional terms to April 30, 2021, seconded by Vincent Annunziata, passed unanimously.

e. Platt Elevation Project – Consider approval of Acknowledgement of Conditions and Terms and Conditions documents

O’Keefe noted that the Town put in a request to increase the project budget and grant back in October 2019, and FEMA has now required new terms and conditions between the Town and the State of Vermont, and an acknowledgement of conditions between the property owners and the Town. He mentioned that he has forwarded the documents to the Town Attorney for review, and is waiting to hear back from the property owners, Tom and Judy Platt, on their willingness to sign the acknowledgement document.

He mentioned that he had been informed by Vermont Emergency Management that the grant increase would be approved by FEMA if these documents can be signed, and he asked for Board authority to do so conditioned on Town Attorney sign-off.

Mora mentioned that this project has taken an exorbitant amount of time.

Taylor Prouty moved to approve the Acknowledgement of Conditions and the Terms and Conditions documents related to the Platt Elevation project, which are requirements for FEMA funding, and authorize the Town Administrator to execute these documents on

behalf of the Board after review by the Town Attorney, seconded by Tom Cavanagh, passed unanimously.

11. New Business

a. Auditor engagement letter – Sullivan, Powers & Co., Inc.

Labeau discussed with the Board the auditor engagement letter, which is for a partial audit this year. She stated that the auditors are scheduled to come on August 13, 2020.

Tom Cavanagh moved to approve the engagement letter with Sullivan, Powers & Co., Inc. to conduct a partial audit for Fiscal Year 2020, and authorize the Selectboard Chair to sign the document on behalf of the Board, seconded by Vincent Annunziata, passed unanimously.

12. Adjourn

Kevin Beattie inquired about posting of the emergency order ratified that evening requiring wearing of masks. Mora mentioned that she has prepared a sign and has asked Pajala and/or Labeau to help with printing. Beattie recommended laminating the notices, and it was suggested that the Town could include the resolution and notice on the Town website for people to print out.

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

The meeting adjourned at 7:22 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