

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Thursday, January 21, 2021
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 (via telephone), Emergency Management Director Kevin Beattie, and Planning Commissioner Chair Sharon Crossman. Others – None.

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 January 20, 2021, 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. Mora suggested that a conversation on a vote on allowing for retail cannabis sales should be included in the scheduled agenda discussion.

3. New Business

a. Reschedule 2021 Annual Town Meeting

Mora noted that a constituent is proposing to circulate a petition to have an article on the Town Meeting warning on the question of whether to allow for the retail sale of cannabis in Londonderry. She added that this poses a problem as such a vote is required to be by

Australian ballot, which creates great difficulties with ensuring an in-person outdoor Town Meeting with traditional floor voting while maintaining ballot voting at the Town Hall. She said it is her position that it is premature to have this vote as the State rules have not been established as of yet. Mora noted that the constituent believes that the town must proceed with a vote on legalized retail cannabis sales right away in order to be considered for one of the seven locations state-wide that allow for integrated cannabis facilities.

Pajala mentioned that cultivation, testing manufacturing and processing of cannabis are allowed in communities without an opt-in vote, and are only subject to local zoning bylaws. She explained that the Town has three options with regard to votes to opt-in to retail sales of cannabis:

- To allow general licensed retail establishments;
- To allow for integrated operators licenses, which allow for the seven businesses that currently hold licenses as medical marijuana dispensaries, and which will be allowed to hold one of each of the cannabis-related licenses being created by the State, including retail sales; and,
- To allow for both standard retail and integrated license-holder establishments.

She mentioned that the constituent wants to ensure that the Londonderry can be one of the communities that can host one of the integrated facilities. She added that cultivation of cannabis is not considered to be agriculture and is therefore not statutorily exempt from local zoning.

There was discussion about what type of opt-in vote to hold. And whether a petitioned article must be addressed at a regular Town Meeting versus a special Town Meeting was considered, and Pajala will look into this. It was mentioned that the petition deadline for the March 2nd Town Meeting date has passed. Pajala explained that the Town cannot pick and choose whether to vote on some articles at Town Meeting by Australian ballot and some from the floor; it must be all one way or another. Labeau stated that with an Australian ballot for all Town Meeting matters there is no discussion other than an information session, and all matters are up and down votes, with no opportunity for amendment. Because the retail cannabis vote must be held by Australian ballot, and the vote on a local option tax vote is integrally tied to the retail cannabis concept, the two should be handed together, which suggests that a special Town Meeting would be best for them.

Annunziata emphasized the importance of floor votes to the community, and suggested that the constituent interested in advancing a vote on retail cannabis should be invited to meet with the Board to discuss his efforts.

Various deadlines for Town Meeting, candidate forms and the Town Report were discussed. The idea of holding a special Town Meeting by Australian ballot prior to a rescheduled regular Town Meeting was considered. Pajala suggested that from the Town Clerk's Office would prefer this option in order to preserve an outdoor regular Town Meeting with votes from the floor.

Pajala noted that if the Board were reschedule the regular Town Meeting to May1, 2021, the following deadlines would apply:

- March 15 – Last day for filing of Town Meeting articles to be added by petition (with physical signatures required).

- March 19 – Last day for consent of candidate forms to be filed (with no signatures necessary).
- April 1 – Last day for the Selectboard to warn the Town Meeting
- April 19 – Town Report must be in the mail.

Taylor Prouty moved, that in order to protect the health, safety and general welfare of the citizens of the town of Londonderry during the ongoing COVID-19 pandemic, and as permitted by Section 2(a)(1) of House Bill 48, which was signed into law by Governor Scott on January 19, 2021, to reschedule the 2021 Annual Town Meeting to May 1, 2021, the specific time and location of which shall be determined by the Board at a later date, seconded by Jim Fleming, passed unanimously.

O’Keefe will forward the Board’s motion to the Chester Telegraph and upload the meeting video to GNAT.

4. Adjourn

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

The meeting adjourned at 6:38 PM. The next regular meeting of the Selectboard is scheduled for February 1, 2021.

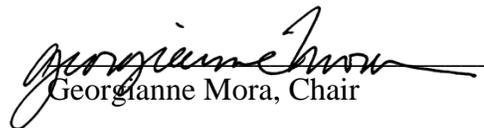
Respectfully Submitted,



Shane P. O’Keefe
Town Administrator

Approved February 1, 2021.

LONDONDERRY SELECTBOARD



Georgianne Mora, Chair