

**Town of Londonderry, Vermont
Selectboard
Meeting Minutes**

Monday, May 10, 2021

Meeting held remotely via online video with no physical presence

Board Members Present: Thomas Cavanagh, Taylor Prouty, Vincent Annunziata, Melissa Brown, 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, Town Health Officer Richard Phelan, Solid Waste Manager Esther Fishman, and Planning Commission Chair Sharon Crossman. Others – None.

1. Call meeting to order

Selectboard Vice Chair Tom Cavanagh called the meeting to order at 6:03 PM.

He noted that in keeping with the most current provisions and directives in response to the COVID-19 pandemic, the meeting was being held entirely remotely using Zoom meeting software.

He noted a few matters of meeting process, including that comments from the public would be limited to 3 minutes per person.

Each of the Board members than vocally identified themselves.

2. Additions or deletions to the agenda

None.

3. Organization

a. Elect a Selectboard Chair and Vice-Chair

[24 VSA 871(a)]

Vincent Annunziata moved to elect Thomas Cavanagh as Selectboard Chair, seconded by Jim Fleming. The motion passed unanimously.

Taylor Prouty moved to elect Vincent Annunziata as Selectboard Vice Chair, seconded by Jim Fleming. The motion passed unanimously.

b. Set Regular Meeting Schedule & Location

[1 VSA 312(c)(1)]

Taylor Prouty moved to hold regular meetings of the Selectboard on the first and third Mondays of the month at 6:00 PM at the Town Office building at 100 Old School Street in South Londonderry, or at the discretion of the Selectboard Chair and during a state of emergency, meetings may be held without a physical presence using publicly available remote meeting software, seconded by Vincent Annunziata.

There was a brief discussion about when the Board would be going back to in-person meetings.

The motion passed unanimously.

c. Designate newspaper of record

[17 VSA 2641(b)]

Vincent Annunziata moved to designate the Vermont Journal as the Town's newspaper of record, seconded by Taylor Prouty. The motion passed unanimously.

d. Designate member with authority to sign warrants & pay orders [24 VSA 1623(a)(1)]

Taylor Prouty moved to appoint Tom Cavanagh as the designated Selectboard member with authority to sign warrants and pay orders, seconded by Vincent Annunziata. The motion passed unanimously.

e. Adopt Rules of Order

Kevin Beattie requested that the Board change its rules to more closely follow Roberts Rules of Order, where a motion is made and seconded, then the discussion takes place before the Board vote. He noted that the public does not have an adequate chance to speak to a motion after it is made as it goes to a vote immediately. He suggested that discussion should take place after the motion is made.

O'Keefe noted that the Board is not obligated to follow Roberts Rules of Order, and Cavanagh added that he believed the Board's Rules of Procedure are based on those recommended by the Vermont League of Cities and Towns. Prouty mentioned that changes made last year helped to cater the Rules to how meetings were being conducted.

Pajala noted that Board members have recommended motions before them as they begin their discussions, which may drive the direction of the conversation, and the public is not aware of the motion. She agreed that making motions at the beginning of the discussion made sense.

Prouty mentioned that he appreciates having recommended motions prepared ahead of time as a jumping off point for the Board. He asked whether changes to the Rules of Procedure were needed to provide for motions stated up front, or if the Board could just follow that process. Annunziata stated that having discussion before and after a motion would be acceptable.

It was agreed to pass over this matter and address it at the next meeting, and O'Keefe will review the Rules of procedure to see if there is language that would codify stating the motion first.

4. Minutes Approval – Meeting(s) of 4/19/2021

Vincent Annunziata moved to approve the minutes of the Selectboard meeting of April 19, 2021, seconded by Taylor Prouty. The motion passed unanimously.

O'Keefe clarified that the minutes show changes to the previous draft distributed to the Board.

5. Selectboard Pay Orders

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

O’Keefe mentioned that a \$330 invoice from the Cole Company was for inspection and a report on work at both the Town Garage and the Town Office. He mentioned that the report is included in the meeting packet, and he will come back for Board approval to pay for this from the Town Building Capital Reserve fund.

Labeau noted the \$389,000 payment to the education fund, which is higher than last year, but the Town will receive a \$50,000 refund from the school, and noted that we’ll be a bit better off than last year.

The motion passed unanimously.

6. Announcements/Correspondence

Sharon Crossman announced that the West River Farmers Market had submitted an application for an Itinerant Vendor Permit and pointed out it seeks to hold the market from Labor Day through Columbus Day weekend, and would abide by all State of Vermont safety guidelines.

Esther Fishman stated that there will be an electronics collection event on May 22nd from 9:00 AM to 100 PM at the Flood Brook School, which will be open to anyone in the state.

Shane O’Keefe stated that he had received word that day that the Town was successful in receiving the VTrans structures grant for replacement of culvert #12 on Spring Hill Road at Eddy Brook. The application was for \$175,000 of the approximately \$226,000 project, and he mentioned that he would look to handle the engineering work this year for construction next summer in FY2023.

He added that he had signed the construction contract for Tom and Judy Platt’s post office building elevation project, and hopes to meet soon on the construction schedule. Mance Engineering will be handling the construction engineering services for the project, he said.

O’Keefe mentioned that the Town received notice of a local concerns meeting to be held by the Town of Windham at its May 17th Selectboard meeting regarding a federally funded proposal is to replace a deteriorated culvert with precast box concrete structure in 2023 on the gravel section of Route 121 not far from the intersection with Windham Hill Road. The Windham Town website should have remote meeting login information, he added.

O’Keefe noted correspondence included in the Board’s meeting packet was as follows:

- An announcement of the public meetings on the update of the Town’s Local Hazard Mitigation Plan, scheduled for May 19th and June 2nd.
- A letter from the Windham Regional Commission regarding its intention to readopt the Windham Regional Plan. The complete document is on the Selectboard’s shared file, he added and mentioned he would print them out if requested. Comments are due no later than June 21st.
- A notice regarding intended blasting at Mad King Quarry on Rowes Road, scheduled for May 14th.

- A dog complaint from Windham resident Margaret Dwyer regarding her dog being bitten while being walked along Magic Circle. Because no person was bitten there is no requirement for the Board to conduct an investigation and hearing on the matter, and it defaults to the Animal Control Officer.
- A letter of thanks from the Second Congregational Church for allowing the church to use Pingree Park for an outdoor Easter worship service.
- An invitation from the Chester Snowmobile Club to a landowner thank you BBQ.
- Petition documents for minor modification to existing cell tower at Magic Mountain.

For the Parks Board, Pajala announced that free Music Monday concerts would take place every other Monday from 6 PM to 8 PM at Pingree Park, beginning July 5th and running through September 6th.

Regarding the dog bite matter on Magic Circle, mentioned earlier, Annunziata inquired as to whether there should be some further investigation. O’Keefe suggested that Animal Control Officer Pat Salo should be asked about this matter and the applicable requirements, and Annunziata suggested that Salo be invited to the next Board meeting. Pajala suggested looking at the Town’s Dog Ordinance for revisions.

7. Visitors and Concerned Citizens

Phelan congratulated Cavanagh and Annunziata on their appointments as Chair and Vice-Chair, respectively, and Brown on her recent election to the Board.

8. Annual Appointments

- a. Road Commissioner** [17 VSA 2646(16) & 2651(a)]
Vincent Annunziata moved to appoint Taylor Prouty as the Town’s Road Commissioner, seconded by Melissa Brown. The motion passed unanimously.
- b. Emergency Management Director** [20 VSA 6(a)]
Taylor Prouty moved to appoint Kevin Beattie as the Town’s Emergency Management Director, seconded by Vincent Annunziata. The motion passed unanimously.
- c. Windham Regional Commission Representatives (2)** [24 VSA 4343(a)]
Taylor Prouty moved to appoint Georgianne Mora and Denis Pinkernell as the Town’s representatives to the Windham Regional Commission, seconded by Vincent Annunziata. The motion passed unanimously.
- d. Tree Warden** [24 VSA 871(b)]
Taylor Prouty moved to appoint Kevin Beattie the Town’s Tree Warden, seconded by Jim Fleming, passed unanimously. The motion passed unanimously.
- e. 911 Coordinator** [30 VSA 7056(a)]
Pajala suggested that the Board appoint Bonnie Cobb as an Assistant 911 Coordinator.

Taylor Prouty moved to appoint Kelly Pajala as the Town's E911 Coordinator and Bonnie Cobb E911 Assistant Coordinator, seconded by Tom Cavanagh. The motion passed unanimously.

f. Animal Control Officer

[20 VSA 3549]

Vincent Annunziata moved to appoint Pat Salo as the Town's Animal Control Officer, seconded by Taylor Prouty. The motion passed unanimously.

9. Town Officials Business

a. Emergency Management Director – Discuss formation on an Emergency Management Committee

Kevin Beattie suggested that an emergency management committee be formed to better address local emergency response needs and preparedness. Committee membership discussed included the Emergency Management Director, Town Administrator, Town Treasurer, Town Clerk, Town Health Officer, with involvement from emergency response providers.

It was agreed to address this further at an upcoming Board meeting.

10. Transfer Station/Solid Waste Management

a. Updates

Fishman mentioned that there had been a meeting with State of Vermont representatives to explore the possibility of on-site composting at the Transfer Station, she spoke about site constraints at the facility such as flood hazard areas. She described several options for contracting for this service.

She also mentioned that she is exploring bottle redemption at the Transfer Station. Cavanagh noted that the facility has stopped accepting returnables due to the redemption center closing on May 18th, which explains the effort to consider doing this at the facility.

Regarding the recently approved equipment grant, use of the grant is still pending a decision on how to handle the food scraps. She mentioned that she believed the Town has until June 2023 to use the funds.

O'Keefe noted that he is working with the Energy Committee on the possibility of a solar array at the former upper septage field, and that through that process has found that the field is above the base flood elevation and can possibly be removed from the flood hazard area.

11. Roads and Bridges

a. Updates

Noting a concern about through trucks on Thompsonburg Road raised at Town Meeting, Prouty mentioned that "no through trucking" provisions and signs must be backed up by local ordinance, and should be added to a future agenda, as should additional speed limits on other roads. He mentioned that the Windham Regional Commission had conducted speed studies on a few paved roads that can help with setting speed limits.

Fleming suggested the Town talk to those companies receiving overweight permits and instruct them to slow down.

Vehicular speeding in general was briefly discussed, as was speeding enforcement.

Prouty noted that we're gearing up for invitations to bid for salt and sand.

For paving, he stated that the projects may include some work by the Road Crew, and smaller projects were anticipated this year, such as Mansfield Lane, Howard Hill and Magic Access Roads due to their close proximity to one another. Regarding Mansfield lane, there is a large pine tree preventing proper ditching that should be removed professionally. Beattie mentioned the need to stabilize the bank on Mansfield Lane as well, and Prouty agreed that it will take a significant effort and this is one of the most challenging roads in town and costs of the work needs to be addressed going forward.

Culvert repairs on paved roads were discussed, particularly those needed on Spring Hill Road and Middletown Road, and mentioned a beaver issue on Green Mountain Trail.

b. Disposal of surplus vehicles/equipment

Prouty mentioned various pieces of equipment and vehicles located in the cold storage barn adjacent to the Town Office that are considered to be surplus and unneeded for Town purposes, including as follows: fire truck; tractor; tiller; sweeper; sickle bar mower. Most are non-functional, but may be needed for use by folks in the community.

He described some of the changes to the way equipment is proposed to be acquired and used in the future. Prouty recommended clearing out the shed of this surplus and generate some revenue by selling it. With the installation of new doors and eventually electricity he and Josh Dryden would like to make it a better building for Town purposes.

There was discussion about selling items locally or regionally. O'Keefe mentioned the successful sale last year of a mower that was advertised and sold locally. He also mentioned and recommended using an auction company that he has used that will take care of all aspects of the sale, with the bidder paying any fees. A local auction was also discussed as an alternative.

It was agreed to assemble a list of all surplus items in the cold storage barn for further consideration by the Board.

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

The Board reviewed overweight permit applications, and it was noted that the applicable fees were paid, and insurance certificates received.

Taylor Prouty moved to approve the excess weight permits for Duquette Forestry Transportation, United Natural Foods, Inc., and Cardinal Logistics Management Corporation, and authorize the Town Administrator to execute the permits on behalf of the Town, seconded by Vincent Annunziata.

Fleming asked that a note be put on the permits for them to please ask drivers to respect the Town's speed limits. This was discussed, and it was agreed that O'Keefe would add this to the notice that goes along with the issued permits.

The motion passed unanimously.

12. Old Business

a. Prioritization of Town facilities repair and maintenance

O’Keefe presented to the Board an update on progress with various facilities prioritized at the previous meeting, as follows.

Priority	Work Item	Notes	Est. Cost
	TOWN GARAGE - Garage doors service (and annual service contract)	Selectboard decision requested for 5/10/2021	400
	COLD STORAGE BLDG - Replace last two garage doors	Selectboard decision requested for 5/10/2021	8000
1	TOWN GARAGE - Electric panel water infiltration	See 4/30/2021 Cole letter, waiting for return contact from electrician	
1	TOWN OFFICE - Roof above & sill below Clerk's Office door	See 4/30/2021 Cole letter, Scope of work needed for estimates	
1	TRANSFER STATION - Need bollards & chains for C&D concrete/dumpsters	Needs scope of work for estimates	
2	TOWN OFFICE - Paint (scrape) building - N/E/W sides	Needs scope of work for estimates	
2	TOWN OFFICE - Paint (scrape) building - S side	Needs scope of work for estimates	
2	TOWN OFFICE - Meeting room sound insulation	Needs further research	

O’Keefe shared with the Board an inspection report from engineer Chris Cole for several sites as noted, and mentioned that all work is still a work in progress. No action was taken by the Board.

O’Keefe mentioned that the mandatory pre-bid walk-through for the Town Hall restoration project was scheduled for the following day.

b. Approve contract for new garage doors at cold storage building

O’Keefe described the bids received, as follows.

- Overhead Door of Rutland – \$7,800
- Champion Overhead Door – \$8,772

The low bid will provide for the building having three different types of doors, he noted. And Prouty noted that carpentry for the door openings to allow for the door installation was required. Prouty and Fleming volunteered to handle this.

Prouty noted that the low bidder is a very good company with which to work.

Taylor Prouty moved to 1) accept the proposal from Overhead Door of Rutland as submitted for the installation of two new garage doors at the cold storage building adjacent to the Town Office, estimated to cost of \$7,800, 2) authorize the Town Administrator to sign any documents necessary for the hiring of the firm to conduct the necessary work,

and 3) authorize the expenditure to be paid from the Town Building Reserve Fund, seconded by Vincent Annunziata. The motion passed unanimously.

c. Approve contract for garage door maintenance at Town Garage

O’Keefe reviewed with the Board the proposal from Overhead Door of Rutland, the company that had originally installed the doors. There was an inquiry as to whether they would also maintain the new doors being installed at the cold storage building, and it was agreed that they could also do that work as necessary.

Taylor Prouty moved 1) accept the proposal from Overhead Door Company of Rutland for annual planned maintenance of garage doors at the Town Garage as submitted, and 2) authorize the Town Administrator to sign any documents necessary for the hiring of the firm to conduct the necessary work, seconded by Melissa Brown. The motion passed unanimously.

13. New Business

a. Discussion of funding opportunities through the American Rescue Program Act (ARPA)

O’Keefe briefly discussed federal funding that would be coming to the Town and the need to gear up on how we want to use the funds as efficiently as possible. Guidelines on the ARPA funds are continuing to roll out, including some that day. He encouraged the Board to start thinking about what structure the Board wished to take on to address how to best the Town should participate in ARPA, be it through any combination of staff, boards or committees.

Pajala clarified that some money would come directly to the municipalities, and there would be various infrastructure programs for which the Town can apply. The Town should pay attention to its capacity, what are its top priorities, how much funding to apply for.

Regarding the high cost of infrastructure, Crossman noted that the cost of water and wastewater improvements in the north and south villages is estimated to cost as much as \$7-8 million. She added that there are information sessions on ARPA to be held by the Brattleboro Development Credit Corp. and the Vermont League of Cities and Towns, on May 18th and 19th, respectively.

Pajala noted that the Vermont League of Cities and Towns will get funding to provide technical assistance and support to communities. She encouraged the Board to think outside the box and also about regional needs, such as solid waste and broadband.

b. Appointment to fill vacancy – Parks Board

The Board reviewed an application from Andrew Kubica, who recently located to the community. Pajala mentioned that he has already attended Parks Board meetings and has volunteered to help with Music Mondays, and the Parks Board is supportive of his appointment.

Vincent Annunziata moved to appoint Andrew Kubica to fill a vacancy on the Parks Board for a term ending April 30, 2022, seconded by Jim Fleming. The motion passed unanimously.

c. Outside Consumption Permit – Jake’s Marketplace Café, Inc., DBA Jake’s Marketplace Cafe

Vincent Annunziata moved to approve an Outdoor Consumption Permit for Jake’s Marketplace Café, Inc., doing business as Jake’s Marketplace Café., related to property located at Mountain Marketplace, VT Route 100, seconded by Taylor Prouty. The motion passed unanimously.

14. Adjourn

Melissa Brown moved to adjourn the meeting, seconded by Jim Fleming. The motion passed unanimously.

The meeting adjourned at 7:51 PM. The next regular meeting of the Selectboard is scheduled for May 24, 2021.

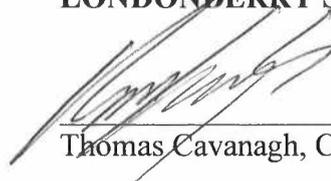
Respectfully Submitted,



Shane P. O’Keefe
Town Administrator

Approved May 24, 2021.

LONDONDERRY SELECTBOARD



Thomas Cavanagh, Chair