

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Monday, June 7, 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, Road Foreman Josh Dryden, Solid Waste Manager Esther Fishman, Town Health Officer Richard Phelan, Planning Commission Chair Sharon Crossman, Energy Committee members Bruce Frauman and Larry Gubb. Others – None.

1. Call meeting to order

Selectboard Chair Tom Cavanagh called the meeting to order at 6:02 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

O’Keefe recommended adjusting the agenda to hold the executive session before the matter on the solar array proposal.

Jim Fleming moved to adjust the agenda to consider the executive session (item 9.d.) matter prior to the solar array discussion (item 9.c.), seconded by Vincent Annunziata. The motion passed unanimously.

3. Minutes Approval – Meeting(s) of 5/24/2021

Vincent Annunziata moved to approve the minutes of the Selectboard meeting of May 24, 2021, seconded by Taylor Prouty. The motion passed unanimously.

4. Selectboard Pay Orders

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

5. Announcements/Correspondence

Shane O’Keefe mentioned that the post office building elevation project is underway, with cribbing installed that day and the building lift happening later in the week. A request Invitation to bid for the maintenance of the Memorial Park is being advertised, he noted, with bids due June 17th. They will be reviewed at the next meeting along with a recommendation from the Parks Board. He also noted was that there are still vacancies on the Energy Committee, Conservation Commission, Development Review Board and Planning Commission, which are being advertised.

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

- A fundraising mailer from Valley Cares, of Townshend.

Kelly Pajala mentioned that Memorial Park is now open to the public, and gave thanks to Leigh Nance for her had work readying the park. She added that July 6th in the first Music Monday of the season.

Cavanagh mentioned that resident Adam Walsh generously replaced the American flag at Williams Park with a flag that had flown over a military base in Iraq at which he had been stationed, and asked O’Keefe to draft a letter of thanks.

Tina Labeau mentioned that the Town Clerk and Treasurer’s offices would be closed June 19 - 25, but other office staff would be available.

6. Visitors and Concerned Citizens

Rich Phelan acknowledged the opening of Memorial Park. He also mentioned that the deal that the Town has worked out with the Windham County Sheriff’s Office for 20 hours per week was great.

Vincent Annunziata inquired whether Jonathan Wright of the Taylor Farm was going to participate in the meeting to discuss the music event the previous week, to which Jim Fleming stated that he understood that Wright had not had the time to prepare documents for the meeting and would come to the Board the next meeting.

Vincent Annunziata moved that the Zoning Administrator issue some sort of a letter of violation of zoning bylaws for the last event that happened. The motion failed for lack of a second.

There was discussion about the various compliance matters at the farm. Annunziata said that maybe the Board can wait until the next meeting, to which Fleming stated that Wright should be available to defend himself. Noting that Wright is a farmer, Brown suggested alternative means of communication for citizens besides email. Annunziata suggested putting this matter on the agenda for the next meeting and hoping that he shows up.

7. Town Officials Business

a. Town Clerk – Review list of unregistered dogs [20 V.S.A. 3590]

Pajala referred to the list of dogs that have not had their registrations renewed and a second of those who are believed to have never registered their dogs, and suggested that the Board instruct the Animal Control Officer to contact all those on the lists.

Taylor Prouty moved to direct the Animal Control Officer to contact all owners of unregistered dogs to remind them of the requirement to register their dogs, seconded by Jim Fleming. The motion passed unanimously.

b. Selectboard – Consider reinstatement of in-person Board meetings

Cavanagh noted that he understood that when 80% of eligible Vermonters are vaccinated in-person Board meetings will be mandated once again, and suggested that the Board should plan on holding the next meeting accordingly.

Pajala also suggested that the Board consider when to open the building back up to the public, possibly to when the Governor lifts the State of Emergency.

Vincent Annunziata moved to hold Selectboard meetings in-person at the Town Office beginning June 21, 2021, and to open the Town Office to the public that day as well, seconded by Taylor Prouty.

Pajala noted that the Clerk's and Treasurer's Offices would be closed that day.

The motion passed 4-1-0, with Cavanagh, Annunziata, Prouty and Brown voting aye, and Fleming voting nay.

8. Transfer Station/Solid Waste Management

a. Updates

Esther Fishman noted that there was one applicant for the Sunday position so far, but the person has dropped out of the process. She added that there is a new bottle and cans redemption company servicing the Transfer Station, and this has been posted publicly. The hazardous materials collection day the previous weekend went well, Fishmen mentioned, and 114 cars were counted.

She stated that a Request for Proposals for solid waste services at the Transfer Station is in the works, as the current contract ends on August 13th.

The take-it-or-leave-it shed was discussed, and Fishman suggested opening up when the State of Emergency is lifted, and suggested opening it only on a limited basis. The issue of assigning personnel to oversee the service was discussed. Noting likely pent-up demand for people to offer items to the public, Annunziata suggested that there could be a town-wide program to facilitate this.

Difficulties hiring for the part-time Sunday position was discussed, including a lack of sufficient weekly hours to establish it as an attractive position.

Cavanagh mentioned that the backhoe needs a front wheel bearing, and he'll report back once more information is provided.

b. Request for Transfer Station fee waiver – Kinhaven Music School

The Board discussed the request for fee waiver related to disposal of construction/demolition debris for the Kinhaven Music School. Fishman mentioned that many area not-for-profit organizations receive an annual fee waiver for their regular trash, but pay for trash related to special events or projects.

Taylor Prouty moved to not grant a waiver of Transfer Station fees to the Kinhaven Music School for construction-related waste during existing renovation work, the waiver to expire on December 31, 2021, seconded by Melissa Brown.

O’Keefe recommended that the motion not be in the negative, but instead be rephrased to be in the positive, as the applicant has asked for approval.

The motion was withdrawn by Prouty.

Taylor Prouty moved to grant a waiver of Transfer Station fees to the Kinhaven Music School for construction-related waste during existing renovation work, the waiver to expire on December 31, 2021, seconded by Melissa Brown. The motion failed to pass by unanimous vote.

9. Roads and Bridges

a. Updates

Prouty mentioned the need for a roadside mower, which should be on an upcoming agenda, and that Josh Dryden is working on a revised bid for this.

He noted that in addition to paving Mansfield Lane, to be discussed later in the meeting, that additional tree and bank stabilization work will be necessary.

Dryden noted some minor tailgate damage to the new pickup truck that can be repaired for about \$580. He plans to get the work done to help preserve the vehicle.

Prouty raised the need for the roadside mower and replacement of other equipment, and suggested revamping the equipment replacement schedule to see how it effects other purchases. O’Keefe noted that there is available money in the highway equipment capital reserve fund for this, and furthermore that the Board is authorized under statute to borrow for up to 5 years for highway-related expenditures. Cavanagh suggested financing half the cost and using the capital reserve for the other half. Prouty suggested purchasing the item sooner as opposed to later to ensure that the roadside growth is not too extreme, and Dryden agreed with this and added that he’d like to add a ditch cleaner to the purchase to address this ongoing stormwater maintenance need. Loader replacement was also discussed.

Cavanagh suggested reviewing the replacement schedule at the next meeting. Labeau spoke about the Town’s debt schedule and noted that several pieces of equipment will come off the schedule in the next year or two, so there is room in the debt schedule for added borrowing for equipment.

How to structure a solicitation for the roadside mower was briefly discussed. It was agreed to put these equipment matters on the draft agenda for the next meeting

b. Review proposed Invitation to Bid for Town road paving

Dryden and Prouty went over the proposed paving locations, as follows:

Town Highway	Length (feet)	Width (feet)	Required Work
Route 121 (TH#3)	1,779	24	Shim and Overlay*
Magic Access Road (TH#4)	2,491	19	Shim and Overlay*
Mansfield Lane (TH#29)	642	varies	Shim and Overlay*

Howard Hill Road (TH#65)	1,947	19	Shim and Overlay*
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And he suggested bid add-ons as follows, in case the bid costs allow for this:

Town Highway	Length (feet)	Width (feet)	Required Work
Adams Drive (TH#71)	2,008	24	Shim and Overlay*
	Plus end of cul-de-sac - 90 x 70		Spot shim and Overlay*
Eves Drive (TH#74)	345	19	Shim and Overlay*
	Plus end of cul-de-sac - 90 x 60		Spot shim and Overlay*

Dryden noted that the contractor from last year said he could get the job done in August if he gets the contract. He added that some culvert crossings need some paving and that the Road Crew can handle this work and other small projects on its own.

Taylor Prouty moved to approve the Invitation to Bid for FY2022 Town Road paving, and authorize the Town Administrator to take all necessary steps to solicit bids for review by the Board, seconded by Jim Fleming. The motion passed unanimously.

O’Keefe noted that he would get the Invitation to Bid out the following day.

10. Old Business

a. Review bids and award contract for Town Hall Restoration

Sharon Crossman reviewed the recent history of the restoration project, noting that the Board on 3/1/2021 authorized \$80,000 from the Town Buildings Reserve Fund for the project and the Preservation Trust of Vermont has provided a matching grant of \$10,000, which expires soon if not spent. She noted that only one bid was received, from VMS Construction, Inc., for \$123,600 plus an additional \$7,000 for add-on work, which exceeded the anticipated \$90,000 project budget. She suggested that alternatives were to either add additional funds to meet the bid or adjust the scope of work to match the available funds.

It was noted that this project work is the first part of a comprehensive series of restoration work for the building. There was discussion about the alternatives for the project, including the potential for delaying some of the project due to recent labor shortages and high material costs. Crossman reiterated the need to advance some work to take advantage of the PTV grant funds, the expenditure deadline for which was extended into the fall. Concern for the reserve fund balance was raised, and Labeau noted that the fund presently has a balance of a little over \$200,000, with \$80,000 to be added in the next fiscal year.

It was generally agreed that securing the contractor was critical to the project.

There was discussion about raising the reserve contribution to \$100,000, and seeking further community input on the project and related expenditures.

Taylor Prouty moved to accept the bid from VMS Construction, Inc. for Town Hall restoration services, subject to negotiation to reduce the scope of services to allow for remaining within the project budget, and to authorize the Town Administrator to execute all necessary documents to employ this contractor, including a service contract after review by the Town Attorney, seconded by Jim Fleming.

O’Keefe clarified that it was his understanding that the matter of adding additional capital reserve funds to the project should be included in the agenda of the next meeting.

The motion passed unanimously.

b. Consider contract with the Windham County Sheriff’s Office for FY22 policing services

O’Keefe mentioned that the Town Attorney had reviewed the proposed contract with the Windham County Sheriff’s Office and made some recommended changes, and the only sticking point at this time is the matter of adding the Town wanting to be an additional insured on the Sheriff Department’s certificate of insurance. He suggested that the parties’ attorneys work this matter out and not have it hold up the contract process.

The contract calls for 20 hours per week of services at \$41,000, with monthly payments of about \$3,400 per month. O’Keefe suggested holding a pre-contract meeting with the Sheriff and staff to discuss Board policing priorities.

Taylor Prouty moved to accept and approve the police services contract with the Windham County Sheriff’s Office for FY2022, and authorize the Town Administrator to execute the document on behalf of the Board after review by the Town Attorney, seconded by Jim Fleming. The motion passed unanimously.

c. Executive Session – The negotiating or securing of real estate purchase or lease options, per 1 V.S.A. 313 (a)(2)

Jim Fleming moved to enter executive session to discuss negotiating or securing of real estate purchase or lease options, pursuant to Title 1, V.S.A. Section 313(a)(2), and invite the Town Attorney, the Town Administrator, Town Treasurer and members of the Energy Committee to attend the executive session, seconded by Vincent Annunziata.

O’Keefe noted that the Town Attorney was not planning to attend but would be available if needed by the Board

The motion passed unanimously.

The Board entered into executive session at 7:45 PM, and came out of executive session at 7:57 PM.

d. Consider lease option agreement and Joint letter of Support for solar array project on former Town septage field

Following up on the previous meeting, the proposed lease option agreement with Green Lantern Solar as amended included a \$1,000 payment for a one-year lease option for project approvals, which would be extended by mutual agreement of the parties, and that annual payments for the anticipated long-term lease would begin at \$6,000 for the first year and increase by 2% thereafter.

O’Keefe mentioned that a “joint letter of support” was needed from the Selectboard, the Planning Commission and the Windham Regional Commission in order for the Public Utility Commission to determine the site is a “preferred site”, which is a prerequisite to permitting a facility of the size being proposed.

Taylor Prouty moved to 1) accept and approve the lease option agreement with Green Lantern Solar related to the proposed construction and operation of a 500 kilowatt solar array on the northerly of the two former septage fields located on parcel 103010.000, 2) authorize the Town Administrator to execute the document on behalf of the Board after review by the Town Attorney, and 3) authorize the Selectboard Chair to sign a Joint letter of Support for the project seeking preferred site status from the Vermont Public Utility Commission, seconded by Melissa Brown. The motion passed unanimously.

The Board thanked the Energy Committee for its efforts to move this project along.

11. New Business

a. Discuss process for annual reviews of Town employees

O’Keefe asked the Board to determine how it wished to conduct annual performance reviews of employees as the past year saw some disruption in the process, with evaluations not having taken place on employee’s anniversary. And suggested that these been done in the coming weeks.

Labeau suggested adding Candy Bliss to the list of those needing an evaluation, as she has not seen a raise since she started with the Town. O’Keefe noted that only full-time employees have been receiving performance reviews and maybe part-time employees should be included going forward.

There was discussion on the evaluation process, and Cavanagh clarified that Board liaisons with departments and supervisors conduct the written evaluation with subsequent meeting with the full Board, and O’Keefe’s evaluation is conducted by the full Board. Elected Town officials do not get evaluated by the Board

Doing an evaluation of all Highway Department employees at one meeting was discussed. It was agreed to do the evaluation for O’Keefe and one other employee at the next meeting and to schedule one or more special meetings soon thereafter, and possibly schedule evaluations for the first July meeting.

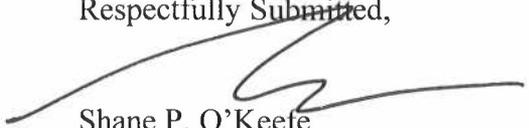
It was suggested that a meeting on July 5th could be moved to another date due to the holiday, and put this matter on the agenda for the next meeting.

12. Adjourn

Vincent Annunziata moved to adjourn the meeting, seconded by Melissa Brown. The motion passed unanimously.

The meeting adjourned at 8:11 PM. The next regular meeting of the Selectboard is scheduled for June 21, 2021.

Respectfully Submitted,


Shane P. O’Keefe
Town Administrator

Approved June 21, 2021.

LONDONDERRY SELECTBOARD


Thomas Cavanagh, Chair