

**Town of Londonderry, Vermont  
Selectboard  
Meeting Minutes  
Monday, May 23, 2022  
Twitchell Building - 100 Old School Street, South Londonderry, VT**

**Board Members Present:** Thomas Cavanagh, Taylor Prouty and James Fleming.

**Board Members Absent:** Vincent Annunziata and Melissa Brown.

**Others in Attendance:** Town Officials – Town Administrator Shane O’Keefe; Town Treasurer Tina Labeau; Parks Board members Kelly Pajala and Marge Fish; Conservation Commissioner Irwin Kuperberg; Planning Commissioners Sharon Crossman, Larry Gubb and Mimi Lines; and Emergency Management Director Kevin Beattie (via phone at 6:05 PM). Others – Windham Regional Commission Senior Planner Alyssa Sabetto (via phone at 6:05 PM); One Londonderry representatives Elsie Smith and Patty Eisenhour; West River Farmers Market President Cynthia Prairie; Londonderry Historical Society representative Mimi Wright (6:42 PM); and Bruce Frauman (GNAT).

**1. Call meeting to order**

Tom Cavanagh called the meeting to order at 6:00 PM.

**2. Additions or deletions to the agenda**

[1 VSA 312(d)(3)(A)]

Irwin Kuperberg asked to add an agenda item to discuss the Conservation Commission’s interest in the pollinator project, and Tom Cavanagh asked to add an agenda item to discuss the Historical Society’s interest in borrowing a painting from the Town for a show.

*Taylor Prouty moved to add to the Town Officials part of the agenda, as item 7.f., information on the pollinator project from the Conservation Commission, seconded by Jim Fleming. The motion passed unanimously.*

*Tom Cavanagh moved to add to the Town Officials part of the agenda, as item 7.g., a discussion of the Londonderry Historical Society borrowing a painting, seconded by Jim Fleming. The motion passed unanimously.*

**3. Minutes Approval – Meeting(s) of 5/92/2022**

*Jim Fleming moved to approve the minutes of the Selectboard meeting of May 9, 2022, 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 Jim Fleming. The motion passed unanimously.*

**5. Announcements/Correspondence**

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

- A letter from the West River Montessori School thanking the Board for its recent contribution of ARPA funds, and updating the Board on its summer plans for the donated funds.

- A letter from the Brattleboro Development Credit Corporation (BDCC) and Southeastern Vermont Economic Strategies (SeVEDS) forwarding their summer Town Bulletin.
- A notice from the Vermont League of Cities and Towns of regarding the availability of dental insurance for municipal employees. O’Keefe noted that he and Labeau would be meeting with VLCT’s head of risk management in the coming weeks.
- A letter of introduction from The Community pf Vermont Elders (COVE) regarding its history and program services.
- Windham County Sheriff’s monthly report for April 2022.

**6. Visitors and Concerned Citizens**

**a. Monthly update – One Londonderry**

None.

**7. Town Officials Business**

**a. Emergency Management Director – Adopt Local Hazard Mitigation Plan**

Kevin Beattie and Alyssa Sabetto joined the meeting via telephone.

The Board members had received the draft Local Hazard Mitigation Plan as prepared by Sabetto under contract with the Town. Beattie gave an overview of the need for the plan and mentioned that such a plan is required every five years, and the previous plan has expired. Sabetto noted that the plan helps the Town to understand the vulnerabilities of the community and provides action plans to address them, and added that adoption of the plan is one of three base criteria necessary to increase the local match from 7.5% to 12.5%. Final approval expected from FEMA shortly, she said, and recommend that the Town start the update process four years from now.

Beattie mentioned that the grant to produce the plan was for \$7,612 and has a 25% local match, which can take the form of in-kind services.

*Taylor Prouty moved the following:*

***WHEREAS, the Town of Londonderry, VT has worked with the Windham Regional Commission to identify natural hazards, analyze past and potential future damages due to natural disasters, and identify strategies for mitigating future damages; and***

***WHEREAS, The Town of Londonderry, VT Local Hazard Mitigation Plan analyzes natural hazards and assesses risks within the community; and***

***WHEREAS, the Town of Londonderry, VT Local Hazard Mitigation Plan recommends the implementation of action(s) specific to the community to mitigate against damage from natural hazard events; and***

***WHEREAS, the Town of Londonderry, VT authorizes responsible agencies to execute their responsibilities to implement this plan for the purposes of long term risk reduction and increased community resiliency and;***

***WHEREAS, the Town of Londonderry, VT will follow the Plan Maintenance Process outlined in this plan to assure that the plan stays up to date and compliant; and***

***NOW, THEREFORE BE IT RESOLVED that the Town of Londonderry, VT adopts the Town of Londonderry Local Hazard Mitigation Plan as well as future revisions and maintenance***

*required by 44 CFR 201.6 and FEMA for a period of five (5) years from the date of this resolution, seconded by Jim Fleming. The motion passed unanimously.*

Beattie and Sabetto left the meeting at 6:15 PM.

**b. Planning Commission – Monthly update**

Sharon Crossman spoke to the Board about Planning Commission matters. Regarding the Water/Wastewater study, she mentioned that water testing is continuing, and that last week the project engineer and several of the working group members walked and viewed several potential new wastewater system locations on public properties in the villages. The next step is to determine soil suitability with borings, and this matter may come up at the next Board meeting.

Irwin Kuperberg requested that any discussion on use of the Custer-Sharp property for the project should be coordinated with the Conservation Commission. There was discussion about the need for permission from the Library Board to do borings on the Library-owned land adjacent to the Town Office. O’Keefe discussed the need for further deed research and determination of spring rights there. Fleming mentioned that he knew of an old well on property across from his home.

On the North Village Master Plan, the plan is in final editing and the grant closes out in June, she mentioned. The plan provides several action items, some of which may need follow up planning grants.

Regarding the Zoning Bylaw amendment, Crossman mentioned that the short-term consultant contract with PlaceSense to help finalize the Bylaw and assist with the public review process is now in place.

On the proposed Housing Needs Assessment that was approved for ARPA funding by the Board, she mentioned that the Commission intended to work with the One Londonderry housing group on it, and that the goal is to finish the plan over the summer.

Patty Eisenhaur stated that she is proposing that a housing working group be established, including Commission members and One Londonderry members, to move the project along, and to include O’Keefe in the RFP process, with the goal of completing the study over the summer. She requested clarification on the Board’s oversight over the project.

Cavanagh stated that if the working group is with the Planning Commission, then the project is subject to the Vermont Open Meeting Law, requiring agendas and minutes.

**c. Board of Listers – Authorize contract for GIS mapping services**

O’Keefe noted that the Listers had discussed upgrading GIS mapping integration services to provide mapping for assessment as well as planning/zoning purposes during the budgeting process in the past year. A proposal had been received in August 2021 from Cartographic Technologies, Inc. that included a one-time setup fee of \$3,475 and an annual fee of \$3,000, and the Listers signed a three-year contract in order to lock in the annual fee, but did so without Selectboard authorization. He noted that the company has taken over the GIS mapping for the Town from the previous vendor and provides excellent services.

*Taylor Prouty moved to accept the August 30, 2021 proposal from Cartographic Associates, Inc. for GIS internet services for the Town, and to authorize the Chair of the Board of Listers to execute a three-year contract with the vendor on behalf of the Town that includes this service, seconded by Jim Fleming. The motion passed unanimously.*

**d. Town Treasurer – Year-to-date budget review**

Tina Labeau asked the Board members if there were any questions on the budget to date, a copy of which was in the meeting packet. It was agreed that the budget looked to be in good shape. There were no questions from the Board.

**e. Conservation Commission – Discuss Shamberg Forest trail proposal**

Irwin Kuperberg spoke to the proposal from the One Londonderry recreation group to establish a trail system on the Shamberg Town Forest property off of Green Mountain Trail. He mentioned that a site walk was scheduled to take place in the coming weeks and expressed his hope that Selectboard members could attend. He noted that logging of the property is in the not too distant future and that the site contains a heron rookery. There was discussion about what type of trail usage would be allowed.

**f. Conservation Commission – Discuss pollinator project**

Kuperberg spoke to the “Bee the Change” program, which seeks to establish pollinator-friendly plots in each town in Vermont, and mentioned he had met with a program representative. One site at the Transfer Station previously considered is not usable as it is a capped landfill, but Cavanagh suggested the lower septage field as a possibility. They are considering the buyout property at the intersections of VT Routes 11 and 100, and the road frontage area of the Prouty property on Middletown Road due to its public visibility. Pajala recommended considering the Morris buyout property at 2550 VT Route 11.

Kuperberg confirmed that there was no ongoing obligation for the Town on any site that is chosen, and restrictions on future use. He stated that he will come back to the Board to report on further progress for the program.

**g. Discussion loan of painting to the Londonderry Historical Society**

Mimi Wright requested that the Londonderry Arts and Historical Society be permitted to borrow a Harry Shokler painting now in the Town Clerk and Treasurer’s office for an upcoming exhibit. It would be returned by 8/15/2022, she mentioned.

*Jim Fleming moved to let the Londonderry Historical Society to borrow the painting of South Londonderry for the Londonderry Historical Society show, seconded by Taylor Prouty. The motion passed unanimously.*

**8. Transfer Station/Solid Waste Management**

**a. Updates**

Cavanagh noted for the public that the Transfer Station is now open on Tuesdays for a pilot program on extended hours from 11:00 AM to 6:00 PM, with the goal of helping with access to the facility after many people’s work hours.

**9. Roads and Bridges**

**a. Updates**

Taylor Prouty noted that the Road Crew is picking away at the list of projects in preparation for the summer.

**b. Annual Town Highway Financial Plan certification** [19 V.S.A. §306(j)]

O’Keefe explained that this is an annual approval required by VTrans. It is prepared by VTrans based on the Town’s annual highway spending budget and is used to calculate reimbursement to the Town in cases of storm damage losses to roadway infrastructure.

*Taylor Prouty moved to adopt and execute the annual financial plan for Town highways pursuant to 10 V.S.A. Section 306(j), seconded by Jim Fleming. The motion passed unanimously.*

**c. Consider Road Foreman job description**

Prouty stated that the proposed new version of the job description adds some details to the previous version, is more up-to-date and relevant, and is consistent with the Road Crew/Equipment Operator description recent approved but expands on it.

*Taylor Prouty moved to approve the new Highway Department job description for the position of Road Foreman, seconded by Jim Fleming. The motion passed unanimously.*

**10. Old Business**

**a. Discussion of use of funds from the American Rescue Plan Act (ARPA)**

O’Keefe noted that Melissa Brown had asked to include this matter on the agenda to begin discussions on use of the second tranche of ARPA funds. As she was not present it was decided to hold off on further discussion until the next regular meeting.

**b. Discuss Williams Dam alternatives**

Cavanagh stated that he had spoken with Bob Thompson of the USDA Natural Resources Conservation Service about possible funding for rehabilitation of the Williams Dam through the Watershed Program Planning Assistance, and now has the documents that can be filed to initiate a site visit for further consideration for funding eligibility. He stated that Thompson is confident that the project most likely would not qualify, but there is no way for sure without taking this next step.

Prouty noted that he is aware that this grant program can take a very long time and that other communities that have tried to use it and have backed out. Cavanagh confirmed that the State dam safety engineer is unaware of any town in Vermont that have successfully used the program, and that the program is geared for high-hazard dams.

*Jim Fleming moved to seek funding and professional assistance from the USDA Natural Resources Conservation Service for the Williams Dam, and authorize the Town Administrator to submit an application for federal assistance on behalf of the Town, seconded by Taylor Prouty. The motion passed unanimously.*

Kuperberg left the meeting at 6:51 PM.

**c. Consider BDCC Community Facilities Technical Assistance Program grant agreement for Town Hall structural design**

O’Keefe recalled for the Board that when the structural engineering design for the Town Hall balcony was recently approved, a portion of the funding for this effort was expected to be coming from a technical assistance grant from the Brattleboro Development Credit Corporation. The required contract agreement paperwork for the \$4,032 grant was received and reviewed, had stated, and he mentioned that it was a reimbursable grant whereby the Town must expend the

funds and then seek reimbursement. O’Keefe stated that due to project timing at the end of the fiscal year, the grant funds may take some time to come in so the project may show a deficit for FY2022.

O’Keefe provided a brief update on the project status.

*Jim Fleming moved to accept a grant of \$4,032 from the Brattleboro Development Credit Corporation’s Community Facilities Technical Assistance Program to support structural design services for the Town Hall restoration project, and authorize the Town Administrator to execute any documents necessary to secure the funding on behalf of the Town, including a grant agreement, seconded by Taylor Prouty. The motion passed unanimously.*

Smith and Eisenhaur left the meeting at 6:55 PM.

## 11. New Business

### a. Itinerant Vendor Permit Application – West River Farmers Market

Cynthia Prairie spoke on behalf of the West River Farmers Market application, and thanked the Board for its support over the years. Cavanagh raised a concern about traffic last year, noting that cars were illegally parked along North Main Street and the bridge, and that traffic control needs to be addressed.

Prairie mentioned that it is hard for them to control traffic, but they are looking into having a traffic control person for peak traffic periods and look to address various safety issues.

It was noted that off-street parking available nearby.

Crossman mentioned that she had spoke with a VTrans representative who mentioned that the State looks to paint lines on the roadway and bridge to prevent illegal parking, and noted that backing onto the State highway is a violation.

Prairie added that signage may be effective to dissuade illegal parking, and they are looking into connecting with the Sheriff’s Department on traffic matters.

There was discussion about the use the Town Office for WRFM meetings. They will submit a request for Board consideration.

*Jim Fleming moved to approve Itinerant Vendor Permit #2022-01 submitted by the West River Farmers Market of Londonderry, Inc. for 2022, and allow for use of Williams Park for this purpose, subject to the permittee 1) maintaining insurance coverage throughout the period of use of the Town property, to include Commercial General Liability Insurance with a limit of not less than \$1,000,000 per each occurrence and General Aggregate coverage of at least \$2,000,000, and 2) providing to the Town, prior to the first use of the Town property, an acceptable certificate of insurance that names the Town as an additional insured, seconded by Taylor Prouty. The motion passed unanimously.*

### b. Discuss Town parks security and maintenance

Kelly Pajala stated that she had been contacted by the Town’s portable toilet provider and informed that after pumping the units at Pingree Park they found syringes, beverage and whipped cream cans and bags of dog refuse. The vendor found so much of this that it had to removed separately from the other waste, and informed her that if there is no improvement the company would cease from providing service, she reported. And on a subsequent visit she and Cavanagh viewed and cleaned up addition syringes, trash and dog refuse bags.

Pajala brought up the need to change behaviors about use of the units. She mentioned new signage at the dog park, where the refuse bags are found, and several alternatives were discussed:

- Put up security cameras at appropriate locations.
- Lock gates at night, which requires daily opening and closing by volunteers or paid staff.
- Remove portable toilets from the park.
- Place trash and recyclables containers in the park, which requires periodic checking and emptying and is subject to misuse by those depositing household trash.

There was discussion about security cameras, and how best to site them. Challenges to ways to accommodate them via cellular connection and fiber Wi-Fi were raised. Pajala suggested connecting with the Sheriff's Office to assist with siting and technology guidance for security cameras.

It was noted that the Windham County Sheriff's Office has been contacted about providing addition patrols, and O'Keefe will also contact the Vermont State Police on this for off hours.

Pajala suggested a short-term solution would be to place rugged trash and recyclables containers in the park, and provide the ability to empty them timely. The applicability of ARPA funding to cover security technology and trash receptacles was raised.

Crossman suggested that getting the word out on this matter could lead park users to be more observant and report any misuse of facilities. Pajala noted there is some presence at the park, with the Parks employee on site from time to time, Dryden's Outdoor doing periodic maintenance work, and the Flood Brook Athletic Association's use for athletics. Cavanagh suggested that Board members go by the park at later hours to help create a presence.

It was agreed to put this matter on the agenda for the next meeting, and discuss security cameras, appropriate waste receptacles and connecting with the Sheriff's Office.

**c. Appoint Forest Fire Warden position**

**[10 VSA 2641(a)]**

The Board briefly discussed the Forest Fire Warden position. O'Keefe pointed out that this is a 5-year appointment made by the State of Vermont.

*Taylor Prouty moved to appoint Melvin Twitchell as Forest Fire Warden, subject to concurrence by the Commissioner of the Vermont Department of Forest, Parks and Recreation pursuant to 10 V.S.A. Section 2641(a), seconded by Jim Fleming. The motion passed unanimously.*

**d. Annual appointments – Conservation Commission**

The Board reviewed applications for reappointment to the Conservation Commission.

*Jim Fleming moved to reappoint Sunny Wright and Irwin Kuperberg to the Conservation Commission for 4-year terms ending May 31, 2026, seconded by Taylor Prouty. The motion passed unanimously.*

O'Keefe noted that 2021 appointments for Conservation Commission were mistakenly done for 3 years, instead of the 4 years required by 24 VSA 4502.

*Taylor Prouty moved to amend the Board's decision of May 24, 2021 to reappoint Stephen Swinburne to the Conservation Commission, by extending his term to May 31, 2025, seconded by Jim Fleming. The motion passed unanimously.*

*Taylor Prouty moved to amend the Board's decision of August 30, 2021 to appoint Gary Hedman to the Conservation Commission, by extending his term to May 31, 2025, seconded by Jim Fleming. The motion passed unanimously.*

**12. Adjourn**

*Jim Fleming moved to adjourn the meeting, seconded by Tom Cavanagh. The motion passed unanimously.*

The meeting adjourned at 7:27 PM. The next regular meeting of the Selectboard is scheduled for June 6, 2022.

Respectfully Submitted,

Shane P. O'Keefe  
Town Administrator

*Approved June 6, 2022.*

**LONDONDERRY SELECTBOARD**

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Thomas Cavanagh, Chair