

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Wednesday, July 18, 2022
Twitchell Building - 100 Old School Street, South Londonderry, VT

Board Members Present: Thomas Cavanagh, Vincent Annunziata, Taylor Prouty and Melissa Brown.

Board Members Absent: James Fleming.

Others in Attendance: Town Officials – Town Treasurer Tina Labeau; Planning Commissioner Sharon Crossman; Recycling Coordinator Esther Fishman; Recycling Center employee Steve Twitchell; and Board of Listers Chair Sandra Clark. Others – Deerfield Valley CUD representatives Steven John and Ellen Seidman; Southern Vermont CUD representatives Eric Hatch, John Hankin and Jim Wilbur; State Senator Brian Champion; ~~One Londonderry representative Brian Champion;~~ Rawley Rowley Lane residents Kris Korpi and Kippi Horton, 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)]

None.

3. Minutes Approval – Meeting(s) of 7/6/2022

Taylor Prouty moved to approve the minutes of the Selectboard meeting of June 6, 2022, seconded by Melissa Brown. 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

Cavanagh noted the following:

- That day the Town received four responses to the RFP for the housing needs study, which have been forwarded to the Planning Commission for review.
- With heating oil prices headed downward Town Administrator Shane O’Keefe is planning to seek bids for review for consideration at the next Board meeting.
- The Town did not receive any petitions seeking a Town Meeting vote on the matter of the Notice of Conveyance of Municipal Real Estate for the proposed lease of a portion of the Transfer Station property for the proposed Green Lantern Solar solar array. Approval of the lease is on the agenda later in the meeting.

Included in the Board's meeting packet was as follows:

- A 7/8/2022 email from Helen Hamman resigning her position on the ~~Conservation Commission~~ Beautification Committee.
- A 7/5/2022 letter from VTrans soliciting proposals from municipalities for small new park-and-ride facilities. Board members were asked to let O'Keefe know if they'd like to pursue this opportunity.
- Windham County Sheriff's monthly report for June 2022.

Tina Labeau mentioned that COVID-19 tests are available to the public at the Town Office, and that tax bills are soon to go out in the mail.

6. Visitors and Concerned Citizens

a. Monthly update – One Londonderry

Esther Fishman stated that there was no report to give this month, but thanked the Board for authorizing the effort to explore the possibility of siting Community Center on the Prouty property.

Bennington District State Senator Brian Campion introduced himself to the Board and attendees, mention legislative redistricting and stated he looked forward to meeting with the Board in the future.

7. Town Officials Business

a. Listers – Homestead penalties

[32 V.S.A. 5410(g)]

Sandra Clark mentioned that there are options for the Board with regard to late filing Homestead penalties, and while last year she recommended that the penalty be waived due to pandemic conditions, she did not have a recommendation for this year. She recommended establishing a penalty every few years. She described the work effort involved with penalties.

It was noted that the penalty was waived the past two years. Cavanagh suggested that the economy is still in recovery mode, and others agreed.

Vincent Annunziata moved to waive the homestead penalty as provided for under 32 V.S.A. 5410(g) & 5410(j), seconded by Taylor Prouty. The motion passed unanimously.

b. Planning Commission – Monthly update

Sharon Crossman spoke to the Board about Planning Commission matters. Regarding the housing need assessment, she reported that four proposals were received in response to the Request for Proposals, and Commission along with representatives of the One Londonderry Housing Group will review the proposals and select firms to interview. She invited interested Selectboard members to participate in this. After interviews the Commission hopes to provide a recommended consultant for selection by the Board. Cavanagh stated that whatever meeting is held to review the proposals needs to be warned as a public meeting.

On the Water/Wastewater study, she mentioned she had hoped that more people would have attended the recent visit to the in-ground wastewater community system in Manchester with

the Town's engineer, where very good information was provided. That system, she mentioned, would be a good model for a possible system in Londonderry.

The Town Hall project, she noted, was schedule to see roof and balcony work begin in August.

Regarding the Zoning Bylaw rewrite, she stated that the Commission is hoping to get public hearings started soon, but that they are waiting for comments back from the Town Attorney. She stated that people's interest in the project is waning and asked if the Board could work to help expedite the Town Attorney review.

8. Transfer Station/Solid Wase Management

a. Updates

Esther Fishman mentioned that they are no longer collecting plastic bags at the Transfer Station as they discovered that Casella Waste Management was simply throwing them away. She noted that there was some contamination of the bags. She has posted notice of this.

She also noted that there is a legislative update on solid waste matters in the meeting packet. She spoke about one bill on extended producer responsibility for household hazardous waste.

Steve Twitchell updated the Board on the changed hours on Tuesdays, and he said it has been an eyeopener. The biggest issue he stated is that people are showing up well before 11:00 AM opening time and creating a traffic problem outside the gate, blocking service truck entry and he has seen people parking on private property across the road. He also noted that an 11:00 AM opening mixes those waiting to enter with those that normally come to the facility at lunchtime, thus increasing traffic and usage for about 2 hours above safe facility capacity.

As for usage, he noted that for every person coming in after 4:00 PM there are 3 to 4 that turn around early due to the late opening. He mentioned that many who use the facility late he knows can make it during regular hours anyway, and are not weekenders. Twitchell provided Tuesday usage statistics to the Board. The most he saw past 4:00 PM on a Tuesday was 14 cars, he stated.

He also noted that when the trash hauler comes in off hours sometimes drivers will follow them into the facility to gain entry.

Twitchell stated that the extended Tuesday hours don't appear to be helping anyone and recommended going back to the old hours of 9:00 AM to 4:00 PM.

Brown suggested trying to follow through with the extended hours pilot program, provide better public notice about it and give people enough time to figure it out. Previous efforts and new ways to get the word out better was discussed.

The Board discussed balancing public convenience with impact on facility employees.

It was agreed to add this matter to the agenda at the next Board meeting. Brown suggested the possibility of adding hours to the vacant position to help better operate the facility.

Twitchell noted that operations, laws and costs will be changing in the future and new solutions should be considered for the Transfer Station.

9. Roads and Bridges

a. Updates

Taylor Prouty noted that mowing started that day, and ditching is ongoing.

Last years' culverts are coming in next week, which will help with projects on Gooddaleville and Spring Hill Roads, and soon we'll settle on a paving schedule., he added.

Esther Fishman stated that the K-barriers on the VTrans bridge on VT Route 11 by the plaza are sticking out and appear dangerous. It was mentioned that Town Administrator O'Keefe should follow up with VTrans' Marc Picking on the status of this and other bridges with similar barriers.

10. Old Business

a. Update on Communications Union Districts

Ellen Seidman and Steven John representing the Deerfield Valley Communication Union District, and John Hankin and Eric Hatch representing the Southern Vermont Communication District, met with the Board to discuss recent efforts to bring fiber to Londonderry.

Mr. John, who is the Chair of the DV Fiber Board mentioned that the good news is that the universal service plan was just approved by the State of Vermont Community Broadband Board. He mentioned that a \$21.9 million grant has been approved to help distribute broadband, and he expects a 2-year rollout.

Mr. Hatch, the Chair of the So.VT CUD, noted that the CUD covers 14 towns and is in partnership with Consolidated Communications and has a 3-phase approach. In phase 2A, which includes Londonderry, buildout will take place in 2023. He mentioned that they recently put in a grant request for just short of \$9 million.

Hatch stated that Winhall and Londonderry are towns that are in both of the CUDs, and a decision will have to be made as to which approach, which CUD, the Town of Londonderry would to go with

The Board thanked the representatives for coming to the meeting.

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

This was very briefly discussed. It was recalled from the previous meeting that the Board would begin accepting funding requests on October 1, 2022 and the deadline is the first meeting in April 2023.

c. Designation of agent and authorization to convey long-term lease of Town-owned property – portion of Parcel 1030010.000 for use as solar array

Cavanagh noted that there were no objections or petitions filed in response the public notice on this matter. Prouty recalled that the lease went through much negotiation and the final version has been reviewed by the Town Attorney

Vincent Annunziata moved 1) to convey a long-term lease of a portion of the Town-owned property located at 7060 VT Route 100 (Parcel #103012.000) to Londonderry GLC Solar, LLC for a period of 20 years (with renewals) at \$6,000 per year with rent escalations, 2) to

designate Town Administrator Shane O’Keefe as the Town’s agent for this conveyance, 3) to authorize the Selectboard Chair to execute and file a certificate of said designation with the Town Clerk for recording, and 4) to acknowledge that all notice provisions specified under Title 24 V.S.A. Section 1061 have been followed, seconded by Melissa Brown.

It was noted that the parcel numbers in the agenda and the motion are different. The parcel map was corrected for the Transfer Station parcel, and the parcel number in the motion is the correct one.

And it was clarified that the lease payment to the Town escalates by 2% each year. The Town’s benefit is the stream of rental payments, and there is no power purchase agreement for the Town.

Prouty suggested that the solar array equipment would last beyond 20 years and continue functioning. He added that the lease negotiations included establishment of a reclamation bond to ensure equipment removal and site cleanup at end of the life of the array.

There was further discussion about the proposed solar array and recycling of the equipment.

The motion passed unanimously.

11. New Business

Rawley Rowley Lane

Rawley Lane residents Kris Korpi and Kippi Horton spoke to the Board about their efforts working with Prouty on reducing traffic speeds on their road, which has many pedestrians using it. They thanked Prouty for arranging for a dead-end sign and 35 MPH sign but mentioned that traffic speeds have only increased and that maybe the sign should come down. Cavanagh noted that roads without a speed limit sign default to 50 MPH speed limit by State statute.

Prouty mentioned that the minimum speed limit by law is 25 MPH and that in order to change a speed limit a traffic study for the specific road must be conducted before the Town’s traffic ordinance is amended. Issues with drivers speeding here and on other local roads was discussed.

Brown suggested working with the Windham County Sheriff’s Office on patrolling the road. Korpi and Horton will contact the Sheriff’s Office.

Hybrid Meetings

Fishman inquired about the possibility of holding Selectboard meetings both in-person and remotely, so participants did not have to physically come to the meeting.

Cavanagh stated that another person to manage the online meeting would be needed and video and sound equipment to do so can be expensive.

Prouty suggested the possibility of people just being able to watch without participating. There was question about whether that would comply with the Vermont Open Meeting Law, and Fishman stated that she’d investigate it. Sen. Campion stated that he would also look into it.

Fishman will also Neighborhood Connections about their ability

Traffic Calming

Annunziata suggested discussing at the next meeting the community traffic calming as approved by the Voters.

Roadside Marker

Brown mentioned an effort to establish a roadside historic site marker memorializing the late Jake Burton, and it was agreed to add this matter to the agenda for the next meeting.

12. Adjourn

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

The meeting adjourned at 7:19 PM. The next meeting of the Selectboard is scheduled for August 15, 2022.

Respectfully Submitted,

Shane P. O’Keefe
Town Administrator

Approved August 15, 2022.

LONDONDERRY SELECTBOARD

Thomas Cavanagh, Chair