

Town of Londonderry, Vermont

Selectboard Meeting Agenda

Monday, October 10, 2022 – 6:00 PM
100 Old School Street, South Londonderry, VT 05155

1. Call Meeting to Order
2. Additions or Deletions to the Agenda [1 VSA 312(d)(3)(A)]
3. Minutes Approval – Meeting(s) of 9/26/2022
4. Selectboard Pay Orders
5. Announcements/Correspondence
6. Visitors and Concerned Citizens
 - a. Champion Fire Co. #5 – Discuss Halloween Trunk or Treat
7. Town Officials Business
 - a. Conservation Commission – Consider forestry plan proposal and use of Timber Fund
 - b. Development Review Board – Annual appointments
8. Transfer Station/Solid Waste Management
 - a. Updates
9. Roads and Bridges
 - a. Updates
 - b. Consider bids for winter road salt
10. Old Business
 - a. Consider bids for brush clearing of Prouty property
 - b. Ratify 9/26/2022 decision on Town Hall roof repairs and replacement
 - c. Ratify 9/26/2022 decision on use of Town Hall
11. New Business
 - ~~a. 1st & 3rd Class Liquor Licenses & Outside Consumption Permit – Londonderry Cafe & Tavern, LLC, DBA Jake's Marketplace Café~~
 - ~~b.~~ a. Discuss Emergency Management Director position
 - ~~c.~~ b. Consider request for use of Town Office Meeting Room
 - ~~d.~~ c. Consider request for use of Alcoholic Beverages in Public Place – Taylor Farm
12. Adjourn

Meeting documents will be available at <http://www.londonderryvt.org/town/agendasminutes/> approximately 24 hours before the meeting.

As Amended at Meeting

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Monday, October 10, 2022
Twitchell Building - 100 Old School Street, South Londonderry, VT

Board Members Present: Vincent Annunziata, Taylor Prouty, Jim Fleming and Melissa Brown.

Board Members Absent: Tom Cavanagh.

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe; Road Foreman Josh Dryden; Conservation Commissioner Gary Hedman (6:15 PM). Others – Business owners Duane and Melissa Hart; and residents Uli Annunziata and Bruce Frauman (GNAT).

1. Call meeting to order

Vincent Annunziata, acting as Chair due to the absence of Tom Cavanagh, called the meeting to order at 6:01 PM.

2. Additions or deletions to the agenda

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

Regarding the request under the New Business section of the meeting for 1st and 3rd Class Liquor Licenses and an Outdoor Consumption Permit for Londonderry Café and Tavern, LLC, doing business as Jake’s Marketplace Café, O’Keefe noted that licensure information has still not been filed with the Town.

Taylor Prouty moved to delete from the New Business section of the agenda the consideration of liquor licenses, seconded by Jim Fleming. The motion passed unanimously.

3. Minutes Approval – Meeting(s) of 9/26/2022

Jim Fleming moved to approve the minutes of the Selectboard meeting of September 26, 2022, seconded by Taylor Prouty. The motion passed unanimously.

4. Selectboard Pay Orders

O’Keefe noted that the pay order included the invoice for the annual school tax payment.

Jim Fleming moved to approve the pay orders for payroll and accounts payable, seconded by Melissa Brown. The motion passed unanimously.

5. Announcements/Correspondence

Shane O’Keefe noted the following:

- The application for the radar feedback signs has been submitted to VTrans.
- Meetings of the Village Wastewater Committee and the Town Hall Renovation Committee took place for the first time last week, and their draft minutes are on the Town website.
- He reiterated that he would be attending the VT Town & City Managers Association meeting in Middlebury on October 13 & 14.

And he mentioned the correspondence included in the Board’s meeting packet was as follows:

- The Town’s docketing statement to the Vermont Supreme Court in the Contos tax deed appeal, dated 9/19/2022.
- The comparison chart for Blue Cross / Blue Shield of Vermont small group plans for 2023.
- The Windham County Sheriff’s monthly report for September 2022. It was noted that officers were doing patrols at the Flood Brook School at release times

6. Visitors and Concerned Citizens

a. Champion Fire Co. #5 – Discuss Halloween Trunk or Treat

The Board reviewed a request from Fire Chief jeff Duda to allow for South Londonderry roads be closed off temporarily for the annual trunk or treat event on Halloween. There was a request for road closure signs from the Town and they’ll asked to have police coverage from the Sheriff’s Department.

Jim Fleming moved to authorize the closure of a portion of Main Street and one lane of Middletown Road from Crescent Street to VT Route 100 in South Londonderry from 4:30 to 7:00 PM on 10/31/2022 for the Champion Fire Company Halloween Trunk or Treat event, seconded by Taylor Prouty. The motion passed unanimously.

7. Town Officials Business

a. Conservation Commission – Consider forestry plan proposal and use of Timber Fund

A proposal provided by the Conservation Commission from Redstart Resource Management to conduct the periodic forestry plan was reviewed and discussed. The cost would be covered by the Timber Fund, O’Keefe noted, which has a balance of approximately \$22,000. There was discussion about past logging efforts on Town properties.

Melissa Brown moved to 1) accept the proposal from Redstart Natural Resource Management to provide forestry inventory and planning services for the Conservation Commission, 2) authorize the Town Administrator to execute any documents necessary for the hiring of the contractor to conduct the necessary work, and 3) authorize expenditure of up to \$7,025 for this effort to be paid from the Town’s Timber Fund, seconded by Taylor Prouty. The motion passed unanimously.

b. Development Review Board – Annual appointments

O’Keefe mentioned that the DRB terms of Denis Pinkernell, Christopher Laselle and Richard Phelan are coming to an end, and each has expressed interest in reappointment.

Jim Fleming moved to appoint Denis Pinkernell, Christopher Laselle and Richard Phelan as regular members of the Development Review Board, each for a 3-year term extending to 9/30/2025, seconded by Taylor Prouty. The motion passed unanimously.

8. Transfer Station/Solid Waste Management

a. Updates

Prouty mentioned that Keith Barton should be back from leave of absence soon.

9. Roads and Bridges

a. Updates

Josh Dryden noted the following usage for the month of September 2022:

Salt – 0 tons Sand – 0 yards

Fuel (gallons): Vehicles – 564.0, Town Office Generator – 0, Transfer Station – 0

Driveway aprons along the recent paving work would be handled the following day. Plans for upcoming roadside mowing operations was described, as was the need for some drainage repairs on Edge Hill Road.

Gary Hedman entered the meeting.

Dryden spoke about the need to complete grant paperwork for the Grants-in-Aid program. The difficulties with handling this was discussed, and it was agreed that he would connect with O’Keefe and Tina Labeau on this effort and to work with the Windham Regional Commission staff to complete it all. He also mentioned involving Road Crew member Troy Maynard with some of the Highway Department’s computer-related efforts.

Annunziata mentioned that he had heard from several people that Under the Mountain Road has never been in as good in the summer as it is now.

b. Consider bids for winter road salt

In response to an Invitation bid for salt supply and delivery issued on 9/28/2022, the Town received the following responses:

Apalachee, LLC	\$92.25/ton
American Rock Salt Co., LLC	\$102.00/ton
Cargill, Inc.	Did not bid

O’Keefe noted that the per ton cost the previous year was \$80.00 and it was \$70.15 the year before, each with Apalachee LLC. Prouty mentioned that fuel costs are driving many price increases for supplies. The good quality of the salt and service from Apalachee was discussed. O’Keefe noted that the projected cost of the Apalachee bid would be \$110,700 for 1,200 tons, which is under the FY23 budgeted amount of \$115,000.

Jim Fleming moved to accept the bid from Apalachee LLC for FY2023 supply and delivery of winter road salt in the amount of \$92.25 per ton, and to authorize the Town Administrator to execute any documents necessary for the hiring of the contractor to provide the necessary material and services, seconded by Taylor Prouty. The motion passed unanimously.

10. Old Business

a. Consider bids for brush clearing of Prouty property

In response to Invitation bid for brush cutting of the Prouty Property on VT Route 100 issued on 9/28/2022, the Town received the following responses:

Hart's All Season Maintenance, Weston, VT	\$2,000
Dryden's Outdoor, Inc., Londonderry, VT	\$1,800
Greater Heights Tree and Land Management, Pownal, VT	\$1,500
Rugg Valley Landscaping, Londonderry, VT	\$0

Jim Fleming expressed his appreciation all those that submitted bids. There was discussion about when the site was last mowed, and Dryden mentioned he himself had done the work.

Jim Fleming moved to accept the bid from Rugg Valley Landscaping for brush clearing of the Town-owned Prouty Property in the amount of nothing, and to authorize the Town Administrator to execute any documents necessary for the hiring of the contractor to provide the necessary material and services, seconded by Taylor Prouty. The motion passed unanimously.

b. Ratify 9/26/2022 decision on Town Hall roof repairs and replacement

Because the Board voted on 9/26/2022 on a matter involving Town Hall roofing after adding it to the agenda, the Board must by its rules bring the matter up again and ratify its vote.

Taylor Prouty moved to ratify the Board's 9/26/2022 decision to accept a quote on roofing repair and replacement at the Town Hall, to authorize the Town Administrator to execute contract documents, and to authorize expenditure of up to \$20,000 for this effort to be paid from the Town Building Reserve Fund, seconded by Melissa Brown. The motion passed unanimously.

c. Ratify 9/26/2022 decision on use of Town Hall

Because the Board voted on 9/26/2022 on a matter involving use of Town Hall after adding it to the agenda, the Board must by its rules bring the matter up again and ratify its vote.

Jim Fleming moved to ratify the Board's 9/26/2022 decision to authorize the use of the Town Hall on 10/9/2022 by the South Londonderry Free Library for a public film contest screening, seconded by Taylor Prouty. The motion passed unanimously.

11. New Business

a. Discuss Emergency Management Director position

O'Keefe mentioned that Kevin Beattie resigned his position as Emergency Management Director after years of service to the Town, and the Board had received a letter from Beattie on this. He also noted that he had received an application to fill the position from Richard Phelan, and that the Board could advertise seeking other applicants or act on this request to serve. Whoever is appointed would serve in the position until the next annual Town Meeting, he added.

It was mentioned that Phelan has stepped up to serve in other Town positions and is well qualified. And it was mentioned that Beattie had offered to work with the new appointee on transition.

Taylor Prouty moved to accept with deep regret the resignation of Kevin Beattie as the Town's Emergency Management Director, and to express the Board's profound gratitude for his dedication to the community and his emergency preparedness and response efforts over the years, which culminated in his selection as Vermont's Emergency Management Director of the year in 2020, seconded by Vincent Annunziata. The motion passed unanimously.

Taylor Prouty moved, in keeping with the provisions of 20 V.S.A. Section 6, to appoint Richard Phelan as the Town's Emergency Management Director to fill the vacancy created by the resignation of Kevin Beattie, effective immediately, and to direct the Town Administrator to provide notice to the Department of Public Safety of this appointment, seconded by Jim Fleming. The motion passed unanimously.

b. Consider request for use of Town Office Meeting Room

The Board reviewed a request for use of the Town Office meeting room for a small wedding.

Jim Fleming moved to authorize use of the Town Office Meeting Room on Saturday, October 29, 2022 by Christine Derby for a small private wedding, and to authorize the Town Administrator to sign the facility use agreement on behalf of the Town, seconded by Taylor Prouty. The motion passed unanimously.

c. Consider request for use of Alcoholic Beverages in Public Place – Taylor Farm

The Board reviewed a request from Jonathan Wright of the Taylor Farm for a permit to allow for public consumption of alcohol at a concert event on the evening of 10/15/2022 at the Taylor Farm on VT Route 11. O'Keefe shared with the Board a memorandum from Zoning Administrator Will Goodwin on the compliance status of the Taylor Farm with Development Review Board conditions on its recent conditional use and site plan approval of the property for occasional outside recreational uses such as that being planned.

Reading from the memo, O'Keefe noted that a letter had been received from an architect on the structural stability of the barn, but that there is no word on whether the property has received signoff from the State Fire Marshall, or a VTrans access permit, or if the Sheriff's Department had been hired to provide traffic control. The memo does not conclude that the property is in compliance with its zoning permit. O'Keefe suggested to the Board that its decision, if it intends to grant the requested permit, be conditioned on conformance with the zoning permit (#2022-48) and the conditions of the underlying DRB decision of 8/29/2022.

Whether to apply such conditions on the alcohol permit was discussed by the Board, as was whether zoning enforcement would take place if required zoning permit conditions were not met. Board members were in agreement that the farm has taken steps in the right direction with regulatory compliance matters.


Melissa Brown moved to grant a permit to Jonathan Wright allowing the use of alcoholic beverages at a concert with bands and vendors on property located at 825 VT Route 11, known as the Taylor Farm, on Saturday, 10/15/2022 from 4:00 PM to 10:00 PM, seconded by Jim Fleming. The motion passed unanimously.

12. Adjourn

Jim Fleming moved to adjourn the meeting, seconded by Vincent Annunziata. The motion passed unanimously.


The meeting adjourned at 6:55 PM. The next meeting of the Selectboard is scheduled for October 24, 2022.

Respectfully Submitted,


Shane P. O'Keefe
Town Administrator

Approved October 26, 2022.

LONDONDERRY SELECTBOARD



Thomas Cavanagh, Chair