

# Town of Londonderry, Vermont

## Selectboard Meeting Agenda

Monday, June 19, 2023 – 5:15 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. Executive Session(s) – The appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313 (a)(3)
4. Minutes Approval – Meeting(s) of 6/5/2023, 6/12/2023 & 6/15/2023
5. Selectboard Pay Orders
6. Announcements/Correspondence
7. Visitors and Concerned Citizens
8. Town Officials Business
  - a. Planning Commission – Monthly update
  - b. Housing Needs Assessment Committee – Discuss formation of a standing Housing Committee
9. Transfer Station/Solid Waste Management
  - a. Updates
10. Roads and Bridges
  - a. Updates
  - b. Access Permit 2023-03 – Road cut on Barker Road (TH #9) for conduit installation
  - c. Discuss FY2024 road paving
11. Old Business
  - a. Discuss regulation of short-term rentals
12. New Business
  - a. Consider request for coin drop – Ruck Up, Inc. [23 VSA 1056]
  - b. Consider request for Use of alcoholic beverages in a public place – Phoenix Fire Company #6 Family Fun Day at Pingree Park
  - c. Consider contact award for Village Wastewater Project test pit services
  - d. Consider contract with the Windham County Sheriff's Office for FY2024 policing services
  - e. Executive Session(s) – The appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313 (a)(3)
  - f. Consider employee compensation matters
13. Adjourn

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

Posted and distributed on June 15, 2023

**Town of Londonderry, Vermont**  
**Selectboard**  
**Meeting Minutes**  
**Monday, June 19, 2023**  
**Twitchell Building - 100 Old School Street, South Londonderry, VT**

**Board Members Present:** Thomas Cavanagh, Martha Dale, James Fleming, and Melissa Brown.

**Board Members Absent:** Taylor Prouty.

**Others in Attendance:** Town Officials – Town Administrator Shane O’Keefe; Development Review Board Chair Esther Fishman; Planning Commission Chair Sharon Crossman; Housing Needs Assessment Study Committee Chair Patty Eisenhauer; Lister Sandra Clark; Town Assessor Jeremiah Sund; Road Foreman Joshua Dryden; and Zoning/Flood Plain Administrator Will Goodwin. Others – Ruck Up, Inc. representative Pamela Spaulding; Phoenix Fire Company #6 representatives Anna Stoddard and James Ameden, Jr; Resident Paul Hendler; and GNAT camera operator Bruce Frauman.

**1. Call meeting to order**

Selectboard Chair Tom Cavanagh called the meeting to order at 5:16 PM.

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

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

None.

**3. Executive Session – The appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313 (a)(3)**

*Martha Dale moved to enter executive session to consider the evaluation of a Town employee, pursuant to Title 1 V.S.A. Section 313(a)(3), and invite Sandra Clark and Jeremiah Sund to attend the executive session, seconded by Melissa Brown. The motion passed unanimously.*

The Board entered executive session at 5:17 PM. Clark and Sund left the executive session and meeting at 5:50 PM, and the Board came out of executive session at 5:58 PM. No decisions were made.

*Melissa Brown moved to enter executive session to consider the evaluation of a Town employee, pursuant to Title 1 V.S.A. Section 313(a)(3), and invite Will Goodwin, Esther Fishman and Shane O’Keefe to attend the executive session, seconded by Jim Fleming. The motion passed unanimously.*

The Board entered executive session at 5:59 PM. Goodwin and Fishman left the executive session and meeting at 6:17 PM, and the Board came out of executive session at 6:25 PM. No decisions were made.

**4. Minutes Approval – Meeting(s) of 6/5/2023, 6/12/2023 & 6/15/2023**

*Jim Fleming moved to approve the minutes of the Selectboard meeting of 5/15/2023, amended to indicate that the hazardous waste collections event would be on 6/3/2023, seconded by Martha Dale. The motion passed unanimously.*

## 5. Selectboard Pay Orders

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

## 6. Announcements/Correspondence

Shane O’Keefe noted the following:

- No applications have been received for the minute-taker opening and he will continue to advertise the position.
- The Basketball Court at Pingree Park was resurfaced on 6/6/2023.
- Town Office side door repairs began prior to the last regular meeting and it was decided to make some water penetration repairs and button up the building as more extensive work is required than anticipated, which can be addressed with the larger renovation project.
- The next regular Selectboard meeting is scheduled for 7/10/2023 and not 7/3/2023.

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

- A letter of thanks dated 6/3/2023 from the Magic Wastewater Associations for its ARPA allocation.
- The letter in support of the Town’s application to the VTrans Small Scale Local Safety Grant program signed by Cavanagh on 6/15/2023, as authorized by the Selectboard at the previous regular meeting.
- A copy of the Certificate of Public Good issued on 6/8/2023 by the VT Public Utility Commission to Green Mountain Power for its substation reconstruction project on Thompsonburg Road.
- A year-to-date Town financial report through 4/30/2023.

## 7. Visitors and Concerned Citizens

None.

## 8. Town Officials Business

### a. Planning Commission – Monthly update

Sharon Crossman spoke about an upcoming 6/21/2023 Commission meeting at which the 6/12/2023 public hearing on the proposed Zoning Bylaw amendments would be discussed and added that no further public input would be received unless another hearing is held.

She mentioned that the Commission would be providing assistance to the Village Wastewater Committee on public outreach.

### b. Housing Needs Assessment Committee – Discuss formation of a standing Housing Committee

Patty Eisenhaur spoke to the Board about an interest of the Housing Needs Assessment Committee in transition to a standing committee of the Town to work on the strategies that were outlined in the housing needs study, moving from housing research to action items. She presented a draft charge for the new Housing Commission, which suggests that the new committee increase its numbers from 5 to 7 to include members of the Planning Commission and Selectboard.

Eisenhaur recommended that those from other communities with special expertise be tapped for inclusion in the Commission. O’Keefe suggested that the charge be amended to require that a majority of its members be Londonderry residents. He added that he had forwarded the housing needs study to the study area communities as directed by the Board.

Closure of the existing committee once a new commission is established was briefly discussed.

*Martha Dale moved to determine that the ongoing effort to meet housing needs in Londonderry is best handled through the establishment of a commission, and the Board hereby establishes the “Londonderry Housing Commission”, as authorized under 24 V.S.A. Section 4433, which shall be made up of 7 members, to include a Selectboard member and a Planning Commission member, a majority of which shall be Londonderry residents. This Commission will 1) coordinate activities to implement the goals and strategies outlined in the recent housing needs assessment, 2) help promote and support the creation of housing in the community, and 3) continue to evaluate housing needs and solutions for the community, all as set forth in a specific charge to the committee, which shall be signed by the Selectboard Chair and included in the minutes of this meeting. Upon the Board’s appointment of enough members to constitute a quorum, the Housing Needs Assessment Committee, previously created by the Selectboard on 9/12/2022, shall cease to exist. And lastly, the Town Administrator is directed to advertise the availability of the Commission positions, which the Board will seek to fill at the first Board meeting in July 2023, seconded by Jim Fleming. The motion passed unanimously.*

The approved commission charge is attached to these minutes.

## 9. Transfer Station/Solid Waste Management

### a. Updates

None.

## 10. Roads and Bridges

### a. Updates

Josh Dryden mentioned that the new truck looks like it will be delivered in November. He brought up the Town Garage condenser, needed for moisture control, and noted that it needs to be looked at. O’Keefe and Dryden will work together on this

### b. Access Permit 2023-03 – Road cut on Barker Road (TH #9) for conduit installation

Josh Dryden briefly spoke to the discussions he’d had with the conduit installer, about the proposal to replace conduit along the road and run new conduit beneath the road. Given the extent of the work being proposed, O’Keefe expressed concern about the installer being the sole applicant without the project sponsor and conduit owner included, as they would not be available for any long-term issues such as any conditions imposed by the Board.

There was discussion about the specifications on the in-ground dimensions and materials, and Dryden mentioned that the 2” conduit would be placed in schedule 40 pipe.

*Jim Fleming move to approve access permit application No. 2023-03, submitted by Waveguide Solutions, LLC, and related to Barker Road (Town Highway #9) in the vicinity of 624 Barker Road, to 1) replace approximately 990 feet of existing utility conduit and/or cable along the west side of the Town right-of-way, and 2) install new utility conduit and/or cable below and crossing the travelled portion of Barker Road by way of trenching in two locations as shown in*

*the application materials, and 3) authorize the Chair to sign the permit on behalf of the Board. The permit is conditioned on: 1) either Consolidated Communications or the Southern Vermont Communications Union District signing on as co-applicant to the permit prior to any work authorized herein; 2) all conduit located parallel to the Town Highway being buried a minimum of 24 inches below finished grade and no closer than 24 inches from the travelled portion of the road; 3) all conduit crossing the Town Highway being buried a minimum of 24 inches below the finished grade of the roadway; and, 4) all roadway work conducted and materials replaced shall be to the satisfaction of the Town's Road Foreman and/or Road Commissioner, and guaranteed for one year, seconded by Martha Dale. The motion passed unanimously.*

**c. Discuss FY2024 road paving**

Josh Dryden presented the Board with a list of proposed paving locations, which includes Melendy Hill Road (with manhole covers), Windy Rise West, Scott Pet Road, and Derry Woods Road (with a culver repair). He also suggested improving several road aprons at State highway intersections caused by recent State paving efforts. As an additional work project, he suggested adding Old School Street and the Town Office parking lot. O'Keefe noted that the Town Office renovation project included a bit over \$50,000 for the parking lot repaving, and suggested it might be a better idea to address repaving as part of the project, but its present condition is very rough.

Dryden suggested approaching Hunter Excavating on any interest in assisting with the Derry Woods Road culvert given the company's proximity to it, similar to the efforts of Chaves Excavating on Chaves Road.

It was agreed to issue an invitation to bid for the paving work for consideration by the Board on 7/24/2023. O'Keefe will work with Dryden on this.

**11. Old Business**

**a. Discuss regulation of short-term rentals**

O'Keefe reported was still working on the fee structure and needs to reconnect with the Town Attorney on this and will report back at the next regular meeting.

**12. New Business**

**a. Consider request for coin drop – Ruck Up, Inc.**

**[23 VSA 1056]**

Pamela Spaulding spoke on behalf of Ruck-Up, Inc., which is a not-for-profit organization based in Keene, NH that provides assistance to Veterans in need that are not easily available elsewhere. The organization receives no federal or state funding, and are wholly funded through donations she stated, with all of its work done by volunteers. She requested authority from the Board to hold a coin drop fundraiser once again, this time on 9/16/2023, with a rain date of 9/17/2023, on VT Route 11 near Hells Peak Road, and acknowledged that State authorization is also required, and he needs a letter of approval from the Town. Board members expressed their thanks for the good work of the organization, and Spaulding thanked the Board for its support over the years.

*Jim Fleming moved to approve the request from Ruck Up, Inc. to hold a coin drop fundraiser on VT Route 11 in the vicinity of Hells Peak Road on 9/16/2023, with a rain date of 9/17/2023, subject to provision prior to the event of acceptable written proof of adequate liability*

*insurance and written proof of authority to conduct the event from the State of Vermont Agency of Transportation, seconded by Martha Dale. The motion passed unanimously.*

O’Keefe will send to VTrans the same letter sent out previous years.

**b. Consider request for Use of alcoholic beverages in a public place – Phoenix Fire Company #6 Family Fun Day at Pingree Park**

Anne Stoddard described the proposed family fun day fundraiser for the Phoenix Fire Company #6, which would include food, live music and games at Pingree Park, on Sunday, 7/20/2023. Her request is to allow for alcohol to be consumed on a bring-your-own-beverage basis during the event. She spoke to the need for parking solutions they’ve addressed due to limitations on site. Both Cavanagh and Stoddard stated that the Parks Board has approved of this request.

*Martha Dale moved to grant a permit to Phoenix Fire Company #6 allowing the use and consumption of alcoholic beverages at a fundraiser, to include food, live music and games for its family fun day event at Pingree Park, on Sunday, 7/20/2023 from 11:00 AM to 5:00 PM, subject to the conditions that 1) the permittee shall adhere to all local regulations and ordinances, including the Ordinance Relating to the Use of Alcoholic Beverages in Public Places, and 2) provision prior to the event of an acceptable certificate of insurance indicating adequate liability insurance and naming the Town as an additional insured, seconded by Jim Fleming. The motion passed unanimously.*

Melissa Brown noted that the ordinance is from 1983 and has some language in it that needs updating.

**c. Consider contract award for Village Wastewater Project test pit services**

O’Keefe recalled the suggestion from the Village Wastewater Committee to have an at-the-ready contractor to conduct test pits for potential wastewater facility locations, and that he had issued an invitation to bid. Only one bid was received, which was submitted by Hunter Excavating at \$200 for mobilization plus \$150 per hour thereafter, with a two-hour minimum. O’Keefe added that an archaeological site review would be required for all test pit operations prior to the excavation work.

*Martha Dale moved to accept the bid from Hunter Excavation for on-call test pit excavation services, 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 Jim Fleming. The motion passed unanimously.*

**d. Consider contract with the Windham County Sheriff’s Office for FY2024 policing services**

The Board reviewed the proposed contract with the Sheriff’s Office, which is identical to the previous year’s version with the cost increasing from \$50,000 (\$48.50/hour) to \$52,000 (\$52.00/hour), though the compensation is no longer tied to the Town of Jamaica maintaining a contract. O’Keefe noted that the Sheriff’s Office FY 2023 hours are close to the contracted amount, so no funds are likely to be returned. Regarding fines, O’Keefe referred to the year-to-date revenues, which indicated approximately \$5,880 having been received so far this year.

*Martha Dale moved to accept and approve the police services contract with the Windham County Sheriff’s Office for FY2024, and authorize the Town Administrator to execute the document on behalf of the Board, seconded by Jim Fleming. The motion passed unanimously.*

**e. Executive Session(s) – The appointment or employment or evaluation of a public officer or employee per 1 V.S.A. 313 (a)(3)**

*Melissa Brown moved to enter executive session to consider the evaluation of a Town employee, pursuant to Title 1 V.S.A. Section 313(a)(3), and invite Shane O’Keefe to attend the executive session, seconded by Jim Fleming. The motion passed unanimously.*

The Board entered executive session at 7:13 PM and came out of executive session at 7:30 PM. No decisions were made.

**f. Consider employee compensation matters**

The Board considered cost-of-living increases for hourly employees, and it was noted that the FY 2024 budget carries a 9% increase in keeping with the social security cost-of-living adjustment for 2023.


*Melissa Brown moved to increase the wages of the following hourly Town employees, as follows: Troy Maynard - \$24.55; Joshua Dryden - \$28.75; Stephen Twitchell – \$20.75; Candy Bliss - \$17.50; Dana Griswold - \$20.00; Keith Barton - \$22.00; Esther Fishman - \$29.50; Will Goodwin - \$26.50; and Jeremiah Sund - \$53.00, all to go into effect with the next pay period, which accrues July 1, 2023 and provides for increases to be paid out in FY2024 with the 2nd pay order in July, seconded by Jim Fleming. The motion passed unanimously.*

**13. Adjourn**

*Melissa Brown moved to adjourn the meeting, seconded by Martha Dale. The motion passed unanimously.*


The meeting adjourned at 7:44 PM. The next regular meeting of the Selectboard is scheduled for July 10, 2023.

Respectfully Submitted,

  
Shane P. O’Keefe  
Town Administrator

*Approved July 17, 2023.*

**LONDONDERRY SELECTBOARD**

  
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Thomas Cavanagh, Chair

**ATTACHMENT**

**Londonderry Housing Commission**

The Town of Londonderry Selectboard hereby establishes the Londonderry Housing Commission, established under authority of 24 V.S.A. § 4433, whose responsibility is to advise the Selectboard and other public bodies of the Town regarding housing matters within the community.

**Charge**

To fulfill its responsibility to the Selectboard, the Commission will:

1. Coordinate activities to implement the identified goals and strategies for meeting the housing needs in Londonderry as outlined in the Housing Needs Assessment Study completed April 2023.
2. Act as liaisons to the community in building support for actions that promote and support the creation of housing based on best practices.
3. Continue to evaluate current housing needs, identifying any gaps in the housing stock, according to housing, incomes, demographics, or special needs of the community.

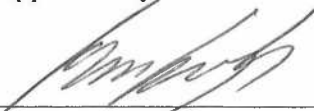
**Membership**

The Commission membership shall consist of seven (7) members, including an appointed member from Selectboard and the Planning Commission, each of whom shall have a vote on the Commission. Members shall be appointed by the Selectboard and may include residents of other communities, though a majority of the Commission shall be Londonderry residents. All members shall serve on a voluntary basis.

**Conduct of Meetings**

All business of the Commission shall be conducted in accordance with the Vermont Open Meeting Law (1 V.S.A. §§ 310 et seq.). All meetings of the Commission, as called by its Chair, shall be noticed publicly, open to the public and minutes made publicly available.

As approved by the Londonderry Selectboard on June 19, 2023.

  
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Thomas Cavanagh, Chair

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