

Town of Londonderry, Vermont
Selectboard
Meeting Minutes
Monday, August 21, 2023
Twitchell Building - 100 Old School Street, South Londonderry, VT

Board Members Present: Thomas Cavanagh, Jim Fleming, Taylor Prouty, and Martha Dale (via remote video software until 6:50 PM).

Board Members Absent: Melissa Brown.

Others in Attendance: Town Officials – Town Administrator Shane O’Keefe; Town Treasurer Tina Labeau; Planning Commission and Village Wastewater Committee Chair Sharon Crossman; Planning Commissioner Mimi Lines; Recycling Coordinator Esther Fishman; Mountain Towns Regional Recreation Director Steering Committee members Sarah Kiefer and Will Reed; Parks Board member Chad Stoddard. Others – Windham Regional Commission staff member Matthew Bachler; Hoyle, Tanner & Associates engineer Jon Olin (via telephone); One Londonderry representatives Elsie Smith and Patty Eisenhour; Residents Bill Sinsigalli, Jennifer Ogden, and Paul Hendler; and GNAT camera operator Bruce Frauman.

1. Call meeting to order

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

2. Additions or deletions to the agenda

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

- a. *Taylor Prouty moved to adjust the agenda by moving the executive session scheduled under New Business to the next order of business after agenda changes, seconded by Jim Fleming. The motion passed unanimously.*
- b. *Taylor Prouty moved to delete from the Town Officials Business portion of agenda the matter of a contract amendment for Zoning Bylaw amendment consulting services, seconded by Martha Dale. The motion passed unanimously.*
- c. *Taylor Prouty moved to add to the agenda, under New Business, consideration of contract award for storm damage emergency/exigency engineering services for the Williams Dam, seconded by Jim Fleming. The motion passed unanimously.*
- d. *Taylor Prouty moved to add to the agenda, under Old Business, a discussion on the job description for the Minutes Taker position, seconded by Jim Fleming. The motion passed unanimously.*
- e. *Tom Cavanagh moved to add to the agenda, under Roads and Bridges, consideration of an application for an excess vehicle weight permit as agenda item 9.f., seconded by Taylor Prouty. The motion passed unanimously.*

2.a. Executive Session(s) – 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 Tina Labeau to attend the executive session, seconded by Jim Fleming. The motion passed unanimously.

The Board entered executive session at 6:02 PM and came out of executive session at 6:05 PM.

Tom Cavanagh moved to adjust Tina Labeau’s delinquent tax percentage from 3% to 5%, with the Town retaining 3%, seconded by Jim Fleming. The motion passed unanimously.

3. Minutes Approval – Meeting(s) of 8/7/2023

Martha Dale moved to approve the minutes of the Selectboard meeting of 8/7/2023, seconded by Taylor Prouty. The motion passed unanimously.

4. Selectboard Pay Orders

Jim Fleming moved to approve the pay orders for payroll and accounts payable, seconded by Martha Dale.

Cavanagh noted that the payment for the new Transfer Station backhoe was higher than the amount budgeted, so additional funds would be coming from the backhoe repairs budget, which should not be used due to the new equipment.

The motion passed unanimously.

5. Announcements/Correspondence

Tina Labeau reminded the Board that the Town Clerk’s and Treasurer’s office would be closed on 9/12/2023 and 9/13/2023 for training.

Shane O’Keefe noted the following:

- The Town has received notice of a planned blasting event at Mad King Quarry LLC, located on Rowes Road on 8/22/2023, between 12:00 PM and 4:00 PM.
- Next regular meeting is scheduled for 9/18/2023, with no meeting scheduled for 9/4/2023 due to the Labor Day holiday, but that it may be necessary to hold a quick special meeting to address some bid awards for storm-related projects.
- He had handed out a notice of an upcoming training at the Putney Firehouse on 8/24/2023 on “Planning for Resilience: Hands on training session with the Transportation Resilience Planning Tool.

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

- Letter from the President of the Preservation Trust of Vermont inviting Town representatives to meet this Wednesday with funding organizations and technical assistance providers such as VLCT, VT Department of Historic Preservation, VT Council on Rural Development and the USDA Rural Development office. This should be considered during the “next steps with flood recovery” discussion, he suggested.
- Information on the Brattleboro Development Credit Corporation’s ”SoVT Get on Board” program that seeks to train people to become effective and active participants on civic life in the area. He asked that Board members review this information and let him know if there should be further discussion about participation. Dale suggested advertising this opportunity.
- One Londonderry steering committee minutes of 8/16/2023.

Bruce Frauman spoke to the Town’s participation in the Municipal Energy Resilience Program sponsored by the State Buildings and General Services Department, which would see energy efficiency assessments of the Town Office and Town Hall, followed by applications for up to

\$500,000 for implementation. He noted that he is working with Labeau on assembling energy and fuel usage data for the initial application. O’Keefe stated that the Town is prioritizing the Town Office to coincide with the Town Office renovation project in an attempt to reduce the bonding amount.

6. Visitors and Concerned Citizens

a. Updates on storm damage and recovery

Prouty noted evolving efforts to address road repairs. O’Keefe mentioned that initial phone meeting with FEMA staff has taken place and an initial in-person project meeting is scheduled for the following week. He added that Bill Kearns has started his work as FEMA Recovery Assistant and has made great strides already toward submitting required documents to FEMA. Fishman inquired about debris at the Transfer Station and was instructed to connect with Kearns on this.

Cavanagh noted that he has a drive-around meeting scheduled that week with FEMA’s Program Delivery Manager (PDMG) to look at a few project locations. He mentioned that bids for the Spring Hill Road Culvert replacement will be considered later in the meeting. O’Keefe noted that a scope of work has been developed for the Cobble Ridge Road Bridge repairs by the Town’s engineer and is scheduled to out to bid later in the week.

Cavanagh stated that the goal is to have roads finished before the first snow.

b. Next steps with flood recovery

Dale spoke of the urgency to address matters beyond the initial FEMA repair work. In a prepared statement she provided as follows:

- What did we learn from Tropical Storm Irene and the “After the Flood” exercise?
 - That guided process was designed as very ‘communal’ and healing, as well as highly informative.
 - Consider the After the Flood a basic outline that gives us a reality check and a place to start that is not ground zero
 - Some of the final conclusions and next steps apply now – they’re just waiting to be revisited, implemented.
- Regarding the North Village Main Street Study recently conducted by Planning Commission
 - Should be the basis for our work moving forward.
 - The plans are impressive, creative, demonstrated thinking out of the box, and were based on research and facts.
 - We know the Planning Commission is poised to solicit assistance, revisit, and adjust according to new wisdom re: flood risk for village main streets & more.
- What did the storm of July 9-10 do to our villages?
 - Proved that the status quo doesn’t work.
 - Not doing anything isn’t an option for the health of our community and its citizens.
- We need to acknowledge the following:
 - We are still mopping up from July 9/10; roads and bridge repair work is ongoing.

- The effects of hydrology flows from Weston down to Londonderry need to be addressed.
- We are a small town with limited resources, expertise and executive capabilities; there has never been more federal/state/other funding available than NOW. But plenty of need among all Vermont communities hit by this flood – our town is as needy and deserving as any other right now!
- We don't need any further proof that **THIS WILL KEEP HAPPENING HERE**. It will unless and until we can collectively instigate essential measures /essential changes.
- The time to strike is while the iron is hot, or while the memory of the flooding is seared into our psyche, to explore possibilities for ‘hardening’, risk mitigation, and build back better than before. Solutions are out there – other communities have proven that.
 - We want our businesses to build back and open ASAP, but we also want to guarantee a safer, lower flood risk future. Businesses are key to maintaining our existing tax base and possibly developing an even more robust tax base.
 - There are resources, support, and funding available but a consultant with expertise and vision is absolutely the key to accessing these resources.
 - We need to find the right “qualified” consulting firm that can comment on the feasibility of using prior downtown business project development plans and as well integrate the to-be-initiated South Londonderry village plan.
 - Our regional partners, such as the Windham Regional Commission, Vermont Council on Rural Development, etc. will gladly give us recommendations for the best qualified consultants they know – to go along with any others we are able to come up with for consideration.
 - We only really know what we know – we need help figuring out what we don't know, how to get answers and secure funding that can help us realize a more secure future for our community.
 - We are grateful for the extensive work conducted already by the Planning Commission, One Londonderry, the Selectboard, the Housing Commission, Williams Dam Advisory Committee and Village Wastewater Committee – but going forward we need to expertly knit their work together to maximize their strengths and build upon their work.
 - We think there might be possible collaboration with Weston, a neighboring town that is facing the same issues.

Dale suggested the following resolution: *Be it resolved that the Selectboard source and secure a consultant to set up an efficient process that will prioritize our scope of work, explore possibilities for funding, planning, revisions to existing plans and the development of newer specific and qualified plans to create a 100-year stable footprint for our community.*

Esther Fishman suggested that the Selectboard should take the lead on this effort. On behalf of One Londonderry, Elsie Smith mentioned that much work has been done in the past that could support these efforts.

Sharon Crossman agreed that it would be great to knit these efforts together and that new ideas can be generated for the community, and that the Planning Commission would be very supportive.

Dale stated that the next step is to get the names of consultants that have relevant Vermont experience to take communities through this sort of exercise to give the Town the capacity to address its needs, and there should be funding opportunities to cover this expense.

7. Town Officials Business

a. Discussion of including Pingree Park in Village Wastewater Project

Cavanagh recalled the brief discussion at the previous regular meeting regarding letters from the family of Rex Doane and the interest of some Board members in honoring those wishes and to therefore not allow the use of Pingree Park as part of the Village Wastewater Project.

Sharon Crossman presented to the Board and read aloud a letter from the Village Wastewater Committee (VWC) addressed to Selectboard Chair Tom Cavanagh and Parks Board Chair Kelly Pajala:

First, on behalf of the VWC, there is curiosity as to the basis of the Doane Family letters of concern at this juncture in the VWW project. Since you probably know, we ask that you pass along this response from the VWC to the Doanes, to help calm those who apparently have been given various inaccurate information regarding testing in Pingree Park.

*For the VWC and the VWW project, it's most disappointing to know that the Doane family was misinformed about the Town's project. As you know, there has **never** been any mention of a wastewater facility. Equally concerning is the inaccurate information that an in-ground disposal field would **ever** result in what Mr. Doane described in his letter. Even more concerning is that the Doane family never had the opportunity to hear from one of our most supportive alternative property owners, who decided he wants to be part of the VWW project based on his conversation with residents in Warren. He heard that the installation of decentralized wastewater systems in their recreational parks has made a significant and positive difference for their communities. The use of recreational parks for these installations led to grants to improve and expand their recreational resources.*

*Further, you also know that **the VWC let go of any intention of soil testing at Pingree Park quite some time ago**. Since then, any and all testing (except for that on Town-owned Prouty and Custer-Sharp properties) has been done solely on private property with express permission from owners who are willing to allow testing and potential sale or easements for VWW. Rather than instigating unnecessary fear of soil testing that creates untenable conditions for Pingree Park users, or the idea of a 'taking' of any kind, **the Doanes should be assured by the Selectboard/Parks Board that no in-ground testing has occurred at Pingree Park**.*

The debate regarding Pingree Park has led to rumors and disinformation throughout Londonderry. The VWC hopes that putting this issue to rest will result in an end to the negative discourse that we have all heard. We hope the Selectboard and Parks Board will help end the negativity and help us communicate the importance of the VWW project to improving the health and well-being of our village residents, preservation of our businesses, expansion of needed services and the opportunity to meet our housing shortage.

On behalf of the VWC, we ask that you pass this message along to the Parks Board and Doane family for clarification and consideration.

Sincerely,

VWC Committee - Sharon Crossman, Gary Hedman, Larry Gubb, Tom Metcalfe

Prouty noted that the feelings expressed in the Doane family letters were strong and need to be considered, whether the specifics are accurate or not. Crossman stated that the primary reason for the letter was to focus on disinformation in the community about the project.

Tom Cavanagh moved to honor Rex Doane's wishes for Pingree Park and the Doane family's continued wishes for Pingree Park and uphold the previous Selectboard vote to not have wastewater put at Pingree Park, seconded by Jim Fleming. The motion passed 3-0-1, with Martha Dale abstaining.

b. Parks Board – Approve interlocal agreement and discuss hiring process for Mountain Towns Recreation Director position

Sarah Kiefer mentioned that an interlocal agreement has not been finalized as of yet, and Will Reed said that it should be coming soon. All other Towns have approved the agreement.

Reed mentioned that the Committee hopes to move swiftly with the hiring process, with the position advertised by the first of September and a candidate hired by the end of that month.

There was discussion about approving the agreement in advance, subject to Town Attorney review.

How best to advertise the position was discussed, and a proposed job advertisement was reviewed. It was mentioned that the annual salary would be advertised as a range from \$45 to \$55 thousand, plus full benefits.

Martha Dale moved to allow for the advertisement of the position for the shared Mountain Towns Recreation Director, seconded by Taylor Prouty. The motion passed unanimously.

8. Transfer Station/Solid Waste Management

a. Updates

Cavanagh mentioned that the new backhoe would be arriving the following day.

Esther Fishman spoke to flood-related hazardous waste and mentioned that the federal EPA and the State of Vermont paid for pick-up and disposal of this waste. She added that there will be no further acceptance of hazardous waste until the 10/7/2023 hazardous waste collection event.

She thanked Jim Fleming for completing the construction of the new bottle shed, which she said is perfect.

Fishman noted that she is trying to work with M & T Bank to sponsor a regional document shredding event, the cost of which is at least \$1,200.

b. Discuss participation in Flood Recovery Clean Up Day (August 26)

Fishman mentioned that the original date for the flood recovery cleanup was the next Saturday, but with this being short notice that the Town can pick another date. She inquired about locations of public spaces where debris was still needed to be cleaned up. A limited number of locations were discussed. Fishman asked Prouty to forward an email with locations of debris, and added that the State of Vermont program will pay for the debris removal. The strong likelihood of riverside debris was noted.

c. Consider disposition options for old backhoe

The Board discussed what to do with the old backhoe, and whether to keep it or not. Cavanagh suggested selling it for scrap, and O’Keefe recommended selling it at auction.

O’Keefe offered to arrange for the equipment to be sold at auction with Auctions International, and the Board members were supportive of this.

9. Roads and Bridges

a. Updates

Prouty spoke to the ongoing storm recovery efforts and mentioned that having the FEMA Recovery Assistant has proved very valuable now that cost recovery was in process.

He mentioned that other Road Crew work that normally would happen this time of year has been delayed by the recovery work, but they’re still on the to-do list. He asked the public to “bear with us”.

b. Spring Hill Road Culvert Replacement – Public Concerns Meeting

Matthew Bachler of the Windham Regional Commission, acting as the Town’s Municipal Project Manager for the VTrans Transportation Alternatives Program (TAP) grant, and project engineer Jon Olin spoke to the Spring Hill Road Culvert Replacement Project. Bachler noted that the Town received a VTrans Structures Program grant of \$175,000, which requires a \$17,500 (10%) local match and is covering all project engineering efforts, as well as the TAP grant, which is for \$300,000 with a \$75,000 (20%) local share. He mentioned that because the TAP grant is a federal program it has different program requirements which have extended the project schedule beyond what had been expected. One of the requirements is to hold a Public Concerns Meeting to hear from the public and impacted property owners.

Bachler mentioned that the project engineer is in the process for development of preliminary plans, and that this fall there would be an historical and archaeological assessment and submission of an application required of the National Environment Policy Act (NEPA). Next spring there will be plan revisions, securing applicable State of Vermont permits, and acquisition of necessary temporary and permanent easements. Final design is expected next summer, he stated, and project bidding would occur in the winter of 2025 with construction the following summer.

The recent storm damage to the culvert changes the project somewhat in that the culvert to be replaced by the proposed 20-foot-wide box culvert would be the temporary culvert to be installed this fall instead of the existing one.

O’Keefe referred to the concept plans in the Board’s meeting packet for reference and pointed out the road closure and signage plan for the project, making clear that the road would be closed for 2 to 3 months in the summer of 2025 to allow for the quickest and most cost-efficient construction. Prouty pointed out that while road closure is inconvenient, property owners still have access to the road network, albeit a long distance. There was discussion about providing written notice to affected property owners. Olin pointed out that there would be changeable message boards that can be placed a few weeks in advance to provide additional notice to those affected by the project. Details of the road detour were discussed.

Bachler mentioned that there would be additional public meetings in the future related to the project as it progresses.

c. Spring Hill Road Culvert Replacement – Consider contract amendment

Bachler noted that the original engineering contract with Hoyle, Tanner & Associates must be amended to address additional requirements necessitated by the use of the TAP grant funds, such as the historical and archaeological study, the NEPA submission, and additional coordination with VTrans at various stages of the project. While these items would cost more, there are scope subtractions as well, such as the firm no longer action as construction inspector, which is not permitted due to the cost of the project, though the firm will be available for construction support services. The contract change would increase the contract by \$5,148, from \$140,908 to 146,056. Construction engineering would have to be bid out later.

O’Keefe again clarified that engineering costs would be paid for with the VTrans Structures Grant, while construction costs would be paid from the VTrans TAP Grant and additional funds to be determined, most likely through short-term borrowing.

Jim Fleming moved to approve the amendment of the 9/21/2022 contract with Hoyle, Tanner & Associates, Inc. related to permanent replacement of culvert #12 on Spring Hill Road at Eddy Brook, and to authorize the Town Administrator to execute any documents necessary for the contractor to continue to provide the necessary services. The original contract for this project was authorized by the Selectboard on 9/12/2022. Seconded by Martha Dale. The motion passed unanimously.

d. Review bids and award contract for Spring Hill Road Culvert Replacement Project

O’Keefe noted that in response to an Invitation to Bid for the temporary replacement of the 6’ culvert on Spring Hill Road recently damaged in the 7/10/2023 storm, which was advertised on 8/8/2023, the Town received two bids: Hunter Excavating, Inc. at \$70,000 and Ameden Construction, LLC at \$55,000.

Jon Olin noted that these bids were considerably below the estimated costs his firm had developed, and confirmed that the scope of work calls for the bidders to supply the culvert.

The Board discussed the bids and agreed that either company would do a fine job for the Town.

Jim Fleming moved to accept the bid from Ameden Construction, LLC for temporary replacement of the storm-damaged culvert #12 on Spring Hill Road at Eddy Brook, and to authorize the Town Administrator to execute any documents necessary for the hiring of the contractor to provide the necessary services, seconded by Martha Dale. The motion passed unanimously.

Whether the Town would own the culvert pipe once the permanent replacement of the culvert with the 20-foot box culvert was raised. O’Keefe suggested discussing this with FEMA.

e. Review proposals and award contract for engineering assistance for road repairs

O’Keefe noted that due to the number of highly technical storm-related road repair projects, it was determined to be best practice to seek engineering assistance to properly put together scopes of work to get better pricing on projects, thus reducing the Town’s cost share, and for

project oversight. In response to a Request for Proposals issued on 8/9/2023, the Town received and the Board reviewed submissions from the following firms:

- Calderone Consulting, Henderson, NV (with Barre, VT associates)
- Hammond Engineering, Springfield, VT
- Stantec Consulting, Inc., South Burlington, VT
- Stevens & Associates, Brattleboro, VT

O’Keefe noted that the proposal from Calderone Consulting did not really respond with a submission that matched the RFP, and that any of the other firms were qualified to provide the desired services. Prouty stated that Hammond Engineering has provided excellent service to the Town in the past and is very familiar with the Town’s road infrastructure.

Taylor Prouty moved to accept the proposal from Hammond Engineering for engineering assistance for storm-damaged roads and possibly other Town properties, and to authorize the Town Administrator to execute any documents necessary for the hiring of the firm to provide the necessary services, seconded by Jim Fleming. The motion passed unanimously.

f. Consider application(s) for excess vehicle weight permits [23 VSA1400a]

The Board reviewed an overweight permit application, and it was noted that the applicable fee were paid, and insurance certificate received.

Taylor Prouty moved to approve the excess weight permit for Wilson & Lawrence, Inc., and authorize the Town Administrator to execute the permit on behalf of the Town, seconded by Jim Fleming. The motion passed unanimously.

10. Old Business

a. Discuss regulation of short-term rentals

Residents Bill Sinsigalli and Jennifer Ogden spoke to issues expressed concerns about the possibility under the existing Zoning Bylaw that a large property owner could subdivide it and establish a large number of short-term rentals due to there being no requirement for owner-occupancy. Sinsigalli suggested limiting the number of STRs an individual can own and that the Selectboard and Development Review Board take steps to prevent this scenario. They each spoke to the need to provide notice to neighbors on applications.

Sinsigalli suggested that the Board review the Burlington, VT ordinance and limit the number of STRs any individual can own.

Cavanagh mentioned the intension of the Board is to have the entire Board vote on the ordinance with the goal of it being in full effect next year. O’Keefe noted that the only matter to be finalized with the ordinance at this time has to do with registration fees, and that once the Board agrees to that it would vote on its adoption the following meeting and the ordinance would take effect 60 days later. He explained that the ordinance only requires that STRs be registered with the Town, and that registration requires compliance with State laws.

There was a brief discussion on the Zoning Bylaw amendment process now underway, and further discussion on the issues and impacts of STRs.

The matter will be added to the agenda of the next regular meeting.

b. Consider allocation of flood relief donations

Following up from the previous meeting, the Board discussed what to do with donations given to the Town for flood relief. There had been discussion about allocating the funds to either The Community Fund for Londonderry or Neighborhood Connections, or both, for distribution. It was mentioned that the recent fundraiser brought in approximately \$25,000 for the Community Fund for Londonderry. It was the sentiment of the Board to then allocate the funds to Neighborhood Connections.

Martha Dale moved to direct all funds received from area individuals, businesses and organizations for flood relief to Neighborhood Connections for their disposition, seconded by Jim Fleming. The motion passed unanimously.

c. Consider job description for FEMA Recovery Assistant position

O’Keefe noted that at the previous meeting the Board approved a hire for this position, and he was asked to draw up a job description. The description includes a position objective/purpose as follows:

“Under the direction of the Selectboard, or its designee, the FEMA Recovery Assistant will coordinate, assemble, submit and justify as necessary and appropriate all documents required for the Town to successfully comply with emergency/disaster response and recovery reimbursement programs administered by the Federal Emergency Management Agency (FEMA) and/or the Vermont Department of Public Safety’s Office of Emergency Management (VEM)”.

The question of who would supervise the employee was briefly discussed, and it was generally agreed that it should be the Town Administrator.

Martha Dale moved to approve the new job description for the position of FEMA Recovery Assistant, who shall report to the Town Administrator, seconded by Taylor Prouty. The motion passed unanimously.

d. Authorize zoning permit application for new sign for pollinator garden at the Prouty Property

Board members expressed concern about the \$800 cost of the sign as reflected in the zoning permit application, noting that given other budget constraints this expense was not necessary. Cavanagh suggested that the Pollinator Project should pay the cost.

Fleming expressed concerns about the rocks added to the field during the pollinator garden installation.

O’Keefe asked whether he should inquire about where the funds are coming from and why the Pollinator Project is not covering the cost. The Board was appreciative of this and no action was taken on the matter; this should be considered at the next regular meeting.

e. Discussion on the job description for the Minutes Taker position

O’Keefe noted that he has not received any applications for the position, but noted that an inquiry had come in from someone interested to doing the job remotely. He recommended that the job description be amended to allow for remote attendance at meetings or doing the minutes based on video of the meeting.

Prouty stated that in a conversation with the Town’s consultant looking into governmental organization, it was likewise recommended that this step be taken, as there may be someone who can handle this for Londonderry and any number of other towns.

There was discussion about the quality and type of remote video of meetings, and the pros and cons using remote meeting software. Chad Stoddard spoke about storage requirements of remote meeting recordings, and public access to these.

O’Keefe suggested that for some single-purpose type special meetings, such as for executive sessions, the Minutes Taker would not have to take the minutes. He also suggested giving remote minutes-taking it a try and see how it works out.

Taylor Prouty moved to amend the job description for the Minute Taker position to allow for remote viewing of the meetings by the employee, and authorize readvertising the position accordingly, seconded by Martha Dale. The motion passed unanimously.

11. New Business

a. Consider award of contract for storm damage emergency/exigency engineering services for the Williams Dam

O’Keefe distributed a scope of work provided by DuBois & King, Inc., the Town’s dam engineer, to conduct flood-related inspection and inspection follow-up work for the Williams Dam which, given its “significant hazard” classification, its poor condition, and obvious scouring that took place during the 7/10/2023 storm-related flooding event, should be seen as soon as possible.

Services proposed, with an estimated fee of \$8,000, are as follows:

- Inspection of the dam and a report on possible damage that may have occurred from the July flooding (damage was noted to the concrete low-level outlet structure),
- Recommendations on repairs to the dam with estimated quantities and probable construction costs,
- Recommendations for stabilizing Edge Hill Road to fully reopen the roadway,
- Provide assistance with coordinating with the Vermont Dam Safety Program. If determined by the State and Dam Order is required to complete the work, D&K will notify the Town and provide an updated estimate to complete the application.
- Observe the construction of repairs and provide documentation to the Town and the State of the repairs. (Estimated 2 days of observation)

O’Keefe noted that the firm was hired by the Town through a request for proposals process previously in keeping with the Town’s procurement policy.

It was noted that the inspection results may inform the Williams Dam Advisory Committee’s efforts. The exigent necessity for the engineering services was discussed, and it was noted that the recent inspection by the State of Vermont immediately after the flood was only to assess immediate hazard conditions and was not an in-depth conditions inspection.

Road repair work on Edge Hill Road alongside and affecting by Williams Dam was discussed.

Jim Fleming moved to 1) determine that inspection and possible repairs of the Williams Dam necessitated by the recent FEMA-declared flooding disasters are of an exigent

necessity and require immediate attention to ensure the health, safety and general welfare of the community, 2) to acknowledge that the firm of DuBois & King, Inc. has already been under contract with the Town for engineering services related to this facility, such contract having been secured via an approved competitive request for proposals solicitation process in keeping with the Town's procurement policy, and 3) to acknowledge receipt of a scope of services for inspection and related engineering, and 4) authorize the Town Administrator to execute a consultant contract with the approved firm for these services, seconded by Taylor Prouty. The motion passed unanimously.

12. Adjourn

Jim Fleming moved to adjourn the meeting, seconded by Martha Dale. The motion passed unanimously.

The meeting adjourned at 8:16 PM. The next regular meeting of the Selectboard is scheduled for September 18, 2023.

Respectfully Submitted,

Shane P. O'Keefe
Town Administrator

Approved September 18, 2023.

LONDONDERRY SELECTBOARD

Thomas Cavanagh, Chair

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