

**Town of Londonderry, Vermont  
Selectboard  
Regular Meeting Minutes  
Monday, February 5, 2024  
Twitchell Building - 100 Old School Street, South Londonderry, VT**

**Board Members Present:** Thomas Cavanagh, Martha Dale (via phone), Jim Fleming, and Melissa Brown.

**Board Members Absent:** Taylor Prouty.

**Town Officials:** Town Administrator Shane O’Keefe; Town Treasurer Tina Labeau; Mountain Towns Recreation Director Liam Elio; Housing Committee member Bill Sinsigalli and Road Foreman Josh Dryden.

**Others in Attendance:** 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)]

*Jim Fleming moved to delete from the agenda a discussion on the results of the 2023 Equalization Study seconded by Melissa Brown. The motion passed unanimously.*

*Tom Cavanaugh moved to add to the agenda a discussion of a fill-in for the Road Crew, seconded by Melissa Brown. The motion passed unanimously.*

**3. Minutes Approval – Meeting(s) of 1/22/2024**

*Jim Fleming moved to approve the minutes of the Selectboard meeting of 1/22/2024, seconded by Melissa Brown. The motion passed unanimously.*

**4. Selectboard Pay Orders**

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

**5. Announcements/Correspondence**

**a. Announcements**

1. O’Keefe reported that there was no referendum petition received by the 2/1/2024 deadline for the Short-Term Rental Ordinance, so it will go into effect on 2/17/2024.
2. He added that a meeting with architect Jon Saccoccio regarding the Town Office renovations had taken place and we’re looking forward to bidding on the project this spring. Jon will attend the next regular Selectboard meeting to give a project presentation and answer any questions.
3. O’Keefe’s deposition for the Vermont Woodchips Notice of Zoning Violation case is next Tuesday, not on 1/24/2024 as previously mentioned.

**b. Correspondence included in the Board’s meeting packet was as follows:**

1. A 1/24/2024 invitation from the Windham Regional Commission to the Selectboard and Planning Commissioners in Londonderry, Jamaica, and Weston to meet to discuss working together on flood mitigation activities, O’Keefe noted that he understood that the meeting has been set for Monday, 2/12/2024 at 11:00 AM
2. A letter of 1/23/2024 from Green Mountain Power providing notice of upgrade and relocation of an electric distribution line along VT Route 11.
3. Correspondence from the Vermont State Archives forwarding information on the original charter of the Town from 4/20/1780, which notes that the spelling at the time was Londondary.
4. Labeau spoke regarding the absentee ballots and early voting.

**6. Visitors and Concerned Citizens**

None.

**7. Town Officials Business**

**a. Board of Listers-Annual certificate of no appeals/suits [32 VSA 4155]**

O’Keefe noted that Town Assessor Jeremiah Sund had confirmed that there were no pending appeals or suits.

*Jim Fleming moved that the Board approve and sign the annual Certificate of No Appeal or Suit Pending, seconded by Melissa Brown. The motion passed unanimously.*

**b. Village Wastewater Committee-Approve ARPA grant funding agreements**

O’Keefe spoke about the ARPA Grant Agreements with the Vermont Department of Environmental Conservation for the north and south village projects that were included in the meeting packet. He noted that Town Attorney Bob Fisher has reviewed and approved the agreements for conformity. And project engineer Chrissy Haskins has said the scope of work and timeframe is all that is expected.

*Melissa Brown moved to accept the terms of ARPA funding grant agreements with the State of Vermont Department of Environmental Conservation for both the north and south village wastewater projects and authorize the Town Administrator to execute the documents on behalf of the Town, seconded by Jim Fleming. The motion passed unanimously.*

**c. Mountain Towns Recreation Director – Authorize contracts for activity signups and program website**

Elio explained that StackSports is a company that Flood Brook Athletic Association and the West River Sports Association have used for many years for sporting event sign-ups. He spoke to the need for Sports Connect software. There would be no cost to the Town, he noted, and that all sports are arranged and paid for through the software. He mentioned that the contract can be cancelled at any time and that the software is intended for all sports. He recommends establishing an overall program website to be:

<http://www.mountaintownsrecreationsports.org> for all 5 Mountain Towns program to register and sign up.

*Melissa Brown moved to authorize Mountain Towns Recreation Director to execute contract agreements for 1) recreation activity sign-ups and 2) website services for the Mountain Towns Recreation Program, seconded by Jim Fleming. The motion passed unanimously.*

**d. Mountain Towns Recreation Director – Authorize issuance and use of a Town credit card**

The Selectboard briefly discussed the limits of a Town credit card. The maximum limit is \$5,000 and any charges over \$1,000 must be approved by the Selectboard prior to purchase.

*Jim Fleming moved to authorize Mountain Towns Recreation Director Liam Elio to receive and use a Town credit card exclusively for Town business, seconded by Melissa Brown. The motion passed unanimously.*

**e. Town Treasurer-Year to date budget review**

Labeau described the year-to-date budget. She said everything is okay with the exception of the \$1,000,000 expended but not yet reimbursed for flooding.

**f. Delinquent Tax Collector-Discuss upcoming Tax Sale & appoint Town representative**

Labeau explained that the tax sale is scheduled for 2/21/2024 at 10:00 AM, and that a Board member must be assigned to represent the Town in a purchase if necessary.

*Melissa Brown moved to appoint Jim Fleming as agent for the Selectboard to purchase properties on behalf of the Town at the upcoming tax sale as provided for under 32 VSA Section 5259, seconded by Jim Fleming. The motion passed unanimously.*

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

**a. Updates**

Cavanaugh said the rats have not chewed through the conduit or wires of late.

**9. Roads and Bridges**

**a. Updates**

December 2023	Salt – 97 tons	Sand – 236 yards
	Fuel (gallons): Equipment – 1184	Transfer Station - 140
January 2024	Salt – 323 tons	Sand – 1144
	Fuel (gallons): Equipment – 2885	Transfer Station – 5

Dryden said the blasting cut-off date at Mad King Quarry is set for 2/15/2024. The Board discussed the matter of ongoing blasting.

He said the new truck is built and on its way. Once here it will need the dump body installed. He has investigated pricing on a backhoe versus a loader and is looking into a trailer as well.

**b. Discuss Radar Speed Feedback Signs**

O’Keefe mentioned that the insurance claim for the damaged radar speed sign on VT Route 100 whether the Board wanted to replace the sign and from which budget the funding would come. There was also discussion about moving the new sign closer to the plaza. O’Keefe raised the issue of whether to continue to pay for cloud-based access to the programming software, which is approximately \$450/year for each sign, or to forgo that and use location-based Bluetooth connections for programming and data collection. He was asked to research this and report back at the next regular meeting.

*Melissa Brown moved to purchase a new radar speed feedback sign to replace the one recently damaged, to be paid for from the signs budget, seconded by Jim Fleming. The motion passed unanimously.*

*Jim Fleming moved to add the Town-owned radar speed feedback signs to the Town’s property schedule for insurance purposes, seconded by Melissa Brown. The motion passed unanimously.*

**c. Consider application(s) for excess vehicle weight permits [32 VSA1400a]**

O’Keefe handed out new language for the notice distributed to excess weight permittees related to tarps being desired. The Selectboard supported the new language for owners to provide proper tarps for trucks. Dryden added that some of the Town trucks don’t have tarps.

*Melissa Brown moved to change the language to the overweight permit vehicle notice adding the appropriate coverage to materials being transported, seconded by Jim Fleming. The motion passed unanimously.*

*Jim Fleming moved to approve the excess weight permit(s) for:*

- *Newport Sand & Gravel Co., Inc. / Carroll Concrete Co., Inc., and*
- *G.W. Tatro Construction, Inc.*

*and authorize the Town Administrator to execute the permit(s) on behalf of the Town, seconded by Melissa Brown. The motion passed unanimously.*

**d. Fill-in for Highway Department**

Cavanagh noted that resident Donny Derby submitted an application for employment to fill-in for the Highway Department crew. The maximum hours he is available would be 23 ½ hours per week on average. He will be asked to be at the next regular Board meeting for an interview.

**10. Old Business**

**a. Town Hall Renovation Project – Project update and flooding damage repairs**

O’Keefe reviewed progress and issues. He said the truss work inside the attic is very impressive. He explained that the windows are not attached to their own stud but are instead attached to the carrying beam. Therefore, the structural engineers will be meeting with the building contractor to review the situation and determine a solution.

The balcony seats will need to be moved from the main floor to the backstage before Town Meeting it was noted.

Water has seeped into the basement creating mold on the walls. The contractor will be taking out the wall to see where the water is coming from. Servpro is coming in before Town Meeting Day to take care of the mold issue. O’Keefe will compare pricing with a local mold remediation company, Home Maintenance Associates, owned by Carl Grey first, as suggested by Brown.

O’Keefe suggested that the Board authorize looking into installing humidity control equipment to address the ongoing mold concerns.

O’Keefe will file a claim with VLCT-PACIF for the water damage.

*Jim Fleming moved to seek proposals for design and installation of humidity control equipment for the Town Hall basement level, seconded by Melissa Brown. The Motion passed unanimously.*

*Jim Fleming moved to authorize up to \$10,000.00 for cleanup of flooding damage, and mold removal and control, in the Town Hall basement level, and authorize the Town Administrator to execute any contractual documents necessary to implement the necessary services, seconded by Martha Dale. The motion passed unanimously.*

#### **b. Consider amendments to the Personnel Policy**

O’Keefe reminded the Board that there were some questions at the last meeting regarding over the “conflict of interest” provision of the Personnel Policy, particularly having to do with relatives and close associations in a small town such as Londonderry. He suggested that actual or perceived conflicts should simply be announced publicly. Dale asked if the legal council could give further advice on whether there are special conditions that address small communities. O’Keefe will contact the town attorney.

### **11. Ratification of Local Cannabis Control Commission decision to approve VT Cannabis Control Board permit S-000005677, for a Mixed Cultivator Tier 1 Small Cultivator operation on parcel #051017.000**

Because the Board voted on 1/22/2024 to approve Cannabis Control Board permit application when the matter was not on the posted agenda, the Board must by its rules bring the matter up again and ratify its vote.

*Jim Fleming moved to ratify the Board’s 1/22/2024 decision, acting as the Local Cannabis Control Commission, to approve the VT Cannabis Control Board permit S-000005677, for a Mixed Cultivator Tier 1 Small Cultivator operation on parcel #051017.000, seconded by Martha Dale. The motion passed unanimously.*

### **12. New Business**

#### **a. Short -Term Rental Ordinance – Establish registration fees**

Bill Sinsigalli spoke about the Housing Commission working on a proposed fee structure. They are not yet ready to propose the fee schedule, but he noted that it would be a tiered system that would be a nominal fee for homesteaders and would generate enough funds to pay for the SRT Administrator as well as generate leftover funds for housing initiatives. Brown spoke further about this proposal and described a tiered fee schedule for different types of STRs based on ownership category.

The Selectboard and attendees discussed the registration fees at length and determined to continue at the next Board meeting.

**b. Short-Term Rental Ordinance – Review job description for STR Administrator**

O’Keefe reviewed with the Board the draft Short-Term Rental Administrator job description that was included in the packet. Sinsigalli mentioned that some towns are discussed using a third-party contractor for this administration position. Dale said that something about the job being public facing should be added and stressed the need for the individual to be particularly pleasant with the public. Cavanaugh said O’Keefe nailed the job description.

*Jim Fleming moved to approve the new job description for the position of Short-Term Rental Administrator, seconded by Martha Dale. The motion passed unanimously.*

**13. Adjourn**

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

The meeting adjourned at 7:37 PM. The next regular meeting of the Selectboard is scheduled for 2/19/2024.

Respectfully Submitted,

Deborah Carleton  
Minutes Taker

*Approved February 19, 2024.*

**LONDONDERRY SELECTBOARD**

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Thomas Cavanaugh, Chair

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