

**Town of Londonderry, Vermont
Selectboard
Special Meeting Minutes
Monday, May 13, 2024
Twitchell Building - 100 Old School Street, South Londonderry, VT**

Board Members Present: Thomas Cavanagh, Martha Dale, Taylor Prouty, Jim Fleming and Melissa Brown.

Absent Board Members: None.

Town Officials: Town Administrator Shane O’Keefe, Town Treasurer Tina Labeau, Road Foreman Josh Dryden, and Planning Commissioner Dick Dale.

Others in Attendance: Champion #5 Fire Chief Jeff Duda and Assistant Fire Chief Troy Maynard; Donald Derby, Paul Hendler, Trevor Dryden, Levi Dryden, Kevin Beattie, Steve Twitchell, Nevin Fitzgerald, Raymond Kurjiaka, Tony Kurjiaka, Chad Stoddard, Hunter Kaltsas, Maggie Brown; and GNAT camera operator Bruce Frauman.

1. Call meeting to order

Selectboard Chair Tom Cavanagh called the meeting to order at 6:03 PM.

2. Additions or deletions to the agenda

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

Taylor Prouty moved to delete consideration of Selectboard pay orders from the agenda, seconded by Jim Fleming. The motion passed unanimously.

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

Martha Brown moved to enter executive session to consider the employment of a Town employee, pursuant to Title 1 V.S.A. Section 313(a)(3) and invite Donny Derby, Tina Labeau and Josh Dryden to attend the executive session, seconded by Melissa Brown. The motion passed unanimously.

The Selectboard and invited guests entered Executive Session at 8:17 PM. Derby left the Executive Session at 6:19 PM, and the Board came out of Executive Session at 6:25 PM

Taylor Prouty moved to hire Donald Derby, pending his acceptance of the Town’s offer, for \$31.00 per hour as part-time Road Crew member starting June 1st, seconded by Melissa Brown. The motion passed unanimously.

Derby verbally stated that he accepts the Town’s offer of employment.

4. Visitors and Concerns

Bruce Frauman reiterated what he stated at the previous meeting, that the Vermont Film and Folklore Festival is scheduled for May 23-26 in Manchester, VT, and features 4 venues and 42 films.

5. Town Officials Business

a. Planning Commission – Set date for public hearing on Zoning Bylaw amendment

Tom Cavanagh stated that he has reviewed the proposed new Zoning Bylaw and believes there is additional work still needed, and that it's premature to hold a public hearing. Brown suggested that the public hearing is the proper forum to discuss any potential changes, and Dale noted that there have been a number of Planning Commission public meetings on the proposed Bylaw.

Board members discussed the best process for moving forward and there were comments from residents and business owners in the audience about the public comment and Bylaw adoption process would proceed. O'Keefe provided the Board with a copy of the relevant adoption statute (24 V.S.A. 4442).

There was significant back and forth discussion between Board members, and several attendees on the process to date and issues with the proposed Bylaw.

Planning Commissioner Dick Dale spoke at length on the drafting and approval process, and mentioned that the Commission held two formal hearings and seven informational meetings to get public response to drafts of the proposed Bylaw, and had gone back and try to address concerns that were raised. He stated that the Commission made its best effort to create the best possible document, which is a complete rewrite of the Bylaws, and that there is a possible need for changes in the near future to address mistakes or unintended consequences.

Cavanagh noted that one of the provisions of the Bylaw places onerous limits on firewood processing, in that that use is permitted only as a conditional use and only in one zoning district, with specific restrictions on site dimensions and hours/days of operation. Dick Dale noted that the Commission was responding to Act 250 and State animal corridor protection rules as well as a wish to limit noise disruption to residents.

Those who spoke included: Trevor Dryden, Steve Twitchell, Chad Stoddard,

Cavanagh asked to have the Commission attend the next meeting of the Board to provide answers to his concerns, or in the alternative meet with the Commission Chair, Heather Stephenson, one-on-one.

O'Keefe read aloud the statute on Selectboard amendments to a Bylaw (24 V.S.A. 4444(b)):

Amendment of proposal. The legislative body may make minor changes to the proposed bylaw, amendment, or repeal, but shall not do so less than 14 days prior to the final public hearing. If the legislative body at any time makes substantial changes in the concept, meaning, or extent of the proposed bylaw, amendment, or repeal, it shall warn a new public hearing or hearings under subsection (a) of this section. If any part of the proposal is changed, the legislative body at least 10 days prior to the hearing shall file a copy of the changed proposal with the clerk of the municipality and with the planning commission. The planning commission shall amend the report prepared pursuant to subsection 4441(c) of this title to reflect the changes made by the legislative body and shall submit that amended report to the legislative body at or prior to the public hearing.

Cavanagh suggested that the Planning Commission should be given the opportunity to make changes to the Bylaw once it hears his concerns.

There were concerns expressed about providing notice to the public.

6. Old Business

a. Town Office Renovation Project – Consider award of construction contracts

The Board reviewed an updated analysis of the two bids received in response to the Town’s invitation to bid for Town Office renovations, which was prepared by architect Jon Saccoccio. Bid figures were as follows:

	All Seasons Construction Corp. Springfield, VT	GPI Construction, Inc. Brattleboro, VT
Base Bid	1,661,200	1,599,000
Alternates	137,340	130,514
Total bid	1,798,540	1,729,514
Project Duration	240 days	220 days

There was discussion about available funds for the project. There was also discussion about the importance of as short a timeframe for construction as possible. It was agreed that the alternates were all important and would never be less expensive to accomplish, and it was noted that alternates left out of the project were reroofing, adding photovoltaic panels, and rerouting of underground generator cables.

There was discussion about the start of construction and preparations at the Town Office for the project, such as removal of the safes in the basement and securing a temporary office trailer.

Taylor Prouty moved to accept the bid and award the contract for the Town Hall Renovation Project to GPI Construction, Inc. in the amount of \$1,729,514.00, and authorize the Town Administrator to execute all necessary documents to employ this contractor, including a service contract after review by the Town Attorney, seconded by Jim Fleming. The motion passed unanimously.

Taylor Prouty moved to furthermore authorize the Town Administrator to approve any project construction change order with a value of up to \$5,000.00, and shall report any such order to the Selectboard. Any change order in excess of this amount must be authorized by the Selectboard prior to approval by the Town Administrator, seconded by Jim Fleming. The motion passed unanimously.

7. New Business

a. Discuss Champion #5 Fire Department mitigation

Cavanagh spoke of a recent meeting on regional flood resilience at which it was mentioned that the Weston firehouse needs to be moved due to flood damage, and he had noted that south Londonderry may need to do the same due to its location in the West River floodway.

Champion #5 Assistant Fire Chief Troy Maynard mentioned that he had been informed that there might be FEMA mitigation funds for these projects, but there are lots of limitations. He inquired about the possibility of moving the firehouse to the Town-owned Prouty property. Fire Chief Jeff Duda acknowledged the need to think long-term and to prioritize moving the south Londonderry firehouse from its present location, and he spoke of various funding sources to help explore this. Noting the ongoing wastewater project involving the Prouty

property, he suggested reserving some acreage there for the fire department. He went on to ask whether there is something we can do with the process, and noted ideas floated already included combining the two Londonderry fire departments or establishing a regional fire department for a number of towns. He wants to begin the conversation on these needs and that there should be some brainstorming going forward.

Duda briefly spoke about the deteriorating state of the existing building as well as its lack of adequate vehicle clearance and turning space, and lack of water for department use. He also noted that the July 2023 flooding was much more problematic from an emergency response standpoint than Tropical Storm Irene.

Cavanagh suggested participating in the ongoing South Londonderry master planning process to help plan for funding.

8. Adjourn

Jim Fleming moved to adjourn the meeting, seconded by Taylor Prouty. The motion passed unanimously.

The meeting adjourned at 7:55 PM. The next regular meeting of the Selectboard is scheduled for 5/20/2024.

Respectfully Submitted,

Shane O’Keefe
Town Administrator

Approved June 3, 2024.

LONDONDERRY SELECTBOARD

Thomas Cavanagh, Chair