

**Town of Londonderry, Vermont**  
**Selectboard**  
**Special Meeting Minutes**  
**Monday, June 10, 2024**  
**Twitchell Building - 100 Old School Street, South Londonderry, VT**

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

**Absent Board Members:** None.

**Town Officials:** Town Administrator Shane O’Keefe, Zoning Administrator Will Goodwin, Highway Department Nick Doane, and Town Moderator Doug Friant.

**Others in Attendance:** Wendy Levy, James Ameden, Jr., Marty Trombetta, Marcia Camp, Paul Hendler, Anna Stoddard, Andy Kibling, Ashley Kibling, 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)]

*Taylor Prouty moved to delete consideration of Selectboard Pay Orders from the agenda, and adjust the agenda to address the executive session as the next order of business, seconded by Jim Fleming. The motion passed unanimously.*

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

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

The Selectboard entered Executive Session at 6:01 PM, and Doane left the executive session at 6:13 PM. The Board came out of executive session at 8:36 PM.

**4. Old Business**

**a. Discuss zoning bylaw amendment hearing process**

Town Moderator Doug referred to proposed rules and procedures for the upcoming public hearing that he had provided to the Selectboard for consideration. He remarked that he has reconsidered his recommendation that the hearing not allow for participants to read from paper except for the Bylaws when speaking, mentioning that he did not want people to feel that their opinions are not heard. Others mentioned that some people need to refer to written material in order to better communicate their thoughts and not go off track.

Friant mentioned that, different than Town Meeting, the Selectboard has the final say on ruling something or someone out of order.

It was agreed that the rules of procedure would be as follows:

- 1) **Those who allowed to speak:**
  - a. **Voters, Property Owners and Interested Parties.**
- 2) **Speaking Time:**
  - a. **Each person will have 5 minutes to speak and can only speak once until everyone has a chance to speak. Two follow-up questions can be asked. (Time for answers from the select board or experts do not count toward a person's speaking time.)**
  - b. **Once everyone has had a chance to speak once, people can speak one more time for 3 minutes each.**
- 3) **All questions are to be directed to the moderator.**
- 4) **Before you speak, please state your name.**
- 5) **All comments must be germane to the by-laws.**
  - a. **Comments directed at individuals will not be permitted.**

How to address written questions and comments received prior to the public hearings was discussed at length, and Goodwin will compile responses which will be read aloud at the hearing.

There was discussion about how to minimize the amount of time that the Zoning Administrator needs to review permits under the existing and proposed Zoning Bylaws, as required by 24 VSA 4449(d), and still continue the amendment review process.

The Board reviewed the various options it has once the hearing takes place, including the following:

- ADOPT the proposed Zoning Bylaw
- WARN A TOWN MEETING VOTE on the adoption of the proposed Zoning Bylaw
- REJECT the proposed Zoning Bylaw
- TAKE NO ACTION
- MAKE MINOR CHANGES to the proposed Zoning Bylaw
- MAKE SUBSTANTIAL CHANGES to the proposed Zoning Bylaw

There was discussion about how to minimize the amount of time that the Zoning Administrator needs to review permits under the existing and proposed Zoning Bylaws, as required by 24 VSA 4449(d), and still continue the amendment review process.

O'Keefe suggested that at a few Selectboard meetings after the hearing the Board discuss changes suggested by the public, by Goodwin and by Board members themselves, and then draft changes acceptable to the Board, after which another public hearing on the changed Zoning Bylaw would be held and considered for adoption. The changed Zoning Bylaw would need to be filed with the Town Clerk and Planning Commission, and the Commission would need to update its report on the Zoning Bylaw.

Prouty mentioned that, except for making changes to the proposed Zoning Bylaw, the Board could take any of the other listed actions immediately after the hearing. And the main purpose of the hearing process is to get all the community concerns understood.

Dale mentioned Goodwin should be the Board's guide for the process and spoke of four criteria that he was charged with determining for the proposed Zoning Bylaw and any changes:

- Whether it is legal

- Whether it fits with the Town Plan
- Whether it accords with the people’s will
- Whether it is enforceable

Cavanagh stated that, based on input from the community, there are significant changes to the Zoning Bylaw needed, which was echoed by Goodwin. Dale suggested that the hearing and consideration of public input process should play itself out. She stated that rather than the Board rejecting the proposed Zoning Bylaw after the hearing that it be reviewed for changes that allow it to comply with State law and the Town Plan.

O’Keefe stated that based on previous comments he had asked whether a representative of the Windham Regional Commission and/or the Town Attorney could be available in an advisory capacity for the public hearing, and while the Town Attorney is available, WRC staff is not due to conflicts. Dale recommended that the Town Attorney should be invited to attend to provide the most accurate and clear legal advice. The Board discussed this recommendation at length.

Dale read a letter to the editor penned by former Selectboard member Melissa Brown regarding changes in the community.

## 5. New Business

### a. Consider contract with the Windham County Sheriff’s Office for FY2025 policing services

O’Keefe noted that the proposed hourly rate for the Sheriff Department’s contract is \$54.00, up from \$52.00 in the current year, and that the budget for policing services increases from \$55,000 to \$57,000 in FY2025. This is will be the first year that policing services is a budgeted item as opposed to a specific warning article expense.

*Jim Fleming moved to accept and approve the police services contract with the Windham County Sheriff’s Office for FY2025, and authorize the Town Administrator to execute the document on behalf of the Board, seconded by Martha Dale. The motion passed unanimously.*

### b. Discuss summer meeting schedule

With the Labor Day holiday affecting the regular meeting schedule, the need for special meetings in June for performance evaluations, and with July and September each having five Mondays, the Board discussed and considered alternate meeting schedules as prepared by O’Keefe.

*Martha Dale moved to adjust the schedule of regular Board meetings this summer by dropping the meetings scheduled for 9/2/2024 and 9/16/2024, and adding meetings on 6/20/2024, 6/27/2024, 9/9/2024 & 9/23/2024, seconded by Taylor Prouty. The motion passed unanimously.*

## 6. Adjourn

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

The meeting was adjourned at 7:30 PM. The next regular meeting of the Selectboard is scheduled for 6/17/2024.

Respectfully Submitted,

Shane O’Keefe  
Town Administrator

*Approved June 20, 2024.*

**LONDONDERRY SELECTBOARD**

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Thomas Cavanagh, Chair

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