

**Town of Londonderry, Vermont
Selectboard**

Meeting Minutes

Monday, February 17, 6:00 PM

139 Middletown Road, South Londonderry, VT 05155

Board members present: James Ameden, Jr., Thomas Cavanagh, Martha Dale, and Taylor Prouty.

Board members absent: James Fleming.

Town Officials: Shane O’Keefe, Town Administrator; Liam Elio, Mountain Towns Recreation Director; Pamela Spaulding, Planning Commission; Sally Hespe, Selectboard Meeting Note Taker; and Gary Hedman, Village Wastewater Committee.

Others in Attendance: Jen Greenfield; Peter Lerner, and GNAT camera operator Bruce Frauman.

1. Call Meeting to Order

Chair Tom Cavanagh called the meeting to order at 6:03 p.m.

2. Additions or Deletions to the Agenda

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

Taylor Prouty moved to add to the New Business section of the agenda a discussion on upcoming work priorities for the Assistant Town Administrator/Project Coordinator, seconded by Martha Dale. 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)

At 6:04p.m., Martha Dale moved to enter executive session to consider the evaluation of a public employee, pursuant to Title 1 V.S.A. Section 313(a)(3), and invited Liam Elio and Town Administrator Shane to attend the executive session, seconded by James Ameden. The motion passed unanimously.

The Board entered executive session at 6:04 p.m., and Elio left the executive session at 6:20 p.m. Executive Session ended at 6:20 p.m.

4. Minutes Approval – Meetings of 2/3/2025

James Ameden moved to approve the minutes of the Selectboard meeting of February 3, 2025, seconded by Taylor Prouty. The motion passed unanimously.

6. Selectboard Pay Orders

Taylor Prouty moved to approve the pay orders for payroll and accounts payable, seconded by James Ameden. The motion passed unanimously.

7. Announcements/Correspondence

Town Administrator Shane O’Keefe made the following announcement:

- A big thanks goes out to the Road Crew for a great job during a very tough storm over the holiday weekend.

O’Keefe referenced the following correspondence found in the meeting packet:

- A 2/13/2025 email from the Windham Regional Commission inviting Selectboards to a region-wide Selectboard member gathering on 3/12/2025 from Noon to 1:30 PM at the New Brook Fire Department in Newfane. It requires registration, which O’Keefe can assist with.
- An example letter sent to property owners, along with a list of all property owners abutting the proposed Rinehart Road culvert replacement project, seeking to begin discussion on acquiring temporary and permanent easements.
- Settlement documents regarding the Act 250 permit application of Blue Flame Gas Company, Inc. for property at 3 Valley View Drive in Landgrove.
- The monthly report from the Windham County Sheriff’s Office for January 2025.

8. Visitors and Concerned Citizens

Pam Spaulding, speaking as a town resident, asked the Board for status on the proposed update of Town website. Shane O’Keefe responded that with the help of Heather Stephenson, three vendors have been selected to receive the Request for proposals. The RFP has not yet been sent out, but this will be done shortly. O’Keefe indicated Stephenson had done a great job.

9. Town Officials Business

a. Board of Listers – Annual certificate of no appeals/suits [32 V.S.A. 4155]

Shane O’Keefe explained that the Certificate of Appeal or Suit Pending is a document that needs to be signed and attested to annually to indicate there are not any appeals pending from actions of the Listers or suits pending to recover taxes paid.

Martha Dale moved that the Board approve and sign the annual Certificate of No Appeal or Suit Pending, seconded by James Ameden. The motion passed unanimously.

b. Planning Commission – Updates and discussions on Commission matters

Pam Spaulding, speaking on behalf of the Planning Commission, asked for an update on the Commission’s January 6 request to use their budgeted stipend to purchase chairs for the Town Hall renovation. As the request was tabled at the time, Spaulding asked if the Board was prepared to move on this now. Board Chair Tom Cavanagh indicated that the Town Treasurer, Tina Labeau, was going to look into how to best transfer the budget funds. Labeau was absent, but the Board will follow up with her.

Spaulding also asked if the Town is planning to hire a second Minutes Taker. The Planning Commission is in need of a transcriber, preferably someone with a municipal background that understands technical language.

The Board has not looked into hiring another Minutes Taker. The current Minute Taker, Sally Hespe, is only available for bimonthly Selectboard meetings. The following options were discussed:

- Using artificial intelligence (AI) software to create a meeting notes draft and then have Commission review. The Village Wastewater Committee did this for their last meeting. While this option is not ideal, it is quick and allows committees to get draft minutes posted within 5 days to comply with the Open Meeting Law.
- Hiring a transcriber for the Planning Commission. One candidate recently attended a meeting and the committee is hopeful this individual might accept the position. The Board indicated that there is a budget line for Minute Taker, and Martha Dale suggested part of that budget should be available to the Planning Commission. The Board asked the Planning Commission to submit a budget for the position.

c. Mountain Towns Rec. Director – Consider compensation rates for parks and recreation temporary part-time employees

Liam Elio, Mountain Towns Recreation Director, provided updated information regarding baseball umpire wages that reflected increased rates for home plate and second umpires for the current season. Elio also indicated that basketball wages would increase next year, and the board agreed to adopt any additional changes at that time.

Martha Dale moved to approve REVISED compensation rates for temporary part-time parks and recreation positions at the following hourly rates of pay:

- *Basketball Referee - \$40.00*
- *Soccer Referee - \$40.00*
- *Baseball Umpire (solo or home plate) - \$25.00*
- *Baseball Umpire (second umpire – bases) \$20.00*
- *Basketball Bookkeeper - \$15.00*
- *Basketball Clock operator - \$15.00*
- *Non-volunteer event staff - \$15.00*

Seconded by James Ameden. The motion passed unanimously.

9. Transfer Station/Solid Waste Management

a. Updates

Tom Cavanagh reported that the punch card vending machine is now working for bulk cards at the Village Market.

11. Roads and Bridges

a. Updates

Taylor Prouty asked everyone to use caution on roads with windblown snow and trees down until better weather prevails. Martha Dale asked him to thank the crew for all their hard work.

b. Discuss Brophy Lane warning sign

Brophy Lane property owner Peter Lerner spoke to the Board about the possible removal of the large red warning sign at the end of the lane, which he can see from inside his house. The warning sign and two large boulders were installed after the removal of an illegal footbridge that crossed the river. As there is no road that crosses the river at the site, Lerner is unsure why such a large and visible barrier is needed.

Taylor Prouty relayed that the removal of the footbridge drew attention to the area and the Town and the U.S. Forest Service, which owns the land, looked to the State for guidance on installing a warning barrier. While Brophy Lane is not overly travelled, Google Maps still indicates that the two sides connect via a road. Drivers unfamiliar to the area using GPS might assume it is a through road, necessitating the warning signs.

O’Keefe indicated that it will not be easy to take down the warning barrier. The Town must comply with the Manual on Uniform Traffic Control Devices (MUTCD), which dictates rules for traffic ordinance road signage. Additionally, removal of the barrier signage would be an insurance issue.

Next step is for O’Keefe to connect with the Town’s E911 Coordinator to apply to remove the “connected” road as depicted in Google and Apple maps.

c. Adopt annual VTrans Certification of Compliance with Town Road & Bridge Standards and network Inventory

O’Keefe explained that the Town receives the request for Certification of Compliance from Vermont Agency of Transportation annually. It is important to file this Certificate to show that Town has adopted state standards, which is a requirement for FEMA assistance.

Taylor Prouty moved to approve the annual VTrans certification of Town Road and Bridge Standards and Network Inventory, and authorize the Chair to sign the certification on behalf of the Board, seconded by James Ameden. The motion passed unanimously.

d. Discuss VTrans FY2025 Municipal Highway Grant application

This is a program to apply for either a structures grant or for funding for Class 2 road paving. The Town usually only receives an award every 7 years, but O’Keefe

recommended applying every year as sometimes other towns forget and funding becomes available.

Possibilities for this year's application include Windy Rise Lane West, which was denied last year. The Board agreed to put the matter back on the agenda for the next Selectboard meeting and will discuss with Josh Dryden, Road Foreman, prior to the meeting.

e. Consider application(s) for excess vehicle weight permits [23 V.S.A. 1400a]

Taylor Prouty moved to approve the excess weight permit (s) for:

- *Record Concrete, Inc.*

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

12. Old Business

a. Rivers projects updates

Tom Cavanagh had a meeting two weeks ago with staff from the Windham Regional Commission and Stone Environmental regarding potential projects funded through FEMA under the Resilience Initiative for Vermont Empowerment and Recovery (RIVER) program. The first proposed project, replacement of the Cobble Ridge bridge, will not happen. The second and most feasible project involves developing alternate access to the Cobble Ridge Road neighborhood by way of Derry Woods Road. An initial meeting will be held with adjacent landowners on 2/25/2025, and the project will be brought to the full Board after if there is landowner support.

Prouty mentioned he'd heard from several area residents that while they support an alternate access, they don't support removing the bridge. The State is reviewing the benefit cost analysis (BCA) now, but there is the possibility that the State will treat this project as a road relocation and promote bridge removal. If the Town elects not to remove the bridge, it will most likely lose FEMA funding it was mentioned.

Another possible project is a phased project at the confluence of Utley Brook and the West River. This would be a major project below the dam where it's been determined change is needed. The Board could also pursue the Rinehart project, which would only get funded if it was the only proposed project.

All agreed that it would be a shame to miss out on any type of funding, but any proposed project needs to make sense for the majority of people and have solid support.

b. Village Wastewater Project – Consider amendment to Engineering Services Agreement(s)

Shane O’Keefe reported that the North Village ARPA grant was audited by The Agency of Natural Resources. It was determined that the grant agreement with the engineering contractor did not contain agency requirements, despite the contract being recommended by The Agency. The contract will have to be amended to include required language and the Town will need to prove that contractor has not been debarred.

Martha Dale moved to 1) accept the proposed first amendments to service agreements with the Dufresne Group related to the provision of engineering services for the two Village Wastewater projects, such amendments to a) revise project submittal timeframes and b) specifically include standard State of Vermont provisions for contracts and grants, and 2) to authorize the Town Administrator to execute the contract amendments on behalf of the Town. The initial engineering service agreements with the firm were reviewed and approved by the Board on May 20, 2024, seconded by Taylor Prouty. The motion passed unanimously.

c. Town Office Renovations Project – Approve bond documents

The Town’s Bond Council provided documents (meeting packet page 46) that need to be approved and signed to be eligible for borrowing. O’Keefe reviewed the materials with the Board, which contain standard bond resolution language.

James Amaden moved, relative to the \$1.3 million general obligation bond necessary to fund improvements to the Londonderry Town Office building, such bond having been approved by the Voters of the Town on March 7, 2023, to adopt and execute the Resolution and Certificate, the Loan Agreement with the Vermont Bond Bank and the General Obligation Bond, and authorize the Town Clerk and Town Treasurer to attest and certify these and other necessary approvals, seconded by Taylor Prouty. The motion passed unanimously.

d. Town Office Renovations project – Consider change order(s)

There are a few final change orders for the Town Office renovation:

- New foundation needs to be poured under the east door, which will protect the frame from frost.
- Power lines need to be run and buried underground before paving begins.

These new costs will be partially offset by a credit for IT expenses incurred.

Taylor Prouty moved to authorize change orders for the Town Office Renovation Project as follows: 1) to make structural improvements to the east basement entrance at a cost of \$8,285, and 2) to install underground power from the utility pole to the building at a cost of \$24,453, and to acknowledge a change order credit of \$4,294 due to data wiring terminal being done by others, and to authorize the Town

Administrator to execute any documents necessary to implement these change orders, seconded by James Ameden. The motion passed unanimously.

13. New Business

a. Consider request to use Town Hall – Weston Theater Company

This is the same request as last year from Weston Theater Company. The Board agreed this is a worthy cause. There will not be a fee for building usage, but the Weston Theater Company will reimburse cost of electricity.

Martha Dale moved to authorize use of the Town Hall for theatrical rehearsals by the Weston Theater Company for the period 5/13/2025 to 6/8/2025 and 6/17/2025 to 7/13/2025, and to authorize the Town Administrator to sign the facility use agreement on behalf of the Town. Such authorization is subject to the condition that a certificate of insurance acceptable the Town Administrator, naming the Town as an additional insured, shall be provided to the Town Administrator prior to issuance of the written authorization, seconded by James Ameden. The motion passed unanimously.

b. Consider employee compensation matters

Taylor Prouty moved to adjust the annual salary for Liam Elio to \$57,000 effective January 1, 2025, seconded by Martha Dale. The motion passed unanimously.

c. Executive session – Pending or probable civil litigation or a prosecution, to which the public body is or may be a party, per V.S.A. 313 (a)(1)(E)

Taylor Prouty moved to find that premature general public knowledge of probably prosecution in the matter of an alleged violation of the Short-Term Rental Ordinance will clearly place the Town of Londonderry at a substantial disadvantage, seconded by James Ameden. The motion passed unanimously.

At 7:41 p.m., Taylor moved to enter executive session to discuss probable prosecution of one or more violations of the Short-Term Rental Ordinance, to which the Board may be a party, pursuant to Title 1, V.S.A. Section 313 (a)(1)(E), and invite short-Term Rental Administrator Andy Dahlstrom and Shane O’Keefe to attend, seconded by James Ameden. The motion passed unanimously.

The executive Session ended at 8:30 p.m.

d. Consider upcoming work priorities for the Assistant Town Administrator/Project Coordinator

O’Keefe reminded the Board that after the Town Meeting in two weeks, he will no longer be Town Administrator and will assume the role of Assistant Town Admin./Project Coordinator at a reduced schedule of up to 10 hours per week. It was also noted that there will be a gap of 20 days until the new Town Administrator

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begins, and the Board should decide who will be responding to inquiries and emails during the gap period.

O’Keefe gave his thoughts on best usage of his 10 hours per week and will focus on the Municipal Energy Resilience Program (MERP) funding of about \$450,000 and the completion of the Town Office renovation. He suggested he work on site on Thursdays and remotely remaining hours.

Onboarding for the new Town Administrator will consist of onboarding and review on Londonderry processes with O’Keefe. The Vermont League of Cities and Towns consultant Kathleen Ramsay will assist with training on more general Town Administrator duties.

14. Adjourn

Martha Dale moved to adjourn the meeting, seconded by James Ameden. The motion passed unanimously. James Ameden seconded.

The meeting adjourned at 8:46 PM. The next regular meeting of the Selectboard is scheduled for 3/32025.

Respectfully Submitted,

Sally Hespe, Town Minute Taker

Approved March 3, 2025

LONDONDERRY SELECTBOARD

Thomas Cavanagh, Chair