

**Town of Londonderry Select Board**  
**Monday February 1<sup>st</sup>, 2016**  
***Approved February 15, 2016***

1. **Call meeting to order**

**Meeting was called to order by Chairman James Ameden at 7 p.m.**

**Board Members Present:** James Ameden, Steve Prouty, Cathy Aragi, Wayne Blanchard, and Paul Gordon.

**Staff Present:** Tina Labeau, Kelly Pajala, Duane Hart, and Kevin Beattie.

**Others in attendance:** Joel Kuhlberg, Marianne Morris, Peter Pagnucco, Dick Dale, Darcy Duval, Marge Fish, Bob Cowles, Wendy Arace, Bruce Frauman, Vinnie Annuziata from the Chester Telegraph, David Eckman from Eckman Engineering.

2. **Additions or deletions to the agenda**

E911 under Town Officials Business  
Memorial Park

**Cathy moved to add the items to agenda. Paul seconded. Motion passed with all in favor.**

3. **Minutes**

a. **Regular Board of Selectmen's Minutes – Monday January 18<sup>th</sup>, 2016**

**Paul moved to approve the minutes as written. Cathy seconded. Motion passed with all in favor.**

4. **Convene Liquor Board**

5. **Select board pay orders**

6. **Announcements/correspondence**

-Passed around for review.

-Jim pointed out that on Saturday March 12<sup>th</sup> there is a Select Board Institute in Montpelier for anyone that would like to attend.

-Kelly announced that is now early absentee voting time for the Presidential Primary. They can be requested online, in the office, or the Vermont Secretary of State's website.

7. **Visitors and concerned citizens**

a. **Peter Pagnucco – Policing Committee**

Peter updated the board on additional work of the committee such as putting out information and the report for people to read, and completed a survey, and believe they got results from about 10% of the population, regarding what their questions or concerns are. Two upcoming public meetings are being held to answer questions. At the last Board meeting they started thinking what the Select Board thought, as they set up the committee, accepted their report and put on the warrant. The committee would like to know if the Board supports and if not, what the concerns are. The majority of the committee was in attendance.

Cathy said she felt confident in the work of the committee, and that the increased hours of policing and the ideas of Project VISION and the need to address the heroin issue. She said she is very much for it. Affordability is an issue, but it is an issue that we need to address as it affects the fabric of the community.

Wayne thinks it might not be a bad idea, and it's up to the tax payers to vote it in. He said he is still a little undecided on how he will vote and unsure of how much it would help the heroin issue in town.

Paul reiterated that his position from the beginning is that he is in favor completely. He would like to look at a Board position on articles for Town meeting later on the agenda. He said he is aware of the tax implications but it is one of the most important things being considered in the past few years.

Jim stated he appreciated the work for the committee, but that personally he does not necessarily agree with the project entirely. The tax rate in general is an issue this year, and looking at the overall, there's an issue. He hasn't started prioritizing issues yet, but the money issue is the concern. He said he is concerned about the welfare of the people in this town, and that also includes their ability to afford their taxes.

Steve said he agreed with Jim. He doesn't think the Board should come up with a recommendation on which way people should vote on the issues. He commended the committee for a job well done. Steve said that based on his based on what he has heard from people, which is about 50/50 in support if the voters are in favor, then he is in favor.

Peter asked if there were any thoughts about money and what is too much. There are several expensive articles, Cathy said, and people really need to go to the meetings, get informed and go to vote. Bob Cowles said he felt that the Board should take a position. Jim said he doesn't feel it is his job to sell anything to anyone, but to present facts and information to the Town. He will not try to sway votes. Peter asked if the article isn't approved, then what? Cathy said she would like to see the committee continue as the problem really needs to be addressed. Steve said if it were voted down, he thinks the committee would be asked to find out why from the voters, and also to look at the value as to how much it will help the heroin problem in town. Concerns about it being more about traffic stops.

Steve noted the VT Drug Task force seems to have had some success in the area working with local enforcement.

Duane commented that there needs to be considerations to the limitations with the State's budget, and this coverage comes as overtime from officers that had worked 40 hours already.

Some citizens shared stories of break-ins and the way the worry and concern goes through the community.

**b. Bruce Frauman - Possible UVM Engineering Study of Dam**

Bruce passed out handouts. He shared about an opportunity that UVM has with a capstone project related to engineering projects. He contacted a professor and shared information about the Dam and that he felt it would be a

good project for the seniors as long as they don't end up in a hostile environment based on past controversy. He has been corresponding with the professor since November. He felt a free study would be a good resource regardless of future plans. It would not take the place of a professional engineer, and but they could use some of the information. There is a bill the Vermont House is considering with the VT Dept of Conservation and ANR. In the reports to the committee there are mentions of assets of the William's River and the conditions that exist which impair the ecological health, and cited in the report recommendations that the dam's removal that would be most beneficial included Williams Dam. He contacted the conservancy and is waiting to hear back. Rep. Dean of Westminster proposed a bill that would require Towns to register their Dams and all work to be approved by the State Department. H37 is still in committee.

Bruce noted that he knows the Board is busy. The professor will need to know by mid-April as this would be a fall project. He is willing to come speak with the Board. The scope of the study would be up to the Board. Cathy asked what notice they would need to come speak to the Board, and Bruce said he was not sure about that.

The Board thanked Bruce for the information.

8. **Town official's business**

**a. Signing of Certificate of Compliance for Town Roads and Bridges**

Duane explained it needs to be completed before the mileage certificate that is submitted after Town Meeting and after the State visits. This is part of the documentation process.

**Steve made a motion to approve. Wayne seconded. Motion passed with all in favor.**

**b. Approval of Overweight Permit**

**RK Miles and Newport Sand and Gravel.**

Checks and insurance documents received.

**Cathy made a motion to approve. Wayne seconded. Motion passed with all in favor.**

**c. Signature of No Appeals document for Lister's Office**

Sandra explained it needs to be signed annually.

**Cathy made a motion to approve. Steve seconded it. Motion passed with all in favor.**

**d. Designee for Town Bidding at Tax Sale**

Jim asked if anyone was interested in being the designee. It is usually a Board member. Tina said they are done on March 16<sup>th</sup> at 10 a.m. Kelly noted that there are two rounds, and passed out documents with the listings of the first properties up for tax sale. Jim explained if no bids, the town can buy it back. Cathy said she did not mind doing it. Jim said a back-up person would be a good idea as well. Steve will be the back-up.

**Paul made a motion. Wayne seconded. Motion passed with all in favor.**

**e. E911**

Kelly shared an email from the E911 contact at the State about testing on the new online system, where the coordinator can go in and make any updates, add roads, etc. It can be done online versus via paper as we are currently doing. They are seeking more towns to test and then it will be opened up to the whole State. Kelly felt it was a good idea to do the system updating, that the office is frequently seeking the need to update information, and doing it through the State system would be more efficient. It would be beneficial, whether in the trail run or to sign up when widely available. It was asked if Jim Twitchell was still the 911 coordinator, and he is. Kelly said she is willing for the Town Clerks office to take over as they are doing much of the work anyway and is interested in learning the system and would appreciate Jim Twitchell's help. She felt Doddie would be will to learn too. Jim said as long as the transition includes Jim T. and not just cut him out. Kelly feels he wouldn't really want to deal with the online system. Sandra said this is the trend.

**Paul moved to make the Clerk's office the designated entry people with assistance of the current E911 coordinator. Cathy seconded. Motion passed with all in favor.**

**f. Memorial Park**

Tina said she received everything from Memorial Park on the financials, but signees need to be appointed by the Board along with a mission statement. Tina found the purpose of Memorial Park in an old Town Report.

**Cathy made a motion for Jim to sign the bank document designating Tina LaBeau and Kelly Pajala and remove previous signers. Steve seconded. Motion passed with all in favor.**

**9. Roads and bridges**

**a. Update on International**

Duane updated that the International has been totaled. The adjuster will give us a check for \$65,000 less the \$1000 deductible, and \$1000 to buy the plow back from the insurance company, making the total payout \$63,000. Steve asked the cost of a new plow blade, it wasn't certain.

**Wayne made a motion to buy a plow back for \$1000. Steve seconded. Motion passed with all in favor.**

**Steve made a motion to approve the acceptance of \$63,000 payout for the truck. Wayne seconded. Motion passed with all in favor.**

**Updates:**

- Duane discussed the bids for the 550, but with the new situation of the total, he recommended putting the purchase of the 550 on hold and move forward with purchasing a larger truck. The equipment fund does not allow for the purchase of both and the larger truck is more important. He notified the bidders and that we would putting on hold and the need to replace. He is going to do some work that he had been putting off on the 550, including rear leaf springs, shocks, auger pump for the sander is leaking and needs replacement, totaling about \$1,600.

- Sand and salt – good news, December total salt was 125.6 tons and 232 yards of sand. January salt 235 tons, 501 yards’ sand. Duane said he thinks we will be under budget on those items this year.
- Duane found information on roads that were not on the highway map. He also mentioned the issue of a request to do work on the end of Mansfield Road, and was denied. A letter at development in 1988, it was also determined it being a private road, so there is now additional documentation if we receive any other complaints. This was provided to the environmental board at that time. A letter to the property owner that recently complained was sent by Stephanie and Duane.
- He also found documentation on Adams and Eve Drive, and will be discussed at the next meeting when the Certificate of Highway miles are approved. There is documentation to add the roads missing to the highway map. Only Adams Drive made it on.
- Duane said he has 20 hours of research to find the information and wanted to make sure it wasn’t an issue for the Board. Kelly said she has a volunteer interested in working on a project and would be willing to talk to Duane to help create a roads book for Duane. Kelly will get them connected.
- Duane talked about paving plans for 2016. RPF has been sent out via email. Early bidding was beneficial last year so doing so again this year seems like a good idea. Winhall Station, Goodeville Rd and Crescent Street are on the list for this year. Winhall Stations is getting different treatment due to the delaminating and will grind down two layers and using a fiber mat chipseal, which is a newer technology. RFP specs are very specific based on past issues that we have learned from. Paul asked if Shim coats will go on Goodeville and Crescent Street. Duane was comfortable with this and he said yes he thinks based on road usage it makes sense. Wayne thought a cold mix had been used on Winhall Station but Steve and Duane couldn’t find a record of that. Paul said doing things the right way the first time makes a big difference.

10. **Transfer Station/ Recycling Center-**

Paul noted an issue that was brought up on sanding on a Sunday and who to get in touch with had been resolved. They are working on using the list and Paul is making a database they hope to use moving forward. Paul said in the past stickers were numbered and if cost efficient we should look at this again for better accountability.

11. **New Business**

a. **HMGP Generator Progress**

Kevin reported that the grant was approved for the generator for Twitchell Hall and Flood Brook. The question is if he or Stephanie is the lead on this. Next steps are to bid them out and get going. Received approval but not the final go-ahead. Still need agreements with other towns for match on FBS. Several years ago received agreement from Boards but that was as far at that point – nothing concrete. Steve asked if it would need to be budget items, and Kevin said yes, which makes the timing bad, and isn’t sure how it will work. There is \$15,000 in the budget for the Town’s match on both projects. The Twitchell Hall one would be able to be pursued sooner at least, but all needs to be sorted out. The share is about \$7500 divided between other towns based on size. Paul asked if the work was done as EMD or as Administrator, and what he recommends. He would like Stephanie to handle the nuts and bolts and he will assist as

EMD and wants to see the projects through. Paul said in the last conversation with Stephanie about hours' things seemed to be good and other projects, feels there would be time. Confirm at the 2/15 meeting. Kelly asked if there was an opportunity for Kevin to approach the other boards before the 15<sup>th</sup>, Kevin said making contact would be good to advise the grant application was approved. FBS has been contacted already. Kevin is willing to connect with them by phone.

**b. Board positions on Town Meeting articles**

Paul brought up the idea of the Select Board providing an informational statement to be made at Town Meeting to provide background information, such as policing and the highway equipment reserve which is not an increase but should be explained. The land purchase – Board said they would be willing to explain benefits to the community of the possible purchase. Paul is willing to work with anyone on the information and wanted to talk about position statements on the issues.

Jim said he does not want to do broad position statements. Policing should be presented by the committee if they are willing as they have more information. Paul still feels the Board should make a statement as elected individuals to put before the people and to also provide leadership on what matters. Cathy agreed that is a good idea, but Jim said when not everyone agrees about the issue. Paul noted that majority rules. Cathy said we need to share the information for sure, about issues. Jim said that is different than taking a position. Jim said he thinks it can be presented without the Board taking a specific stand that will persuade votes. Paul said is there anything that we don't feel is a benefit to the Town? The tax rate is an issue and the voters decide that. Steve said he has no issue with saying that the Board has talked about pros, for example, on the property purchase such as access, possible expansion and materials. But that doesn't mean everyone agrees.

Paul discussed it being put out as a statement of points of information that explains the rationale of the items. Jim would like to hear the term 'statement' removed. Duane said he spoke with the policing committee and wanted the Board to know that by State Statute, the Board is responsible for policing for the town. Voters are only addressing the money – they do not have authority to engage policing, and how can the Board not make a statement? The responsibility falls on to the Board. Jim said we did agree to the committee that if the funds were voted in, then we would move forward. Duane said the article is worded on the Warrant as it is because of the law. Steve said at town meeting, when it is voted up or down, then yes, he will support moving forward with policing and why should he have to make up his mind before? Wayne said the citizens will make up their mind. Jim said he thinks the Board can still not take a stance. Dick Dale asked if the Board could just say if the money is approved, then the Board will engage policing? Jim said that is how it is worded. Dick said that as citizens are weighing their decisions that the informant they are given is as accurate as possible. He feels a list can be put together to accurately inform the voter on what the money may buy. Kevin reiterated that the policing warrant item is just for money – as a voter, would want to know that the Board was going to follow-through. Jim said it was unanimously voted to do so. Would the Board make this statement at Town Meeting? Tina suggested making it a point from the Board. This will clarify the difference between the vote for funding and

the intent of the Board to engage VSP. Jim said if there is a yes vote, we will contract. Paul said that the statement would say what the funding would get, mention the committee's work and their recommendations that were unanimously voted in favor. He would like to draft something like that for Town Meeting. Jim said he would prefer accepted versus endorsed. Kelly said to pull the wording from the meeting. Cathy suggested getting something drafted. Steve is okay with that. Jim said he again wants to make sure it doesn't seem like it is a stance by the board. Steve said if we have already agreed, then we have.

**Paul moved that the board draft an informational statement on each of the monetary Articles on the Warning to be presented at Town Meeting that would explain the rationale for each to be voted upon. Cathy seconded. Motion passed with 4 in favor and one abstention.**

**c. Mighty Londonderry (Steve's Request)**

Steve shared that he has been contacted by individuals with concerns regarding the Mighty Londonderry Facebook page. There are many inaccuracies floating around with the Town's name attached to it. He wonders if it was a mistake to attach the Town's name to something that is more than an option but is down-right wrong, accusatory, derogatory, etc. Paul said he didn't think he could prevent this page any more than the previous one brought up connected to Londonderry. Paul has not seen, but said Stephanie provided a note that should have attention paid to. Paul said the best thing we can do is combat with facts. Paul said on the first page, there was a small disclaimer that it is not connected to the Town of Londonderry. Paul read the description for the Mighty Londonderry page and does not agree with it and that the dialoged that is happening is not at all related to its intended purpose.

Kevin agrees it's the same situation as it is under the Town Government. It is not appropriated, and under the purview of the Board. Kevin said the board could have it removed or say it needs to be better monitored. Jim thinks having the disclaimer on the page will be enough. Kevin said it is part of the CRO group under the Town.

Bruce said that he hasn't been keeping up with what is going on with the page. They meet next week and will discuss. The goal was to help the town be more resilient. They saw many people used Facebook after Irene and wanted to harness that. They will discuss how to better moderate the page, and possibly reword the statement regarding questions. Cathy said opinions are not always accurate information and if people think it is official because there is no control over who can post leads to more speculation than anything. Kelly added it being a closed group, and that if it is going to be for the Town it would have to be open. Closed groups mean you have to be invited to join. She feels the whole thing is structured in the wrong way. She noted Front Porch Forum has served very well to share information only with residents. In the case of an emergency, people could share information, through the administrator. All of their posts are reviewed to fit their guidelines and mission. It is free and open to anyone. She suggested Mighty Londonderry do something similar, maybe even through Facebook.

Kevin other communities have done pages that have been serving the intent that could be looked at. Bruce said they will work to make it better. Bruce apologized to anyone who was harmed by anything said on there. Paul recommended they come back and update the Board.

## **12. Old business**

### **a. Hec Ras Study/Eckman Engineering (Kevin)**

Kevin updated the Board that he had been contact with Eckman, who was contracted to do the study, funded by FEMA, to provide information to VTrans to decide on the flood-wall issue. David Eckman said the report is complete though there is additional information they would have liked to collect. Copies of the study were distributed. David said they had trouble finding base information on the Dam which made it difficult in working on the project. FEMA has two cross-sections that only provide some information.

David provided an overview of the West River and Mill Pond Reservoir and the study. He explained the water studies conducted to collect data on outflow analysis with and without the training wall. Results say that a 50-year event there would be some overflow, and 100-year it would breach. With the location of the bridge, they said it also provides hold-back. He mentioned that the dam could be lowered to reduce risk of overflow. Also usage of area where buildings from Irene have been removed could be a backup area for flooding mitigation.

Steve asked about removing the wall and highlighted buildings, there is one that is still in the area that is a historical building and so many have already been lost. Would that make the situation more difficult? David said a channel to go around it to prevent the water from going there – difficult as it is downhill. He also asked if leaving the wall would help to save the historic property, would help protect it. He said even with a 100-year storm it would still be at risk, but less at 50-year.

Kevin said FEMA wants the wall to go as it is rule of buy-outs as there is to be no structures on the property. They aren't really interested in the study. Without removing the wall, there will be no buy-out. It is VTrans who needs the information to see if they will decide if they will keep or give up the wall. David asked if something could be built in the right-of-way to block some. Kevin asked David if he felt he had what VTrans needs to make their decision. Cathy thinks the State should come in and raise the bridge, and if they are concerned about the wall, that is what they should do. Short term, Paul said, that cannot happen now. Kevin said David should be in touch with VTrans and then we take it from there, with what they decide or what additional information. David asked if the Board wants to take the wall down. Cathy said she thinks that the wall removal could result in more damage down river. Paul said the Board has not reached a decision as a Board. Jim said he wants to know what VTrans thinks. Kevin said the wall was put in to protect the State's infrastructure (bridge and road) and they have said if you can demonstrate that removal of the wall doesn't risk their infrastructure, then they would give it up. Cathy noted that it wasn't just some road lost in Irene, but the bridge as well.

### **b. Intersection Study**

Stephanie asked that the Board decide if they would like Matt Mann to present to the Select Board regarding the intersection study. Jim said it had been discussed before and there was no interest in perusing a 4-way intersection. Steve said he would be in favor of him coming to speak about the study further. He suggested getting Mark Pickering at the same time.

**Steve made a motion to invite Matt Mann to a future select board meeting and discuss further. Steve thought having Mark would be good too. Paul said to discuss in March after Town Meeting. No action was taken.**

**Jim reminded everyone that candidates night and the police committee information session will be held on Tuesday February 9<sup>th</sup>, at 7 p.m. at Twitchell Hall.**

**13. Executive Session**

**14. Adjourn**

**Cathy made a motion to adjourn. Steve seconded. Motion passed with all in favor. Meeting was adjourned at 10:10 p.m.**