

Town of Londonderry
Board of Selectmen
The Twitchell Building (Town Office) – 100 Old School Street
Wednesday September 14, 2016
Minutes
Approved September 19, 2016

1. Call meeting to order

Meeting called to order by Steve Prouty at 7 p.m.

Board Members Present: Steve Prouty, Paul Gordon, Bill Wylie, Wayne Blanchard, and Will Reed.

Others Present: Kevin Beattie, Dick Dale, Mark Wright, Helen Hammond, Duane Hart, Betty Genser.

2. Additions or deletions to the agenda

Add under Visitors and Concerned Citizens – Genser Update

Add under Visitors and Concerned Citizens – Conservation Commission

Remove item A under Town Officials Business and move to 9/19.

Paul made a motion to approve the additions and deletions. Will seconded. Motion passed with all in favor.

3. Minutes

a. Approval of Special Meeting Minutes – August 8, 2016

- **Will made a motion to approve. Wayne seconded. Motion passed 4-1. Will made a motion to recuse the previous vote and to revote at the next meeting after corrections per Paul are made. Motion passed with all in favor.**

b. Approval of Special Meeting Minutes – August 10, 2016

- **Will made a motion to table the approval of minutes until they are fully edited. Bill seconded. Motion passed with all in favor.**

c. Approval of Special Meeting Minutes – August 23, 2016

- **Will made a motion to approve. Wayne seconded. Motion passed with all in favor with 3 in favor and 2 abstentions.**

d. Approval of Special Meeting Minutes – August 30, 2016

- **Will made a motion to approve the minutes. Will seconded. Motion passed 2-3 (abstentions)**

4. Select board pay orders

Passed around for review and signing.

5. Announcements/correspondence

- **Dick Dale reported that Northshire merger committee, including Flood Brook School, Manchester, Sunderland, Dorset, Derby and Mt. Tabor – committees work is moving forward. Information on the committee has been shared via the Town website and email list serve. Answers to the critical questions of the pros and cons will be determined in the coming months. 9/22 at 6:30 p.m. at Manchester Elementary and Middle School will host in their library a discussion on whether to have local districts or a to have a RED district.**

Current proposal is that each town will need to vote by Australian ballot, likely at Town meeting, to determine if the plan (once finalized and published) will be moved forward. He encouraged the community to have input. Paul said he would put the item on the Town Calendar.

- Dick stated he was at the Transfer Station and that Keith's office was very neat and he thinks he and Steve are doing a great job keeping the place running and seems to be running smoother this year than he had ever seen them operate.

6. Visitors and concerned citizens

a. Genser Update

- Kevin updated that a determination came back from VTrans on the wall, which puts the FEMA buyout off the table as an option for the property. Kevin has begun looking into CDBG funding and it is still available. He has spoken with Two Rivers Regional Planning Commission and the process. The funding is available for 9 months (project will need to be completed). He said the appraisal and environmental assessments and a lot of work already done on the project does not need to be redone. Steve asked if the wall could stay and Kevin said yes. The bad news of the CDBG is that it only pays 75% of value and not 100% as the FEMA buyout would have. Bill asked if the value could be increased because they are saying the wall can stay. Kevin said they could try, but the conversation began two years ago and it was made clear that the CDBG funding would be available if the FEMA funds fell through and that it would be 75%. Steve asked if they would still want to move forward. Betty said it's a catch-22 and it needs to be done. She noted that she feels the State went about it the wrong way, and rather should have bought the property, put the wall in and handled it that way. She said they will proceed accordingly and be happy about it because that is the choice. Will asked if there are less restrictions on what can be done with the property. Kevin said he would need to clarify what restrictions there would be, other than the wall being able to stay. Betty added it would become Town property. Steve said he did not see the Town wanting to put anything on it. Paul asked that the purchase price noted in Kevin's email was based on. Kevin advised he would look into it.
- FEMA was using an appraisal figure, but there was discussion about using an updated figure as that was 5-years old. Demo and other costs will be paid for 100%. Will asked if the Board could do anything to help move the process along. Kevin said he would let us know. Kevin said at some point there would need to be a vote to move forward with CDBG funding, but can hold off, but should be done before too long. Paul said he would want the details in writing before voting. He will get Kevin Geiger to put something together. Steve asked if Kevin would continue to follow-up on this and he said he will and hopes it will not take very long. He hopes to bid out this fall.
- Ekman bill was received. Kevin said he asked Lauren Oats at the State about covering this as the FEMA part of the project is now gone. He would like to wait to find out if the funds can still cover this before the Board moves forward with payment.

b. Conservation Commission

- Mark Wright and Helen Hamman attend to express concern about the decision to locate the proposed salt/sand shed on the Prouty Property. He noted that it is a very nice piece of property and would hate to see it ruined by being used for salt storage.
- Steve noted that this not a new topic and isn't sure how it got past them. He said maybe we failed to communicate directly to the commission but it has

been out there as a public topic. He said the land was even brought up at Town Meeting after the Yrsha land purchase discussion about why the Town was not using. As such it made sense to utilize this land for the shed, versus the transfer station which is very full already.

- Bill pulled out the map showing the approximate location of the proposed shed and the power line connections. Bill said his concern was not wanting to see and not wanting anyone else to have to see it. He said what else would that section of the land be used for if not for this? Mark noted that originally the land had been discussed to be used for septic. It was pointed out it was in the lower section of the property and where the identified leech field is.
- Another possible site for a community center, Mark noted had also been discussed. Paul said it would not prohibit something like that happening there based on citing. There is plenty of land. Steve said he remembers old conversations and that the property was not intended to be a park but a site for future developments and needs for new buildings. He also said a firehouse could go there.
- Helen noted that the highway is a scenic byway, and that the Conservation Commission has worked to clean up aesthetics. Now she said it was more of a dumping ground for dirt and blacktop. Steve said it has been used for that for a while, and Paul noted it was storage, not a dump. She said it looks like a dump, right in clear view of the road. She said that we should work to keep byways as aesthetics byways and maintain them so that people think it's a nice place to visit. Mark said it could be a center because at some point the town needs to become on village. Steve said the villages are the reason the septic issue failed. Mark said technology is changing and that is key and we can't project even 25-years out what options there might be. He said he sees the property as having more value than being just a salt shed site. Paul said he agrees but does not see anything with this project that would preclude the use of this land for anything else down the road. He said he appreciates the work and input of the Conservation Commission. We need a building and cannot store the salt outdoors. Will noted we do not have a lot of time of a lot of options. Bill added it's a shed and the type of building they are looking at would possibly be movable if a better site is located. Mark asked about Larry Brown's land by the State garage and if it might be an option. Steve said the asking price is very high. Paul said in regards to future use, the Board has not determined yet exactly how the building will be built and there are a few different options. One would have a poured footer and wall and another use pre-poured cement blocks. This decision has not been made yet. If it was poured, portability would not be an option. The top would need to be replaced at a certain point and that part is not permanent. Mark thanked the Board for their explanation and its not a major thing but he thinks the Select Board needs to be in better communication with the conservation commission. Steve said to flip that, he also wasn't aware of the different conservation projects that are happening at the property. He said we need to get them to come to our meetings more frequently to provide an update. He thanked them for their efforts and planting.
- Kevin asked if the options between the different types of footings, how much concern is there with salt containment. Paul said that would be a negative regarding stacked blocks, but that it is being reviewed as part of the engineering process for runoff and other factors of concern. They would still need to be semi-permanently attached to each other to make it stable.

7. **Town official's business**

a. **Kuperberg Wall – REMOVED**

b. VLCT Delegate/Municipal Policy Input

- Stephanie shared that the VLCT Town Fair information and that the Board can send a voting delegate and also can make recommendations on the policy.
- Kevin said in the past no one has been sent. Will said he would go if he didn't already have a commitment. Duane noted the workshops on the second day often have many geared towards Select Boards. Steve questioned if there was one on open meeting law. He thought so. Stephanie said she would check. Steve said he wants to make sure we are not breaking any rules. Paul noted that some of the other boards and commissions for the Town also need to post agendas and minutes in a timely fashion.
- Steve asked if with the website changes if all employees and board members could get a designated email. Paul said it is still a temporary fix and would be looked at as things come along. Will said he would also be interested in an email for this purpose. Paul agreed it was something we should do.

c. Town Health Officer/Deputy Health Officer Appointments

- Steve noted he is current Health Officer but that the individual being considered for Zoning Administrator has experience in this and would like to talk to them prior to serving again or considering someone else. Appointments do not run out until 9/30. The position of Health Officer will be reconsidered at a future meeting.

Steve made a motion to appoint Dr. Roger Fox as Deputy Health Officer for the Town of Londonderry. Paul seconded. Motion passed with all in favor.

8. Transfer Station

- Duane reported that the backhoe has a hydraulic problem. The main pump is leaking and has a bad internal seal. Matt Coleman is going to repair it which will take it out of service. Matt contacted Keith and advised he would be doing the work next Monday 9/19. Duane said on his end that will work out so that they can loan them the highway backhoe, due to his vacation and only one person being on. There will be an understanding that if there is an emergency, the highway department has first priority on the backhoe. The work will be done at the Town Garage and will be done for several days as the part is being shipped out for repair and back. Steve offered to deliver/pickup if it makes the time go faster, so maybe on the return side to get things back on line sooner.

9. Roads and bridges

a. Receipt of Tree Canopy Removal RFPs

- Three bids were received and opened by Steve.
 - o Trees, Inc. – Total - \$169,280.00
 - o Valencourt – Total - \$195,000.00
 - o McCullough Brothers – Total - \$127,000.00
- Duane explained the Tree Canopy Program would clear trees in the right-of-way and canopy. It will be done in three phases over three years. The funds would need to be budgeted for annually, with the RPFs, we have the figures for budget purpose. Will asked if it was under Better Back Roads and Duane said no – it's maintenance. Duane said lack of tree cutting and canopy cutting has been an area of a number of complaints from residents. Steve thought there was a program around canopy work – Duane said that was for the State to do that they got a grant for and did some work in the Route 11 area.
- Duane has no preference and wanted the Board to see how much it would cost as they had asked him to look into it. This way the Board has all the information to work with.

- Bill said he likes the canopy over the roads and he has a hard time with those who want it all cleared. Will said he would rather see the sides of the road mowed than the canopy cut. Steve said the problem with maintaining a paved road having more sunlight makes it easier to clear and can mean reduced salt use. Duane noted all the roads planned out in the bids would be for paved roads only.
- Paul said he felt that sending a letter acknowledging receipt of bids would be in order and to indicate as we move forward into the budget process for next year that we will be examining the issue. Based on the price difference in the different phases requires more examination and he isn't ready to commit the funding into the budget next year. Steve said he was in favor of the clearing but that the pricing was high and maybe we could look at doing half of the work. Duane noted we could look at a certain amount per year. He did note that these companies have certification to work around powerlines and have bucket trucks.
- Duane noted he told people that we would hold a public meeting prior to any cutting. All these companies are willing to send a representative.

Paul made a motion to send a letter acknowledging receipt of bids would be in order and to indicate as we move forward into the budget process for next year that we will be examining the issue and we acknowledge their willingness to be present a public hearing in the future. Stephanie will write the letter and review with Duane. Bill seconded. Motion passed with all in favor.

b. Access Permit – Doane Builders

- Steve said he and Duane reviewed and said they felt it was okay for them to do. The company is the same company that did a project just up the road from the proposed site on Spring Hill Road. Paul asked about the location of the road in Londonderry. Duane said the house is technically in Winhall.

Paul made a motion to approve the access permit and 911 application for the Ripple Property and Doane Builders. Bill seconded. Motion passed with all in favor.

c. Roadside Mowing RFP

- Duane said that he prepared this for budgeting purposes. The Town's roadside mower has problems and is currently not running and will be an expensive fix. He said we can get costs and look at contracting versus purchasing new equipment. Will asked if mowing would include over guardrails with Duane confirmed to be the case. Steve said a bid should be put out for a new mower. Duane advised he is working on it. Steve is the contact person on this bid. Duane said the tractor and mower would be about \$100,000 to \$120,000.

Paul made a motion to send out the RFP for roadside mowing as Draft #1 of Sept 9, 2016 with the syntax correction in the last line. Bill seconded. Motion passed with all in favor.

d. Line striping/marketing RFP

Duane recommend we do this. In paving bids, he usually includes the marking but did not do that this year. Town only does class two roads, not class three. Steve said he thought that the State or State contractor was going to do at least the yellow lines on Thompsonburg. Steve felt we should not pay for this section if it was supposed to be taken care of. Duane said an email goes out in the Spring requesting what is being paved and they were notified. Main Street/Thompsonburg was added after the fact due to the paving bids coming in lower, so he doesn't think it's on the State contractor but if they are willing to do

it. Steve said some areas are going to be marked off to allow for a side-walk type area. Duane said he is doing it this way so that anyone that wants to bid does and so we are following our purchasing process accordingly.

Paul made a motion to send out the request for pavement marking drafted and presented. Bill seconded. Motion passed with all in favor.

e. Parks Lawn Care – 2017 season

- Duane also put together a request for proposals for Town Parks for 2017. Duane said at one point it had been talked about subcontracting out the mowing and Kelly did not get much input when she inquired so Duane is going out to bid so we have budget figures to determine if it is more cost effective to subcontract versus having the Town do it. Some of his thoughts on the matter are that at one time the Town had a volunteer who mowed all the lawns and parks for free. That individual stopped doing it and it became the responsible of the highway department without any additional manpower. In his time, he said there has been more mowing added. It is matter of needing to add more staff or subbing out some of the work, so we need to evaluate the costs to decide what is the best option for the Town. Paul said it makes sense. Steve said it's not just mowing but also roof shoveling and other little maintenance items that add up, so maybe looking at a possible 4th staff member that would do other tasks, help at the Transfer Station, etc. Duane said last week a lot of time was spent on parks work and town office maintenance by both employees. Bill said he would like to see the subbed out prices and weigh against adding employees with the training time and insurance needs. Currently to transport our mower it is Steve's or Duane's trailer that is used.

Paul made a motion to send out the request for proposal for lawn mowing of town land and parks. Will seconded. Motion passed with all in favor.

f. Updates

- Duane said he is already working on budgets and ideas around some changing around within the highway department and he needs the RPF numbers to help with that planning.
- A plastic culvert on Winhall Hollow Road that was fine when the paving was done after flushing and it has shifted and fallen apart on a joint. Duane said it needs to be fixed as it will only get worse. Bill asked if it would be fixed or replaced. Duane said the road will be cut up and a higher quality plastic culvert will replace it. Bill asked if it could be done before winter to be paved. Duane said the cost of the project, as he didn't feel they could do it this year by themselves, he got pricing from Hunter Excavating and it will about \$3,800 for the project, with us supplying the culvert. Steve said we should get additional pricing to meet the purchasing policy guidelines and hope to approve at the next board meeting on September 19th.
- All trucks are inspected. A bill will be coming for a new windshield that was broken and needed to be replaced. The cost was \$169.00.
- Better Back Roads grant is completed and billing just needs to be submitted.
- Duane will be on vacation 9/21-9/26.

10. Old business

a. Salt/Sand Shed

- Paul shared with the Board emails from Enman Engineering and Waite Environmental. He wants the Board to review and discuss at the meeting on the 19th. He is also working to get information from some of the solar people he has reached out to which as proven difficult.

- Duane asked to be included in the process. Paul will forward along what we have so far to him.

11. New Business

- a. Tax Sale – Sept 29th – Appoint Representative
Steve volunteered to be present to represent the Board.

12. Executive Session – Personnel

Paul made a motion to move into executive session for the purpose of personnel discussions. Wayne seconded. Motion passed with all in favor. The board moved into executive session at 9:16 p.m.

13. Adjourn

The Board moved out of Executive Session at 9:50 p.m.

Wayne made a motion to adjourn. Will seconded. Motion passed with all in favor.

Meeting was adjourned at 9:51 p.m.