

TOWN OF CLARENDON, VERMONT

MINUTES SELECTBOARD MEETING-REGULAR AUGUST 10th, 2015

SELECT BOARD MEMBERS:

Robert Bixby, Clerk
Robert Congdon, Jr
Michael Klopchin, Chair
Arthur Knox
Rick Wilbur

CALL TO ORDER: At 6:00 p.m.

PRESENT WHEN MEETING CALLED TO ORDER: Select Board members (5), Administrative Assistant Heather Kent, Treasurer Rebecca Mandolare, Road Commissioner Daryl Tripp, Town Clerk Gloria Menard, Lister George Ambrose; Planning Commission Chair Carol Geery and Clerk Gale LiCausi; Town Citizens Marjorie Southard, Marion Pratico, and Cindy Davis. Also in attendance were Barbara Pulling and Helen Darby.

AGENDA ADDITIONS/DELETIONS: The Board Chair asked if there were any additions or changes to the agenda, there were none. The Board Chair then asked the Board for approval to discuss public record access under the heading Amendment of Meeting Procedure Policy on the Agenda, there were no objections.

APPROVAL OF SELECT BOARD MEETING MINUTES:

Select Board Meeting Special, July 22nd, 2015: Selectman Knox stated he was not present for the July 22nd Special Select Board Meeting. Selectman Congdon motioned to approve the July 22nd minutes, Selectman Bixby seconded, the motioned carried unopposed.

Select Board Meeting Regular, July 27th, 2015: The Board Chair stated that he was not present at the July 27th meeting, but had watched it on PEGTV. Selectman Knox motioned to accept the minutes, the Board Chair recognized Marjorie Southard. Ms. Southard stated that in the minutes, it was said that when Selectman Knox offered to listen to a tape of a June 22nd Planning Commission Meeting, "Ms. Southard declined and a brief discussion followed." Ms. Southard advised that she had declined per her lawyer's advice, and would like the minutes to reflect that. The Board Chair polled the Board; Selectman Wilbur voted no to the change, Selectmen Congdon and Knox voted yes, and Selectmen Bixby voted yes, but cautioned the Board that discussion is not required to be recorded in the minutes, but motions and actions do. Selectman Wilbur advised that he was not present at this meeting, Selectman Knox suggested watching the recording of the meeting for corrections. The approval of the July 27th minutes was tabled until corrections are made.

GUEST: Ms. Barbara Pulling presented the Local Hazard Mitigation Plan to be presented for approval to FEMA, with several changes. A brief discussion followed; Selectmen Knox and Congdon stated they would prefer to review the plan before it went to FEMA; approval of the plan was tabled, pending review by the Board members. The Board Chair asked the Planning Commission Chair if she thought the Planning Commission needed to review the plan, she declined, saying the Planning Commission had already had input.

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AMENDMENT OF MEETING PROCEDURE POLICY: The Board Chair then informed the public of the following changes to the meeting policy: 1. There shall be ten (10) minutes public comment total, not per person, with the Board adding additional time if needed. 2. There shall be a five (5) minute total, not per person, public comment on agenda items only. The Board Chair spoke to the formation of agendas. Marjorie Southard asked if the public can still get on the Agenda, the Board Chair advised that yes, they can, and he would advise that if a person has something to say, to get on the agenda.

At this time, Selectman Knox stated that he would like to commend George Solotruck (not present) for his conduct at public meetings, and stated he wished everyone would conduct themselves at meetings as Mr. Solotruck does.

The Board Chair advised that the State Statues have procedures for access of public documents, going forward, the public will request public documents by written request. The major points of Vermont Statutes Title 01, Chapter 005, Subchapter 003: Access to Public Records was then read aloud. The Board Chair advised that while the documents in the Town Hall are public, there are sensitive documents, such as personnel files, and copies of documents will no longer be provided without written notice. The Chair suggested to the Town Clerk that if she agreed, in the interest of transparency, this new procedure would start tomorrow (August 11th); the Town Clerk agreed. Selectman Congdon commented that confidential documents could be kept in a locked file cabinet, and that the vault was still open to public to look at documents, but while transparency is important, confidentiality is as well, and officials also need to be careful with documents under their protection. The Town Clerk stated that often she has paperwork with social security numbers on them that need to be blacked out before they become public. The Board Chair then read an email from Chris Winters of the Secretary of State's office stating that the custodian of documents is to whomever they belong; it may be the Town Clerk, or the Select Board, or another town officer. The Board Chair stated that the Town Clerk will take a records request in writing; if it is not available, the Clerk will get the request to the proper person, and the documents will be found, or a time arranged to meet with the proper representative. A discussion followed regarding document access past and future, and the time needed to prepare documents. It was asked that the new information be placed on the website; the Board Chair agreed, and stated that PEGTV was also making it public. Marjorie Southard asked that documents be available when requested; Carol Geery stated that officials by statute have a reasonable amount of time to make documents available when requested, a discussion followed regarding time needed to process requests, and ending with the Board Chair reiterating that the Town Clerk will follow state statues, and that the public will now be aware of the new procedure for requesting documents.

Carole Geery asked the Town Clerk if material can be archived on the website, the Clerk responded that it was being worked on; Ms. Geery suggested gmail as an option for archiving.

The Board Chair recognized Helen Darby, who asked if original documents are allowed to leave the building; the Board Chair responded that they stay in the building and a brief discussion followed. Ms. Darby expressed her concern that some documents aren't available when requested, even when done so in writing. Cindy Davis asked if the materials from the Board and Commissions are posted on the website, the Town Clerk responded that the minutes are. Marjorie Southard thanked the board for their effort in this matter, and commented on putting documents online. The Town Clerk responded that not everything

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can be put online. The Board Chair stated it had been a good discussion, and reiterated that the new procedures would start tomorrow (August 11th).

HIGHWAY: The Road Commissioner was present and participated in discussion.

New Hire to Road Crew: The Board Chair announced that Mr. Joel Baker had been hired to fill the position, and had started that day, August 10th, 2015, and the Board was satisfied with its choice.

Walker Mountain Bridge Closure-Signage: The Board Chair stated that the Town is responsible for putting up detour signs, and asked the Road Commissioner if signs had been ordered; the Road Commissioner responded that detour route needs to be known first. The Board Chair inquired as to why School House Hill Road, a projected detour route, had not been widened and stated that the widening was expected from the Gilman property to the Grembowicz property. A discussion followed as to what road should be widened, and the Chair instructed the Road Commissioner begin work on School House Hill Road, and to procure written permission from landowners that the Town may cut their trees. Possible detours were further discussed; the Road Commissioner expressed concerns about non-locals traveling on Quarterline Road, and suggested detouring down Walker Mountain Road. Concerns were expressed about the amount of signs needed, and the possibility of advertising detours in the Rutland Herald and on the Town's website was brought forth.

Cindy Davis commented that the Town must be careful on legality of signs; a discussion on what signs were needed during roadside mowing followed, and the concern of accidents happening due to lack of signs was voiced. Selectman Bixby spoke of the possibility of renting signs. The Chair stated that the Town would use the signs it has, and go from there.

The discussion continued as to widening the roads, and whether Quarterline road needs to be widened. Selectman Congdon stated that the Board had already discussed the issue, he believed it was widening from Misty Meadows to the Grembowicz property, and it had already been budgeted. A brief discussion followed, and the Chair again instructed the Road Commissioner to begin work on School House Hill Road.

Weaver Hill Road, Ira: Selectman Congdon stated that he had been approached with the proposal that the Town do maintenance on Weaver Hill Road from the Clarendon town line to route 133. The Road Commissioner stated that he was not opposed since the road crew has to travel the distance to turn around anyway, but asked who would supply the gravel and other supplies. The Board Chair proposed that the Town agree to maintain the road, but that Ira would pay the cost of it. The Road Commissioner stated his concern over liability: would Clarendon be responsible if an accident happened on the road. The Chair suggested an agreement for plowing and summer grading, nothing more. The Treasurer cautioned the Board on liability. A discussion followed on town sharing of equipment. The Board Chair asked Selectman Congdon to arrange a time for the Select Boards from Clarendon and Ira to meet and discuss the issue.

Hier Road and Anderson Hill: The Board Chair informed the Road Commissioner that he had received dust complaints on Anderson Hill Road, Teer Road, and Bump Road. The Road Commissioner advised the Board that Hier Road and Anderson Hill Road are incorrectly named as they have no outlet, and must be changed to Lane or Drive. Selectman Congdon motioned to rename them Hier Lane and Anderson Hill Drive; the

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Road Commissioner stated that the landowners preferred Anderson Hill Lane; Selectman Congdon revised his motion to change the names to Hier Drive and Anderson Hill Lane, Selectman Bixby seconded, the motion passed with no opposition.

Route 7b Paving: The Chair recognized Marion Pratico, Ms. Pratico questioned why the road was not dug up before it was paved, and who was responsible for seeing it done. A lengthy discussion followed on what had been expected of the State during paving; the Road Commissioner read aloud a document from November 10th, 2014 that stated what the State was going to do, which did not specify that the road be ground down. Selectman Congdon advised that the Select Board had received no notice of when paving was to begin. It was established that the road transfer documents are what the town has in writing in regards to this project.

PUBLIC COMMENTS [10 minutes]: Cindy Davis thanked the Road Commissioner for cutting brush on Walker Mountain Road. She also advised that signs are getting destroyed and a field torn up by an unknown person(s) in a vehicle. A discussion followed on putting up a barricade on the field; the Road Commissioner cautioned the Board on liability if someone was to run into it. The idea of guide rails was brought up.

George Ambrose thanked the Road Commissioner for his work, and stated that as a landowner he was in favor of widening Quarterline Road.

Marjorie Southard thanked Selectman Knox for his contribution of pointing out that there are some records that are not public in discussion on public documents.

Cindy Davis brought to the Board's attention that dirt is still being deposited on School House Hill Road. The Board Chair stated that the situation is being monitored, and that GMP had been informed of it as the soil and debris and are close to the power lines.

Helen Darby asked who takes part in the information in and writing of the Select Board minutes. The Chair advised that the Administrative Assistant writes the minutes and the Select Board has input and the final approval. Ms. Darby stated that she would like exact words she uses in her comments written in the minutes, and takes objection to her words being paraphrased, and a brief discussion followed. Selectman Knox stated his respect for what the public has to say, and that he very carefully listens so to understand what is being said.

APPROVAL OF ACCOUNTS PAYABLE AND PAYROLL WARRANTS: All new warrants and warrants previously signed by the designated Select Board member were approved and signed by all Select Board members.

OLD BUSINESS:

Hazard Mitigation Plan: The Board Chair advised that this had been discussed earlier in the meeting and did not need to be discussed again.

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School House Hill Road: The Board reviewed an estimate received for work on the lawn repair project. Selectman Congdon stated that the area requested to be repaired is much larger than expected. The Board Chair and Road Commissioner briefly discussed the quality of the topsoil the placed on Mr. Gilman's property. The size of the area on the estimate was discussed, what had already been done on the property, as well as what further measures the Board was to take to close the matter. Selectman Bixby proposed that the Road Crew take off the topsoil that was questionable, replace it, and seed it, and that would close the matter; he also stated that he would never vote to spend the amount of money estimated, and Selectmen Knox and Wilbur agreed. The Board Chair proposed that the Road Commissioner take the new hire up and take off or cover the topsoil they had put on. The Road Commissioner stated that the town had done what it agreed to do, and the matter needed to be finished. Selectman Congdon motioned that the Board declare the Gilman job done and closed as is, Selectman Bixby seconded, the motion passed unopposed. Selectman Bixby suggested that the Board write a letter to Mr. Gilman detailing the Board's decision, the Chair instructed the Administrative Assistant to do so.

NEW BUSINESS:

Tax Rate FY 2016: The Chair read out FY 2015 property taxes and the FY 2016 as follows:
Municipal and Educational Taxes

FY 2015		FY 2016	
Homestead property tax		Homestead property tax	
Homestead Education Tax	\$1.3781	Homestead Education Tax	\$1.4523
Town Tax Rate	\$0.4470	Town Tax Rate	\$0.3875
Local Agreement Tax	\$0.0016	Local Agreement Tax	\$0.0015
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TOTAL HOMESTEAD PROPERTY TAX			
FY 2015: \$1.8267		FY 2016: \$1.8413	
DIFFERENCE: +\$0.0146			

Non-residential property tax		Non-residential property tax	
Non-residential Edu. Tax	\$1.3375	Non-residential Edu. Tax	\$1.3870
Town Tax Rate	\$0.4470	Town Tax Rate	\$0.3875
Local Agreement Tax	\$0.0016	Local Agreement Tax	\$0.0015
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TOTAL NON-RESIDENTIAL PROPERTY TAX			
FY 2015: \$1.7861		FY 2016: \$1.7760	
DIFFERENCE: -\$0.0101			

Selectman Knox noted that the town tax rate had decreased. Selectman Congdon went on record saying that the town tax rate had decreased, and the entire increase that citizens will see is due to Montpelier. Selectman Congdon motioned to approve the FY 2016 taxes with the due date of October 9th, 2015,

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Selectman Bixby seconded, the motion passed with no opposition. George Ambrose advised that next year the amount that the school budget can increase is limited; the Chair advised that he appreciated small class sizes and that in his experience school consolidation led to poor education.

TOWN OFFICER REPORTS: The Chair asked the if there were any town officer reports; the Administrative Assistant stated that there was the following for the Select Board to review: a letter from an attorney regarding a tax sale, a letter regarding a motion to withdraw from an attorney, a Planning Commission letter detailing how they will handle their tape recordings, and a notice from the Dept. of Environmental Conservation detailing what can now go to the town's transfer station. The invoice for the 7b paving was also available for the Board to sign; the Road Commissioner explained that the town would pay the entire bill, and then be reimbursed for 80% of it. The Board Chair asked for a motion to sign the invoice, Selectman Knox so motioned, Selectman Bixby seconded, the motion carried unopposed. Selectman Congdon informed the board of an email he and the Town Clerk had received regarding a seminar about environmental issues.

SELECT BOARD MEMBERS CONCERNS: The Board Chair asked each Board member if they had any further concerns or comments. The Board Chair asked each Board member if they had any further concerns or comments. Selectman Congdon referenced the current sewage leak in Rutland City, and stated that the EPA needs to give attention to infrastructure, as it can fail.

ADJOURNMENT: At 8:20, Selectman Knox motioned to adjourn, Selectman Wilbur seconded, the motion carried unopposed.

SIGNED: Michael Klopchin, Chair /s

SIGNED: Robert Bixby, Clerk/s

These minutes approved on August 24th, 2015.