

# TOWN OF CLARENDON, VERMONT

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## MINUTES SELECTBOARD MEETING-REGULAR OCTOBER 12, 2015

### SELECT BOARD MEMBERS:

Robert Bixby, Clerk  
Robert Congdon, Jr  
Michael Klopchin, Chair  
Arthur Knox  
Richard Wilbur (Absent at start, joined by speaker phone)

CALL TO ORDER: At 6:05 p.m.

PRESENT AT MEETING: Select Board (4), Administrative Assistant, Treasurer; also present were Cindy Davis, Marjorie Southard, and George Solotruck.

AGENDA ADDITIONS/DELETIONS: The Board Chair asked if there were any additions or changes to the agenda; Selectman Congdon requested adding Salt Shed under Highway, there were no objections and Salt Shed was added under Highway.

### APPROVAL OF SELECT BOARD MEETING MINUTES:

Select Board Meeting Regular, September 28<sup>th</sup>, 2015: Selectman Bixby motioned to approve the minutes subject to corrections and deletions, Selectman Knox seconded, the motion passed unopposed. Selectman Bixby brought to the Board's attention a typographical error on page 3 to be corrected. There were no other corrections. Selectman Knox commented that minutes are Select Board business only, and are not a record of what was said word for word; the Board Chair agreed and advised that the minutes contain what is mandated by statute.

HIGHWAY: The Road Commissioner was not present.

Access Permit Application: The Board Chair advised that since the Road Commissioner was not present that the Access Permit Application be tabled until the next meeting. Selectman Congdon so motioned, Selectman Knox seconded, the motion passed unopposed. The Access Permit Application was tabled until the October 26<sup>th</sup>, 2015 meeting.

Salt Shed: Selectman Congdon reported to the Board that the proposed Salt Shed falls under the State guidelines as being on public property, and as discussed at last meeting, would need architectural drawings to accompany its permit; this made the project more expensive. The company Clearspan's price would be approximately \$37,148.00 with assembly, without assembly Selectman Congdon estimated approximately \$20,000, but advised that this was without the price of concrete, which the Road Commissioner had been looking into.

The Treasurer advised the Board that a grant for the Salt Shed was not possible due to time constraints.

A discussion followed on the possible dimensions of the building being 35' x 30' x 36'; Selectman Knox asked if the old shed was repairable, it was decided it was not, and the reasons for building a new shed were briefly discussed. The Board Chair asked the Treasurer if the Town had the funding for the project;

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the Treasurer responded yes, and a discussion followed on the final location of the shed and the state of the Town Garage. The possibility of Brownson Spencer doing the drawings versus Clearspan was suggested, Selectman Congdon advised that the company stamp on the drawings would be better, a discussion followed on the reputability and comparable pricing of Clearspan, if other towns use the company, and the ease of the assembly of the building. It was discussed whether or not the Town could assemble the shed.

Selectman Bixby asked about the possible lifespan of the building, Selectman Congdon replied that salt is corrosive, but the routine maintenance and blocks on the ground should help a great deal. The placement of the shed abutting the Congdon family property was discussed; the Board Chair asked that Selectman Congdon and Selectman Wilbur (absent) excuse themselves during any negotiations with the Congdon family about the shed location, due to it being their family. Selectman Congdon agreed. The Board Chair asked the Board's pleasure on the project; Selectman Bixby stated that it had to be done, and motioned to purchase the shed from Clearspan, but without the assembly price as the Town would assemble it. Selectman Knox seconded, the motion passed unopposed. Selectman Congdon reminded the Board there would be additional cost for concrete; there was a brief discussion of footings.

The Board Chair directed the Administrative Assistant to ask the Road Commissioner to contact Selectman Congdon about the concrete, and to open the account with Clearspan. The Board thanked Selectman Congdon for his diligence on the Salt Shed.

**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.

**GUEST:** There was no guest.

**PUBLIC COMMENTS (10 minutes):** There were no public comments.

**OLD BUSINESS:**

**Rutland PSAP Consolidation paper work:** The Board discussed the meaning of the documents, and what it detailed for the Town, the Administrative Assistant informed the Board that the Chair and both Town Constables needed to sign; Selectman Congdon suggested that the Town's attorney, William Bloomer, look at it and advise the Town. There was a brief discussion of the possibility of the Rutland Sheriff's Department taking over emergency dispatch for the area. At this time, Selectman Wilbur, also the Town's Second Constable, joined the discussion via speaker phone; he advised the Board that the paperwork was the policy of the State Police Department, and advised that the Board sign as acknowledgement of receipt. Selectman Bixby asked if Selectman Wilbur knew of the possibility of the Sheriff's Department taking over dispatch, he replied that it was being worked on, but would not happen this year, and the Sheriff would know more. Selectman Knox motioned to have the Chairman sign the Rutland PSAP Consolidation paper work, Selectman Condon seconded. It was discussed whether or not the First Constable Charles Hall had seen it yet; the Board Chair suggested that Selectman Knox amend his motion to say that Constable Hall first review the documents and sign before they were sent back, Selectman Knox so amended his motion, the motion passed with no opposition.

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Marjorie Southard: Clarendon Zoning Regulations and June 22<sup>nd</sup> BZA Hearing (5 minutes): Ms. Southard informed the Board that she believed the permit issued to Joseph Phillips Jr. for a wholesale/retail auto operation was issued in error, as the only zone that lists wholesale/retail specifically is Commercial/Industrial, not Commercial/Residential, the zone in which the permit was issued; the Board was presented with copies of zoning regulations and details of the said permit. Ms. Southard then requested that the Board send a letter to the Superior Court Environmental Division where the appeal was located, stating the alleged error. Selectman Knox stated that he was uncomfortable interfering with the court process and with the BZA. A discussion on the purview of the Select Board in zoning matters followed. The June 22<sup>nd</sup> 2015 BZA meeting and the statement made by the BZA chair was briefly discussed; the Select Board stated that it was out of their hands, and that the Sheriff's Department had already been involved. The Board Chair then polled the Board on Ms. Southard's request, the Board unanimously decided that as the matter was in court to consult the Town's attorney about the issue. Selectman Bixby commented that once the court settled the permit issue if there was a mistake in the zoning the Board could revisit it, and Selectman Knox thanked Ms. Southard for bringing the matter to the Select Board's attention.

### NEW BUSINESS:

Grand List Correction: A Grand List correction due to a lister error for 25 Fire Lane was presented to the Board; Selectman Bixby motioned to sign the correction, Selectman Congdon seconded, the motion passed unopposed.

Agenda Policy: The Board Chair advised that the agenda policy had been changed due to recommendations by the Secretary of State's office. He then read the new policy aloud as follows:

If you would like placement on the meeting agenda to discuss a matter with the Select Board you can request agenda placement by contacting the Administrative Assistant at [clarendonadmast@comcast.net](mailto:clarendonadmast@comcast.net); all requests must be in writing, and must contain a subject. The time given for a speaker on the agenda will be 5-10 minutes; time may be added at the discretion of the Select Board. A request can also be mailed to the Clarendon Board of Selectmen, P.O. Box 30, Clarendon, Vermont 05759, or hand delivered at the Town Hall.

The meeting agenda also includes two public comment sections; one for general comments, and one for agenda items only.

All request for agenda placement must be received no later than 1:00 p.m. on the Thursday preceding the scheduled Monday meeting to allow time for preparation of the agenda and time for Select Board members to prepare for the meeting. Individuals not on the agenda must wait until completion of all agenda items unless invited by the Select Board Chairman to speak.

Selectman Congdon stated he believed the policy was in line with requests for documentation in writing and motioned to approve the new agenda policy, Selectman Bixby seconded, the motion passed unopposed.

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PUBLIC COMMENTS ON AGENDA ITEMS ONLY (5 minutes): There were no public comments on agenda items.

TOWN OFFICER REPORTS:

Treasurer: The Treasurer reported that it was a good year for tax collections, and stated that state payments going directly to the school decreases delinquencies, and reminded the Board that she had added the school tax payment to the warrants.

Administrative Assistant: The Administrative Assistant gave a brief summary of the Town Fair workshops she had attended.

SELECT BOARD MEMBERS CONCERNS: The Board Chair asked each member for their concerns. Selectman Knox thanked Mr. Solotruk for attending the meeting, and inquired about guard rails on Walker Mountain Road, the Board Chair instructed the Administrative Assistant to speak to the Road Commissioner about them. Selectman Bixby stated he was pleased with the work that had been done on the two projects he had mentioned to the Road Commissioner at the September 28<sup>th</sup> Select Board meeting. Selectman Congdon offered his condolences to the Adams family on the loss of their barn from fire on October 10<sup>th</sup>, and thanked the fire department for their efforts.

ADJOURNMENT: At 7:07 p.m., Selectman Congdon motioned to adjourn, Selectman Knox seconded, the motion carried unopposed.

SIGNED: \_\_\_\_\_ Michael Klopchin, Chair /s

SIGNED: \_\_\_\_\_ Robert Bixby, Clerk/s

These minutes taken by Heather Kent, Administrative Assistant, and were approved October 26<sup>th</sup>, 2015