

TOWN OF CLARENDON, VERMONT

MINUTES SELECTBOARD MEETING-REGULAR AUGUST 24th, 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; citizens Marjorie Southard, Marion Pratico, and George Solotruck.

AGENDA ADDITIONS/DELETIONS: The Board Chair asked if there were any additions or changes to the agenda. Selectman Congdon requested to add Weaver Hill Road, Ira, under Highway; the Board Chair requested adding East Clarendon Railroad Crossing Traffic Control Plan under Highway; the Board Chair recognized Marjorie Southard, who asked to be added to the Agenda as a special letter to the Select Board, Ms. Southard was so added under Old Business. There were no objections and the Agenda changes were added.

APPROVAL OF SELECT BOARD MEETING MINUTES:

Select Board Meeting Regular, July 27nd, 2015: Selectman Wilbur stated he was not present for this meeting. Selectman Congdon motioned to approve the minutes as written, Selectman Knox seconded, the motion carried unopposed.

Select Board Meeting Regular, August 10th, 2015: Selectman Wilbur requested to change a misspelling from "us" to "use" on page three (3). Selectman Congdon motioned to approve the minutes with the correction, Selectman Bixby seconded, the motion passed unopposed.

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

Suggested Detour Route-Teer Road: The Road Commissioner suggested Teer road as a simpler route to detour traffic on during Bridge 11 construction and subsequent road closure, and stated that Teer road is simpler to sign and maintain, as it is only one road versus two. Selectman Congdon voiced a concern about possible public complaints if Teer road is utilized and suggested sending mailings to inform the public of the route, Selectman Knox agreed with this suggestion; the Road Commissioner questioned the need for a mailing when signs will be posted. A discussion followed on maintenance concerns, and the best way to notify the public of the route, ending with the Board Chair suggesting the Board designate Teer Road as the official detour, with the option to revisit the issue if needed. Selectman Wilbur so moved, Selectman Bixby seconded, the motion carried with no opposition.

Weaver Hill Road, Ira: Selectman Congdon informed the Board that he had contacted the Ira Select Board pertaining to the possible road maintenance of Weaver Hill Road by the Town, and instructed the Administrative Assistant to add the Ira Select Board to the September 14th Agenda under Highway.

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East Clarendon Road Railroad Crossing: The Board Chair advised that the Town had received a Traffic Control Plan pertaining to the work being done on the East Clarendon Railroad Crossing. The Chair asked if the Select Board was required to sign anything, he was advised that it was just informational. As the plan was extensive, he instructed the Administrative Assistant to make extra copies for the Select Board to review during the following week.

The Board Chair asked if the Road Commissioner had any report for the Board; Selectman Bixby reminded the Road Commissioner of a citizen on North Shrewsbury road with a complaint; the Board Chair stated that he had a complaint from a citizen that overly heavy trucks were going across the covered bridge in town, and instructed the Administrative Assistant to contact Deputy Brendan Reilly about that issue. A brief discussion followed on signs and mowing in town.

APPROVAL OF SELECT BOARD 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 were no guests.

PUBLIC COMMENTS: There were no public comments.

OLD BUSINESS:

Hazard Mitigation Plan Review: Selectman Congdon advised that the old Plan is still in the front of the draft, but the new Plan is in the back and the items the Board requested be removed are removed in the new Plan. A brief discussion followed on the amount of control the Board has over the Hazard Mitigation Plan; Selectman Congdon stated that at the moment he was satisfied with the plan, but expressed concern that FEMA would not allow the changes made, Selectman Bixby stated that he wasn't entirely satisfied with the plan, but that the Board had done what it could do. Selectman Congdon motioned that the Board approve sending the plan to FEMA, Selectman Wilbur seconded, the motion carried unopposed.

School House Hill Road Lawn Repair-Letter: The Board Chair questioned the Board as to whether they wished to sign the letter to Don Gilman stating that the town considered the repair work on his lawn completed, as new information on a source of topsoil had recently come to him; a brief discussion followed ending with the Board reiterating its decision to send the letter. The Board Chair suggested hand delivering the letter with two Selectmen going; it was suggested that the letter be sent certified mail, a brief discussion followed debating the two options. The Board discussed how the lawn now looked; it was agreed that the lawn now looked acceptable as there was grass growing. Ms. Southard reminded the Board of the motion they had made at last meeting regarding the letter, a discussion followed on the letter, with the Board Chair stating that the letter had not been signed, and he wanted the Board and the public to be aware that topsoil was available. Selectman Wilbur stated that hearing that the lawn looks like a lawn, he did not see the point of putting topsoil on it. Selectman Congdon motioned to sign the letter and send it to Mr. Gilman via certified mail, Selectman Knox seconded, the motion passed with four saying aye, Selectmen Knox, Bixby, Congdon, and Wilbur, and one saying nay, Board Chair Klopchin, who wished to hand deliver the letter.

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Marjorie Southard: Ms. Southard asked to approach the Select Board with a letter and a petition on behalf of a number of citizens on Route 7b opposing Country View Auto Sales proposed site on 7b which we presented to the Board members and the Administrative Assistant; she reminded the Board of the letter they had sent to on behalf of the Middle Road residents, and stated she had taken that letter and added relevant information, and requested that the Board do for the residents of 7b what they had done for the residents of Middle Road, and send the letter to the Environmental Court, which the appeal was currently in. Ms. Southard then read the letter (see attachment 1). Selectman Knox advised that he felt uncomfortable responding to the letter, as the matter was in litigation. A discussion followed regarding the water issues on the property, and the concerns the residents had about possible water pollution from the proposed Auto Sales. George Solotruck advised that he was not against the Auto Sales as long as the permit limit of eight (8) cars is up held; a brief discussion followed regarding the permit, and the intentions of Joseph Phillips (owner). The Board Chair stated the matter is in the Superior Court Environmental Division, and he, as one member, would not sign the letter. A lengthy discussion followed regarding businesses on route 7b. Selectman Congdon suggested not sending the proposed letter, but drafting one that states the Select Board is representing the citizens with the petition attached to the environmental court, and a discussion followed about the citizens of route 7b and whether or not they are being treated equally with the rest of the town. Ms. Southard reiterated her concern of water pollution, and Ms. Pratico stated that they would no longer be able to hay and grow vegetables for the Mission. Ms. Pratico asked the Board if they would sign the letter; Selectman Knox responded that he would like to talk to Mr. George Solotruck first, Selectman Bixby stated no he would not, because it is in the courts right now, but agreed with Selectman Congdon's suggestion; the Board Chair was not asked his opinion; Selectman Congdon reiterated his proposal; Selectman Wilbur stated no, because he was not against business in the town, and would like Joseph Phillips to come before the Board and speak on the matter as he has heard conflicting information, and stated that he had not signed the letter against the solar arrays either. A discussion followed on the legality of the permit issued, with the Board Chair stating that if a permit has been issued, the Board would follow the process in place. A brief discussion followed about the rights of all town citizens. George Solotruck stated that he was satisfied with Selectman Congdon's suggestion; Selectman Congdon stated that in his understanding, the issue was already in the Courts, and reiterated his proposal, saying that he is only one member. Marion Pratico advised the Board that the citizens are asking the Board to send the letter to the appropriate people as they did for the citizens on Middle Road. A discussion followed regarding what exactly was in the permit and what Joseph Phillips was doing. Marjorie Southard stated that she was asking they be treated like every other citizen; a discussion followed, Selectman Knox stated he treated Ms. Southard as a citizen; Selectman Wilbur stated he represents all of the citizens. Ms. Southard reiterated her request for equal treatment.

NEW BUSINESS:

Trees on South Creek Road: The Board Chair questioned the Administrative Assistant as to the status of trees down on several telephone lines on South Creek Road. The Administrative Assistant responded that she had called the telephone company, but was having difficulty in getting any work done. The Board Chair advised that if the town is forced to cut the trees, the company would be receiving the bill, and instructed the Administrative Assistant to relay that information to the telephone company. Selectman Bixby commented on the lack of maintenance on the lines being a problem.

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GIS Mapping Concern-Letter: The Board Chair read sections of a letter from the Citizens for Property Rights, based out of Underhill, Vermont, detailing a concern they have about GIS mapping being incorporated into town plans, and the effects it might have on landowners. A brief discussion followed about what entity has control over GIS maps being placed in town plans; Selectman Bixby suggested monitoring the situation, and the Board Chair instructed the Administrative Assistant to post the letter in the town hall.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY (5 minutes):

Cindy Davis asked about the status of the town's salt shed. Selectman Congdon responded that prices were still being examined, and recommended it be put on the next Select Board agenda. A brief discussion followed on what size the shed could be, and Selectmen Bixby and Wilbur volunteered to measure the area where it will be put.

Oil prices were discussed, Selectman Congdon stated he believed the town should wait to lock in prices as he believed that were going to dip, a brief discussion followed. Selectman Congdon suggested bringing up the issue again during the last meeting in September, the Board Chair instructed the Administrative Assistant to place it on the September 28th Agenda.

TOWN OFFICER REPORTS: The Administrative Assistant brought before the Select Board the following:

1. The Administrative Assistant stated that she had felt uncomfortable with the letter Marjorie Southard had presented to the Board as the majority of it was taken from a letter previously drafted by the Administrative Assistant for a separate issue, and had the Town's name, Selectmen's names, and the Administrative Assistant's name on it. A brief discussion followed.
2. A request from Mill River Friends of Football for the town to sponsor the football team. The Select Board declined to sponsor the team.
3. A notice from DCF regarding changes in mandated reporting; the Administrative Assistant informed the Select Board that the notice had been posted August 17th in the town hall.
4. An informational mailing from SunCommon regarding the proposed solar array on Middle Road; no action was taken.
5. Letters from Marion Practico and Helen Darby referring to Country View Auto Sales; a brief discussion about the environment for businesses in the town followed.

SELECT BOARD MEMBERS CONCERNS: The Board Chair asked if any members had concerns. Selectman Knox thanked the Administrative Assistant for delivering the meeting materials to his home, and commented on the mail service. Selectman Bixby stated that he felt that in his years as a Selectman, he had always endeavored to treat all citizens the same. The Board Chair commented on an estimate the Board had received via email from the Royal group regarding locks on cabinets for \$150.00. The Administrative Assistant stated that she would look into new cabinets to see if they would be of equal or

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lesser cost. The Board Chair tabled the issue until next meeting, and in response to a question from the public specified which cabinets were being discussed.

ADJOURNMENT: At 7:45 p.m., Selectman Knox motioned to adjourn, Selectman Congdon seconded, the motion carried unopposed.

SIGNED: _____ Michael Klopchin, Chair /s

SIGNED: _____ Robert Bixby, Clerk/s

These minutes taken by the Administrative Assistant, Heather Kent, and were approved on September 14th, 2015.

APPROVED