

TOWN OF WAITSFIELD, VERMONT
Selectboard Meeting Minutes of
Monday, July 14, 2014

I. Call to Order: The meeting was called to order at 7:00 pm by Paul Hartshorn at the Waitsfield Town Office.

Members Present: Paul Hartshorn (Chair), Logan Cooke (Vice-Chair), Scott Kingsbury, Chris Pierson, Sal Spinosa.

Staff Present: Valerie Capels, Town Administrator; Carol Chamberlin, Recording Secretary

Others Present: Chris Albierti, Paul DeFlavio, Darryl Forrest, AnneMarie DeFreest, Alice Evans, Barbara Gulisano, Sam Gulisano, Tony Italiano (MRTV), Bonnie McTigue, Gaelic McTigue.

II. Regular Business

1. Public Forum.

2. Bridge Street/Covered Bridge project update.

A public meeting had been held earlier in the day regarding the project, at which Evan Detrick, the project engineer, reviewed the project and timeline. One of the ideas strongly supported by those in the audience at that meeting was to divide the project into two phases: the bridge work taking place this year, and the street work being put off until next spring. The project engineer's opinion is that such a plan is feasible, but it is difficult to predict how such a change will affect the bid prices, such as the need to mobilize more than once. The project has gone out to bid; there is a pre-bid meeting scheduled for July 22. The bid specifications would be adjusted as an extension of time to allow for the two phases, with a completion date set for May 2015 rather than this fall. Factors discussed included having the bridge closed while school is in session; the possibility of running out of time to complete paving if all the work is planned for the coming fall months; concerns with being able to begin the second phase as early as April; what disruption to Bridge Street the covered bridge work will entail; the increase in total time that the bridge/road will be closed to traffic should the project be planned for two phases; the months during which river work is allowed; the possibility of receiving bids for both the original schedule and the extended schedule as an add-alternate; impacts on the project's construction inspection requirements; overlapping disruption between this and the upcoming Route 100 paving that is scheduled for August; and how to evaluate any cost differential between the one-phase and two-phase bids that might be received should the Board decide to pursue such an option.

MOTION: Mr. Kingsbury made a motion to have the Selectboard include a two-phase plan as an add alternate to the bid for the Bridge Street/Covered Bridge project and to have such bid include estimates of the need for bridge and street closure for both one- and two-phase alternatives. The motion was seconded by Mr. Spinosa, with the caveat that the cost of the two alternatives will be an important factor in deciding which bidder is awarded the project. All voted in favor.

3. Solar project update: site preparation and power connection.

A site visit at the Town Garage with Nils Behn and Thomas Flynn from Aegis Renewable Energy had been attended by Charlie Goodman, Mr. Hartshorn, Ms. Capels, and Mr. Kingsbury.

Separation of responsibilities between the Town and Aegis was determined. The Town will complete clean-up tasks as well as tree removal and burning and Aegis will follow up with necessary bulldozing and power connection configurations.

Mr. Kingsbury suggested that Kingsbury Construction be contacted regarding the needed tree removal and burning, as they are currently working on a nearby road project. He estimated that the work would cost approximately \$1,800.

It was suggested that a short-term dumpster rental would be beneficial.

MOTION: Mr. Pierson made a motion to authorize Kingsbury Construction to undertake the necessary tree removal; and to have Ms. Capels or Mr. Jones arrange for a dumpster rental. The motion was seconded by Mr. Cooke. All voted in favor.

4. Consideration of 100 on 100 Relay request.

The parameters of the request are similar to what was in place for last year's race; this is the ninth year the event has taken place.

MOTION: Mr. Cooke made a motion to approve the Event Request for the 100 on 100 Relay. The motion was seconded by Mr. Kingsbury. All voted in favor.

5. Vermont Municipal Bond Bank loan documents.

Board members were provided copies of the following documents, prepared by bond counsel:

1. Loan Agreement
2. VMBB Post Issuance Certification
3. Assignment Separate From Bond
4. Form of the Bond
5. Certificate of Registration
6. Tax Certificate
7. Schedule D – Post Issuance Compliance Procedure
8. Bond Receipt

MOTION: Mr. Kingsbury made a motion to approve the noted loan documents, allowing for minor edits/insertions and attachment of necessary appendices/exhibits to the loan document, tax certificate, and bond receipt as approved by legal counsel. The motion was seconded by Mr. Cooke. All voted in favor.

MOTION: Mr. Kingsbury made a motion to have the Selectboard Chair, after legal review of the above documents, execute and deliver to the Vermont Municipal Bond Bank the loan document and the bond receipt. The motion was seconded by Mr. Cooke. All voted in favor.

6. Set FY2015 tax rate.

The homestead penalty was addressed along with the tax rate. Jennifer Peterson submitted a recommendation that the FY2015 18-month municipal tax rate be set at \$0.4202, plus the \$0.0030 for the local agreements. It was explained that the \$3.6 million Grand List total is due to the tax being based on each \$100 of assessed value.

MOTION: Mr. Pierson made a motion to waive the homestead penalty for the FY2015 taxes. The motion was seconded by Mr. Cooke. All voted in favor.

MOTION: Mr. Kingsbury made a motion to set the FY2015 municipal tax rate at \$0.4232. The motion was seconded by Mr. Cooke. All voted in favor.

7. Consideration of special Town Meeting for voter authorization to borrow for sidewalk projects.

Ms. Capels presented draft language for the proposed Town Meeting warning, suggesting that the meeting be scheduled for August 26 in order to coincide with the Vermont primary voting. She explained that more definite figures may be included, but that \$65K is currently a good estimate. This allows for \$37K to close out the old sidewalk project and a possible \$18K for underground power work at Old County Road. This latter work may be determined to be an eligible grant cost, but that has not yet been determined. The rest of the western sidewalk projects will be funded entirely through grant money.

MOTION: Mr. Spinosa made a motion to approve the special Town Meeting draft warning, with the allowance for minor edits determined necessary through legal review. The motion was seconded by Mr. Kingsbury. All voted in favor.

8. Consideration of construction *inspection* contractor for the Bridge Street/Covered Bridge projects. May include deliberation in executive session.

This item was moved to executive session.

9. Consideration of construction *inspection* contractor for SRTS projects. May include deliberation in executive session.

This item was moved to executive session.

10. Consideration of *construction* contractor for SRTS projects. May include deliberation in executive session.

This item was moved to executive session..

11. Bills payable and Treasurer's warrants were signed.

12. Approval of June 30, 2014 meeting minutes.

Mr. Pierson proposed the following amendments for the minutes:

- P. 1 - Savitri Bhagavati is listed among staff present;
- P. 6 – Regarding the road maintenance schedule, the statement should read: “Mr. Pierson expressed concern that the road crew may be spending too much time doing minimal maintenance such as grading and applying calcium chloride rather than addressing larger issues such as repairing large holes *and the need to add more gravel to the roads.*”
- P. 7 – Regarding the auditor contract motion, the motion should be amended to read: “Mr. Pierson made a motion to accept Jeffrey Bradley’s auditor contingent upon his meeting the time deadlines and the Selectboard reserves the right to terminate the contract after either the first or the second year *due to lack of compliance with deadline issues.*”

MOTION: Mr. Pierson made a motion to approve the minutes of June 16, 2014 as amended. The motion was seconded by Mr. Cooke. All voted in favor.

13. Selectboard Roundtable.

Stormwater runoff at Village Grocery – Mr. Cooke raised the issue of water runoff from the hill behind the VG/Parsonage Lane area. Much of the stormwater runs off of Parsonage Lane and accumulates in the VG parking area. He explained that Troy Kingsbury would like to coordinate with the Town for any repaving projects in the area of the store. Mr. Cooke feels that the Town might also address the runoff by creating a swale or other feature to divert the water away from Mr. Kingsbury's property. Most of the Board felt that Mr. Kingsbury should contact the uphill landowners before the Board discusses addressing the issue. Ms. Capels suggested checking to see if there are any related requirements in subdivision or building permits issued for the uphill housing.

Town charter – Mr. Spinosa has received a draft of charter language from attorney Joe McLean; he will request that Mr. McLean refine the draft and provide details on the adoption process.

Solar array MOU with school – Mr. Spinosa is awaiting further information from Adam Greshin, and raised the possibility of requesting Board approval for his obtaining legal advice should Mr. Greshin not provide a draft MOU soon.

River gravel extraction – Mr. Pierson pointed out new State regulations regarding emergency gravel extraction, noting that he believes the build-up in the Mad River above the covered bridge would qualify for Selectboard authority in acting to prevent a threat to life or property. Board members asked that Mr. Pierson draft a letter addressed to the appropriate division of the Vermont Agency of Natural Resources (ANR); the Board will review the letter before submitting it and beginning a relevant discussion with ANR.

Tremblay Road signage – Board members agreed there was some confusion as to what Mr. Dumas had suggested at an earlier meeting regarding the installation of stop signs to control Tremblay/North Road traffic during upcoming construction. It was agreed that a two-way stop at the corner of North and Tremblay Roads may be beneficial. Ms. Capels had inquired of the regional planning commission and determined that existing traffic study data would not be useful and a further study would need to be conducted to determine if new road signs are warranted. She will investigate the matter further.

Historic project grants – Mr. Kingsbury raised the idea of seeking historic preservation grant money to focus on parts of Town that don't receive regular attention, pointing out the regular use of the Common Road area near the triangle intersection as likely to benefit from the installation of a shelter such as a gazebo. Ms. Capels explained such funding would not likely be available through historic preservation grants, and pointed out other granting possibilities for this type of project.

Sheriff traffic notification – Mr. Cooke suggested that the Sheriff department be notified of the change in traffic patterns that will result from road closures and work on Route 100; the resulting more heavily used roads may be monitored for excessive speed infractions.

Covered bridge weight limit enforcement – Mr. Hartshorn reported that the Deputy Sheriff had requested direction from the Board regarding enforcing the current 6-ton weight limit on the Covered Bridge. Board members agreed that the posting, reduced from a 20-ton limit several years ago, is intended to keep fully loaded dump trucks and similar vehicles from crossing the bridge. Full enforcement would preclude many local residents from using the bridge when driving private pickup trucks; the Board agreed that this level of enforcement was not expected.

14. Town Administrator's Report.

Ms. Capels provided an update on the Brook Road project – Kingsbury Construction estimates that the road will close on July 28 and remain closed until August 6 at the latest, possibly reopening as early as August 1.

Historic preservation clearance has been received in relation to the solar array project.

VTrans is continuing to study the curb cut request for the new Town Office building, and may be requiring further adjustments (related to Reynells fence, rain garden) before approval is granted.

III. Other Business.

1. Correspondence/reports received.

1. Request from UVM for Waitsfield participation in BMP study.

Beverley Wimple submitted a request for an estimated four to eight hours of road crew time to gather information as a follow up to the previous work done in this study. This would most likely require time of Rodney Jones. The results of this study are of assistance in culvert planning, flood prevention, and other road infrastructure needs. The Board felt that such use of road department time should be authorized as long as it was not disruptive to Mr. Jones' schedule.

MOTION: Mr. Kingsbury made a motion to proceed with this interview portion of the BMP study. The motion was seconded by Mr. Pierson. All voted in favor.

2. Request from Alice Evans for clarity about Civil War monument ownership.

Ms. Evans explained that she has been attempting to determine who has ownership of the Civil War monument, as she would like to proceed with requesting that the granite and bronze memorial be properly cleaned. The Cemetery Commission has informed her that this monument is not in their purview. Research by Ms. Capels indicates that the property upon which the monument sits is owned by the Town. Board members concurred that the Selectboard is the authority responsible for maintenance of the monument; several suggestions were raised regarding where to obtain expert advice on cleaning procedures. Ms. Capels will follow up by contacting Patrick Healy of Montpelier for cleaning information. Ms. Evans added that she is willing to do weeding and planting around the memorial. She also expressed a desire to have the cleaning project complete in time for Sesquicentennial recognition, the period for which ends in April 2015.

IV. Executive Session to consider contract negotiations and personnel matters.

MOTION: Mr. Kingsbury made a motion to enter executive session to discuss contract negotiations and personnel matters. The motion was seconded by Mr. Pierson. All voted in favor. The Selectboard met in executive session from 9:09pm to 10:51pm. Upon returning to open session, the following action was taken:

MOTION: Mr. Spinoso made a motion to award the contract for construction inspection of the Bridge Street/Covered Bridge project to John Turner Consulting as presented in their proposal. The motion was seconded by Mr. Cooke. All voted in favor.

Consideration of the Safe Routes to Schools proposals and will be continued at the next meeting.

VI. Adjourn

The meeting was adjourned at 10:53pm.

Respectfully submitted,

Carol Chamberlin
Recording Secretary

reviewed by Valerie Capels
Town Administrator