

TOWN OF CLARENDON, VERMONT

MINUTES

SELECT BOARD MEETING - REGULAR

MONDAY, April 22, 2019

ATTENDEES:

SELECT BOARD

Michael Klopchin, Chair
Robert "Bob" Bixby, Clerk
Cash Ruane
Robert Congdon
Rick Wilbur

Board Secretary Janet Arnold
William Chmielewski, PEG-TV

1. CALL TO ORDER

Chairman Klopchin called the meeting to order at 6:02 P.M., and welcomed audience members.

2. REVISIONS TO AGENDA

Rick moved to add the following items to the Agenda:

1. Report on Reappraisal
2. Guest Speaker Kevin Mullin regarding the Solar facility planned behind the Town offices, and
3. Execution of the annual Certificate of Highway Mileage

Bob B. seconded the motion, and the motion passed.

3. MEETING MINUTES

The Board considered the minutes of the April 8, 2019 meeting. Mike called for revisions to the minutes. He noted that there was one typo that requires correction in the sentence "the chair tasked the Administrative Assistant to **CONTACT** Joe Peterson." No other corrections were noted. Robert moved to approve the minutes with that revision, Bob seconded the motion, and it passed. Audience members mentioned that that the minutes for the meeting were not on the website.

4. APPROVAL OF AP AND PAYROLL WARRANTS

Accounts Payable and Payroll warrants were executed by the Board.

5. PUBLIC COMMENTS

Community members greeted the Board, and a discussion ensued regarding the ongoing issue of a potential marijuana ordinance. Audience members expressed the desire to enact a local

ordinance that would not permit marijuana business or sale in Town. Many audience members voiced strong opposition to marijuana in Town, voicing objection to dispensaries and asking the Selectboard to rule out dispensaries now. Mike indicated that the Board had committed to addressing the issue in July. The Board indicated that it has reviewed ordinances enacted by other towns, and then engaged in an extensive discussion with audience members. The Board noted that there is a bill in the legislature that, if enacted, could suspend a Town's ability to take action. There is, however, a counter proposal on the table, so nothing is definitive at this time. Given the uncertainty at the State level at this time, Mike suggested that the Board address the issue over the summer when (a) it addresses other policies and (b) the State law situation may be more settled.

6. HIGHWAY

a. Execution of State of Vermont Certificate of Highway Mileage

The Board reviewed the Town "Certificate of Highway" required by the State, noting that road mileage in Town has not changed. Robert moved to approve it, Cash seconded the motion, and the motion passed. The Board thereafter executed the certificate.

b. Road Commissioner Report

Cash reported that it has been a particularly challenging Spring, with numerous washouts, bank collapses and potholes. The Road Crew has started grading, but that effort has been interrupted with emergent situations requiring action. He therefore asked for patience and understanding from citizens. Mike praised Cash and the road crew, noting that the recent repair of the ditch on West Tinmouth Road was challenging, both the crew rose to the occasion and handled it well.

He also noted that the water flow in the Cold River has severely eroded a bank near a residence, and this is a serious concern, and the Middle Road bridge has also filled in with debris.

Finally, he reported that the road crew has started grading for the season, and asked for patience on the roads, as well as caution on the part of drivers.

7. OLD BUSINESS

a. Report on Reappraisal

George Ambrose reported that they are in the final stages of the reappraisal effort. He explained that there will be a "pre-grievance" period for those who are not happy with their assessments, so as many complaints as possible can be amicably resolved. The "Pre-Grievance Period" will be the last Wednesday, Thursday and Friday in May (May 29-31). Grievances will be heard the last Wednesday, Thursday and Friday in June (June 26-28).

George then reported on the ownership of the old Chippinhook School House, noting that documentation is definitely lacking. Cindy Davis provided some background on the issue, and Mike queried current ownership of the building. George indicated that the Town currently owns it, and Bob Underhill has been paying the taxes on it.

The building had been valued at \$500.00, but following reappraisal, the value has increased to \$12,000.00. Differences of opinion were voiced as to whether a citizen of the Town owns it.

This resulted in a wide-ranging discussion of various real estate transactions known to audience members, and Robert noted that the building sits on Town property. George noted that there is an individual living in the building at this time, and there is an issue of liability to the Town if the Town actually owns it. Cindy committed to get the information she has to George so the issue can be definitively resolved.

b. Town Officially Taking Over Maintenance of Sunny Hill Development Roads

Mike explained that, upon inspection of the Sunny Hill development, the Board realized that it was Sonny Young’s intent to have the Town take over maintenance of not only Sunny Hill Drive, but the other road in that development as well – Sherri Lane. In an abundance of caution, as well as to ensure that the Town is in full and complete compliance with legal requirements, the notice regarding the Town taking over maintenance of the roads will be re-posted, and a hearing will be held to provide landowners with an opportunity to be heard.

Robert noted that a thirty-day notice of hearing is required, so the hearing cannot be held until the Board’s May 29th meeting – which is a Wednesday.

c. Garvey Nissan & Renaming of Route 7B North Extension

Janet reported that she has again been in contact with the State regarding the steps necessary to rename the road. In her latest conversation with the State, they indicated that, although the moniker of “Route 7B North Extension” is not a proper road name, it can be retained. Should consensus be that the road should be re-named, it is the Selectboard who has the jurisdiction to take action at a duly warned meeting.

The Selectboard discussed the matter, with “schools of thought” emerging. Ultimately, the consensus was to leave it “as is” for the time being. Rick therefore moved to keep the road name of Route 7B North Extension” as is, Bob seconded the motion, and the motion passed.

d. Local Emergency Management Plan

Janet reported that Matt Jakubowski is working on the plan, and has stated that it will be completed by the deadline. Marjorie noted that this will be subject to review once it is completed.

8. NEW BUSINESS

a. Weight Limits on Town Roads & Citizen Concerns

Board members indicated that the issue was discussed at the last meeting, and it will be revisited in the fall.

9. TOWN OFFICER REPORTS

Janet reported on behalf of Richard Griffith, Town Health Officer, that he participated in a webinar on rental housing code enforcement.

Treasurer Congdon was not in attendance, so no Treasurer’s report was offered.

10. ADMINISTRATIVE ASSISTANT REPORT

Janet reported that the advertisement for cemetery mowing ran in the Rutland Herald on April 12. No bids have been received as of yet, and the previous contractor has indicated that he will not be bidding. The deadline for receipt of bids is April 30.

11. SELECTBOARD COMMENTS

Bob noted that he has been approached by two citizens expressing concern over the fact that the river is filling with debris just above the bridge. If we receive more hard rains, significant damage could occur, similar to what the Town faced as a result of Hurricane Irene. Mike indicated that he has been in contact with Nanci McGuire, District Manager for the Vermont Association of Conservation Districts, and she has indicated that the grant the Town received from them was supposed to be for this year to open up the berms. However, given the situation, Mike indicated that he will contact her to address the issue.

Mike reported that he attended the Rutland County Solid Waste meeting, but no quorum was present, so no action was taken. There is another meeting scheduled for May 1. He will continue to attend those meetings when able.

Mike discussed the open solar farm proposal, and the Board examined the proposal documents, evaluating location.

Robert reported that there were a couple site visits on road issues last week, and Rick queried the impact of the ledges on the Creek Road on water flow.

13. ADJOURNMENT

Business having concluded, Robert moved to adjourn the meeting. Bob seconded the motion, and the meeting was adjourned at 6:51 p.m.