

TOWN OF CLARENDON BOARD OF SELECTMEN MEETING
REGULAR
May 10, 2021
Minutes

Attendees:

Select Board

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

Katie Nop, Secretary
Kelly Jakubowski, Delinquent Tax Collector
William Chmielewski, PEG-TV
Matt Jakubowski
Emily Burlett

Call to Order

Chairman Klopchin called the meeting to order at 6:01PM.

Agenda additions/deletions

Selectman Congdon motioned to add the topic of the Spafford cemetery ROW in conjunction with a presentation from the Town's attorney; Selectman Ruane seconded. The Board decided once Bill Bloomer arrived, they would discuss this issue. All Board members approved.

Approval of Meeting Minutes

Selectman Congdon motioned approve the minutes from the April 26th meeting, subject to any corrections, and Selectman Ruane seconded. The motion passed 2-0. Selectman Wilbur abstained from the vote because he was not present at the last meeting. Selectman Bixby had not arrived at the meeting yet.

Highway

Road Commissioner Report-Road Commissioner Ruane reported that North Shrewsbury Road will be closed Thursday 5/13 and Friday 5/14 due to work on the rail road tracks. Cash informed the Board that he would like to sell the 2014 International. Selectman Congdon motioned to post the truck on Craigslist to get the best buy; Selectman Wilbur seconded for discussion. Cash asked how much he should list it for. Chairman Klopchin advised the Road Commissioner to list it for what he thinks is best. The motion passed unopposed. Cash also reported that he was a part of a meeting about the Cold River berm removal. He said the bid that went out was very vague and not specific enough for the scope of work. The State will be going back to the drawing board to redraft a bid. Cash received a call from Casella that there was a refrigerator with freon still left in it. Cash noted, there has also been propane tanks at the Clarendon Transfer Station. Cash advised having a discussion about what items/appliances can be accepted. Selectman Congdon thought that the Clarendon Transfer Station has never accepted appliances beyond e-waste (i.e. computers, printers). Selectman Ruane said that the transfer station personnel will need to be addressed about this issue. He also suggested the Town put up signage about appliances with freon. Chairman Klopchin asked that Katie contact RCSWD for signs.

The Road Crew finished up filling in potholes in the village.

Approve Access Permit- Cash reviewed an access permit for Raymond MacMorris who owns property off of East Clarendon Road. Cash did a site visit and the driveway he wants to put in will need a culvert. Selectman Congdon motioned that the Chairman sign and approve the access permit; Selectman Wilbur seconded, and all approved.

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.

Guests

Emily Burlett- Emily is a resident of Airport Road and took it upon herself as part of a Casella initiative to participate in Green Up Day. Her and her family decided to clean up trash at the East Clarendon Cemetery. Unfortunately, she reported that there was an excessive amount of dumping happening there. The east corner of the cemetery, as well as the field below (owned by the Association) held a lot of household trash as well as tires. She noted that they took out 137 bags of trash and 3 truckloads. She contacted Cecil White about this issue and he said he cannot get the association to approve getting a Casella dumpster there so they've been forced to dump it in the back corner. Emily said she does have some concerns with this trash issue because the ground water could be contaminated. She found several car batteries and barrels. They could have possibly had oil or propane in them. Emily hopes that she won't have to report this to the Agency of Natural Resources, but that will be her next step if it isn't taken care of. Chairman Klopchin asked if there was a Right-of-Way down to the back field, and she confirmed that there was as well as a locked gate at the entrance of it. While they were green upping they found a recliner, book shelf, and household trash. Emily had pictures to show the Board. Selectman Congdon motioned that Katie draft a letter to the East Clarendon Cemetery Association stating that the Town has received this concern about trash and are passing it on to the Association, and that they immediately address it before ANR has to get involved. Selectman Wilbur seconded for discussion. The Board discussed contacting the Sheriff's Department, but decided not go that route for now. The motion passed 3-0. Selectman Bixby abstained from the vote because was not present for the whole conversation.

Public Comments

N/A

Old Business

N/A

New Business

Approve LEMP – The Board asked Matt if there were any changes from last year. Matt said there were very minor contact changes. He chose not to include the Public Mutual Aid Agreement for the Board to sign. The Board agreed that they would not like to be a part of it. Selectman Ruane motioned to approve the LEMP and that the chair sign it. Selectman Congdon seconded, and all members approved.

Website domain name change-Katie explained that .gov is a free domain name and the Town has the opportunity to switch. Gloria confirmed with Dave Morgan that clarendonvt.org is available and it is. The website should be active next week. Selectman Congdon motioned to approve the domain name change for the Town website to be clarendonvt.gov., and Selectman Wilbur seconded, and all approved. Selectman Congdon further motioned that the Chairman sign the form on behalf of the Board; Selectman Wilbur seconded. The motion passed unopposed.

Town Officer's Report

Katie reported that she received a petition from T-Mobile Northeast requesting a certificate of public good at their facility at 3049 Quarterline Road. There was no action needed, but Katie wanted the Board to be aware of it. She also reported that the letter to Gene Stone regarding the Spafford Cemetery ROW had been received. She drove by the Cemetery and it looked like the ROW had been cleared.

Kelly presented the Board with a Purchase & Sale Agreement for the Morton property. She did get Casella's 20% deposit for the property. Selectman Congdon motioned that the Chairman of the Board sign the agreement, Selectman Wilbur seconded, and all members approved. Kelly explained that Casella will sign the agreement and then it will go back to Bill Bloomer. She said that another intent to sell notice will have to be posted, specifically that Casella is buying the property, per State statute.

The Board went into Executive Session- out of order per the agenda

Executive Session- Personnel Issue

Selectman Congdon motioned to enter in executive session at 6:33PM. Selectman Bixby seconded and the motion passed unopposed.

Selectman Congdon motioned to come out of executive session at 6:41PM and Selectman Bixby seconded. The motion passed unanimously. Selectman Congdon motioned to close this issue and draft a notice to all employees with all board members signing it, pertaining to appropriate usage of the green up dumpster, Selectman Bixby seconded, all approved.

*The Board returned to "Guests" because Town Attorney, Bill Bloomer, arrived. *

Guests

Bill Bloomer came to the meeting to help advise the Board on what to do with the Right-of-Way situation at Spafford Cemetery. He explained the history that has been going on between the Town and the adjacent property owners. He has found that an established ROW dating back to 1963. If that ROW has been used for 15 consecutive years, then it becomes a public right. He would lean towards saying that no one has the right to block or obstruct the ROW. Unfortunately, though, because the Town is dealing with property, real estate law requires all agreements to be in writing, and this is not a deeded ROW. Based on Katie's report of the ROW being cleared by the landowner, the Board decided this is a nonissue for now. If it comes up again, they will have to take further action.


Select Board Member Concerns

Selectman Bixby apologized for his absences the last couple of meetings due to health issues.

Adjournment

Selectman Congdon motioned to adjourn at 7PM and Selectman Ruane seconded. The motion passed unopposed.

SIGNED:  Mike Klopchin, Chair

SIGNED:  Bob Bixby, Clerk