

TOWN OF CLARENDON BOARD OF SELECTMEN MEETING
REGULAR
May 23, 2022
Minutes

Attendees:

Select Board

Mike Klopchin, Chair
Bob Bixby, Clerk
Cash Ruane
Art Menard

Heidi Congdon, Treasurer
Katie Nop, Secretary
Gloria Menard, Clerk
William Chmielewski, PEG-TV
Alicia Wuesthoff
Carol Geery
Marjorie Southard
Richard Ley
Tom Miles
Sue Jepson
Dawn Van Dyck
Jane Sarno
Fran Kelly
Ed Kelly
Kevin Dougherty
Deborah Dougherty
John McKenna
Shanti McKenna
Connor McKenna
Art Peterson
Sgt. Cross

Call to Order

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

Selectman Bixby motioned to observe a moment of silence in honor Memorial Day coming up. Selectman Ruane seconded, and all Board members approved.

Agenda additions/deletions

Katie explained that the Listers asked to be removed from tonight's agenda. Selectman Ruane motioned to delete the Listers -School House discussion, Selectman Bixby seconded, and the motion passed unopposed.

Selectman Bixby motioned to add the corner of Windy Lane and Cold River Road under Highway; Selectman Ruane seconded, and the motion passed 3-0.

Highway

Road Commissioner Report-

Road Commissioner Ruane reported that the crew is working on Quarterline Road, after the recent intense rain fall washed some if out. The crew expects to be mowing roadsides within the next couple of weeks; Cash advised the public to use caution when they come upon the tractor.

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Access Permit-

Catherine Brown & Exel Lombardo requested an access on West Tinnmouth Road, a quarter mile up from Walker Mountain Road on the right-hand side. Cash found that there was no culvert needed and suggested the Board approve the permit. Selectman Ruane motioned to approve the permit and have the Chairman sign off on it. Selectman Bixby seconded, and all approved.

Windy Lane/Cold River Road ("sheehe's corner")-

It was brought to Chairman Klopchin and Selectman Bixby's attention that the corner of Windy Lane and Cold River Road is breaking up. Road Commissioner Ruane suggested bringing in hot mix to hold up the corner. Selectman Bixby wondered if that corner would keep sliding out, even with hot mix. Cash agreed, that corner is similar to the S turns on Walker Mtn Road before it was paved. There was some discussion on putting in guard rails, whether that would be beneficial or not. Chairman Klopchin asked that the corner get repaired within the next couple of weeks.

The Road Commissioner also reported that there was a serious accident on the Alfrecha bridge that ruined the cable guardrail. It will probably have to be replaced with steel beam guardrails. He and Katie are working on the insurance claim to get it fixed.

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

N/A

Public Comments

Carol Geery questioned when lines would be painted on Walker Mountain Road. Cash responded that it's up to the State and there is currently a paint shortage.

Jane Sarno asked if Cash had looked at Sonia Lane, he responded that he hadn't yet.

Old Business

Inclusion Statement-

Chairman Klopchin asked Art Menard and Bob Bixby who were on the Inclusion Committee, how their meeting went. Selectman Menard explained his thought process behind the inclusion statement. He felt that listing out groups in the inclusion statement would end up leaving out groups, unintentionally. The committee was split and could not come to a compromise so they were presenting 4 different statements to the Board. Selectman Menard motioned that the Board adopt and sign the statement that includes "all people." Selectman Bixby seconded for discussion. Selectman Bixby said that the Inclusion Committee meeting lasted about 90 minutes and continuing to meet for the rest of the month would not be productive. Chairman Klopchin wanted to explain that before the motion is voted on, the public does have options if they're not happy with this statement. They can petition to have it on the ballot. Madison Aiken thanked the Board for engaging and listening. Fran Kelly asked Selectman Menard who he showed the Board's proposed statement to. He responded that it was mostly friends. Shanti McKenna asked that the 4 proposed statements be read aloud.

#1 - *The Town of Clarendon formally condemns discrimination in all of its forms and welcomes all people, who want to live and work and add richness to our town.*

Clarendon calls upon all residents to denounce prejudice, to openly acknowledge and address our own implicit bias and welcome and celebrate all people and continue to work together to ensure every individual can live freely, equitably, and express their opinions.

#2- The Town of Clarendon formally condemns discrimination in all of its forms and welcomes all people, including historically marginalized populations, who want to live and work and add richness to our town.

Clarendon calls upon all residents to denounce prejudice, to openly acknowledge and address our own implicit bias and welcome and celebrate all people and continue to work together to ensure every individual can live freely, equitably, and express their opinions.

#3- The Town of Clarendon condemns racism and welcomes all persons regardless of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age or disability, and wants everyone to feel safe and welcome in our community.

As a town, we formally condemn discrimination in all its forms, commit to fair and equal treatment of everyone in our community, and will strive to ensure all our actions, policies, and operation procedures reflect this commitment.

The Town of Clarendon is and will continue to be a place where individuals can live freely and express their opinions.

#4- The Town of Clarendon formally condemns discrimination in all of its forms and welcomes all people and is inclusive (but not limited to) all persons of race, color, religion, national origin, sex, sexual orientation, gender identity or expression, age or disability, who want to live and work and add richness to our town.

Clarendon calls upon all residents to denounce prejudice, to openly acknowledge and address our own implicit bias and welcome and celebrate all people and continue to work together to ensure every individual can live freely, equitably, and express their opinions.

Shanti McKenna asked if the statement that includes "all people, including historically marginalized populations," would be considered by the Board. Richard Ley said that allows for contradictory. Marjorie Southard said that there's a motion on the floor for the first statement and the Board should vote. Tom Miles thought it was unfortunate that the committee could not come to a compromise. He noticed a reluctance and hesitation with listing out the historically marginalized groups. He also requested that the Board consider the statement that includes the historically marginalized groups. Selectman Menard pointed out that that option was presented before and the group did not want that statement. Kevin Dougherty stated that it is not definitive because marginalized groups are constantly changing. He says it leaves it open ended. Chairman Klopchin brought in some personal experiences to explain his viewpoints and why he thought the general statement using "all" was best. The Board took the vote and the motion passed 3-0, with Clarendon adopting the declaration of inclusion that says:

The Town of Clarendon formally condemns discrimination in all of its forms and welcomes all people, who want to live and work and add richness to our town.

Clarendon calls upon all residents to denounce prejudice, to openly acknowledge and address our own implicit bias and welcome and celebrate all people and continue to work together to ensure every individual can live freely, equitably, and express their opinions.

Kingsley Bridge stream gauge-

Katie explained that the Board had tabled this discussion from last meeting. Stone Environmental did meet with VTran's engineer for the Kingsley Bridge rehabilitation and they decided it would be best for the gauge to be anchored to bedrock in the stream so that it would not interfere with construction activities. Stone Environmental has already received permission from the landowner to place it in the river at said location, so there's no further action needed from the Board.

Animal Control Ordinance discussion-

Sgt. Cross was present at the meeting to discuss Clarendon's Animal Control Ordinance. The issue with the horses getting out on Quarterline Road continues to persist. Currently, Clarendon's ordinance holds no weight to ticket this kind of offense. Sgt. Cross offered a couple solutions. He suggested Clarendon create a definition of domestic pet or animal, that would include horse, and add it to the ordinance so that they could enforce horses running at large. Another option Sgt. Cross suggested was adding the VT statutory definition of livestock and adding a disclaimer that regular livestock/farming practices would not be violating the ordinance. This would protect the farmers who are concerned that they would get ticketed for their cattle getting out on accident, but would enforce horses running at large. After rereading the definition of livestock from 13 V.S.A. § 351 it was found that equines are included in the definition, so it would not apply. The Board discussed how this situation is a civil matter between neighbors. It was agreed upon by the Board members that the animal ordinance should not be changed because of 1 person in town, rather the neighbors should take this issue to small claims courts for damaged property. The Board thanked Sargent Cross for being present to discuss.

New Business

Pope Burial- Spafford Cemetery-

Katie explained that Ronald Pope's burial was scheduled for May 31 at the Spafford Cemetery. No burial transit permit was necessary, Katie's received the certificate of cremation from Tammy Dominguez to confirm that. Selectman Menard motioned to allow for the burial of Ronald Pope at Spafford, Selectman Ruane seconded, and all Board members approved.

Kevin Peck, member of the Cemetery Committee, explained the situation with the Smith Pratt Button Cemetery. Zachary Pratt came to the Town Hall recently, requesting a plot in his family's cemetery. It was found that Laurie Phillips owns that cemetery as it sits on her property. The town does not have the authority to grant plot requests or deny them. This issue came up in 2017/2018 when Zachary had last stopped in. Kevin has spoken with Laurie Phillips and she is amicable to the idea of deeding over the cemetery to the town. Kevin read a section of a letter from the town's attorney back in 2018, where Laurie would have to provide the town with maps to be able to take it over. Currently Clarendon does pay for the maintenance of the cemetery. Selectman Menard asked what was included for maintenance and Heidi responded that the town pays for lawn mowing, tree trimming, etc. When Kevin spoke with Laurie, she mentioned that her deed dictates only Pratt family members may be buried there. The Board was not sure if there were any more plots available. Kevin said that the lower part of the cemetery is very wet and wasn't sure if there should be plots made available there. Chairman Klopchin thought that at this point, Kevin could talk with Laurie about the obligations highlighted in Bill Bloomer's letter, and if she could meet them, they'd go from there.

Sign Rec mowing contract-

The rec mowing contract was awarded to Guilmette Landworks LLC. Selectman Menard motioned that the Chairman sign the contract on behalf of the Board, Selectman Ruane seconded, and the motion passed unopposed.

External Audit approval-

The Board included in their FY23 budget, an audit to be performed on FY22. Sullivan Powers quoted \$15,000 at budget time but came in at \$15,500. Selectman Ruane motioned to approve and sign the contract, Selectman Bixby seconded, and the motion passed unanimously.

ARPA funds discussion-

Katie said that the first reporting for ARPA funds was due April 1. No funds were expended but Clarendon claimed the standard allowance which allows for more spending flexibility. Treasurer, Heidi, explained that they reached out to VLCT about how to go about using

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unbudgeted funds. VLCT responded that ARPA does not have guidelines on it but they recommend going by the Town's policies or precedent. The Board has mentioned using the money to repair/replace the town garage or replace the grader. Selectman Menard would like to see a plan put in place if the Board decides to go down the town garage route. Selectman Ruane thought replacing the grader was priority over the garage. Richard Ley suggested waiting till prices go down before pricing out the construction of a town garage. Selectman Ruane said there are blueprints from 2004 that they could go off, but they need someone to review them and see if they would work. Selectman Ruane and Menard suggested asking John Russel to look over the plans to start.

Town Officer's Report

Treasurer, Heidi, wanted to make sure that the warrants were being passed around to sign. She also asked if the minutes were approved yet. They had not been so the Board skipped to approval of meeting minutes.

Approval of Meeting Minutes

Selectman Bixby motioned to approve the May 9, 2022 minutes as presented, Selectman Menard seconded for discussion. Katie said that Marjorie Southard name was added to the list of attendees because she was missed in the draft minutes. With that correction, the motion passed 3-0.

Town Officer's Report

Katie, Secretary, reported that she heard back from the principal at the elementary school regarding the town welcome signs art competition; he said that competition would be better suited for the fall semester. Katie will follow up with them then.

Kevin, Zoning Administrator, reported that everything is going well. There is one permit pending, and he's completed 13 year to date.


Select Board Member Concerns

Selectman Bixby thanked Art and Gloria for taking the minutes at the recent Inclusion Committee meeting.

Adjournment

Selectman Ruane motioned to adjourn at 7:50PM, Selectman Bixby seconded, and all approved.

SIGNED:  Mike Klopchin, Chair

SIGNED:  Bob Bixby, Clerk