

**TOWN OF CLARENDON BOARD OF SELECTMEN MEETING**  
**REGULAR**  
**January 9, 2023**  
**Minutes**

**Attendees**

Select Board:

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

Heidi Congdon, Treasurer  
Katie Nop, Secretary  
Gloria Menard, Town Clerk  
William Chmielewski, PEG-TV  
Kevin Peck

**Call to Order**

Chairman Klopchin called the meeting to order at 6:00PM.

**Agenda additions/deletions**

N/A

**Approval of Meeting Minutes**

Selectman Bixby motioned to approve the Regular Meeting minutes from December 12, 2022 as presented, Selectman Ruane seconded, and all Board members approved.

Selectman Congdon motioned to approve the FY24 Budget Workshop minutes, Selectman Bixby seconded, and the motion passed unopposed.

**Highway**

*Road Commissioner Report- N/A*

*Creek Road Box Culvert-* Road Commissioner Ruane presented the Board with Camp Precast's proposal for the Creek Road box culvert. It came in at \$69,645.00. There was a proposal from East Engineering as well- about \$9,500 for their services from bidding/contracting to the construction phase. Cash asked the Board how involved they would like East Engineering to be for the rest of the project. Selectman Menard questioned how the town has done it in the past. The Board members had a hard time recollecting a time when the Town had been involved in a box culvert project. Selectman Congdon motioned that the Board continue on with East Engineering, Selectman Menard seconded. Katie asked for clarification on the motion; did the Board want the engineer to be completely involved or only for the bidding/contracting portion. Selectman Congdon clarified, for his motion to include that the Board approve steps 3,4, and 5 of East's proposal (Right of Way/Easements; Bid Phase; Construction Phase) and for the Board Chairman to sign off on the paperwork. Selectman Menard seconded the motion and it passed 4-0.

Katie said the next step would be to figure out whether the Board prefers for the Town to order and pay for the box culvert or the contractor. Tyler, from East Engineering, has seen it done both ways. The benefit of the Town ordering it would be that the culvert is ready to go in time for the project and not pushed out to when the contract is awarded; at which time then the contractor would order it. Selectman Congdon motioned for the Town to order the

box culvert from Camp for \$69,645.00 and have the Town pay for it, and do whatever to get it made. Selectman Menard seconded the motion and it passed unanimously.

Katie explained for the contract to go out to bid, the Board needs to decide what type, if any, bond they would like on the project. Cash and Katie had a phone call with Tyler from East Engineering and he said there were 3 options. The first being no bond. The second being a "bid bond"; this is where each contractor that submits a bid, also submits a company check with a certain amount (Tyler threw out the figure of \$20,000). Once the contract is awarded the town holds the check from that contractor until the project is completed. The check is never cashed unless the contractor balks on the project. The third option is a payment and performance bond. The contractors have to get a bond from their insurance company and is basically a "warranty" on the project. This adds about 1.5-3% to the project costs. Selectman Congdon motioned to use the bid bond process and hold a check for \$20,000 from the contractor, Selectman Bixby seconded, and all approved. Katie said her and Cash will relay this info to Camp Precast and East Engineering. She clarified with the Board that from here she'd like to finalize the bid/contract with East Engineering, get the pre-bid conference set up, and get this project moving along. She asked if they had permission to do so; the Board was agreeable.

*Guardrails*- There are guardrails on South Creek Road that are in need of replacement (along Otter Creek). Cash would like Lafayette to come take a look at it and give him a quote. The Board discussed how they have used guardrails in the past. Wiler's bridge also needs new guardrails. The Board talked about how that bridge is in need of replacement and if it's worth putting new guardrails on it since they are very costly. Road Commissioner Ruane acknowledged that the bridge is in poor condition but the State had Alfrecha bridge listed as higher priority when they met with Devon from RRPC about a year ago. He said that in that meeting he made a point to mention that Wiler's bridge is worse. Selectman Congdon thought that when Daryl was Road Commissioner, the State had Wilder's bridge slated for repair/replacement around 2025/2026. Katie and Cash had not been aware of that. The Board told Cash to get a quote for the guardrails and go from there.

Selectman Bixby asked if the ledge had moved at all on the South Creek Road. Selectmen Congdon and Menard didn't think so.

*Certificate of Highway Mileage*- VTRans requires a certificate of highway mileage each year, there were no changes for 2023. Selectman Congdon motioned to sign off on the certificate with all Board members signing it and the Town Clerk. Selectman Bixby seconded. The motion passed unopposed.

*MRGP Notice of Intent (NOI)*- Katie explained that the MRGP 5-year permit is up and this Notice of Intent is similar to a renewal. There's a \$640 fee attached to it. MRGP is a permit mandated by the State for the purpose of improving water quality. Complying with MRGP and signing off on the NOI, makes the town eligible to receive grants to improve roads that have to be upgraded under this permit. Selectman Congdon motioned for the Chairman to sign the Notice of Intent, Selectman Menard seconded, and all approved.

In conclusion for Highway, Katie added that the Town received reimbursement for both grants utilized on the backside of Teer Road.

#### **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

Approved January 23, 2023

**Public Comments**

N/A

**Old Business**

N/A

**New Business**

*Ballot Article language-* Katie said the Board had discussed during the Budget Workshops, adding an article to the ballot this year to propose a new fund. She presented the info to the Board about how the article should be worded. Katie was looking for clarification so she can prepare the Warning. Selectman Congdon said he would like to see the article worded as such:

*"Shall the town establish a Clarendon Municipal Buildings Reserve Fund to be used for maintenance and rehabilitation of municipal structures in accordance with 24 V.S.A. § 2804?"*

Katie asked the Board if they needed a follow up second article to ask if the Board can move the leftover ARPA money into that fund. Heidi said the Board shouldn't have to ask the voters because they had motioned in a past meeting to move the money into the general fund and then into this buildings fund if established, so technically it would be a transfer of money. Because it's a transfer, and not raising taxes, there's no need for that to go out to the voters.

*Additional ARPA money -* There were 2 municipalities that did not accept the ARPA money so the State had to reallocate it amongst the other towns. Clarendon received \$170.06. Selectman Congdon motioned to transfer the additional ARPA money to the General Fund to offset expenses, and Selectman Menard seconded. The motion passed 4-0.

**Town Officer's Report**

Katie, Secretary, asked the Board about policy updates. The External Auditors have recommended the town update their Purchasing Policy. The Board had discussed during budget, their desire for an Appropriations Policy that individuals would have to follow to get their request on the ballot. The Board wanted to start working on the Purchasing Policy first. Katie presented the Board her idea about the process of updating it- she figured she would compile surrounding towns' policies, review VLCT's model policy, and then discuss in a meeting with the Board changes they'd like to see. The Board decided to start working on the Purchasing Policy at their first meeting in February. Selectman Congdon mentioned that a former Administrative Assistant went through policy updates about 5 years ago and to review those.


**Select Board Member Concerns**

N/A

**Adjournment**

Selectman Congdon motioned to adjourn at 6:46PM and Selectman Menard seconded. The motion passed unanimously.

SIGNED:  Mike Klopchin, Chair

SIGNED:  Bob Bixby, Clerk