

TOWN OF CLARENDON BOARD OF SELECTMEN MEETING
REGULAR
December 12, 2022
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, Lister; Cemetery Committee member

Call to Order

Chairman Klopchin called the meeting to order at 6:12PM.

Agenda additions/deletions

Selectman Menard motioned to add a firework permit for Brownson Spencer Jr. to New Business and Selectman Congdon seconded. The motion passed unopposed.

Approval of Meeting Minutes

Selectman Bixby motioned to approve the Regular Meeting minutes from November 28, 2022 as presented and Selectman Ruane seconded. All Board members approved the motion.

Selectman Ruane motioned to approve the Emergency Meeting minutes from November 29, 2022 as presented and Selectman Bixby seconded. Selectman Congdon recused himself because he was not present at that meeting. The motion passed 3-0.

Highway

Road Commissioner Report-
N/A

Link Belt Excavator repairs -

Road Commissioner Ruane reported that the LinkBelt excavator has been down for about 8 weeks because of a broken pin/ bent coupler. The excavator is a little over a year old. The dealer that the town bought it from will not come look at it because they said it wasn't covered under our warranty. The road crew reached out to Geith- the parts company- and after showing them pictures of the excavator, Geith found that the pin was installed wrong, causing the pin to wear extremely fast and break unnecessarily. Geith figures this occurred at the time of assembly, before Clarendon even received the excavator. The excavator was assembled by Contractor Sales so this would fall under their responsibility. The Board weighed their options between contacting an attorney to deal with the issue or have Katie contact Geith/Contractor Sales directly. Selectman Congdon initially thought a letter from the town's attorney would be the best course of action. Selectman Ruane and Selectman Menard thought the Geith rep should get in touch with Contractor Sales if they are saying that Contractor Sales installed it wrong. Cash thought the overall repair cost would be about \$5,000. Selectman Congdon felt very strongly to communicate with Geith and Contractor

Approved January 9, 2023

Sales before any money was spent with a local company to get it fixed. The Board's final decision on what the course of action would be is described below:

Step 1-The Board would like to see an email sent to Geith/Contractor Sales about communication between the two companies to get the excavator repaired. The Board requested an answer from them within 48 hours of the email being sent.

Step 2-Selectman Congdon said if the town doesn't hear back after the email is sent, then the Board will send a letter to Contractor Sales, certified mail, and give them 30 days to respond before the Board follows up with legal action.

Selectman Congdon received a phone call about a plowing issue on Peter's Lane. Cash acknowledged it and said they've had issues in the past about cars being in the town's ROW when they are trying to plow.

Road Commissioner Ruane reported that a resident on Ploof's Lane had a broken water line and that water line runs underneath the road. The only way to repair it is to dig up the section of road it runs underneath. Cash would like Katie to draft up a letter requiring the homeowners to be responsible for the paving/maintenance of it after the project is complete.

FY24 Better Roads grant app-

The Better Roads grant is a grant with a max award of \$20,000 and a 20% local match. These grants have to be applied to hydrologically connected roads under the Municipal General Roads Permit (MRGP). Road Commissioner Ruane has selected two segments on the front side of Teer Road for the grant. The town has already received \$22,000 in Grants-in-Aid money for next year- with similar requirements for hydro-connected roads under MRGP. The Board had a lot of discussion surrounding this section of Teer Road because some of the residents in this area feel strongly against any possible project. The extent of the project would remain completely in the Town's ROW, however a few of the neighbors fear that the town is encroaching on their property. Selectman Congdon noted that this project could potentially take a couple of years because of the legal battle that may be had. Katie explained that the Grants-in-Aid money has to be expended and sent in for reimbursement by September 30, 2023 according to the grant agreement. The Better Roads money, she believes runs on the fiscal year. The Board suggested Cash get a couple quotes for a survey of the Teer Road ROW so the town is absolutely sure of its boundaries. It was noted that this project would probably only take place if the Better Roads grant money was awarded since it will be costly, and they will need both grants to reduce the town's portion of the expense. The Board and Road Commissioner also discussed contracting out the project because of the history between the town and the residents on Teer Road. Road Commissioner Ruane confirmed that's what his plan was. Selectman Congdon motioned for the Board Chairman to sign the FY24 Better Roads app on behalf of the Board; Selectman Menard seconded, and all Board members approved.

CAT grader-

Cash signed off on a Purchase Agreement with Milton CAT. The Board reviewed it. There was discussion on why there was any mention of a trade in the agreement. Selectman Congdon thought the motion was explicit in not including trade but there was nothing the Board could do about it now. Cash explained that CAT is agreeable to the Town selling the old grader outright, and the contract says that Milton CAT will allow the Town to sell the grader on their own and not trade, as long as they are notified prior to delivery of the new grader.

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.

Approved January 9, 2023

Guests

Kevin Peck, Cemetery Committee, reported he received a phone call about a "green burial." A green burial means there is no embalming, no casket. The lady inquiring about a green burial had questions for Kevin, and it was found that she would like this burial to take place on her property. Kevin communicated with her about the rules for a private burial. Kevin thought he should bring this to the town's attention- if they were to receive a request like this in a town cemetery, there should be rules pertaining to green burials because of water quality, sewage, ROW issues, etc.

Kevin also reported that the burial for Elizabeth Fox that was approved in October has now been postponed to spring.

Kevin has gotten in touch with GM Tree Tech and they won't be able to get to take down the tree in Spafford until spring. Kevin said if anyone wonders where the three stones that were removed from around the tree, in prep for the removal, are- they are located in his barn and will be there until Spring since he can't set them back in the ground at this point. Kevin reached out to Bowker's about the stone that needed replacement in Marsh and he hasn't heard back.

The Board thanked Kevin for his update.

Public Comments

N/A

Old Business

Regional Emergency Management Committee appointment-

Selectman Congdon motioned to complete the appointments for the Regional Emergency Management Committee by adding Matt Jakubowski as the secondary rep and have the Board Chair sign off on the paperwork. Selectman Bixby seconded and the motion passed unopposed.

New Business

2023 Select Board Meeting schedule-

Selectman Congdon motioned to approve the meeting schedule as presented and Selectman Bixby seconded. The motion passed unanimously. Chairman Klopchin asked that Katie get it sent to Gloria to put up on the website.

Firework Permit-

Selectman Congdon motioned to approve the permit for Brownson Spencer Jr. on Elm Hill Drive for December 31, and have the Chairman sign on the Board's behalf. Selectman Menard seconded and the motion passed 4-0.

Town Officer's Report

Heidi, Treasurer, reported that the next budget workshop will be on Monday, December 19th at 4pm.

Select Board Member Concerns

Selectman Congdon wanted to loop back to the discussion about the plowing issue on Peter's Lane. The phone call he received; the resident was very upset so Selectman Congdon asked Cash to have a conversation with said resident.

The Board wished the public a safe and happy holiday season.

Adjournment

Selectman Ruane motioned to adjourn at 6:54PM, Selectman Bixby seconded and all approved.

Approved January 9, 2023

SIGNED: Mike Klopchin Mike Klopchin, Chair

SIGNED: Bob Bixby Bob Bixby, Clerk