

**TOWN OF CLARENDON BOARD OF SELECTMEN MEETING**  
**REGULAR**  
**February 13, 2023**  
**Minutes**

**Attendees:**

Selectboard

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

Katie Nop, Secretary  
Gloria Menard, Town Clerk  
Kevin Dougherty, Zoning Administrator  
William Chmielewski, PEG-TV  
Kevin Peck  
Sarah Kumm

**Call to Order**

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

**Agenda additions/deletions**

N/A

**Approval of Meeting Minutes**

Selectman Ruane motioned to approve the Regular Meeting minutes from January 23, 2023 and Selectman Menard seconded. Selectman Bixby abstained from voting because he was not present at that meeting. Selectman Menard noted that he wasn't at the meeting either and would have to abstain as well. There was no quorum to vote on the approval of the minutes because Selectman Congdon had not yet arrived. Selectmen Ruane rescinded his motion and the approval of the minutes were tabled until there was a quorum.

**Highway**

*Town Highway & Bridge weight restriction filing-*

Road Commissioner Ruane explained that this is something he decides annually to do or not. Cash has felt that it has not been worth posting roads because the vehicles that do the most damage are exempt (ie agricultural vehicles, trash and fuel trucks). Cash tries to work with log trucks that haul in town.

*Kingsley Bridge traffic rerouting plan-*

The town received the traffic rerouting plan from Alpine Construction (the Kingsley Bridge rehab construction company that was awarded the bid from VTRANS). The town is responsible for posting it and covering the cost for signage. Cash has been reviewing the plan and will be in communication with VTrans. Cash is hoping to work with the Clarendon Vtrans garage so the town does not have to purchase all new signs.

*Walker Mountain paving discussion-*

The Town Highway and Structures grant is now open. Cash and Katie are working on the application and are hoping to pave Walker Mountain Road from the Clarendon Springs bridge to Route 133, if they receive the funds. Cash will be getting an estimate. He also will

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be getting an estimate for Creek Road, the location being just south of the box culvert, north to the intersection of Alfrecha Road.

*Teer Road survey update-*

Cash and Katie reached out to 5 or 6 surveyors with none available for the upcoming season, or they did not return phone calls. They've landed on Robert Farnsworth with Farnsworth Surveys. Tom Markowski highly recommended him. He was able to get the town in for the end of June and is working on getting a proposal together. Katie asked the Board if it was okay to proceed with them and the Board was amiable. The Board had asked Cash to get a few quotes for surveys but its looking like they only may receive one.

*Horton Road zoning inquiry- \*Selectman Congdon arrived mid-conversation here\**

Alyssa Reynolds reached out to the town via email with questions pertaining to a property for sale on Horton Road. She is considering buying the lot. Alyssa asked whether the property owner would be able to make improvements to the road to get to the far end of the property; if there was any reason she would not be able to put a driveway to the property off of Horton Road; and her hope for the property would be for an off grid camp- she was wondering if it was subject to zoning. This property is second down from Quarterline Road. Cash thinks it's about ¼ mile in on Horton Road. Katie had reached out to Brian Sanderson at VTrans for clarification on the responsibilities of maintaining a Class 4 road. Brian did not think the Select Board was obligated to make any upgrades unless they chose to do so. Selectman Menard had concerns about allowing an individual to upgrade a town road, liability wise. Cash mentioned there were some loggers up there that did do some improvements to the road to get in and out, unbeknownst to him. Cash had no issues with her putting in an access after a site visit.

Road Commissioner Ruane mentioned that traveling nurses have been directed by GPS to go over Horton Road. He suggested getting a sign about not following the GPS and to turn around.

Selectman Congdon questioned what happened to Upper Cold River Road in Shrewsbury. In the past it had not been maintained, but now is because there are homes up there. He wondered what road class they upgraded it to. They also discussed that Horton Road may become an area with prime real estate within the next 10-15 years and upgrades over the next few years should be a consideration. Selectman Congdon also suggested the Board doing their homework and perhaps creating a Class 4 road policy.

There was discussion back and forth between Board members about whether or not an individual would be allowed to make upgrades to town roads. Selectman Menard suggested that the town do the upgrades and charge Alyssa, so the work is done to town specifications. The Board had concerns about doing improvements to the upper section of the road because that would encourage traffic through there.

In conclusion, the Board said to respond to Alyssas's questions in this manner:

1. Any upgrade to the road would have to be discussed with the Select Board, but at this point the Select Board has no intention of making any upgrades.
- 2- For a driveway, Alyssa would have to follow the Access Permit process which is subject to Road Commissioner/Select Board approval.
- 3- An off-grid camp would be subject to zoning.

Katie said she would draft up an email and send the Board and ZA and with approval then send to Alyssa.

*Creek Road project update -*

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There was a pre bid conference at the Creek Road site on February 8th and Cash thought about 9 companies were present. The bid opening is February 22nd at 10am at the Town Hall. Katie will warn it as a special meeting if 3 or more Board members plan to attend.

*Road Commissioner Report-*

Road Commissioner Ruane reported that the crew has been working on an addition on the garage. It's coming along nicely. It will allow for more room for the trucks. Selectman Menard asked what material for siding they chose. Cash said they'll side it with the hemlock they have on hand.

Katie added that the Town received their grant reimbursement for the \$32,000 for paving on South Creek Road. Selectman Congdon asked about paving on North Creek Road before the end of the fiscal year. Cash responded he is getting a quote. Selectman Bixby mentioned a pothole on Adams bridge. Cash said he had been working on filling potholes that day and would be working on more throughout the week.

**New Business**

*Rec Committee Appointment*

Sarah Kumm had sent an email expressing interest in serving on the Rec Committee. Matt Jakubowski, Chair of the Rec Committee, had let Katie know that he would be happy to have another member on the committee. Selectman Ruane motioned to appoint Sarah to the Rec Committee and Selectman Congdon seconded. The motion passed unopposed. Katie noted that appointments run out in March, so Sarah will have to be reappointed for a 1 year term in about a month.

Gloria, Town Clerk, had a follow up question about warning a Special Meeting for the Creek Road bid opening. Selectman Congdon and Bixby are unable to attend because of scheduling conflicts and wondered if there wasn't a quorum, could the bids still be opened. Selectman Congdon said they're warning it as a Special Meeting if 3 or more Board members show up so it complies with Open Meeting Laws; but there is no action being taken so no quorum is needed.

**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**

N/A

**Old Business**

*Colonial Life Insurance-*

Katie explained at the last meeting that the Board asked her to ask all employees if they were interested in Colonial Life Insurance. In the past couple weeks, she did so and there were 2 employees interested in more information. Katie obtained the information that was requested and after said employees reviewed it, decided not to pursue further. Selectman Congdon motioned to put this to bed, Selectman Bixby seconded, and all approved.

*Spafford Cemetery- tree removal*

Kevin Peck, Cemetery Committee member, got in contact with GM Tree Tech and they will be able to take the tree down in spring. GM has secured a climber to help take it down.

*Spafford Cemetery/Gene Stone's land discussion-*

Katie reached out the town's attorney to find out how matters were left with Gene Stone. In short, Bill Bloomer felt like the town was in a place where things were settled and there was a clean slate for negotiations if the Board chose to do so.

There was some clarification needed as to whether the graves outside of the fence were intended to be private burials or town burials. Selectman Congdon questioned why the graves were buried outside of the town cemetery; Was the intent for the town to take over that section? Selectman Bixby recalled that Gene Stone wanted the town to take over a small section from where the graves are outside the cemetery fence to the full width of the current cemetery, east to west. Kevin Peck noted it was '74 when the Spafford family deeded over the cemetery to the town. The Board discussed the established ROW to the cemetery. Selectman Congdon wondered if the town made a mistake; if these graves were supposed to be town burials, and were buried outside of the fence, then the remedy would be to exhume the graves and put them within the cemetery boundary. If the town didn't make an error, and the graves were intended to be private burials, then it's the property of Gene Stone and the town does not need to get involved any further. Selectman Congdon mentioned having a discussion with Hugh Spafford about what his take on it is. Selectman Congdon said it's better to deal with this issue now rather than when the landowner passes. Selectman Bixby suggested checking the death certificate to clarify the type of burial.

**New Business**

*AARP Community Challenge grant-*

Katie explained she received an email about the AARP Community Challenge grant. It caught her eye because there's no local match and the town could apply for a speed flashback sign. Selectman Congdon motioned to allow Katie to apply for the grant and Selectman Ruane seconded. Katie asked for input from the Board on how the speed sign would benefit people over 50. The Board suggested if it was installed on Moulton Ave, it's beneficial to the seniors that meet at the Grange Hall. Gloria added that seniors haven't met there since COVID. Selectman Congdon asked the Board, that if they thought of something, email it to Katie. The motion passed unanimously.

*Purchasing Policy-* Katie presented the Board with Purchasing Policies from Wallingford and Rutland Town. V.I.C.T.'s model policy was also presented. Katie had found a Purchasing Policy of Clarendon's that was dated November 2004. A majority of the Select Board felt like they had worked on in recent years and wanted to work off of that one. Katie noted that External Auditors have recommended updates to the Policy twice since Katie had been here, and questioned why updates would be needed if they had worked on one recently. Selectman Congdon said he would look back in his email but for now motioned to table the policy drafting, Selectman Menard seconded, and all approved.

**Town Officer's Report**

Katie, Secretary, said she received an email from the RRPC about filling out an energy resilience survey. They reported that there's a new state program (the Municipal Energy Resilience Program). It's specifically for municipal buildings to make them more energy efficient, resilient, and reliable and \$45M will soon be available from the State. Katie asked the Board if they would like her to fill out the surveys for the different municipal buildings. Selectman Congdon motioned to have Katie fill out two forms: 1 for Town Hall and the other for the Town Garage and encourage the Community Center Board to fill one out for the Community Center. Selectman Menard seconded and all Board members approved. Katie noted that the survey asks to prioritize the buildings in order of the need. The Board said that Town Garage would be first priority, Town Hall second, and Community Center third.

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Gloria, Town Clerk, reported that an election is coming up. The Town informational meeting is March 6 at 7pm at the Community Center. Voting is the next day (March 7) at the Town Hall and the polls will be open 10am-7pm.

**Select Board Member Concerns**

Selectman Ruane welcomed Sarah Kumm to the Rec Committee. He noted that the town isn't posting the roads for the upcoming mud season and asked that people be respectful of that.

Selectman Bixby mentioned approving the 1/23 minutes now that there's a quorum. Selectman Congdon motioned to approve the Regular Meeting minutes from January 23, 2023 and Selectman Ruane seconded. The motion passed 2-0. Selectmen Menard and Bixby abstained because they were not present at that meeting.

**Adjournment**

Selectman Congdon motioned to adjourn at 7:24PM, Selectman Bixby seconded, and all approved.

SIGNED:  Mike Klopchin, Chair

SIGNED: \_\_\_\_\_ Bob Bixby, Clerk