

TOWN OF CLARENDON BOARD OF SELECTMEN MEETING
REGULAR
June 12, 2023
Minutes

Attendees:

Select Board

Robert Congdon

Cash Ruane

Art Menard

George Ambrose, Board Clerk

Katie Nop, Secretary

Gloria Menard, Town Clerk

William Chmiewlewski, PEG-TV

Matt Jakubowski

Bob Bixby

Kevin Peck

Wayne Williams

Shelly Lutz

Tim Rice

Theresa Miele

Jeanne Stimpfel

Bob Underhill

Thelecia Molaski

Call to Order

Selectman Congdon called the meeting to order at 6:00PM.

Selectman Ambrose moved to appoint Robert Congdon as Chair for the meeting. Selectman Menard seconded. The motion passed unanimously.

Agenda additions/deletions

Chairman Congdon said there was a note from Katie about an access permit on Walker Mountain Road. Road Commissioner Ruane said he would include it in his report.

Approval of Meeting Minutes

Selectman Ambrose motioned to approve the Regular Meeting minutes from May 22, 2023 as presented. Selectman Menard seconded and the motion passed unopposed.

Highway

Paving Discussion-

Walker Mountain Road will be paved this year from the Clarendon Springs Hotel (approximate location) to Route 133. Katie noted that the town had put in for a paving grant for this section of road and it was denied. Initially it was discussed that part of this section would be reclaimed and shimmed, while the other section only required a shim and overlay. Seeing the condition of the road after winter, it was advised that the whole section be reclaimed and shimmed. Road Commissioner Ruane solicited 3 bids. They were from Pike Industries, Wilk Paving, and Fuller Sand & Gravel. The results were as follows:

Pike Industries

Bottom line total: \$223,157.33

Broken down:

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- Reclaim: 12,907 SY at \$.99/SY
- Pave: 2,926 tons at \$71.90/ton
- does not include shoulders

Wilk Paving

Bottom line total: \$230,704.48

Broken down:

- Reclaim: 13,017 SY at \$1.44/SY
- Pave: 2,895 tons at \$72.00/ton
- Bid included shoulder work for 320 tons at \$11.00/ton

Fuller Sand & Gravel

Bottom line total: \$233,376.00

Broken down:

- Reclaim: 12,540 SY at \$1.00/SY
- Pave: 2,868 tons at \$77.00/ton
- does not include shoulders

Road Commissioner Ruane explained that there was \$80,000 left in the FY23 Road Resurfacing budget that needed to be used before the end of the fiscal year (June 30, 2023). If it's not used, it will roll into the Highway Equipment Fund and cannot be put towards paving in the next fiscal year. It's obvious that to pave the entire section of Walker Mountain Road, without a state grant, the town will need to use the \$80,000 plus part of what is budgeted for the next fiscal year (\$175,000). Cash had asked the paving companies if the town could put a "down payment" towards the total amount before the end of June, and then pay the remaining balance after paving was complete. The paving companies were fine with that. This allows the town to expend what's left of the budgeted funds, while they wait to get on the paver's schedule.

Selectman Congdon asked the Road Commissioner which company could get it done first. Tim Rice, of Wilk Paving, was present at the meeting. He noted that they were the low bid for West Rutland. If awarded the contract in West Rutland and Clarendon, they would try to reclaim in both towns around the same time frame (mid to late July).

The Board reviewed the bids. The Road Commissioner explained that having the paving company do the shoulders would be better. The Road Crew has done them before, but the pavers are set up for smoother sailing. The Board asked the Road Commissioner if he had a recommendation. He said they were all reputable businesses.

Selectman Ambrose moved to award the paving to Wilk Paving, given that the contractor was present and was available to ask questions; and the timing with Wilk made the most sense. Selectman Menard seconded and the motion passed unopposed.

Road Commissioner Report-

Access Permit-There was an access permit submitted for a property located on Walker Mountain Road as your headed toward Gravel Pit, just off the bridge. They would like to move their driveway closer to the bridge. Road Commissioner Ruane said they will have better access and visibility. He did a site visit and recommended a 30-foot culvert. Selectman Ambrose asked how far the driveway would be from the bridge. Road Commissioner Ruane estimated 25/30 feet. Selectman Menard motioned to approve the access permit and add that they must install a 30-foot culvert. Selectman Ambrose seconded, and the motion passed unanimously.

Road Commissioner Ruane reported that the road crew has been doing extensive work on West Tinmouth Road and cutting trees back. Their intention is not to widen the road but make improvements so water sheds off of it better.

Excavator Rentals-

With the road crew's work on West Tinmouth, the Road Commissioner felt that the town needs to rent a larger excavator to accomplish the project. He figured it would take about 3 years off the life of the town's small machine and the project would take longer. He reached out to Windmill Equipment. To rent one from there it would be \$3,000/week or \$9,000/month. Trucking is not included and since they are out of New Hampshire, Cash figured it would be about \$1200 in trucking. Greig Constantino owns a large excavator and would rent it to the town for \$2500/week. Trucking is also not included, but Cash estimates \$600 each way since Greig is closer to the project location. Chairman Congdon asked how long the road crew would need it for. Cash said between two and two and half weeks. Selectman Menard motioned that he would approve Constantino's rental with the contingency that the machine does not sit idle and when it's in the town's possession it is being worked. Selectman Ambrose seconded the motion. Katie clarified how long the rental would be, for contract purposes. Selectman Menard amended his motion to include that the rental would be for 2 weeks and if the road crew needs it longer, they could revisit the rental with the Board. Selectman Ambrose seconded the amended motion as well. Katie also wanted to note that she spoke with the town's insurance the agreement she provided them with was adequate but suggested adding language about responsibility of repairs related to wear and tear. Selectman Ambrose motioned to add a clause about the town not being responsible for normal wear tear, Selectman Menard seconded, and all approved.

Creek Road improvement timeline update-

Katie reported that she reached out to the contractor for more specific dates as to when the box culvert replacement on Creek Road will be taking place. It was confirmed that it will be last 2 weeks of July. Katie will be sending out notification letters to affected property owners. She hoped to do that this week so they would have a 30-day warning of the temporary closure. Chairman Congdon also noted that signs should be put up also, sooner rather than later, saying Creek Road will be closed from the Alfrecha intersection to the Walker Mountain Road intersection for that time period. Cash said that he will get signs up about the closure around July 1.

Quarterline Road- Rutland Town dirt road section-

There have been many complaints about the Rutland Town section of Quarterline Road, specifically the dirt section. Katie had email and telephone correspondence with Rutland Town's administrator about the condition of the road. Rutland Town's stance has been that it's Class 4 road and not high priority since not many Rutland Town residents utilize that section. Rutland Town would be amiable to a maintenance agreement with Clarendon. Cash felt that our road crew does not have time to maintain it. He also doesn't feel comfortable taking on the liability of maintaining another town's road. Cash explained that our road crew will plow and sand the section somewhat, if that's what it requires to be able to turn the big trucks around up there. Chairman Congdon said he was shocked with the poor condition of Rutland Town's section of dirt on Quarterline Road. He said Clarendon tax payers are not responsible for Rutland Town's roads. Cash acknowledged if there was an emergency, Clarendon would be willing to render aid. Clarendon's road crew is not "out for hire" so to speak, and Rutland Town can maintain their own roads.

There were many Clarendon Quarterline Road residents in attendance to discuss their concerns. The response of Rutland Town has been that many Clarendon residents utilize the road and they would be open to a maintenance agreement with the town. The residents

countered that it's not only Clarendon residents who use the road, there's many from surrounding towns that travel it. Telecia Molaski, Clarendon resident, has spoken with Rutland Town's administrator, starting back about 3 years ago. Rutland Town's section is Class 4. Telecia explained that the administrator states it's a historic road as well and they do not have the funds to fix it. She feels it needs to be maintained better for emergency services. There are homes above and below their dirt section of road. She mentioned how the condition of Rutland Town's Quarterline Road changes based on who's Road Commissioner. She doesn't think it can be Class 4 anymore since there are homes above and below it. Quarterline Road is a direct access to Rutland Town and City. There's also UPS, FedEx, Post Office, and trash haulers that travel that section. For all those reasons, Telecia feels that Rutland Town should upgrade that road or at least maintain it.

Selectman Menard asked if Telecia had gotten in contact with any of our State Representatives. She confirmed she did. Telecia said that Representatives Burditt and Collamore do not want anything to do with it. She's spoken to Representative Peterson about it- he agreed with Telecia's reasoning and drove the road with her. He was going to try and get in touch with Don Cioffi of Rutland Town. Telecia thought that VTrans should set up a meter on that road to track the amount of traffic on Quarterline Road.

Clarendon residents were in agreement that they are not asking for a new road, merely a maintained one. They do not understand why Rutland Town is being difficult. The residents echoed that the Clarendon road crew has done an outstanding job on their part of Quarterline Road. Selectman Menard asked if they've talked with the Rutland town residents that live on that road. They responded there may only be 2 that live along the dirt portion.

Shelly Lutz asked if Rutland Town paid Clarendon to maintain the road, would the Board be agreeable to that. Selectman Ruane said that the crew has their hands full right now. The other concern would be if the grader broke down while maintaining Rutland Town's road- that would be unfair to Clarendon taxpayers, who expect their roads to be graded. Chairman Congdon said that if Rutland Town is interested in hiring someone to maintain their roads, there's plenty of companies out there who would do that.

Selectman Ambrose said that he would contact Rutland Town and set up a time where the concerned residents could come and discuss with them, and hopefully find resolution. They would also try to get Rutland Town's residents involved. Katie collected email addresses of the residents present. Katie and George will work to communicate between all parties and either meet with Rutland Town's Select Board or Highway Committee.

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

Cemetery Committee- tree removal and headstone update-

Kevin Peck of the Cemetery Committee said that he's been in communication with Trees Inc. about getting the tree down in Spafford Cemetery. Kevin hopes it will come down before the end of the fiscal year. Kevin got the stone back from Bowkers that the mowers had damaged

last fall. The Cemetery Committee got it reset at Marsh Cemetery and it looks much better. Kevin reached out to the extended family of the late Jonathon Parker and they were appreciative of their efforts. Kevin said if the family wanted the damaged stone, he has it in his barn and can make arrangements for them to pick it up.

There is a Chippenhook Cemetery work day planned for June 24th. Kevin invited anyone who would like to volunteer their time and help out at the cemetery. He requested \$125 from the Cemetery budget so that he can provide a light BBQ lunch for the volunteers. Selectman Ambrose motioned to release \$125 from the Cemetery budget, Selectman Ruane seconded, and all approved.

Selectman Ambrose expressed his appreciation to the Cemetery Committee for all they have done to clean up the towns' cemeteries.

MERP Mini Grant Execution-

The Board had the Municipal Energy Resilience Program (MERP) mini grant before them. It was for \$4,000. Katie said she reviewed the grant agreement and under Payment Provisions it said something to the effect of the grantee submitting an invoice within 30 days of execution of the grant. Katie explained that there is not a project yet selected for how the money will be spent. She asked if the Board should hold off on signing until there's a specific project selected. Chairman Congdon suggested tabling it until more information was found out. Selectman Ambrose motioned to table and Selectman Menard seconded. The motion passed unopposed.

Morton Property - Quit Claim deed-

This is the property that the former delinquent tax collector had started the process on taking care of. The Casella Group put in a bid for the piece of property that abuts theirs. The property (on Walker Mountain Road) had been abandoned for a number of years and had collected back taxes. Signing the Quit Claim deed will wrap this transaction up. Chairman Congdon read part of a letter from Attorney Bloomer aloud, highlighting that the deed has some new language. Attorney Bloomer had no objections to any of the changes in the deed. Selectman Menard motioned to approve it and have Mike Klopchin sign it. Selectman Ambrose seconded and the motion passed unanimously.

Chippenhook Schoolhouse discussion-

Selectman Ambrose wanted to further discuss the Chippenhook Schoolhouse. Currently, the Grand List shows that the town owns the land. He feels that that would indicate the town has some responsibility regarding the land and perhaps what is on the land (the school building). Selectman Ambrose has spoken with Bob Underhill, who had a conversation with Becky Mandolere (former Town Treasurer). Selectman Ambrose asked that Bob relay the results of that conversation. Bob Underhill stated that the Board would have to talk to Becky directly; but he had inquired with her if she knew any of the history on the property. She recalled that at one point the land was not taxable. Then it had become taxable. When it became taxable, it started collecting back taxes. The solution at the time was to put the land back under town ownership to take it off the tax rolls.

Selectman Menard stated that his understanding of the Grand List is, that it is not the legal document that appoints property ownership. Chairman Congdon stepped in and cautioned the Board about having significant discussion based off of here say. Selectman Ambrose suggested asking Becky to jot down her recollection and submit it to the Board, perhaps have it notarized. He questioned if they do get that document, what will the Board's next step be. Selectman Ambrose would like to see this issue resolved, as it's been going on for years. If it is town property, perhaps they should be charging rent for what's on the property. Selectman

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Ambrose motioned that Katie write a letter to Becky Mandolere requesting some sort of documentation related to the Chippenhook Schoolhouse. The motioned failed without a second.

New Business

FY24 Sheriff's Dept. Contract execution-

Chairman Congdon asked Katie if the Treasurer had reviewed the contract to see if the dollar amount was correct as budgeted. Katie said Heidi had said that \$73,000 was budgeted and the document says \$73,008. The Board joked they would get the \$8 from the Highway Dept. or Rec Dept. Selectman Ruane motioned to accept the contract as presented, Selectman Ambrose seconded and all approved.

FY24 Cemetery Mowing Contract execution-

Johnson Lawncare and Refuse was awarded the FY24 Cemetery Mowing contract (awarded last fall). The Board needed to execute the contract so it was ready to go for July 1. Selectman Ambrose motioned to approve and have Mike Klopchin sign it. Selectman Ruane seconded the motion and it passed unanimously.

RRPC/TAC appointments-

Yearly appointments were up for the Rutland Regional Board of Commissioners and the Regional Transportation Advisory Council (TAC). Brownson Spencer has been on the RRPC Board while Dave Potter has served on TAC, with Bob Bixby being the alternate. They were all willing to serve again on their respective Boards. The alternate for the RRPC Board has been vacant for about a year. The terms for these appointments are from July 1, 2023-June 30, 2024. Selectman Menard motioned to approve those appointments and Selectman Ruane seconded. All Board members approved.

Town Officer's Report

Katie, Secretary, reported that the town was awarded a Structure grant for engineering on the culvert at Walker Mountain Road/Teer Road intersection. She also received an email from Keyser wondering when the Board would like a quote for propane. Katie asked the Board if they would like that pricing done this summer or wait till fall. Chairman Congdon said that the Board should approve something before the end of July. Katie said propane pricing, in the past, is only good for several days so she would gather quotes mid-July and have them to present at the last meeting in July. Additionally, a draft of the Teer Road survey was on the table for the Board to review. Katie asked if the Board had any feedback, to send that to her by the end of the week. If no feedback was received, it will be finalized and filed with the town.

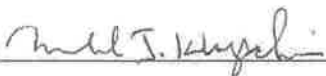
Select Board Member Concerns

Selectman Ruane reported that he got Matt's rocks moved at the 7b Rec Fields. He also delivered some shurpack to the Chippenhook Cemetery to prepare for the work day.

Selectman Ambrose wanted to put it out to the townspeople as well those sitting in the Board room that the Chippenhook Schoolhouse would be a unique historical artifact to have in Clarendon. If anyone has ideas or efforts regarding that, Selectman Ambrose would be happy to entertain them.

Adjournment

Selectman Menard motioned to adjourn at 7:03PM, Selectman Ruane seconded, and all approved.

SIGNED:  Mike Klopchin, Chair

Approved June 26, 2023

SIGNED:  George Ambrose, Clerk