

**TOWN OF CLARENDON BOARD OF SELECTMEN MEETING**  
**REGULAR**  
**September 25th, 2023**  
**Minutes**

**Attendees:**

Selectboard

Mike Klopchin, Chair  
George Ambrose, Clerk  
Robert Congdon  
Cash Ruane

Katie Nop, Secretary  
Heidi Congdon, Treasurer  
William Chmielewski – Peg TV  
Kevin Peck  
Bob Bixby  
Jim Harder  
Bob Underhill  
Shelly Lutz  
James Harder  
Sheriff Fox  
Sgt. Cross  
Sgt. Herrick  
Jane Sarno  
Jeanne Stimpfel  
Thelicia Molaski  
Sarah Kumm  
Jim Austin  
Carol Austin  
Jan McCoy  
Teresa Miele

**Call to Order**

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

**Agenda additions/deletions**

N/A

**Approval of Meeting Minutes**

Selectman Ambrose motioned to approve the August 28<sup>th</sup> Meeting minutes and Selectman Ruane seconded. Selectman Congdon abstained from the vote because he was absent at the last meeting. The motion passed 2-0.

**Highway**

*Road Commissioner Report-*

Road Commissioner Ruane updated the public on the Rutland Town Quarterline Road dirt section. He reached out twice to Dave Sears (Rutland Town Road Commissioner) and received a call back today. Cash provided him with 2 contractor names that would be willing to maintain the road and Dave Sears was pleased with that. The road crew has been grading. The MRGP project on Quarterline Road has been wrapped up. Carol Austin said there were some trees left near Eddy Bakers. Road Commissioner Ruane said they were left because a contractor will have to remove them. They are close to powerlines and the Road Crew is

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unable to remove them themselves. Thelicia Molaski added that there was a tree left on Schoolhouse Hill near the powerlines. Road Commissioner Ruane will reach out to GMP to follow up on their removal.

It was brought to the Board's attention that there's a Rutland Town Highway Committee Meeting on October 5<sup>th</sup> and Quarterline Road is on the agenda. Teresea Miele expressed their desire for Clarendon to be there. The Board wasn't aware of that meeting. Selectman Congdon reminded the Board that if at least 3 Clarendon board members attend then it needs to be warned. Katie will take a poll on which Board members will attend. Selectman Congdon also asked Cash to see if the Clarendon Board members were invited. Selectman Ambrose expressed that he would be willing to go.

Road Commissioner Ruane also reported that they are doing their best to maintain East Street and Bump Road due to the covered bridge closure. Road Commissioner Ruane mentioned that he will have to talk to the high school about the bus traffic on those roads. Road Commissioner Ruane has been thinking ahead to winter and they will aim to get to East Street and Bump Road soon after the main arteries in town.

Road Commissioner Ruane explained that he's thinking about renting a boom lift to deal with overhanging trees. He has two loggers complaining about them hitting their CV antennas. He reached out to 3 rental companies (United, Sunbelt, and ToolCraft). The road crew has some extra time before snow flies but Cash wondered if this project should be put off to spring to be cost effective. Chairman Klopchin wanted clarity on how the rental would work with the town's insurance. Chairman Klopchin asked if a tree company could come in to cut the trees. Road Commissioner Ruane said that the tree companies are so busy. It was decided that the rental will probably take place in the Spring and insurance could be figured out during the winter.

*FY23 Grants In Aid Extension-*

Katie explained that the Grant's in Aid project deadline is September 30<sup>th</sup> of this year. Because of the flooding that took place this summer, the State offered an extension. The extension would be till September 30, 2024. The town completed their grant project but did not max out the grant, so they'd like to carry the balance and do an additional project next year with the remaining funds. Selectman Congdon motioned to approve the extension and have the Chairman sign. Selectman Ambrose seconded the motion and all approved.

*Kingsley Bridge roof color-*

Katie provided the Board with a color palette that was provided by Alpine Construction to decide on the roof color for the Kingsley Bridge. Selectman Congdon motioned to approve Forrest Green for Kingsley Covered Bridge roof, and Selectman Ambrose seconded. The motion passed unopposed.

*FEMA DR4720 update-*

Katie reported that the FEMA disaster, "DR4720," is the flooding disaster that occurred in July. There are some damages in Clarendon that her and Cash have requested Public Assistance for. They've completed initial steps such as an Exploratory Call and a Scoping Meeting. Cash and Katie are working to get those projects off the ground but it may be next construction season. Selectman Congdon asked if South Creek Road was a part of the inventory and they confirmed it was.

**Transfer Station- Casella Waste Recycling Contract renewal-**

Randall Drapon was present to discuss the recycling contract that the town had with Casella. He said that there was a 10-year contract with the town, but it's now up. The recycling market has changed dramatically in the last 10 years. Randy had provided the Board with a

new contract and a summary of its new terms. The first 5 years of the expired contract worked well for Casella but the last 5 years did not. It cost them about \$12,000 out of pocket to haul for Clarendon in the last 5 years. The town owns the trash compactor, while Casella owns all the containers and the recycling compactor. They also perform maintenance on the equipment. The new contract will add about \$7,000 - \$9,000 per year. Chairman Klopchin asked what other towns work with Casella for recycling. Randy said that Wallingford, Wells, and Cavendish have signed a very similar contract. He's also working with Pittsford, Killington, and Ludlow. Selectman Ambrose asked if there's others vendors that do recycling like Casella. Randy said they are the only ones in the area.

Selectman Ruane asked about return on metal. Randy said it's been hauled to RCSWD but other options could be considered. He asked if RCSWD was rebating the town for the metal. Heidi provided that they haven't seen a rebate since August of 2019. Casella uses a vendor in Pittsford now that MacSteel has closed. They pay okay, and Clarendon's metal could be brought there. Selectman Congdon would authorize that Casella take the metal anywhere the town would see a return on it. The rest of the Board was agreeable to that as well. Randy said if they take the metal to Pittsford, he would have to adjust the haul charge by \$20 on the contract.

Chairman Klopchin asked when the contract had to be signed by. Randy would like to start charging for the recycling by October 1. Chairman Klopchin asked how this would affect the budget. Selectman Congdon commented how the Transfer Station is already subsidized, the budget runs over every year. Heidi said the town budgeted to expend \$50k for the Transfer Station. Last year they expended \$48k. At budget time, they'd have to figure out \$60k to cover the increase in recycling expense. For revenue, they budget to bring in \$12k and last year brought in \$10,600.

Selectman Ambrose said he feels recycling is an important topic to him. He suggested that during budget time, perhaps they need to charge more on trash being brought in. Randy noted that per the State, the town cannot charge for recycling. Selectman Congdon wondered where this overage would come out of. Heidi explained that there's a healthy fund balance that this expense could come out. There were substantial delinquent taxes collected which is why there's a healthy fund balance.

Selectman Ambrose explained that there's a proposed contract and not much competition and motioned to enter into a 5 year- contract with Casella for recycling with a change made to metal (hauling and location). Selectman Congdon seconded for discussion. He wanted to know if the term could be shorter so that the Board could figure out their budget. He wondered if it could be stopped at the end of June. Randy said he could do that but at the end of the 6 months he'd have to change his pricing. After discussion, the motion passed unopposed. Randy will send a new contract with the change to metal for Chairman Klopchin to sign the following day.

#### **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**

*Jan McCoy- speeding issue-*

Jan McCoy was there as a representative of East Street to the bridge and Bump Road down to Route 7. Sheriff Fox, Sgt. Cross and Sgt. Herrick were present as representatives of the Rutland County Sheriff's Department. A couple years ago over Zoom there was discussion that there would be increased traffic on East Street/Bump Road as a result of the bridge

being closed. They were told at that meeting that there would be more Sheriff patrol on those roads because of it. Jan reported a lot of speeding on both East Street and Bump Road. Prior to the Board meeting, Jan was provided with a log of the last 6 months of the Sheriff's Dept's activity in Clarendon. Jan then provided a document to the Board that gave a summary of how often the Rutland County Sheriff's Dept. has been present on Bump Road and East Street in the last 6 months. By her count, they have been present 17x on East Street or Bump Road, while Middle Road she figures 50x. Jan felt like there was not increased presence from the Sheriff's Department.

Jan asked if Route 103 or Route 7 was covered by the Vermont State Police or the Sheriff's Dept. Sheriff Fox responded that it's a mix of both. Jan questioned if the town gets billed for meetings and paperwork. She further questioned what Clarendon's contract looks like. The Board answered that yes, they do get billed for those kinds of things and Sheriff Fox explained it was because it's a full law enforcement contract. Selectman Congdon explained the history of how Clarendon's contract has changed over the years to meet the needs of the towns.

Jan wondered how the deputies decide which roads they will patrol. She felt that Middle Road had a lot more RCSD presence than East Street or Bump Road. Sheriff Fox explained that they get a lot of calls when school starts back up to patrol the Middle Road area more because of speeding, young drivers, etc. Sgt. Cross added that Middle Road is a main artery through which the deputies reach other town roads. They mark it down if they're sitting or doing a mobile patrol. That explains why Middle Road is referenced more often.

Sgt. Cross will pass along the desire for more patrol along East Street/Bump Road to Clarendon's assigned deputy. He said that Clarendon was assigned a new deputy at beginning of August. The Sheriff's Dept. shifted all their deputies around so that the deputies' strengths meet the different needs of the town. Katie mentioned the Sheriff's Dept is always willing to take driveway address numbers to give permission to sit there to patrol. Sgt. Cross provided stats for Clarendon for August 1- September 25, 2023.

Selectman Congdon reminded the public that Selectman Ambrose is the Sheriff's Dept. liaison and can report concerns onto the Sheriff's Dept. The Dept. likes to have specific times to try and patrol at those times.

Sgt. Cross reported that the speed cart is coming to Clarendon and will be on Bump Road for 1 week. The other 2 weeks prior it will be on the 2 of 3 roads that will have a speed study done (Creek + Alfrecha).

Jan McCoy said that in the Town of Charlotte they have seasonal gravel speed bumps and suggested the same for East Street/Bump Road. The Clarendon Board was very hesitant due to liability. They wondered if they'd have to have an ordinance change for something that like.

Jim Harder came to voice his concern about speeding on Creek Road. He's about a mile off of Walker Mountain Road, where there's a cluster of 7 houses. He suggested the Sheriff's Dept. sit in the pull off just north of him. There was also discussion on good locations for the Sheriff's Dept. to sit on East Street.

The Board asked for an update on the theft issue that's recently occurred in town. Sgt. Cross said that a lot of the cases in Clarendon were handled by the VSP so he doesn't have full details. They were looking into charges for the primary suspect. There were a couple charges filed on the suspect but there were not enough hold him. Sgt. Cross further explained that

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part of the time that public sees in the log of them working in Clarendon had to do with part of this case and that's where some of the contract time gets chewed up. Sheriff Fox reminded the public to LOCK their cars and do not keep firearms in their vehicles.

Sgt. Cross reiterated that the speed cart should be on Creek Road and then Alfrecha for one week each and then Bump Road. The Middle Road speed survey from last year is still sufficient. The town will get sent the speed surveys that the cart captures.

Thelecia Molaski asked if in the early spring the speed cart could be done on Quarterline Road and Schoolhouse Hill Road. Sgt. Cross recorded the request.

Selectman Ambrose said that it's been brought up to change the roads that are at 40mph to 35mph. He felt it doesn't matter what the speed limit is- the speeders are going to speed.

Selectman Congdon thanked the representatives from the Sheriff's Dept who serve on behalf of the town. Sgt. Cross introduced Sgt. Herrick to the town. Selectman Ruane wanted to mention that the deputies need snow tires on their vehicles. Sheriff Fox said they have switched to an aggressive all season.

#### **Public Comments**

N/A

#### **Old Business**

N/A

#### **New Business**

##### *2023/2024 Grand List Correction-*

The Listers explained there are 2 different types of veteran's exemptions for property taxes in Vermont. One type has to certify every year and the other group does not. There were 2 people who were up for annual review and were put on the list but should not have been. The Listers verified this and realized they missed it in their processing. Selectman Congdon approved the change for both Grand List corrections, and Selectman Ambrose seconded. All Board members approved the motion.

#### **Town Officer's Report**

Heidi, Treasurer, reported that taxes are well underway being collected. The tax due date is October 14, 2023. She is open on that Saturday, October 14. The town does accept postmarks-but make sure that the post office marks it.

Katie, Secretary, reported that Clarendon's ERAF percentage (Emergency Relief Assistance Fund) is 12.5%. This is an important number when it comes to FEMA/state reimbursement for damages related to the federally declared disaster. As far as MERP (Municipal Energy Resilience Program), the town was notified that they were awarded energy assessments on the Town Garage and Town Hall. They were not awarded an assessment for the Transfer Station in this round, but we're hopeful it may be in the next round. Katie reported last meeting the Board sent a letter requesting assistance through the Emergency Watershed Protection Program (EWP) for 2 locations (1 along the Otter Creek, the other 1 along the Cold River). The location on the Cold River was ineligible but NRCS will pursue the Otter Creek location. Katie also emailed the Town of Shrewsbury to see if they wanted to collaborate on a river maintenance plan. They wanted to know the costs involved. Katie would like to take the next step of asking Fitzgerald Environmental for pricing on that kind of plan. The Board was fine with that.

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**Select Board Member Concerns**

Chairman Klopchin was given a letter from the Clarendon Planning Commission to recommend to appoint Carol Geary to the Planning Commission. Selectman Ambrose motioned to appoint Carol to the Planning Commission and Selectman Ruane seconded. All Board members approved the motion. Katie confirmed that this was the last vacant spot on the commission and term will expire 4/26.

**Executive Session- Personnel**


Selectman Congdon motioned to enter into executive session at 7:12PM, Selectman Ruane seconded, and all approved.

Selectman Ambrose motioned to move out of executive session at 7:37PM, and Selectman Congdon seconded. The motion passed unopposed.

The Board discussed a legal issue that will be referred to Attorney Goss. They also agreed to accept more resumes/letters of interest for the part-time road crew position and revisit them in October. Selectman Ambrose moved to promote Horst Gebauer to a leadership position at the Transfer Station with pay commensurate with the responsibilities. Selectman Congdon seconded and all approved.

**Adjournment**

Selectman Congdon motioned to adjourn at 7:39PM and Selectman Ruane seconded. The motion passed unanimously.

SIGNED:  Mike Klopchin, Chair

SIGNED:  George Ambrose, Clerk