

Wallingford Selectboard Meeting  
Minutes  
May 1, 2017

Selectboard Members Present: Bill Brooks, Gary Fredette, Rose Regula, Mark Tessier and Nelson Tift.

Others Present: Julie Sharon, Sandi Switzer, Michael McMahon, Joyce McMahon, Lee Perry and Erika Berner.

Chairman Brooks called the regular meeting to order at 6:30 p.m. at Wallingford Town Hall.

**Agenda Amendments.** None.

**Minutes.** M. Tessier made a motion that was seconded by R. Regula to approve the Minutes of the Selectboard meeting on May 1, 2017. Motion carried (4-0). G. Fredette abstained since he was not at the meeting.

**Pay Orders.** N. Tift. made a motion that was seconded by R. Regula to approve the 05/02/17 pay orders totaling \$1,339,491.97 after \$63.70 was added for lifeguard t-shirts. Motion carried (5-0).

**Road Commissioner's Report.** Road Commissioner Phil Baker said the road crew had been grading West Hill Road. He said the grader would likely go in for major repairs in about a month.

Mr. Baker said summer paving projects being considered were Hull Avenue, Maple Street, Nash Drive, a section of Meadow Street and Mill Street. He said he would provide the town administrator with specifications for those streets in order to send out paving bid requests.

Mr. Baker said the North End Drive repairs still needed to be done.

**Public Comments.** None.

**South Wallingford Industrial Zone Petition.** The board reviewed VLCT's information regarding amending zoning regulations. G. Fredette noted 93 people had signed a petition requesting the industrial zone language in the 2015 Zoning Regulations be amended to match the language in the 1972 Zoning Regulations. B. Brooks said acceptance of the petition would initiate a timeline the planning commission would be required to follow, including scheduling a public hearing within 120 days.

There was a discussion regarding the documents prepared and submitted by Michael McMahon, a planning commission member, detailing changes to the zoning regulations dating back to 1972. Mr. McMahon questioned whether the zoning regulations adopted

in 2015 featuring major amendments should have been approved by Australian ballot voting rather than Selectboard adoption.

Erika Berner, planning commission chair, said Rutland Regional Planning Commission Executive Director Ed Bove assured her the zoning regulations were in full compliance with state requirements. Ms. Berner said the planning commission was updating the Town Plan, which she said expires in February 2018. She said it was the planning commission's intention to address the industrial zone regulations after the Town Plan was completed.

Mr. McMahon said there were major differences in the 1972 and 2015 industrial zones in South Wallingford and Pike Industries west of Otter Creek.

There was a lengthy discussion as to whether any changes to the industrial zone should be addressed before or after work on the Town Plan was completed. A question was raised regarding landowners who may have purchased land in an industrial district if the zone was amended. Mr. McMahon said he spoke to the owner of Troy Minerals, Stephen Chmielewski, about this matter. Mr. McMahon said Mr. Chmielewski had no issues with amending the zoning district.

M. Tessier asked whether the town could repeal the 2015 zoning regulations and revert to the 2009 regulations until the Town Plan was completed. B. Brooks said that would be a question for Vermont League of Cities and Towns.

G. Fredette requested the town administrator research how the 1989 zoning regulations were adopted and requested a copy of that Warning.

After further discussion, G. Fredette made a motion that was seconded by M. Tessier to table acceptance of the petition until the next Selectboard meeting on May 15. Motion carried (4-1). B. Brooks voted in the minority.

The board requested the town administrator contact RRPC's Ed Bove and VLCT to inquire the steps necessary to repeal zoning regulations.

**Tax Sale.** Delinquent Tax Collector Lee Perry requested to be added to the agenda. He said a tax sale was scheduled for May 11 at Town Hall at noon and requested a Selectboard member be present to make a minimum bid if necessary.

After a brief discussion, the board by consensus agreed R. Regula would represent the town at the tax sale and make a minimum bid only if no others bid on the property.

**AT&T Cell Tower Lease Agreement.** The board reviewed letters dated March 3, 2017 and April 18, 2017 requesting revisions to the existing cell tower lease at Town Hall. Board members noted the April 18 letter set a May 2 deadline for a response.

G. Fredette said the town received a monthly income of about \$1700 from the lease and the draft revised lease included in the April 18 letter dropped that amount to \$1100 per month starting in July.

M. Tessier noted the new lease language would allow extensive alterations to the building. He said it was an historic landmark and federal preservation funds received by the town limited alterations to the structure.

B. Brooks said the town was open to discussing lease amendments and a timeline for implementation. The board by consensus directed the town administrator to send a letter to lease consultant Eli Acevedo expressing interest in negotiating a new lease and inviting him to a meeting.

**Mears Meadow Trail Discontinuance.** The board reviewed and approved a Notice for a Site Visit and Hearing regarding the discontinuance of the portion of Mears Meadow Trail on the Dean McGee property. By consensus, the board scheduled the site visit for Wednesday, June 14 at 6:00 p.m. with a public hearing to follow at Town Hall.

**Summer Employees.** G. Fredette made a motion that was seconded by M. Tessier accepting the Recreation Committee's recommendations to hire the following 2017 summer employees:

Lifeguards - Kaylyn Cottrell, Emma Pells, Elizabeth Spencer and substitute lifeguard Devyn Fortier. Summer Rec Counselors - Madison Fishwick and Ethan Welch.  
Concessions - Spencer Ahearn, Seamus Nauton, Kiera Nauton and Alisha McLellan

The motion included paying concession stand employees minimum wage and lifeguard/counselors \$10.90/hour. Motion carried (5-0).

**Food Scrap Collection at the Transfer Station.** G. Fredette made a motion that was seconded by R. Regula accepting Casella Waste Management's estimate of weekly pick-up of food waste utilizing a Casella 48-gallon bin for a monthly fee of \$64.95. Motion carried (5-0).

**Elfin Lake Season Pass Request.** G. Fredette made a motion seconded by R. Regula authorizing the town to donate two Elfin Lake season passes to Lisa Donahue as door prizes for Bike Safety Day. Motion carried (5-0).

**Selectboard Concerns.** G. Fredette said at some point he would like the town to consider adopting an ordinance allowing 4-wheelers to utilize specific sections of roads that connect trails.

**Other Business.** Town Clerk and Treasurer Julie Sharon asked whether she should start a new account for revenue generated from ballfield signs. The board by consensus agreed.

The board said the town would be willing to sell the lister printer to Jeff Biasuzzi for \$50.

Board members indicated an interest in discussing whether the town should require Certificates of Occupancy after reviewing opposing opinions by the town's assessor and zoning administrator.

There was a discussion regarding drug use activity complaints at the White Rocks picnic area. N. Tift said the Forest Service had a contract with the Rutland County Sheriff's Department and any patrols by the sheriff for that purpose should be billed to the Forest Service.

The meeting adjourned at 8:27 p.m.

Date Approved: 05/15/17

Sandi Switzer, Town Administrator