

Wallingford Selectboard Meeting  
Minutes  
Monday, July 21, 2014

Select Board Present: Nelson Tift, Gary Fredette, Tom Phillips, Rose Regula and Mark Tessier.

Others Present: Julie Sharon, Sandi Switzer, Phil Baker, David Klock, Keith Shelvey and Marc Pramuk.

Chair N. Tift called the regular Selectboard meeting to order at 6:30 p.m. at the Town Hall.

**Minutes.** M. Tessier moved to approve the 7/7/14 minutes; R. Regula seconded the motion. Motion carried (4-0).

**Selectboard Orders.** N. Tift made a motion to approve pay orders of \$18,008.24 plus an additional \$10,885 for a Route 140W bridge loan payment for a total of \$28,893.24; M. Tessier seconded the motion. Motion approved (4-0).

**Public Comments.** Keith Shelvey informed the board a can of paint to be used on the new dugout at the ballfield was stolen and dumped on the pedestrian bridge. He said he would use some silver paint spray to cover it up.

T. Phillips provided the town with an estimate from The Belden Company totaling \$9000 for a 20'X36'X6' slab for a new pavilion at Elfin Lake. He also provided an estimate from r.k. Miles of \$4603.37 for construction materials. T. Phillips said \$15,000 was donated to the town for the pavilion and he said he wanted the project done right.

Mr. Shelvey said G.E. volunteers may be available after the lake closes for the season to provide free labor. He added a concrete slab would be easier to clean than other ground coverings beneath the pavilion.

R. Regula questioned whether there ought to be an informational meeting to get input on a new pavilion. There was further discussion on construction materials and ground covering options.

N. Tift made a motion to accept Belden's estimate of \$9000 and r.k. Miles estimate of \$4603.37; R. Regula seconded the motion. Motion carried (4-0).

Mr. Shelvey notified the board volunteers had completed the new dugout with G.E. funds given to the town. He said there was about \$200 leftover from the \$1100 and he asked permission to purchase basketball backboards. A suggestion was made to seek prices for a 10-foot high fence the width of the

basketball court to be installed behind the court. Mr. Shelvey agreed to solicit estimates for backboards and a fence.

**Canoe/Kayak Launch.** Marc Pramuk provided an update of the Conservation Commission's plans for a canoe/kayak launch into Otter Creek. He said the commission had applied for a grant and was turned down. Plans were downsized to a launch approximately 100 feet south of the pedestrian bridge on the west side of Otter Creek near a natural bend in the waterway. He said plans included a small slope cut into the bank with an 8-foot natural dirt floor. Mr. Pramuk said the group would cut in steps for footing and he added there would be no cost to the town and all labor was volunteer. He noted the launch was in a flood plain, but he said there was nothing to wash away, no hazardous materials used and nothing to leach into the creek.

T. Phillips moved to approve the Conservation Commission's canoe/kayak launch subject to the approval of any necessary permits; N. Tift seconded the motion. Motion carried (4-0).

Mr. Pramuk asked whether the road crew would be available to move two boulders near the Stone Meadow gate. By unanimous consent, the board approved the request.

**Road Commissioner's Report.** Road Commissioner Phil Baker notified the Selectboard of a water main break on Church Street.

He also informed the board he was waiting to hear from The Verterre Group about scheduling the removal of the underground storage tank at the town garage. Mr. Baker asked whether Howard Regimbald would be permitted to haul the old tank away at no cost to the town once it was removed and cleaned. The board agreed by unanimous consent.

The road commissioner indicated he planned to replace the manhole near the fire station later this week and he said he had cut down the tree at the recreation field. He noted he would be working on the Hartsboro Road project the first week of August.

The board and Mr. Baker reviewed the state's hydraulic study for Earl Wade Road with recommendations for a bridge, concrete box or other options. Mr. Baker said it was overkill for what was needed at that location. He indicated two 3' or 4' culverts would be a better solution.

M. Tessier indicated the town could always apply for a grant next year if the board wanted to follow the state recommendations.

After further discussion, the matter was table.

**Homestead Declaration Late Filing Penalty.** David Klock questioned whether the town would be assessing late filing penalties for the Homestead Declaration. Town Clerk Julie Sharon indicated state statute authorized the town to assess 3% and 8% penalties depending on specific circumstances.

M. Tessier moved to assess the appropriate 3% and 8% penalties as outlined in the statute; R. Regula seconded the motion. Motion carried (4-0).

M. Tessier noted the Selectboard would consider penalty waivers on a case by case basis. He said property owners would need to request a waiver in writing and then attend a meeting to discuss the matter with the board.

**Junk Complaint.** The board reviewed Ray Agostinelli's latest request and photographs related to a junk complaint at his Route 103 property rented by Ferris O'Connell. The board acknowledged Mr. O'Connell had been issued municipal tickets as outlined in the town's junk ordinance. Town administrator Sandi Switzer said the judicial bureau indicated Mr. O'Connell had paid three of the ten tickets.

N. Tift said the landlord was pursuing eviction proceedings and could have any abandoned vehicles removed once the tenant vacated the property.

The board by unanimous consent directed S. Switzer to draft a letter to Mr. Agostinelli informing him the town had complied with the local ordinance by issuing tickets and was waiting for the Judicial Bureau to adjudicate the matter.

**Solicitation Ordinance.** A number of complaints were lodged with the town regarding the ongoing lawn sale at Paul Burroughs' property on Lidstone Lane. The board reviewed the town's Solicitation Ordinance to see if it was applicable in this case. R. Regula noted the ordinance was adopted in 1978 and needed to be updated. (Gary Fredette arrived at the meeting during this discussion).

The board agreed S. Switzer would send a letter to Mr. Burroughs indicating all items be moved out of the town's right-of-way on Lidstone Lane and the state's right-of-way along Route 7. The board directed S. Switzer to ask the zoning administrator if a Home Occupation permit was required or if Mr. Burroughs' was in violation of any zoning regulations by operating an ongoing lawn sale.

**FY'15 Town Tax Rate.** VT Dept. of Taxes Commissioner Mary Peterson set Wallingford's Homestead Education Tax rate at \$1.4773 (up from \$1.3824) and the Non-Residential Tax Rate at \$1.4390 (up from \$1.3683). J. Sharon reported a grand list of \$2,384,882,000 compared to last year's \$2,365,747,000. The town budget of \$702,120 equates to a town tax rate of \$.2944 per \$100 of assessed value, compared to \$.2921 last year.

The Fire District Tax for 1 and 3 is unknown at this time. M. Tessier made a

motion to set the town tax rate at \$.2944; G. Fredette seconded the motion. Motion carried (5-0).

**FY'14 Year-End Financials.** Town Clerk and Treasurer Julie Sharon reported FY '14 ended with a net of \$6800. She reported delinquent property taxes were higher than expected, but she noted Green Mt. National Forest payment in lieu of taxes (PILT) was \$24,320 - double the revenue budgeted. She noted ordinance fines were \$6531 above the anticipated \$12,000. On the expense side, not all the paving funds were expended and transfer station expenses were \$10,559 less than the budgeted \$89,000.

N. Tift thanked Julie for her efforts in maintaining a fiscally sound budget.

**Other Announcements/Business.** M. Tessier made a motion authorizing a 2% raise for John Squiers; R. Regula seconded the motion. Motion carried (5-0).

The board discussed a request by the Rutland County Sheriff's Department to prohibit late night public access to the recreation field. N. Tift said there had been a sign near the Park and Ride facility announcing the recreation field was off limits after 9:00 p.m. He said the town should replace the sign if it was no longer there.

There was discussion regarding installation of fencing around the concession stand at Elfin Lake to direct visitors to the proper entrance. T. Phillips indicated volunteers could install a split rail fence during construction of the pavilion.

The board reviewed VLCT's recommendation the town seek a release from American Legion Post 52 indicating the town would not be held liable if the new monument to be placed at Veterans' Park was damaged. The board by consensus agreed the town's insurance would cover personal injury at the park.

N. Tift notified the board he discussed staffing schedules with Transfer Station superintendent Stearns Stewart and an agreement was reached that Stearns would work on Saturdays and could log up to two hours on Mondays to maintain financial records and perform other duties.

G. Fredette made a motion to enter executive session at 8:10 for personnel matters; N. Tift seconded the motion. The board exited executive session at 8:45. No action was taken.

The board approved John Jozwiak's request to purchase four tires from the highway department for \$100.

The meeting adjourned at 8:49 p.m.

Date Approved: 08/04/14

Sandi Switzer, Town Administrator