

Wallingford Selectboard Meeting  
Minutes  
April 20, 2015

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

Others Present: Sandi Switzer, Phil Baker, Steve Lanfear, Stephen Benard, Ralph Nimitz, Lisa Wright Garcia, Casey Burnham, Ted Burnham, Gail Burnham, Jerry Florance, Jeff Biasuzzi and Tom Phillips.

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

**Agenda Amendments.** There were no agenda amendments.

**Minutes.** B. Brooks made a motion that was seconded by M. Tessier to approve the Minutes of the April 6, 2015 meeting. Motion carried (5-0).

**Selectboard Orders.** M. Tessier made a motion that was seconded by R. Regula to approve pay orders totaling \$14,755.63. Motion carried (5-0).

**Road Commissioner's Report.** Road Commissioner Phil Baker provided an overview of FEMA's site visit as part of the debris removal program from the December 2014 storm. Mr. Baker said he toured the impacted roads with Road Foreman Steve Lanfear and FEMA representative Gregory Whitman.

Town Administrator Sandi Switzer provided Mr. Baker with a copy of FEMA's Wallingford Debris Summary Sheet, which outlines GPS coordinates for all limbs, trees and stumps to be removed.

N. Tift questioned whether permits would be needed from the state Agency of Natural Resources to remove debris from streams. Mr. Baker said there would be no equipment in streams, but he would investigate whether permits were needed.

There was discussion regarding disposal of debris. The board directed S. Switzer to contact Tam Waste Management in Shaftsbury to find out if they would accept it.

Mr. Lanfear indicated the road crew did not have the equipment or manpower to remove the debris and he suggested hiring a contractor.

S. Switzer said whoever was selected for the debris removal would have to provide insurance certificates and maintain detailed logs in order for the town to receive FEMA reimbursement for 75% of the cost. She said FEMA requires all work to be completed by June 7.

The board reviewed the town's Purchasing/Bid Policy. There was a discussion regarding the time available to go out to bid, select a contractor and complete the work by the deadline.

R. Regula questioned whether it would be a conflict of interest to hire the road commissioner for the project.

After further discussion, G. Fredette made a motion to hire Phil Baker and Sons as the general contractor for the debris removal project for an amount not to exceed \$16,646.50 (as outlined in FEMA's Debris Summary Sheet) and require Mr. Baker to provide the town with proof of insurance. R. Regula seconded the motion. Motion carried (5-0).

Mr. Baker said he would send out bid specification sheets to Kenworth, Western Star, Freightliner and other companies for a tandem dump truck to replace the town's 2006 Sterling.

Mr. Baker said he would be doing some work on Hull Avenue this week. S. Switzer said a Street Excavation Permit would be needed if he plans to cut into the pavement.

S. Switzer asked if the road foreman or road commissioner had any projects in mind for the Better Backroads erosion grant. Mr. Baker said he would come up with a project by the next meeting.

The board reviewed the state Class 2 Road Grant application for paving Route 140W.

Mr. Lanfear said a roof would be erected over the diesel fuel tank at the town garage before the next Selectboard meeting.

**Coin Drop.** G. Fredette made a motion to approve Stephen Benard's request on behalf of Wallingford Rotary for a coin drop on July 11 from 9:00 a.m. to 1:00 p.m. with July 18 the rain date. B. Brooks seconded the motion. Motion carried (5-0).

**Dog Complaint.** Casey Burnham said RCSD Deputy Brendan Reilly had visited her Homerstone Road property in response to Jerry Florance's complaint about her dog barking during the early morning hours. She said none of her immediate neighbors had complained about the noise.

Mr. Florance said the dog is tied about 45 feet from his house and barks between 6:00 a.m. and 7:00 a.m. He said the noise wakes up his son. He said he does not have an issue with the dog barking later in the morning.

Sheriff Stephen Benard said the RCSD could visit the area during the early morning hours, interview neighbors about the dog, or even issue a ticket and let the matter be resolved in court.

Gail Burnham asked whether putting the dog out later in the mornings would resolve the issue. Mr. Florance said that would be acceptable. After further discussion, Casey Burnham agreed not to tie the dog out before 7:00 a.m.

**Lister Services.** N. Tift explained the town was considering options for lister/assessor services after learning assessor John Tiffany was offered a fulltime position with NEMRC.

The board met with Lisa Wright Garcia to discuss her proposal for offering municipal lister/assessor services at a rate of \$45 an hour. She said she would be available to start after June 4. Ms. Garcia said she would be willing to handle assessments, site visits and appeals if the town preferred to hire someone at a lower rate for administrative and data entry duties.

B. Brooks said lister Dave Ballou would be meeting with the board on May 4 to discuss options.

**AT&T Cell Tower Plan for Clock Tower.** The board reviewed AT&T's latest plan to install new antennas in the clock tower without extending or removing the existing structure.

Ralph Nimitz said he reviewed the proposal and wanted to know whether an insect screen would be installed and what type of material would be used to replace exterior face boards. Mr. Nimitz also wanted to know if the interior beam would be replaced and whether an AT&T engineer would provide the town a letter assuring the project would not compromise the structural integrity of the building. He also wanted to know if new wiring would follow a similar path of the existing wiring.

S. Switzer agreed to pose those questions to the AT&T representative. She noted she had sent the latest plans to state historic preservation groups for feedback.

**Public Comments.** Tom Phillips asked whether any board members would be attending the Development Review Board hearing related to the lot line adjustment with the town scheduled for later in the evening.

Zoning Administrator Jeff Biasuzzi said it was a continuation of a Deliberative Session and closed to the public.

Mr. Phillips said it was his opinion the land transfer was legal and if upheld would provide additional space at the municipal transfer station to accept yard waste.

G. Fredette said he was glad Mr. Phillips had recused himself as a member of the Selectboard during discussions of the lot line adjustment. G. Fredette noted, however, he was not aware Mr. Phillips wanted the land transfer in order to have a power line next to his driveway or to add ditching to the property. He said Mr. Phillips indicated the lot line adjustment was needed to square-up his property.

Mr. Phillips disagreed and said there was discussion related to accessing a utility pole on the property.

**Transfer Station Yard Waste.** M. Tessier said he met with transfer station employee Jim Regula to scope out a location for the collection of yard waste. The state's Universal Recycling Law requires municipalities to accept leaves and small debris from residents beginning July 1.

M. Tessier said the town could relocate the fence at the south entrance and section off an area with concrete barriers. Mr. Biasuzzi noted the outcome of the DRB lot line adjustment appeal could impact the use of that piece of property.

M. Tessier said he would visit the transfer station and scout an alternate location.

**Local Emergency Operational Plan.** B. Brooks made a motion that was seconded by G. Fredette authorizing N. Tift to sign the updated Local Emergency Operational Plan. Motion carried (5-0).

**Summer Wages.** The board reviewed a salary schedule for summer employees with no changes in the hourly wages from last summer with the exception of minimum wage, which is \$9.15 an hour.

M. Tessier made a motion that was seconded by G. Fredette to pay Summer Recreation directors \$15 an hour, counselors/lifeguards \$10.50 an hour, and concession stand workers minimum wage. Motion carried (5-0).

**Workshop Request.** G. Fredette made a motion that was seconded by M. Tessier to approve Tom Truex's request to attend a VLCT Effective Property Tax Appeal workshop in Montpelier at a cost of \$60 with no mileage. Motion carried (5-0).

**Other Business/Announcements.** The board discussed meeting with Paul Costello from VT Council on Rural Development on May 4<sup>th</sup> at 7:00 p.m. at Town Hall to continue the town's discussion regarding the Vision for the Village.

There was some discussion regarding what entity was responsible for sidewalk maintenance. The town received a complaint about School Street, Main Street and Hull Avenue sidewalks. S. Switzer noted she found nothing in the charter or charter amendments related to maintenance. She said state archivist Rachel Muse researched records and found documents indicating Fire District #1 was responsible for sidewalk snow removal, but no charter changes on maintenance.

**Executive Session.** M. Tessier made a motion that was seconded by R. Regula to enter executive session at 8:30 p.m. to discuss a contract. Motion carried (5-0).

The Selectboard returned from executive session at 8:45 p.m. B. Brooks made a motion that was seconded by G. Fredette to approve hiring NEMRC's John Tiffany at \$20 an hour for lister/assessor services through June 30. Motion carried (5-0).

The Selectboard approved by unanimous consent adding the following wording "Park Closed from 9:00 p.m. to 7:00 a.m. Daily – No Trespassing" to a sign at the Wallingford Recreation area.

By unanimous consent, the board agreed to send a letter to the Rutland County senate delegation opposing H.35, the Water Quality Bill. If approved, the legislation would impose a \$25 per parcel fee on all properties and require town clerks to collect the fees.

The board reviewed Shari Owens' update of the Neighborhood Watch coordinators' meeting at the Rutland County Sheriff's office on April 16.

The board reviewed ANR's Troy Minerals, Inc. draft discharge permit for Otter Creek.

The meeting adjourned at 8:59 p.m.

Date Approved: May 4, 2015

Sandi Switzer, Town Administrator