

Wallingford Selectboard Meeting
Minutes
June 4, 2018

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

Others present: Lynn Edmunds, Michael Murphy, Jennifer Hoult, Barbara Kaminski, Debbie Frederick, Wilbur Frederick, Robert Underwood, Craig Niedzwiecki, Carol Pratt, Jason Stone, Barbara Truex, Tom Truex, Jim Bagnall, Ed Bove, Maureen Duchesne, Bruce Duchesne, Debbie Scranton, Bill Scranton, Julie Sharon, E. Louise Hauserman, Tom Wheeler, Christopher Dunigan, Kurt Hough, Lee Houghton, Ron Boucher, Lisa Williams, Michael McMahon, Connie Berger, Steve Berger, Curtis Lidstone, Pat Stone, Patrick Rice, Cecile Betit, Brian Finch, Ann Day, Ann Lattuca, Richard Lattuca, Michelle Kenny, Derek Farmer, Cassie Ahearn, Dave Potter, Steve Halford, Kathy Halford, Barbara Boucher, Karen Smith, Chris Williams, George Carpenter, Natalie Boyle, Lisa Donahue, AJ Galfetti, Bruce Martin, Steve Lanfear and Phil Baker.

Chair B. Brooks called the public hearing to order at 6:00 p.m. at Wallingford Town Hall and read aloud the public hearing notice, which is to receive comment on and to consider adopting the Town Plan. Planning Commission held their public hearing on March 12th.

B. Brooks indicated those who signed up to speak would be given the opportunity to address the board and additional comments would be allowed as time permits.

Lynn Edmunds stressed he would like citizens to be given the opportunity to vote by Australian ballot on the Town Plan. He expressed concern the proposed Town Plan could erode voting rights. He said he worried local and regional planning commissions were trying to craft a plan compatible with neighboring town documents rather than taking an individualized approach. Mr. Edmunds said a petition with 253 signatures called on the Town to vote by Australian ballot to either accept or reject the Town Plan.

Jennifer Hoult said she was an attorney and she had researched state statutes and found no violation of law or property rights regarding the proposed Town Plan. She said municipal officials had followed the rule of law. She said citizens elected town officials and they should trust their judgments. She commended the Town for the excellent work on the Town Plan.

Craig Niedzwiecki said he shared Mr. Edmunds' concerns about stripping away property rights and he supported an Australian ballot vote.

Ed Bove, executive director of Rutland Regional Planning Commission, said the Town Plan was updated to conform with state statute requirements and the document expires every eight years. He said RRPC was hired by the Town to assist with the update. He listed the 12 required elements for Town Plans.

Jason Stone said he agreed with Mr. Edmunds' statements. He said he thought the Town Plan met legal requirements, but he said it was a far reaching piece of legislation that needed more citizen input.

Debbie Scranton noted language on page 26 related to students should be deleted, because she said those sentences were not facts. She said language on page 15 related to the Village Center Designation incentives for the pub and bakery should be removed. She said action items were not discussed with municipal committees/commissions before being inserted into the document.

William Scranton asked about maps mentioned in the Town Plan.

Christopher Dunigan said he had forwarded to the Selectboard information to review regarding the Village Center Designation. He said state funds available as incentives were limited and highly competitive.

Kurt Houghton said he agreed with the statements made by Mr. Edmunds. He stressed townspeople should not lose the right to vote on any issues and added that was the whole basis for a democratic society.

Michael McMahon said the Australian ballot voting system should extend to the Town Plan, Zoning Regulations and Subdivision Regulations. He compared the 2013 Town Plan and the proposed Town Plan. He discussed land use and zoning districts.

There was a brief discussion regarding electric generation facilities.

Curtis Lidstone indicated the document was too important not to allow citizens to vote on it.

Jim Marquis said municipal officials and community members should work together on the document and then citizens should be allowed to vote on it.

Cecile Betit indicated there appeared to be a level of misunderstanding of purposes relative to the Town Plan and zoning regulations as well as the regional commission's influence. She cautioned against taking away anyone's voice.

Lynn Edmunds said earlier versions of the Town Plan included language warning against the will of boards usurping the will of the people.

There was a discussion regarding Australian ballot voting requirements. B. Brooks said he had been involved in municipal government for over 20 years and the Selectboard had always approved or rejected the Town Plan.

Mr. Bove said Tinmouth and Middletown Springs were the only two Rutland County towns that had taken the required steps to vote on Town Plans via the Australian ballot system. He said Wallingford never took those steps, but he added the Selectboard could place an item on a ballot asking residents whether the Australian ballot system should be used.

Debbie Scranton said the Community Visit meetings held recently had generated community spirit and togetherness. She said it was unfortunate some of the meetings related to the Town Plan update were just the opposite.

The public hearing ended at 7:05 p.m.

The VTrans public hearing for the Route 140E slope side stabilization project began at 7:15 p.m. VTrans outreach coordinator Natalie Boyle provided contact information and written descriptions of the project. VTrans Bruce Martin said the slope was impacted by Tropical Storm Irene and the work involved installing wire mesh on the eroded bank and reconstruction of about 500 feet of roadway and stream bank stabilization on the south side of Route 140E.

Engineer Chris Williams predicted a section of the road would be closed for a month beginning July 16. Ms. Boyle said the official detour was Route 7 to 103. Mr. Martin said the state would install extensive sign packages to alert motorists.

The public hearing ended at 7:25 p.m.

B. Brooks called the regular meeting to order at 7:26 p.m.

Agenda Amendments. Town Clerk and Treasurer Julie Sharon added a petition to the agenda.

Minutes. G. Fredette made a motion that was seconded by M. Tessier to approve the Minutes of the Selectboard meeting on May 21, 2018. Motion carried (4-0). R. Regula abstained since she was not at that meeting.

Pay Orders. N. Tift made a motion that was seconded by R. Regula to approve pay orders totaling \$7649.68 Motion carried (5-0).

Road Commissioner's Report. Road Commissioner Phil Baker said he was gathering estimates for truck bodies and plow packages. He said he would like to go out to bid on paving a section of Route 140W from the entrance of Elfin Lake heading west about a half mile. He said he would pave some side streets if there were funds remaining.

The road commissioner said they would begin the Grants in Aid project on Haven Hill Road on Wednesday.

Michael McMahon asked about Tift Road. Mr. Baker said FEMA was working on plans.

Grants in Aid Letter of Interest. M. Tessier made a motion that was seconded by R. Regula to sign the Letter of Intent to apply for a Grants in Aid project to address drainage issues on a hydrologically connected road. Motion carried (5-0).

Public Comments. None.

Town Plan. Jason Stone said the board should take up the petition regarding the Australian ballot vote on the Town Plan.

G. Fredette said he had thoroughly read the Town Plan twice and saw no indication of the erosion of voter or property rights.

J. Sharon offered the petition to the Selectboard that was submitted by citizens. She verified 225 registered voters had signed it.

B. Brooks read the petition aloud. He concurred with G. Fredette that he too had read the Town Plan and found no examples of language trampling on anyone's rights. He said there had not been one instance in over the past 20 years of someone being prohibited from doing something on his or her property as a result of language in a Town Plan.

Both G. Fredette and B. Brooks agreed the recent Community Visit meetings had generated considerable good will and many of the ideas supported in those meetings were similar to action items in the Town Plan.

There was a lengthy discussion regarding whether the document was a plan or a vision and what impact it had on zoning regulations.

Steve Berger, Debbie Fredericks and other residents cautioned against adopting the Town Plan in order to secure grants. Michael McMahon noted planning commission minutes from April 9, 2018 indicated the document would not be submitted to the Selectboard until all corrections had been made. He asked if that had occurred.

Lynn Edmunds said his concerns would be satisfied if residents voted on the Town Plan.

G. Fredette made a motion that was seconded by M. Tessier to accept the Town Plan as written.

B. Brooks said the Selectboard heard everyone's concerns and were mindful of the petition to vote on future documents. He urged citizens to participate in the upcoming zoning regulation revision process.

M. Tessier added the Town Plan could be amended at any time moving forward and it was not a static document.

N. Tift said the petition had made an impression upon him. R. Regula said she agreed with N. Tift.

Motion to accept the Town Plan as written carried (4-1). R. Regula voted in the minority.

B. Brooks said he wanted to reassure everyone once again the board had heard their concerns and urged citizens to stay involved.

A number of residents expressed concern regarding the tenor of planning commission meetings during the Town Plan update process.

Selectboard Concerns. G. Fredette said he heard from a citizen regarding the need to pave Route 140W and patch potholes.

Other Business. B. Brooks made a motion that was seconded by G. Fredette authorizing repairs to stones at the Sugar Hill Cemetery on June 12. Motion carried (5-0). By consensus, the board agreed the road crew should drop a load of fill off at the cemetery before that date.

By consensus, the board agreed the raft would not be installed at Elfin Lake this summer.

S. Switzer said Vt. Roofing would be replacing loose slate on Tuesday and Tom Jones would be repairing the chimney later in the week.

M. Tessier made a motion that was seconded by R. Regula to accept the petition seeking a vote on the Australian ballot system for the Town Plan, zoning and subdivision regulations. Motion carried (5-0).

The meeting adjourned at 9:14 p.m.
Sandi Switzer, Town Administrator

Date Approved: 06/21/18