

Wallingford Selectboard Meeting
Minutes
May 18, 2020

Selectboard Members Present: Bruce Duchesne, John McClallen, Patricia Pranger, Rose Regula, and Nelson Tift. The meeting was held via audio conference call.

Others present: Sandi Switzer, Phil Baker, Shannon Pytlik, Diane Baker, Sharon Nimtz, Brian Finch, Michael Luzader and Gary Fredette.

The meeting was called to order at 6:30 p.m.

Agenda Amendments. By consensus, the Board added the newly approved S.344 legislation regarding abating property tax penalties and interest during COVID-19 as well as year-end committee/commission budgets to the agenda.

Minutes. P. Pranger made a motion that was seconded by R. Regula to approve the 04/20/20 Minutes. Motion carried (5-0). B. Duchesne made a motion that was seconded by P. Pranger to approve the 05/18/20 Minutes. Motion carried (5-0).

Pay Orders. P. Pranger made a motion that was seconded by R. Regula to approve the pay order total of \$33,693.46 after \$15.89 was added for Zoom Conference Calling. Motion carried (5-0).

COVID-19. Recreation Committee member Diane Baker said the recreation committee would be meeting the following night to discuss operating the summer program under the state's COVID-19 requirements. She asked about usage of Elfin Lake during the weeks the program would run in late July and August. A discussion ensued regarding the challenges of closing the lake and restroom facilities to the public for the season while allowing it to be used by summer program participants. Board members expressed concern that it would be difficult for the program co-directors to meet all the requirements issued by the state in order to operate a summer program.

There was a discussion regarding the governor's Addendum 13 related to use of outdoor recreational facilities, including basketball and tennis courts, during the pandemic. B. Duchesne noted there were a number of directives from the state, including signage, ensuring either Vermonters or only those who have quarantined for 14 days use the facilities, safe distancing guidelines, and no contact sports. After further discussion, B. Duchesne made a motion that was seconded by J. McClallen to maintain the status of the recreation area with the basketball court, tennis court and playground equipment closed and use of recreation fields at own risk. Motion carried (5-0).

Michael Luzader asked the board to consider allowing a responsible group of local youngsters to organize 4 on 4 basketball games with spectators viewing from their vehicles to avoid congregating. Board members questioned how organized games would be possible while maintaining 6 foot distances. N. Tift responded the Selectboard was charged with the

responsibility of obeying state law, and he added as a law enforcement officer he was obliged to uphold laws. He noted he had recently observed more than a dozen people sitting in close proximity beside the basketball court despite safe distancing guidelines. After further discussion, the matter was tabled until the June 1 meeting with Mr. Luzader offering to contact neighboring towns of similar size to inquire how they were operating their facilities.

Board members reviewed a written request by Planning Commission Chair Erika Berner to use the second floor of Town Hall for the June 3 meeting with members of the public being allowed to attend in order to offer input related to draft zoning setback regulations. After a brief discussion, board members by consensus denied the request as the state under COVID-19 only allows gatherings of 10 people or fewer with safe distancing requirements.

Great Elfin Lake 5K Race. Board members were made aware that race organizer Kelly Dilonno cancelled the 5K race this summer due to COVID-19 concerns.

Stone Meadow Survey. By consensus, the Board approved the Stone Meadow survey as submitted by Conservation Commissioner Carol Macleod. The survey will be published in the June municipal newsletter.

Vendor Permit. By consensus, the Board agreed the Town Clerk and Treasurer should continue to issue Vendor Permits.

Mowing Schedule. Board members reviewed the weekly mowing schedule in light of some municipal facilities being closed due to COVID-19. It was discussed that Elfin Lake and the recreation area may not need to be mowed weekly since both facilities were closed. N. Tift asked if a potential 15-foot riparian forest buffer at the ballfield suggested via Steve Pytlik's email and map be addressed as the weekly mowing would impact it. N. Tift then asked about the buffer with respect to erosion near Otter Creek. B. Duchesne said he had not observed erosion in that area. Board members discussed whether the mowing contractor should be alerted to a potential buffer.

After further discussion, board members agreed to reduce mowing frequency at Elfin Lake and seek input from F.A.S. Trucking and Landscaping regarding mowing at other municipal sites. It was further agreed the board would table action related to a riparian forest buffer at the ballfield until the Conservation Commission provided input.

Delta Dental Renewal. By consensus, the Board approved the annual Delta Dental renewal with no changes.

Public Comments. Shannon Pytlik indicated she had observed erosion along Otter Creek near the ballfield. She questioned why the topic was being discussed as it was not on the Agenda. It was noted mowing was on the agenda and the 15-foot riparian forest buffer suggested by Steve Pytlik would be impacted by mowing. Ms. Pytlik then detailed specific areas of erosion she had observed along Otter Creek. The audio cut in and out prompting N. Tift to recommend Ms. Pytlik forward the information in a memorandum to the town administrator.

Road Commissioner Report. Road Commissioner Phil Baker reported the new excavator had arrived and was used for the Hartsboro Road ditching project. There was a discussion

on seasonal paving and it was agreed Mr. Baker would set the priority list and work with the town administrator on a Request for Proposal to send out to contractors. Mr. Baker said his paving list included a section of Hartsboro Road, Franklin Street, Green Hill Lane, Deerfield, a section of Waldo Lane and the east end of Church Street. The FY'21 budget includes \$55,000 for paving.

Mr. Baker described the VTrans Structure Grant application submitted by the town administrator for the bridge at the intersection of River, Maple and Creek. A portion of the bridge retaining wall was being held up by a log.

R. Regula said she was asked by residents why the Town truck was at a water main leak Mr. Baker repaired near the Maple and River Street intersection. Mr. Baker said the road foreman was delivering a Road Closed sign.

S.344. Board members reviewed a copy of new state legislation granting legislative bodies the authority to waive property tax penalties and interest due to COVID-19 for a specified period of time. This agenda item was added at the outset of the meeting as the legislation had just passed.

By consensus, board members agreed to continue the regular Board of Abatement process for property tax relief requests.

Year-End Committee/Commission Budgets. This agenda item was added at the outset of the meeting in an effort to provide clarity regarding committee/commission line items in the FY'20 budget as the end of the fiscal year approaches. B. Duchesne indicated all remaining funds should be part of the general fund to be carried over into the next fiscal year in order to reduce the amount to be raised in taxes.

Ms. Pytlik questioned why the budget was being discussed as it was not on the agenda. She said other topics such as the lake closure and the ballfield discussed at previous meetings were not on prior agendas. Board members responded agendas included COVID-19 as a topic in order to address the governor's weekly addendums with directives on subjects such as recreation, which lead to Board discussions and decisions on how best to meet those directives.

After further discussion, board members tabled the committee/commission budget conversation until the June 1 meeting and requested the town clerk and treasurer to attend.

Appointments. By consensus, the Board appointed Erika Berner and Ken Fredette as representative and alternate respectively to the Rutland Region Planning Commission and John McClallen and Ken Fredette respectively to the Rutland Region Transportation Council.

Board members indicated they had received requests from Kathy Luzader and Tabitha Davis to be appointed to the Recreation Committee. R. Regula asked whether there was a conflict with Ms. Luzader's husband being a member of the Recreation Committee. J. McClallen said Ms. Luzader could be involved without being a member as had been the case for other couples who were active on municipal committees. He cited as examples Ralph and Sharon Nimitz and Debbie and Bill Scranton. B. Duchesne made a motion that was seconded by P. Pranger to appoint Tabitha Davis to the Recreation Committee. Motion carried (5-0).

Ms. Pytik then offered to serve on the Recreation Committee. No action was taken by the Board. R. Regula suggested Ms. Pytik send her request to the town administrator.

Water at the Ballfield. It was noted that Prudential Committee members from Fire District #1 had waived water bond payments should the Town install a spigot at the pump house near the recreation area.

Board members expressed appreciation to the Prudential Committee for that decision. P. Pranger made a motion that was seconded by R. Regula to table a decision on installing a spigot until the Board learned whether Wallingford Day would proceed as organizers had requested water at the ballfield. Motion carried (5-0).

Selectboard Concerns. None.

Other Business. There was a discussion regarding Weatherization Works report following an energy audit of Town Hall. P. Pranger said a priority list would be developed in order to address major concerns. It was agreed a representative from Weatherization Works would be invited to a June meeting.

Board members indicated they would discuss unused employee vacation time in light of COVID-19 at an upcoming meeting.

Executive Session. B. Duchesne made a motion that was seconded by R. Regula that premature general public knowledge regarding possible civil litigation with the Town of Tinmouth and Stan Taylor would put the Town of Wallingford at a substantial disadvantage by disclosing negotiation strategy. Motion carried (5-0).

B. Duchesne made a motion that was seconded by R. Regula to enter executive session at 8:56 p.m. for confidential attorney-client communications made for the purpose of providing professional legal services to the body. Motion carried (5-0).

P. Pranger made a motion that was seconded by R. Regula to exit executive session at 9:16 p.m. Motion carried.

By consensus, the Board directed the town administrator to provide Attorney Charles Merriman with feedback regarding the Memorandum of Understanding.

The meeting adjourned at 9:18 p.m.

Date Approved: 06/01/20

Sandi Switzer/Town Administrator