

Wallingford Selectboard Meeting  
Minutes  
July 6, 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: Julie Sharon, Sandi Switzer, Gary Fredette, Randall Chapman, Frank Chapman, Julie Baker, Art Peterson, Nanci McGuire, Andres Torrizo, Ellie Frederick, Eric Vernon, Mike Frederick .

Selectboard Chair Nelson Tift called the meeting to order at 6:30 p.m.

**Agenda Amendments.** Table Driveway Policy and Equipment Loan.

**Minutes.** B. Duchesne made a motion that was seconded by P. Pranger to approve the 06/15/20 Minutes. Motion carried (5-0).

**Pay Orders.** R. Regula made a motion that was seconded by P. Pranger to approve the pay order total of \$22,353.50 after \$14 added for Initial Ideas for a Town Hall sign. Motion carried (5-0).

**Stormwater Grant Application.** Rutland Natural Resources Conservation District's Nanci McGuire provided an overview of a grant available for 100 percent design with no local match of the Wallingford Elementary School project identified in the Stormwater Master Plan.

N. Tift asked if the Town would be liable to see the project through to fruition. Ms. McGuire said there would be no obligation to proceed to construction.

B. Duchesne asked about grant administration. Ms. McGuire said she would administer the grant, including going out to bid. She said board members could review bids and select the contractor.

B. Duchesne noted the project was on school property and said school officials should be involved. Ms. McGuire noted Buildings and Grounds Director Gary Marcy was included in conversations about the WES project during the Stormwater Master Plan phase and was alerted by the town administrator of the 100 percent design grant application. She said Mr. Marcy expressed support for moving ahead with the design.

J. McClallen asked about maintenance of the system if it was constructed. Mr. Torrizo said it was a low maintenance system and responsibility for overseeing maintenance would be worked out during the design phase.

N. Tift asked about impacts on Route 140E. Mr. Torrizo responded contractors would work with VTrans to seek necessary permits and use of the catch basin. This would all be part of the design phase, he said.

B. Duchesne noted a Fire District #1 water line on the property that would prevent anything deeper than three feet in the relative areas. Mr. Torrizzo said the bottom of the system chamber was seven feet and the foot print of the project could be adjusted. Mr. Torrizzo said there were numerous benefits for the project ranging from flood mitigation to water quality improvement. He said the state could require implementation of such projects in the future without funding, therefore, he said it would be wise to take advantage of grants while available.

N. Tift polled the board regarding moving forward with the grant application. All favored applying for the grant except J. McClallen who opposed it. Board members directed the town administrator to write a letter of support for the grant application.

**Mitchell Road.** Eric Vernon said he met with J. McClallen and N. Tift, the fire chief and fire warden on site to discuss access to properties via Mitchell Road. He said a tree should be removed, a boulder should be removed, and no one should be blocking the north access entrance point.

N. Tift responded the Town had received legal advice related to use, maintenance and regulation of trails from a Vermont League of Cities and Towns attorney and the town administrator would forward that opinion to interested parties. He noted a road crew member had visited the trail and indicated a vehicle would be able to maneuver up it. Mr. Vernon disagreed with that opinion. Mike Frederick said a pickup truck could get up the trail.

Randall Chapman asked if the Board had received son Luke Chapman's letter. Board members confirmed receipt. He said his son planned to build a home in the vicinity and large vehicles would be utilizing the trail. Mr. Frederick said there were three Rights of Way to the properties on Mitchell Road.

Mr. Chapman called for a halt to the harassment of motorists, while Mr. Frederick asked for motorists to show Ellie Frederick some courtesy while driving through her property. He said no one ever denied use of Mitchell Road, but he said vehicle operators should be utilizing the south entrance. Frank Chapman requested the Board write a letter to Ms. Frederick declaring there was "unlimited rights to travel" through her driveway to properties on Mitchell Road. N. Tift said this was a civil matter and the Board would not take sides.

B. Duchesne reminded everyone the Town adopted a Trail Policy and suggested interested parties review it.

After further discussion, the matter was closed with no action from the Board.

**Road Commissioner Report.** Road Commissioner Phil Baker did not attend the meeting.

**Year End Financials.** Town Clerk and Treasurer Julie Sharon presented preliminary year-end figures for FY' 20.

Board members agreed to roll \$865 and \$50 in donations to the Conservation Commission into a Certificate of Deposit; roll \$1,382.62 of the Communications Group funds into FY'21 #4553 income; and roll \$9,949.02 of Wallingford Day funds into FY'21 #4554 income. They further directed payments totaling approximately \$7,000 be made to Marcell Oil, Pike Industries, Inc. and Wallingford Crushed Stone out of the Highway Budget as part of a June

30 pay order as well as \$660 out of the Recreation Budget for Hubbard's for portable restrooms.

**Public Comments.** None.

**Conservation Commission Items.** J. McClallen asked if the Town had considered a merge between the Conservation Commission and the Recreation Committee. He said it could be a Parks and Recreation Committee. B. Duchesne agreed. N. Tift asked the town administrator to seek input from both groups.

N. Tift acknowledged Rules of Procedure documents had been sent to the Conservation Commission co-chairs to assist with meeting management.

**COVID-19; Elfin Lake.** N. Tift provided an overview of his daily visits to Elfin Lake with a high attendance of 38 people on the July 4<sup>th</sup> weekend. J. McClallen said Leave No Trace signs should be installed.

There was a discussion about use of the state Dept of Agriculture lab facilities in Randolph for weekly Elfin Lake water tests since the state Dept. of Health was not testing recreational water. Samples would have to be collected and delivered to Randolph within 8 hours. After discussion, the Board opted not to test the water as the lake was closed for the summer. They further opted not to install a portable restroom at the lake.

**Conservation Commission Items.** Conservation Commission Co-Chair Carol Macleod joined the meeting. She noted a Rutland City Pine Hill Park official had visited Stone Meadow and offered suggestions for bike jumps. She said after some modifications to the trail, the commission no longer objected to the bike jumps. Ms. Macleod recommended the Town seek input from VLCT for liability purposes.

J. McClallen said the potential for injury was high and he did not want the Town responsible for anyone getting injured. After further discussion, the Board agreed to invite VLCT's Wade Masure to meet with Recreation and Conservation representatives as well as Shannon Pytlik to review the bike jumps.

B. Duchesne asked Ms. Macleod to consider a merge between Conservation and Recreation. She said she would be joining the Recreation Committee's meeting on July 13 and would raise the idea.

**Zoning Administrator Resignation.** R. Regula made a motion that was seconded by P. Pranger to accept Zoning Administrator Jeff Biasuzzi's resignation effective August 1 and send him a letter with work email and document instructions. Motion carried (5-0).

**Selectboard Concerns.** None.

**Other Business.** Town Administrator Sandi Switzer said approximately 35 pallets were being decorated as part of a Wallingford Day exhibit around town.

J. McClallen asked a letter be sent to John Squier thanking him for weed whacking roadside areas near the transfer station.

**Employee Evaluations.** Board members reviewed annual written employee evaluations. By consensus, the board approved hourly rates starting July 1 as follows:

Charlie Woods \$20.96; Kyle Eastman \$18.73; Steve Lanfear \$23.19; Jill Stone Teer \$15.39; Art Nemeth \$14.25; and Jim Regula \$15.00.

**Taylor Property.** P. Pranger made a motion that was seconded by B. Duchesne 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).

P. Pranger made a motion that was seconded by R. Regula to enter executive session at 8:12 p.m. with the town administrator for confidential attorney-client communications made for the purpose of providing professional legal services to the body. Motion carried (5-0).

Board members exited executive session at 8:55 p.m. By consensus the Board directed Attorney Charles Merriman to send the Town of Tinmouth attorney the Memorandum of Understanding drafted by Mr. Merriman and approved by the Wallingford Selectboard for review and approval. Otherwise, the Board declined to sign the Tinmouth Memorandum of Understanding without further revisions including elimination the joint committee without a survey to rely upon, returning to the 2017 grand list status, and setting a goal of leaving it at the 2017 status in perpetuity.

J. McClallen said he did not support Green Mt. National Forest's plan to remove Feller Brook Trail and Wallingford Pond Spur C from the trail system.

The meeting adjourned at 9:28 p.m.

Date Approved: 07/20/20

Sandi Switzer/Town Administrator