

Wallingford Selectboard Meeting  
Minutes  
September 8, 2020

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

Others present: Sandi Switzer, Gary Fredette, Debbie Scranton, Carol Macleod, Tammy Heffernan, Brian Finch, Shannon Pytlik, Ralph Nimitz, Gary Lieb, Art Peterson, Keith Shelvey, Trisha Nash, Lucy Duda, Stan Pawlaczyk, Kyle Medash, John Broker-Campbell, John Armstrong, Naomi Armstrong, and Phil Baker.

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

**Agenda Amendments.** Added request from Eileen Shannon to use the second floor for Bone Builders.

**Minutes.** R. Regula made a motion that was seconded by P. Pranger to approve the 08/17/20 Minutes. Motion carried (5-0).

**Pay Orders.** R. Regula made a motion that was seconded by P. Pranger to approve the 09/09/20 pay order total of \$15,598.31 after \$675 was added for F.A.S. Trucking and Landscaping for mowing. Motion carried (5-0).

**Road Commissioner Report.** N. Tift said the Grants in Aid deadline is approaching and the road crew should be instructed to finish the work on Hawkins Road this week. It was agreed by consensus the road crew should temporarily halt hauling sand to complete the grant work.

N. Tift said Road Foreman Steve Lanfear is back to work fulltime but will not be operating heavy equipment until after the Selectboard meets on 09/21 out of concern he does not overdo it. Board members agreed Charlie Woods should continue to run the heavy equipment.

Road Commissioner Phil Baker then arrived at the meeting and said more grading needed to be done. He agreed Hawkins Road grant work was a priority this week and then the road crew could haul sand next week.

Town Administrator Sandi Switzer asked about a discrepancy she discovered in the Driveway Access Policy and the Driveway Access Permit. Mr. Baker agreed both documents should require a three percent grade from the driveway to the road.

The town administrator said the state still had not secured winter salt contracts.

Trisha Nash asked about the basketball court bids. N. Tift responded Pike Industries was the only bidder at \$22,800 and that did not include line striping or painting. Ms. Nash said she would discuss the bid at the Recreation Committee meeting on Monday. She would then provide feedback to the Selectboard.

R. Regula asked about the repairs needed to Maple Street after a water leak was fixed. Mr. Baker said he would take care of paving it along with a section on River Street and Route 7.

N. Tift informed the road commissioner the Town of Clarendon requested revised speed limits on a few connecting streets. He said the matter would be addressed at the next meeting.

**Skateboard Ramp Permit.** Keith Shelvey asked what permit was needed to install a skateboard ramp at the ballfield since it was in a special floodplain zone. State Floodplain Regional Manager Kyle Medash explained Mr. Shelvey would need to secure a municipal Zoning Permit for the special flood zone. The project would require special materials and extra efforts to anchor the ramp. Mr. Medash said thorough documentation was required, including before, during and after photographs, details of materials used (screws, anchors etc.), what depth and types of anchors/bolts used. A sketch must be provided to the Town. State Dept. of Environmental Conservation official John Broker-Campbell said the zoning administrator must present the draft permit and plans to Mr. Medash for approval prior to issuing a permit.

B. Duchesne asked Mr. Medash how he learned of the project. Mr. Medash responded it was brought to his attention by someone in the state Rivers Program.

Mr. Shelvey said he wanted to act upon this project soon as G.E. in Rutland had offered funding and labor. He agreed to contact the zoning administrator in order to begin the permit process.

**Public Comments.** None.

**State Education Funding and School Discussion.** N. Tift explained to Brian Finch the Board had read his email and had no control over state education spending or education tax rates. Mr. Finch said he wanted to open a dialogue in the community on a number of education matters ranging from operations of schools, Zoom classes, extending services, childcare, and organizing community efforts to fill the gaps.

Board members agreed this was not a Selectboard matter, but rather a worthy project for volunteers.

**Armstrong Dog Complaint.** Board members acknowledged receipt of reports filed by Dog Warden Joseph Elwell related to an incident on 08/27/20 involving John and Naomi Armstrong's dog and Jeff and Patty Plesko. There was a lengthy discussion in which Naomi Armstrong said the dog was not on a leash, but she said it was under her supervision. She acknowledged the dog was a rescue and very protective. There was a discussion as to whether the dog was off the property. The Pleskos had reported it approached them and their small dog in an aggressive manner off the property.

N. Tift recommended the Armstrongs construct at least a partial fence or have the dog on a leash or chain when outdoors. Ms. Armstrong responded she feared chaining the dog would break its spirit.

B. Duchesne pointed out there was an Animal Control Ordinance and if the animal was charging at people it was not under the owner's control. He noted the dog warden had

recommended issuing a citation as this was the second complaint in three months about the same dog. After further discussion, the Board by consensus agreed to issue the Armstrongs a municipal ticket for a nuisance animal off the property.

N. Tift urged the Armstrongs to address the issue so there is not a repeat incident in the future.

**Stone Meadow Bike Jumps/Trails.** B. Duchesne said he had noticed in the Conservation Commission Minutes there was a discussion about bike trails leading to Lodge Lane. He advised Conservation Commissioners to check with Fire District #1 officials before pursuing the plan to ensure ownership of the land/road in question. Conservation Commission Co-Chair Carol Macleod agreed.

There was a discussion about a proposed plan submitted by Ms. Macleod that featured bike jumps/trails separated by at least 20 feet from all walking/hiking trails at Stone Meadow. Ms. Macleod asked if the Selectboard would support the plan if the Recreation Committee agreed with it.

Recreation Committee Chair Trisha Nash said VLCT's Wade Measure wanted all bike activities separated from walking/hiking trails. She added folks interested in bike jumps should provide the labor if both groups supported the plan.

Conservation Commission Co-Chair Ralph Nimitz said he supported continued bike use on the main trail from the parking lot to Elfin Lake to ensure youngsters had safe access to the lake rather than traveling on Route 140.

P. Pranger said the main trail was five feet wide and could support bike use.

N. Tift asked Ms. Macleod to alter the kiosk signs to indicated bikes were only allowed on the main trail.

Debbie Scranton relayed an incident whereby she was walking the Rim Trail with her dog and sister when a bike ridden by Steve Pytlik "nearly hit me." She said in the past she had been supportive of bike use on trails, but she said that incident changed her mind.

After further discussion, board members expressed support for the draft plan. Ms. Macleod agreed to meet with the Recreation Committee on Monday.

**Flag Football.** B. Duchesne asked if flag football was separate from the school district and it was his understanding schools that did not have in-person education could not hold athletic events. Art Peterson said flag football was separate from the school and he thought that state requirement applied to the elementary school.

Mr. Peterson outlined his plan for 7 on 7 flag football activities. The board reviewed the screening questionnaire, waivers, releases and other documentation. There was a discussion regarding face masks, temperature checks conducted by the event organizers, safe distancing among spectators and participants, and other state requirements related to COVID-19.

Shannon Pytlik asked why the board would entertain allowing flag football when the Summer Recreation Program and Elfin Lake use were not offered this year. She also asked for a public apology regarding a comment she said was made earlier indicating her children had built bike trails at Stone Meadow.

The town administrator asked whether the Recreation Committee had endorsed the program. Ms. Nash said the Recreation Committee supported it. She offered in her capacity as health officer to assist Mr. Peterson in order to comply with state regulations.

By consensus, the Board agreed to support the program as long as Mr. Peterson ensured the following; all participants sign waivers releasing the Town of any liability; organizers conduct the temperature checks for every gathering; daily logs were maintained for contact tracing; all state COVID-19 requirements must be followed; and the Town health officer be consulted prior to the start of the program to ensure proper procedures were being followed.

**Local Hazard Mitigation Plan.** Board members praised the group drafting the Local Hazard Mitigation Plan for producing a well written document. No additional comments or recommendations were made.

**Zoning Administrator.** R. Regula made a motion that was seconded by P. Pranger to appoint Erika Berner as zoning administrator for the remainder of the current term to expire in February 2022. Motion carried (5-0).

**Auditor.** P. Pranger made a motion that was seconded by R. Regula to appoint Barbara Kaminski as auditor. Motion carried (5-0).

B. Duchesne recommended the board consider budgeting funds to pay for a professional audit every few years.

**Selectboard Concerns.** None.

**Bone Builders.** B. Duchesne made a motion that was seconded by J. McClallen to approve Eileen Shannon's request to hold Bone Builder classes at Town Hall on Tuesday and Thursday mornings from 9:00 a.m. to 10:00 a.m. provided they assist with cleaning costs. Motion carried (5-0).

It was agreed there was be no use of bathroom facilities for the classes.

**Stan Taylor House.** Board members agreed on the following:

~Wallingford Selectboard accepts Tinmouth Lister Gail Fallar's email dated 08/18/20 that she removed the Stan Taylor house from the Tinmouth's 2020 Grand List as the permanent resolution to this matter unless or until Tinmouth provides fact based documentation to dispute the resolution.

~Dean Russell of Russell Graphics, who provided property mapping services for both Tinmouth and Wallingford, acknowledged in an email sent to Wallingford Contract Assessor Lisa Wright on 01/07/19 that his representation of the Tinmouth/Wallingford line on the property maps "is most likely not accurate."

~ The Town of Wallingford considers action taken by the Selectboard in August of 2017 resulting in the removal of Stan Taylor's house from the grand list through the Errors and Omissions process to be a contractor error on Assessor Lisa Wright's part.

B. Duchesne requested the Town of Wallingford's Memorandum of Understanding and Tinmouth's revised Memorandum of Understanding (refused by the Town of Wallingford) be placed in Stan Taylor's permanent file. Gail Fallar's email dated 08/18/20 and Dean Russell's email dated 01/07/19 will also be placed in the file.

The Board directed the town administrator to instruct Attorney Charles Merriman to take no further action with regard to this matter.

**Other Business.** Board members congratulated the town administrator on news the state audit of six VTrans grants awarded to the Town over the past three years resulted in no findings.

The town administrator noted Rep. David Potter, a member of the House Transportation Committee, reported Class 2 paving and structure grants would be proportionately awarded to all municipalities rather than a select few in late October upon approval by the legislature.

J. McClallen said he would be working on a plan to reclaim the Right of Ways in town that had overgrown trees and brush.

The meeting adjourned at 9:18 p.m.

Date Approved: 09/21/20

Sandi Switzer/Town Administrator