

Wallingford Selectboard Meeting  
Minutes  
March 21, 2022

Selectboard Members Present: Carolyn Behrendt, Bruce Duchesne, Justin Jankus, Kathy Luzader, and Nelson Tift.

Others present: Sandi Switzer, Julie Sharon, Steve Lanfear, Phil Baker, Erika Berner, Bruce Dobbins, Lisa Cotrupi, Andres Torizzo via speakerphone, and Greg McCormack.

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

**Agenda Amendments.** By consensus, the Board approved the agenda with no changes.

**Minutes.** K. Luzader made a motion that was seconded by B. Duchesne to approve the 03/07/22 Meeting Minutes. Motion carried (5-0).

**Pay Orders.** K. Luzader made a motion that was seconded by B. Duchesne to approve the 03/22/22 pay order total of \$43,318.24. Motion carried (5-0).

**Honorable Mentions.** N. Tift said a group of volunteers meet each month at Town Hall to fold and label newsletters prepared by Editor Julie Sharon for townwide distribution; K. Luzader said the block placed at Elfin Lake as part of an ice out Wallingford Day fundraiser fell through the ice earlier in the day and the raffle winner would be notified.

**Public Comments.** None.

**Road Commissioner's Report.** Road Commissioner Phil Baker said parts arrived for the 2014 Kenworth and it should be repaired within the next 10 days. He said the International purchased from Clarendon would need to be repaired once the Kenworth was back in use. Mr. Baker said the road crew had spent the day hauling sand.

**Storm Water Design for Wallingford Elementary School.** Watershed Consultant's Andres Torizzo joined the meeting via speakerphone. He said the deadline for the grant obtained by Rutland Natural Resources Conservation District (RNRCD) with the Town's support to create a storm water design at Wallingford Elementary School (WES) was the end of the month. He said grant deliverables included a site plan, bid documents, cost estimates, and permit applications, specifically a VTrans Access Permit and municipal permits. Mr. Torizzo said state river, wetland and flood plain officials had all signed off on the project.

Mr. Torizzo asked who to identify on the VTrans Access Permit application as owner/applicant and who would pay the \$100 permit fee. N. Tift responded the Town supported moving forward with the design and should pay the fee. By consensus, the Board agreed and directed Town Clerk and Treasurer Julie Sharon to issue a check. By

consensus, the Board agreed the Town would sign off as applicant for the VTrans Access permit.

Zoning Administrator Erika Berner said the WES design would require a municipal Building Permit. She cautioned if the design impacted abutters than it may need to go before the Develop Review Board for a variance with a public hearing required. She noted WES property is owned by Mill River Unified Union School District so Mill River would be listed as owner and the Town would be listed as applicant on the permit application and permit. Mr. Torizzo agreed to list both the school and the Town on the permit application, arrange for MRUUSD's Gary Marcy to sign the application, and forward the documents to the Town by the week of March 28.

**Road Commissioner's Report.** Road Commissioner Phil Baker said the road crew worked on Sugar Hill Road earlier in the day. Road Foreman Steve Lanfear said Sugar Hill was really soft and needed material to get it in shape.

Town Administrator Sandi Switzer said the VTrans paving grant application was due April 15<sup>th</sup>.

**Grader Estimates.** The Board reviewed estimates including the Galion trade-in obtained by Mr. Baker from Milton CAT \$266,500, United Construction and Forestry (John Deere) \$282,000, and Beauregard (Case) \$278,900. Mr. Baker said all machines were equivalent in horsepower, weight, blade size. He noted CAT offered the best warranty at 7 years/2500 hours over John Deere's 5 years/2500 hours. He said Case had a three-year full service plan. J. Jankus asked about details of the Case service plan. Mr. Baker said it included onsite repairs and parts.

Mr. Lanfear recommended purchasing the Milton CAT. He said the Town purchased a CAT backhoe in 2011 and the only repairs were new batteries and a couple of hoses. He said CAT's 7 year warranty was a big plus. J. Jankus asked whether the 2500 hour warranty limit would span the 7 years verses 5 years offered by John Deere. Mr. Lanfear said the Town's 22-year-old grader had 10,000 hours. B. Duchesne said it made sense to continue with CAT products since the Town had good experience with the equipment in the past. K. Luzader said the CAT sounded like a win-win as the road foreman preferred it and it was the lowest price with the best warranty.

Town Clerk and Treasurer Julie Sharon provided an overview of financing options. N. Tift asked whether CAT needed a down payment. Mr. Baker said CAT required a signed agreement, but not a down payment. He said it would likely take up to a year to build and deliver the grader. N. Tift recommended securing a 7-year loan for the grader as part of a plan to replace municipal vehicles/equipment on a 7-year cycle for higher trade-in value and fewer repair costs. J. Jankus noted at the end of the 7-year loan the grader would be paid off and the Town could then make a decision as to its future needs based on a higher trade-in value. He said the Town's 20 year old grader was valued by CAT at just \$25,000. N. Tift said the Revenue Augmentation Trust could be used to replace the Town's salt

shed rather than pay off the grader. J. Sharon said the Town would have to revisit bank loan interest rates when the first grader payment was due.

After further discussion, J. Jankus made a motion that was seconded by C. Behrendt to purchase the Milton CAT at a cost of \$266,500 after trade-in with a 7-year loan (secured upon delivery of the grader). Motion carried (5-0).

**Summer Recreation Program.** Summer Recreation Program Co-Director Lisa Cotrupi said the Town would be offering a four week program this summer. She said she would organize the program and Co-Director Lawrie Roundy and Counselor Debby Neubert would run it. Ms. Cotrupi said she would fill in as needed. She explained she would like to add a junior counselor in training component to the program to give up to four youngsters who age out of the program the opportunity to still be involved. Ms. Cotrupi said they would not be paid, but would have the opportunity to attend, assist counselors, and mentor youngsters. C. Behrendt said the Recreation Committee in the past had discussed initiating a Counselor in Training (CIT) program and there were CIT programs elsewhere in Rutland County that charged a nominal fee for incidental costs. She said it would engage youngsters, build confidence, and provide the opportunity to obtain skills needed as they enter the workforce. Ms. Cotrupi agreed to provide the Board with more information at the April 4 meeting.

K. Luzader asked Ms. Cotrupi to prepare a detailed description of Summer Recreation Program finances. Ms. Cotrupi agreed. There was a discussion about the FY'23 Field Trip line item reduced from \$2,000 to \$1,500. B. Duchesne said co-directors would need to plan accordingly in order to stick within the budget. Ms. Cotrupi agreed and offered to provide the Board with details of past field trips. C. Behrendt said perks like field trips were needed to boost camp attendance.

**Cannabis Article Approved at Town Meeting.** N. Tift said the language in the cannabis Article approved at Town Meeting was verbatim from a submitted petition. Planning Chair Erika Berner said the affirmative vote meant the Town would opt-in for retail cannabis sales, but she said it did not include the necessary language to amend zoning regulations. She read the language in current zoning that specifically prohibited marijuana dispensaries. She explained it would require Town approval via Australian ballot at a special election or during the August primary to amend zoning to allow a cannabis dispensary with permits to operate.

J. Jankus asked about a provision in state statute prohibiting local regulations specifically against cannabis dispensaries or producers. Ms. Berner said the Town regulation was in effect before the state statute was approved. She said the only recourse was to amend zoning. J. Jankus said marijuana dealt with plants that had .03 percent and above, while cannabis and cbd were below the .03 level. He said technically the Town could host a cannabis dispensary because it was not marijuana. Ms. Berner responded zoning would need to be clarified and she recommended a public hearing prior to a vote to address this subject. She added there were cannabis retailer buffer zones that would eliminate a good portion of the village. She noted neighborhood/commercial zones would be the only

locations to allow dispensaries without a variance if voters approved amending zoning. J. Jankus said growing and/or packaging operations would be permitted in agricultural zones.

**Local Emergency Management Plan.** N. Tift said the town administrator had updated the annual Local Emergency Management Plan (LEMP). B. Duchesne made a motion that was seconded by K. Luzader authorizing N. Tift to sign the document. Motion carried (5-0).

**Elfin Lake Applications.** By consensus, the Board approved hiring Ethan Kenny as an Elfin Lake public beach lifeguard and Annika Heintz, Charlotte Burch, and Emma Lunna as concession stand workers. B. Duchesne noted lifeguard employment was conditioned upon the individual obtaining certification.

**NEMRC Assessor Contract.** By consensus, the Board approved the annual New England Municipal Resources Center agreement for assessor services for \$95/hour and \$47.50/hour travel with senior assessor at \$145/hour.

**ARPA Appointment.** B. Duchesne made a motion that was seconded by K. Luzader to accept the ARPA Committee's recommendation to appoint Gray Wicker to a vacant seat on the committee. Motion carried (5-0).

**Elfin Lake Pass Donation.** By consensus, the Board denied a request to donate an Elfin Lake season pass for a Mount St. Joseph Academy online fundraiser auction. N. Tift said MSJ was a private, Catholic school and the donation would likely be in violation of the separation of church and state rules. K. Luzader she also questioned whether a municipality would be allowed to donate to a private institution. J. Jankus added it was an out of town entity and C. Behrendt said it could open the doors to more fundraiser requests.

**Recreation Committee Mission Statement.** N. Tift read aloud the draft Recreation Committee Mission Statement submitted by K. Luzader and B. Duchesne: Our mission is to serve the needs of the community through quality facilities and parks, and by offering lifelong learning through recreational and cultural programs.

K. Luzader said there was a list of guidelines included with the Mission Statement. J. Jankus noted the guidelines stated Stone Meadow was under the purview of the Conservation Commission and Elfin Lake was a separate entity even though the two properties abutted one another. L. Cotrupi asked if there was further consideration of a merger between Recreation and Conservation. B. Duchesne and K. Luzader responded Conservation Committee members were not in favor of it.

N. Tift said the purpose in drafting a Recreation Committee Mission Statement was to alleviate potential issues in the future among municipal groups by clearly defining their parameters. B. Duchesne suggested anyone interested in joining the Recreation Committee should be provided with a copy of the Mission Statement and Guidelines. J. Jankus added an individual could petition the Selectboard for changes to the document

in the future. He asked if there were Mission Statements for other committees. N. Tift said the Selectboard had not drafted similar documents nor had they recreated a committee from scratch, which he said was the case with Recreation. K. Luzader said the document provided a level of transparency and clear understanding for committee volunteers. C. Behrendt agreed and added it provided guidance that could be amended formally as needed in the future. She supported the creation of Mission Statements for all municipal groups. J. Jankus suggested adding language indicating committee members who are seeking alternative funding sources for special projects must follow the Town's Grant Policy.

J. Jankus made a motion that was seconded by C. Behrendt to approve the Recreation Mission Statement and Guidelines with the additional grant language. Motion carried (5-0). By consensus, the Board directed the town administrator to distribute the Recreation Mission Statement and Guidelines with a signature line to individuals interested in appointment to the committee.

**Selectboard Concerns.** None.

**Other Business.** N. Tift said he had a discussion with ARPA Committee Chair Peg Soule about using funds for a sidewalk grant local match. The town administrator said there was a grant application due in June and Devon Neary from Rutland Regional Planning Commission agreed to assist.

J. Jankus said a resident, Bert Jones, had asked about a shelter for the bus stop and he would direct him to contact Peg Soule for possible ARPA Funds.

N. Tift noted David Hosely had signed and returned the roadside mowing agreement for 80 hours of mowing at \$100 an hour.

N. Tift noted a resident had requested a payment for damages to a mailbox. He said it was the Town's longstanding policy not to pay for damages.

K. Luzader made a motion that was seconded by B. Duchesne to adjourn at 8:12.p.m. Motion carried (5-0).

Submitted By: Sandi Switzer/Town Administrator

**APPROVED THIS 4<sup>th</sup> Day of April, 2022**