

**Middletown Springs Selectboard • Thursday, October 26, 2017**  
**Regular Meeting Approved Minutes**

**BOARD PRESENT:** H. Childress, C. Fenton, P. Kenyon, T. Redfield

**TOWN OFFICERS PRESENT:** L. Castle, Clerk; S. Grimm, Auditor; B. Reed, Road Foreman.

**PUBLIC PRESENT:** John Arsenault; Carl Haynes; Ron Masleh; Nora Rubinstein.

**CALLED TO ORDER:** 7:00 p.m.

**Minutes:** P. Kenyon moved to approve the minutes of the 10/12 meeting; T. Redfield 2<sup>nd</sup>; [*all in favor, motion carried*].

**Public Comment:** Ron Masleh provided a modification of his junk vehicle complaint to the Board. Ron also requested that any potential land transfer to the Fire Company include a perpetual lease-back of the Transfer Station facility. Ron also asked whether there was a master list of public files kept off-site (in people's homes, etc.); none of the Board members know of any public records held away from the Town Office or garage.

**Town Officers:** Laura has gotten some responses regarding notification of delinquent taxes, and will establish a BCA meeting prior to the 11/9 Select Board meeting.

Work is being done at the Historical Society building, which will entail a disruption of electrical service (currently planned for Wednesday November 1 and Thursday November 2).

Auditor Sarah Grimm reported on the auditor's meeting, and asked for updates on policy recording; Herb and Patty will work on digitizing old policies in early November, for better organization and possible revision. The Board noted that we continue to include \$5,000 per year in an audit fund.

**Town Lands:** Bill and Terry met with Josh Carvajal of the Agency of Natural Resources to discuss the West Street property. Josh will put us in contact with an ANR official who can re-evaluate the flooding status of the property, using new water-flow modeling and more detailed elevation mapping. Kit Shaw of the RRPC notified Bill that there is substantial grant funding available for salt containment structures, including garage facilities as well. Bill and the Board are actively working on equipment and material storage solutions that will help to preserve the Town's investments.

The Board applauded the Old Cemetery Task Force for the demo conducted last Sunday at the cemetery. John requested the purchase of some materials for further repair: epoxy, lime cement, etc. P. Kenyon moved to allow John Arsenault to purchase up to \$200 of cemetery repair materials, to be reimbursed by the Town; T. Redfield 2<sup>nd</sup> [*all in favor, motion carried*]. We hope to capitalize on the enthusiasm generated by the Task Force to bring more volunteers into cemetery maintenance and repair.

The Task Force is working to put on a spring informational event, possibly at the Library, to talk about genealogical resources and cemetery practices.

There is still no firm resolution of the best approach to straightening the Gardner monument. John will work with Bill to get topsoil to fill some of the holes left from our repair work.

Regarding the bid for tree work, we have requested a more precise scope of work from Limbwalkers and from Vermont Arborists. The Task Force recommends that the first step of work be trimming and inspection rather than moving immediately to removal. T. Redfield made the case for immediate removal instead; the Task Force believes that the removal will be inevitable, but that the cost and complexity of that project means that won't happen for at least a year, and that trimming will be beneficial in the short term.

The Task Force is working on its final report, which will include a recommendation to establish a standing Cemetery Commission.

The Building Committee is working with the estimator, and would like a review from Fran Robillard (retired fire safety officer of Rutland County). H. Childress moved to authorize the Building Committee to obtain a fire and fire-safety review from Mr. Robillard at an approximate cost of \$500; T. Redfield 2<sup>nd</sup>; [*all in favor, motion carried*].

**Road Foreman:** Recent work has included:

- completing Garron Road bridge
- graveling and leveling roads in preparation for winter
- blacktopped some aprons
- clearing ditches and culverts
- stone-lining ditches and reclaiming water bars
- tree and shrub trimming

Bill will be working on building shoulders for guardrails, and putting up winter sand with Chet McCullen. He'll be replacing four Mountain Road culverts, a driveway culvert on North Street, and a plugged culvert on Spruce Knob.

Bill went to the new General Permitting sessions offered by AOT and ANR. The new project permitting process will entail greater paperwork and a \$3,000 annual fee for the town plus an individual fee per project. He also had a meeting with Terry and Josh Carvajal for final inspection of the Garron Road project, and Josh was satisfied with the work and final conditions.

Better Back Roads has split its grant projects into different work types, and has introduced new design samples for rural road construction projects. The proposed addition of guardrails to sections of Buxton Road has never had a good resolution, but

with these new designs, it is possible that we could do that project and receive Better Back Roads grant support for it. The deadline for application is now November 17<sup>th</sup>, though, so projected work will need to be designed quickly.

Bill also got approval for widening the truck turnaround at the end of Garron, and a new No Outlet sign for the road. There was a complaint about Bill using Town equipment for personal use at his home; upon investigation, it was discovered that he was donating heavy stone from his property to bolster the Garron Road excavation repair, at no cost to the Town.

**Solid Waste:** P. Kenyon asked a State representative to come to the Transfer Station to advise on conditions for electronics collection. The present layout and construction does not facilitate. If we can't find a way to be in compliance, we can elect to not offer the service; we're not mandated by law to have electronic-waste collection.

SWAC's biannual meeting included a preliminary request by the Town of Brandon to join SWAC instead of the Rutland County Solid Waste District. The voters of Brandon will put that to a vote at their Town Meeting.

**Board Orders:** H. Childress moved to approve the board orders as presented; P. Kenyon 2<sup>nd</sup> [*all in favor, motion carried*].

**Other business:** Steven Querrey has volunteered to serve as an enforcement officer for the junk and junk vehicle ordinance. Terry spoke with Lt. Fox of the Rutland County Sheriff's Department about it yesterday as well; Terry advocated for the Sheriff's Department, to prevent the potential for pitting one resident against another. Carl Haynes asserted that we violated the law in enacting the ordinance, and that he considers it null and void; any attempt to enforce it will be challenged in court. H. Childress moved that the Rutland County Sheriff's Department be authorized to act as the enforcement officer for the Town's junk and junk vehicles; P. Kenyon 2<sup>nd</sup> [*all in favor, motion carried*]. We will forward the complaint to the Sheriff's Department and to Town's Attorney for next steps.

Terry reports that the fire company is getting a new ladder truck (the old one didn't pass inspection), thanks in part to a generous donation from Art and Laura Castle. It's a 1989 vehicle, from Pittsford NY, purchased for \$29,000. The new truck is too tall to enter the current garage bays; the Fire Association is investigating options for equipment storage, both at the present site and also at alternative sites.

Deliberations on the proposed off-site work policy are deferred to the 11/9 meeting.

**Adjourn:** H. Childress moved to adjourn; C. Fenton 2<sup>nd</sup> [*all in favor, motion carried*]. Meeting adjourned at 9:08 pm.

Respectfully submitted,  
Herb Childress, Clerk