

## Selectboard Meeting

### Unapproved Minutes

August 28, 2017 6:00 pm

Present: Doon Hinderyckx, Jim Bowen, Tom Schnabel

Guests: Jon Benson, Craig-Able Waste Management, Mason Wade, Toni Deslaurier, Atty, Joan Allen, Harland Mckhyrrer, Judy and Brad Mckhyrrer, Pat Harvey, Terry Severy, Marty Mahar,

Doon called the meeting to order at 6:15 pm.

Agenda Amendments: Mason wants a report on Bingo.

Doon opened discussion on Bingo Rd. Doon noted that the minutes said this would take research. He has only seen record of a public meeting in 1938 to discuss discontinuance, but nothing that shows anything happened. Toni Deslaurier, Mason's attorney, explained that the office was closed today so she could not do research. Doon explained that the board's position is that the two parties involved need to work to try and figure out what the situation is. Pine Gap Rd shows as untraveled on the map. He has not been able to revisit the issue with Chris Mattrick. Toni asked about access from the Hancock side, and Doon advised that she check the Hancock records. Possibly that is a wilderness area. Because the road was within a different town and different county, there would need to be notification in both towns if the road was actually discontinued. Discussion ensued about the GIS map and if there is access to the Mahar property from Hancock. Toni will do more research. Marty asked if the question is whether Pine Gap Rd is truly discontinued, which it appears did not happen. He noted that Thresher Hill Rd didn't exist when the camp was built in the 1970's, so what would be the access to the camp. Doon agreed that it does not appear to have been thrown up. Harland asked if there is any period of time when a road is not maintained is it automatically given up, which is not true. There is no "statute of limitations" on unmaintained town roads. Harland thought that it would revert back to the landowner, but Toni Deslaurier believes that the road would have to be formally discontinued for that to happen. Doon reiterated that the road is still on the map as untraveled. Discussion continued. Mason asked how the driveway happened. There is an old metal culvert below the old road, so how did it get created without the town involvement. He says it's his driveway, not the town road. Doon again reiterated that the road is marked untraveled, which is obvious, and that is what it will stay until further information is brought up. Discussion continued. Marty agreed his intent is to access his camp, and again Mason mentioned motorized vehicles. It was mentioned that he bought his camp 40 years ago, and has never had the road plowed. It's up to him to get in there with snowshoes, etc. It bothers him that someone buys a piece of property knowing the limitations, and then causes issues, they should have researched further. Marty explained that they knew the limitations before buying the property and also knew what options they had for access. They spent 6 -7 months researching before buying. They spoke to the USFS who gave them no "red flags" about denying access. They knew that there was a Class 4 road that was unmaintained and that Bingo Rd is a class 3 road that is not plowed beyond Harland's in the winter. It has taken close to a year to complete the permitting process. Last year they pulled a sled in. Discussion continued. Marty noted that he understands the current homeowner's feelings, but he is trying to preserve access to his camp. Mason stated that any snowmobile traffic going by his window is not going

to happen. Marty asked Mason what road he lives on, and Mason replied that it is his driveway. He walks Pine Gap in the winter, and he donates his time to the town for road maintenance to keep it open. He lives off Pine Gap Rd. He again reiterated that going 5 feet from his window on a snowmobile is not going to happen. Marty noted that this option is the most work for them, but is the avenue left open at this time unless the USFS allows the winter permit. He wants to get back to the real issue of whether Pine Gap Rd is a real road or not. If it is not a road, why was a fairly expensive bridge put in. Mason explained that it was so Brad McKhyrrer could have propane delivered to his camp. Mason then stated that they pay for the fire department in this town but they don't expect their homes to be safe. Discussion continued. Brad noted it has not been a road for 50-60 years. Doon noted that Marty should revisit the conversation with the USFS about access from Thresher Hill. Discussion continued about erosion control in the area, and Marty noted for the record that they have not mentioned any bulldozers or turning Pine Gap into a 3 lane highway, and he is not sure he will need a bunch of culverts in order to use a snowmobile. Mason told Marty that the snow doesn't hold on the road because of the spring and so it is bare, and will cause erosion. Doon apologized to Jon Benson and Craig for not allowing them to speak first. Mason again noted that water will go toward his house and asked the board to keep in mind it is their responsibility. He noted that there are new elements that the town needs to consider. Doon reiterated that use of that road would not happen without proper erosion control. Discussion continued. Tom noted that he believes the first step is to determine if the road is actually a road before further discussions take place. Doon moved on to the guest on the agenda, Jon Benson.

Guests: Jon Benson and Craig Bridge from Able Waste who will present his plans for recycling and trash pickup when Jon retires. Craig proposes holding recycling twice a month and include trash pickup at the same time. They will go from 8am to 11am. They have service based pricing and want to offer different options for townspeople. He gave the board information sheets on his pricing schedule and what the recycling/fast trash program will be about. It will be \$3.00 per bag for trash. Able will work with Jon during the transition. Short discussion ensued. They will have trash pickup and recycling on the 1<sup>st</sup> and 3<sup>rd</sup> Saturdays, and the normal trash pickup will still be on Tuesdays in Rochester. Motion made and seconded to sign an agreement with ABLE Waste Mgmt. So voted.

Back to Bingo-Marty waiting to hear if Pine Gap is a road or discontinued. Heated discussion continued. Unless the town plans to bring that road back to a class 4 road, they are not responsible for the upgrades, only for water erosion. Further discussion continued with the board, Marty and Mason, sometimes quite heated. Doon would like to see the USFS revisit the winter access permit as it would have the least impact on the neighbors. He will talk with Chris Mattrick about that. The issue will be tabled until more information has been gathered.

Minutes: Doon made motion to approve the minutes from the August 14, 2017 meeting, seconded. So voted.

Utilities: Terry told the board that he believes he did the nitrate test that the State says we are in violation for. He is waiting for a response from Endyne, and will let the board know as soon as he hears from them.

Joan's Updates: Joan told the board that we have received \$8000 from the 2016 Better Back Roads grant to go toward the design of the Mt Cushman culvert. White River Partnership (WRP) will also kick in \$4000, so between the two, the design cost of \$12,000 will be covered. Also, WRP will be working on designing culverts on Wing Farm Rd and Riverbrook Drive with Cricket McCusker doing the engineering.

Terry and Joan attended the 60% final design meeting at the office on Thursday, August 24<sup>th</sup>. Joan is working on the third step for the construction phase, and bidding should begin in September. The majority of the construction work will be scheduled for spring 2018.

Joan clarified the issue of total state funding for the Class 2 Road Grant. We have completed the road assessment, which should allow us a total state funding of 90%. VTRANS responded to her that the Class 2 grants only have an 80% maximum match, but the structures grant (which we did not receive this year) will be funded the full 90%.

She has been in contact with the building trades instructor at RTTC about building a bus shelter at the Park and Ride. Apparently, the building trades class may be able to build it but they are not able to design it. This will be revisited.

Bills were reviewed and warrants signed.

Meeting adjourned at 7:45 pm.

Respectfully submitted,

Joanne McDonnell