

## Selectboard Meeting Minutes

August 22, 2022

Present: Doon Hinderyckx, Frank Severy, Pat Harvey

**Guests Present:** Orca Media, Terry Severy, Ray Harvey, Nick d'Arbeloff, Larry Straus, Kathryn Schenkman, Kristen LaPell, Tony Goupee, Rob Gardner

**Guests Present on Zoom:** Orca Media, Troy LaPell, Martha Slater, Burma Cassidy-Wisner, Nancy Woolley, Midge Scanlan, Joan Allen

Doon called the meeting at 6:15 p.m.

Doon confirmed the open meeting law conformity

**Prior Meeting Minutes:** Doon moved to approve the August 8, 2022 selectboard minutes. Pat seconded. All in favor. So, voted.

**Rogers Peak access discussion-legal trail improvements:** Doon gave brief background summary on the interestingly shaped property Mr. d'Arbeloff purchased and the complications to access an area for building a home. His property is cut with a legal trail connecting Jerusalem Hill and South Hollow Lane. Nick's question was to what extent could he improve the legal trail as a potential access to a homesite, located on the height of the property. Doon suggested four options he researched to access this land. One from below on Jerusalem Road, one from above from South Hollow Lane, both would involve permission and use of the legal trail as driveway. The other possibilities would be to negotiate other landowners from the top of Bethel Mountain Road where the property almost touches. The fourth option and most practical way is to access from the top of Jerusalem Hill not using the legal trail, but rather following the topography following along south and gradually approaching north to the house site area. Nick introduced himself to the board. He and his wife would like to build a home and they are asking the board for access from the legal trail to cut a driveway. He noted from South Hollow it would be about 400' off the legal trail to cut a driveway. Nick provided what other towns have for policies on legal trail access. The board noted the Town Plan states the legal trail as recreational use. Larry Straus noted he felt this decision would set the precedence for future legal trail use. There was a lengthy discussion. The board would like Nick to explore all options, including the new option Doon. No decision was made by the board at this time.

**Sign North Hollow Farm Lease:** Doon moved to approve the lease agreement in Severy's Pit for the Highway to use for a period of five years from July 1, 2022 through June 30, 2027. Pat seconded. All in favor. So, approved.

**Discussion on date for HS Building acquisition vote:** Kathryn updated the board on the high school. She shared, after the feasibility study meeting held on July 13, the current situation with the environmental study, and also what outcome with the flood way, flood plain issue. She said the most important part of the process was to start the environmental study. She explained the selectboard and the school board both signed off on the eligibility site application which approves state monies to pay for this process. Two Rivers has hired a consultant to do the hazardous materials assessment as well as the Brownfield's assessment. Kathryn said that leaves

the final part of the NEPA (National Environmental Protection Act) for her to do the archeological historical assessment of the site. When she reached out for help, she was advised they may not need to do this assessment because the building is less than 50 years old. Kathryn received a preliminary review form to be signed by the selectboard to waive us from having to do that part of NEPA. She said there was some confusion from the town to sign and reiterated this no way obligates the town from purchasing the property. She indicated this just covers that aspect of the study. The flood way and flood plain issue has been taken up by the committees point person, Dick Robson. He has been in touch with DuBois and King, who did the original survey with the division of properties. They have assigned a person to do the survey and the LOMA (Letter of Map Adjustment) to remove the sliver of high school property that is in the flood way. She explained the issue is not being in the flood plain, but in the flood way. She said Nathan Cleveland from the Community Development board has approved from the balance of the feasibility planning grant funds, to pay for the survey and letter of map adjustment, at no cost to the town. She explained with NEPA, there's Phase 1 with the document review and the results of phase 1 will determine the extent or need for Phase 2, which is site testing. She noted we are aware of the underground tank and the testing will be done around that site. She said the town can proceed with Phase 1 and Phase 2 of the environmental study right up to the results of Phase 2, which would indicate any remediation and not by the property owner. She indicated you are not obligated to purchase the property, because you are not the property owner, the town is eligible for the BRELLA program. She said all of these programs are important. She said the importance is the programs are designed to absolve the responsibility once ownership is acquired if there are any problems with the future site. She explained the importance of this process to continue. In the beginning of August Kathryn spoke with Sara Wraight from Two Rivers, who has appointed a consultant. This consultant thought they would be completed with this process in about seven weeks. The preliminary review form would need to be approve by the selectboard and sent off to Grace Vincent. This could add more time if its delays. .She advised the board to put off the vote to acquire the building until March at the Town Meeting to have a very well attended vote. She said this would wrap up the whole environmental study. She said if there are any questions, please reach out.. Kathryn explained that Erica Hoffman Heist said the school board is responsible for the upkeep of the property since they are owners of the property. Kathryn said they are trying to work together with an outcome that benefits both the school district and also the town. She said the discussion of who heats the building, that is something that should be discussed. She said we are paying 2/3 of the school heat as the larger town of the school district. She said if the town is clear they don't want to contribute to this season's heating, they would need to go back and see what other options they have to pay for it. She said there are private funds for that. She said last year the Trustees of the Public funds contributed to last year's funds. Terry said this year's heating will be double what they were last year.

Doon moved to sign the Vermont Community Development Program and Vermont Housing and Community Development Board Section 106 Preliminary Review Form. Frank seconded. Doon and Frank both approved. Comments were made by community members supporting the continuation of this study. Information to get out to the community was a concern. There were suggestions of mailing notices that were effective during COVID. Julie suggested creating an email notification list to email out updated information. Larry made a good point that its not ended by a vote because we are the buyer and the seller. It doesn't go away as taxpayers.

**Approve and discuss Kingsbury paving contract:** Doon shared there is a paving contract from Kingsbury for the area down by the town garage for the stormwater project through White River Partnership. The area included in the contract was a small strip and this is an addendum to their contract. The contract change order is in the amount of \$37,100.00. Frank explained the amount of coverage to make it a seamless coverage that makes better sense to allow the water to go into the stormwater project. Frank spoke with John Champion and they both agreed to this project. The paving budget will cover with some ARPA funds. Frank moved to approve the contract. Doon seconded. In favor. So, approved.

**Joan Updates:** Board thanked Joan for her many years of service. Room applauded. Her last day will be Friday, August 26. She noted she has the contract out for signature for the tank removal at the Town Office. She will put together the final paperwork for FEMA and the amounts they will be paying for the remainder of the project. She will be handing off her laptop on Friday. Pat asked if she had met with the gentlemen from Skatespace. She said she had in fact. She asked them because of their timing, main grant required they have the matching grant in hand when they submit the application, she admired their efforts to raise \$25,000 by Sept. 10, and advised them instead of getting rejected to first get everything together and submit and achievable, solid application next funding round. She gave them some tips for bid process and places to look for additional funding.

**Library Updates:** The library continues to have programs going on and can be found throughout town and in the paper. They will have a booth at Harvest Fair.

**Highway Updates:** Frank said there was a request for logging access in Gilead. He will go over to take a look at it sometime this week. He also shared the tank removal for the town office will take place on Wednesday. He said CV Oil will pump it out on Wednesday and Lincoln Technologies has been notified and Dave Harvey will do the work.

**Utility Operator:** Terry said he will be meeting with State to dig up from in front of Pierce Hall down to the Bean House and across the road to replace the storm drain. Terry will paint the hydrant across the river from the town garage. It will no longer be a fire hydrant, just a flushing hydrant. Pat mentioned the signs indicated in town the grinding starts on Wednesday. There will be traffic delays. Frank indicated they will start in Stockbridge, and they do about a mile a day.

### **Old Business-**

**Master Financial Policies discussion and adopt sections 1,3,4:** Doon shared the town attorney sent in some suggestions so will table to the next meeting.

Meeting adjourned at 7:49 pm

Respectfully submitted,

Julie Smith

**Executive Session:** The board entered executive session at 7:50 pm to discuss high school building. Selectboard authorized the Repurpose Committee to seek funds to hire a project manager. Exited executive session at 8:30pm