

Waterford Selectboard Regular Meeting
Monday, February 10, 2025 @ 6 pm
Davies Memorial Library

In Attendance: Ron Gray, Sue Hayes, Kevin Gillander, Marcia Martel, Sukey Watson

Ron Gray called the meeting to order at 6:00 PM.

Modifications to Agenda

- Highway Department Report will not be given as Jim Hayes is out with the flu.

Approval of Meeting Minutes

- Sue Hayes made a motion to approve the January 27, 2025 Working Meeting minutes. Sukey Watson seconded the motion. **Motion passed 5-0**

Rabbit Hill Inn Liquor License

- Every year the Selectboard is required to approve/disapprove the liquor license for Rabbit Hill Inn. Marcia Martel made a motion to approve the license. Sue Hayes seconded the motion. **Motion passed 5-0.**

Town Clerk Update

- Dog Registration is open. Reminders were mailed.
- 3rd Annual Community Dinner before Town Meeting will start at 4:45 pm. Shepherd's pie will be served.
- Town Office janitor has given notice. Town Clerk will advertise to find a replacement.
- Town Clerk will post a list of upcoming Town Official vacancies on the Town website before Town Meeting so that people can be thinking about filling them. The New Selectboard will be meeting to organize and fill those vacancies on Thursday, March 6th after Town Meeting.

ZA Contract Extension

- Chris Brimmer's ZA Contract expired December 31, 2024. Matt Walsh's ZA contract began February 1, 2025. A contract extension is needed for Chris Brimmer to retroactively provide January 2025 support and provide job training and transition as needed by Matt Walsh in February 2025. Kevin Gillander made a motion to approve the contract extension. Sukey Watson seconded the motion. **Motion passed 5-0.**

FEMA Update

- A final completed damage inventory for Disaster #4810 was submitted to our State PAC on 2/5/25 after meeting with him and FEMA representatives on 2/4/25. Heather Gonyaw, Town Treasurer answered several follow-up questions on 2/7/25 and the inventory was accepted.
- Marcel Lapierre, Assistant Town Treasurer, is working on the damage inventory spreadsheet for Disaster #4826 and will be in contact with our State PAC. Heather Gonyaw has a meeting with

FEMA on 2/18/25 to review the final damage inventory spreadsheet and answer any questions they might have before submittal.

Town Garage Update

- Sukey Watson and Ron Gray took needed measurements at Town Garage, Sukey put together a Statement of Work. The preferred work to be done includes ripping off the current roof, raising the 4 foot wall, installing new trusses and replacing the roof instead of bolting new trusses to the old ones. Electric code and heating upgrades will also be needed.
- Sukey would like an engineer to evaluate the structural integrity of existing concrete wall to determine if it can be built on or needs to be torn down and an entire new wall built. Engineer could also evaluate code upgrade work that will be required by the State due to major renovation. Sue Hayes said she would contact EHDanson Associates, PLLC, as they have done work for the Town in the past.
- Kris Fessenden asked if there would be grant dollars for making the Town Garage ADA compliant. The Selectboard should ask Heather Gonyaw, Town Treasurer, since she serves as the Grant Manager for the Town.
- Shawn Hallisy asked if the Selectboard had considered a new building vs. repairing the old one. The Selectboard should evaluate the new building option after getting cost estimates for repairs. New buildings are generally more expensive, but it should be evaluated.

ATV Ordinance

- Dave Morrison asked the Selectboard if we should postpone the ATV Ordinance until Town Meeting, where we could ask for a “Yes” or “No” under “Other Business”. Sue Hayes answered that because the vote would be non-binding and the Selectboard would still be required to make the decision, people might be upset if their answer was “Yes” and Selectboard voted “No” or if their answer was “No” and Selectboard voted “Yes”. The issue has already been pushed off for two years. This is the last meeting of the current Selectboard, informed about the issue, through a 2023 Survey and the January 27th meeting. Sue Hayes said that pushing it off to the new Selectboard was unfair, and since she would be still be serving on the new Board she would prefer that the current informed Board made the decisions.
- The first order of business is for the Selectboard to decide whether or not they will revise the current ATV ordinance. Kevin Gillander made a motion to revise the current ordinance. Sue Hayes seconded the motion. **Motion passed 3-2** (Sukey Watson and Marcia Martel voted No.)
- Sue Hayes said she would start with easier revisions. Current ordinance states that “ATVs may not be operated within the Town between sunset and sunrise.” Stating that sunrise comes very early in the summer, Sue Hayes made a motion that the Time of Operation of ATVs be from 8 AM until one half hour after sunset. Kevin Gillander seconded the motion. **Motion passed 5-0.**
- Sue Hayes made a motion to add a seasonal limitation “allowing ATV operation between May 1st and November 1st” that does not exist in the current ordinance. Kevin Gillander seconded the motion. **Motion passed 4-1** (Ron Gray voted No because May 1st may be too early.)
- Kevin Gillander made a motion that VASA membership is required to operate ATVs on Waterford roads. Sukey Watson seconded the motion. **Motion passed 3-0-2** (Ron Gray and Marcia Martel abstained.)

- Sukey Watson made a motion that the Effective Date of the Ordinance should be after guaranteed in-town enforcement (LE2) is available. **Motion failed 2-3** (Ron Gray, Sue Hayes and Kevin Gillander voted No due to causing an indefinite Effective Date.) Sukey Watson and Marcia Martel are concerned that the Town will face liability issues due to lack of enforcement.
- Ron Gray made a motion to include the Penalties as written in the current ordinance. Kevin Gillander seconded the motion. **Motion passed 3-0-2.** (Sukey Watson and Marcia Martel abstained.)
- With only the difficult section of where ATVs could be operated left to decide, Marcia made a motion to include the wording in the current ordinance that allows ATV operation on roads that are not plowed by the Town (most Class 4 roads). Sue Hayes seconded the motion. **Motion passed 5-0.**
- Kevin Gillander made a motion to open up all Town roads to ATV operation, limiting ATV operation to only Waterford residents. There was no second. **Motion failed.**
- Dave Morrison – Snow machines do no damage, but ATVs do damage in the mud. Potential for damage is higher with ATVs.
- Kris Fessenden – ATVs support local economies in other Towns, but Waterford doesn't have restaurants or stores that would benefit. Nothing here.
- Dave Morrison asked if ATV's are trailered to locations. Kevin Gillander answered "yes, they do."
- Ryan Ware – can't get to Concord unless Duck Pond Road and Old County Rd N are open (ability to cross Rte 18 on a diagonal).
- Sue Hayes made a motion to open up all of Old Silo Road into Barnet to connect with Barnet ATV roads and trails. There was no second. **Motion failed.**
- Marcia Martel made a motion to keep the roads that we have and don't add any others. There was no second. **Motion failed.**
- Ron Gray made a motion to open up all Class 2 and 3 roads to ATV operation. Kevin Gillander seconded the motion. **Motion failed 2-3** (Sue Hayes, Sukey Watson and Marcia Martel voted No.)
- Chris Durkin of Daniels Farm Road reported having a lot of illegal ATV operation on her road, including 12 year olds riding. She believes ATV operation will open the Town and Selectboard up to liability. Noise is also an issue. Ron Gray replied that there are people that abuse the privilege, and will continue to abuse it, preventing the people who would follow the rules from riding.
- Ron Gray revised his earlier motion to "open up all Town roads to ATV operation EXCEPT Duck Pond Road between Rte. 18 and Pike's Plant and Lower Waterford Road from Rte. 18 to Duck Pond Road. Kevin Gillander seconded the motion. **Motion failed 2-3** (Sue Hayes, Sukey Watson and Marcia Martel voted No.)
- Ron Gray revised the motion again to "open up all Town roads to ATV operation EXCEPT Duck Pond Road between Rte. 18 and Pike's Plant, Lower Waterford Road from Rte. 18 to Duck Pond Road and Daniel's Farm Road from Simpson Brook Road to the St. Johnsbury town line. Kevin Gillander seconded the motion. **Motion failed 2-2-1** (Sukey Watson and Marcia Martel voted No, Sue Hayes abstained.)
- Marcia Martel made a motion to approve the new ATV Ordinance with approved revisions from the old ordinance. Sukey Watson seconded the motion. Motion passed 3-2 (Ron Gray and Kevin Gillander voted No.)

Citizen's Concerns

- Dave Morrison – Would like to thank Marcia Martel and Robin Migdelany for their years of service to the Town as Justices of the Peace.
- Kathy Hodgdon – Did the Selectboard approve Jim Hayes' use of a Town truck? Ron Gray responded that the Selectboard had given that approval.
- Erin Dimick of Old County Rd S is concerned about an all new Selectboard and would like Sue Hayes to complete her term with one year remaining. Sue Hayes responded that she is considering it, and Kevin Gillander and Ron Gray are considering whether or not to run again. Sukey Watson and Marcia stated that they will not be running.
- Robin Migdelany – Jen D'Agostino will be holding an informational meeting for potential Selectboard candidates on February 18, 2025 at 6:30 pm at the Davies Memorial Library.
- Robin Migdelany asked our State Representatives to attend a Selectboard Meeting at some time so they are able to hear Citizen's Concerns.

Agenda for March 10, 2025 Regular Meeting

- As that meeting will have a new Selectboard, the current Selectboard declined to set an agenda. The new Selectboard will meet soon after Town Meeting to reorganize and can set the agenda then.

Executive Session – 1 V.S.A. §313, Personnel

- Kevin Gillander made a motion to enter Executive Session. Sue Hayes seconded the motion. **Motion passed 5-0.** The Selectboard entered Executive Session at 8:12 pm.
- The group exited Executive Session at 8:43 pm.
- Sue Hayes made a motion to reimburse the \$30 fee to become a Notary to Marcia Martel, so that she can serve as the Town Clerk's back-up in her absence.

Kevin Gillander made a motion to adjourn the meeting. Sukey Watson seconded the motion. **Motion passed 5-0.** Meeting was adjourned at 8:44 PM.

