

Waterford Selectboard Regular Meeting Minutes

Monday, August 12, 2024 @ 6:00 PM

Davies Library

In Attendance: Sue Hayes, Ron Gray, and Kevin Gillander. Attendance list attached.

Ron Gray, acting Chair, called the meeting to order at 6:01 PM.

Modifications to Agenda

- Move Opening of Gravel Crushing Bids to first on the agenda.

Open Crushing Bids (Discussion/Action)

- One bid was received by Manchester Brooke Materials LLC. The size of their jaw opener is 26x50, which Road Foreman Jim Hayes said is fine for the job. Their bid for option one which includes crushing only was \$6.47 per yard, a total of \$64,700. Their bid for option two which includes crushing, loading, hauling and stockpiling in the town garage is \$8.47 per yard, a total of \$84,700. The completion date was moved from September 1 to November 1.
- Ron Gray called the contractors who placed a bid previously, but none returned his call. He suggested considering purchasing gravel from Pike instead of crushing it, but Jim said that would cost about 1.5x more than the bid placed by MBM.
- Marcel Lapierre said they have budgeted about enough for option 1 from MBM. Jim said he isn't sure if his team will have time to truck it, and they still need to finish stripping the pit.
- Kevin Gillander motioned to accept bid option 1. Sue Hayes seconded the motion. Motion passed 3-0. Town Clerk Deb Benoit reminded the group that her office requires a certificate of insurance. The contract was signed by all Board members and Jim Hayes.

Approval of Meeting Minutes

- Sue Hayes motioned to approve the meeting minutes of the July 8, 2024 Special Meeting. Kevin Gillander seconded the motion. Motion passed 3-0.
- Kevin Gillander motioned to approve the meeting minutes of the July 8, 2024 Regular Meeting. Sue Hayes seconded the motion. Motion passed 3-0.
- Sue Hayes motioned to approve the meeting minutes as amended of the July 22, 2024 Working Meeting. Kevin Gillander seconded the motion. Motion passed 3-0.
- Sue Hayes motioned to approve the meeting minutes of the July 31, 2024 Special Meeting. Kevin Gillander seconded the motion. Motion passed 3-0.

Appoint Selectboard Member (Discussion/Action)

- Town Clerk Deb Benoit read a letter from William Stuart Jones, who was unable to attend the meeting. He outlined skills of strong communication, analytics, collaboration, and technical skills, as well as his breadth of knowledge of state statutes, honesty, and integrity.
- Marcia Martel stood and shared a statement that she would be honored to get back on the Board and help move them through at least until the next election in March.
- Sukey Watson stood and read her statement. She believes she can use her previous board experience in corporate, hospital, and military settings to help the Board with communication, tightening up their procedures, and keeping the peace.
- Sue Hayes motioned to enter a recess to discuss the candidates. Kevin Gillander seconded the motion. Motion passed 3-0. The Board entered recess at 6:22pm.
- Kevin Gillander made a motion to come out of recess. Sue Hayes seconded the motion. Motion passed 3-0. The board came out of recess at 6:31pm.
- Ron Gray thanked the three citizens who stepped up to offer their services until the next election on Town Meeting Day in March 2025.
- Sue Hayes motioned to appoint Marcia Martel as Selectboard Member. Kevin Gillander seconded the motion. Motion passed 3-0.

Appoint Selectboard Member (Discussion/Action)

- Kevin Gillander motioned to appoint Sukey Watson as Selectboard Member. Sue Hayes seconded the motion. Motion passed 3-0.
- Town Clerk Deb Benoit presented the paperwork to Marcia and Sukey. Both signed.

New Chair (Discussion/Action)

- Sue Hayes nominated Ron Gray to serve as Chair. Marcia Martel seconded the motion. Motion passed 4-0. Ron Gray recused.
- Sukey Watson nominated Sue Hayes as Vice Chair. Marcia Martel seconded. Motion passed 4-0. Sue Hayes recused.

Citizens' Concerns

- A representative from a group of citizens living on Simpson Brook Road thanked Road Foreman Jim Hayes and his team for all their hard work on flood recovery. She explained they all had significant damage and had safety concerns of the debris left behind. Jim said he is looking to see if the state can help remove the debris. He read a statement from Logan Perron, Agency of Transportation. They are looking to scope out areas that have large debris compromising road structures, asking citizens to send a description and location. Jim plans to team up with the Agency of Natural Resources (ANR) to see what they can do. Details have been submitted to Shawna Clifford, the engineer working with

ANR, but no response has been received yet. Jim stressed that citizens should send photos and reports of damage to 211 which will give the information to FEMA.

- Marcel Lapierre shared that the state has issued the emergency declaration for the flooding that occurred on July 10. Vermont has an emergency fund of \$5 mill that Governor Scott has made available that Marcel and Treasurer Heather Gonyaw are pursuing. He requested the Board use the remaining ARPA funds as a relief fund for town citizens. Sue Hays said she wanted to use the money to put toward the town garage issues.
- Dave Morrison asked for clarification about the emergency meeting on July 31. Road Foreman Jim Hayes explained that there were legal issues with getting permission from a landowner to do some repairs on his property. Jim had to call an emergency meeting because there's a grave concern to at least ditch up the side of the road to establish relief for the water. The Board had to approve the next course of action and seek legal council.
- A citizen brought up some trenching on Simpson Brook Road. Jim explained the project is unfinished, not abandoned. There are shortages of some materials so he can't finish it yet.
- Bryant Fleming expressed his concern of making changes to brooks without consulting the Department of Fish and Game. Jim explained that he works with Ben Meadows who is from the ANR, so there shouldn't be any issues.
- Daryl Mathews asked if citizens should be reaching out and expressing their concerns to the folks from the state Jim is working with. Jim encouraged them to reach out and Deb will share their contact information.
- Jennifer Hemond expressed her concern over the cost her and her neighbors have incurred to repair flood damage, some exceeding \$65,000. She believes it should be addressed by the town.
- James O'Malley shared his experience with debris coming down culverts onto his property and wants something done about it. He agrees with Martel that the remaining ARPA funds should be used for flood relief.
- Jackie McLaughlin spoke about the damage done to her property by the contractors the town hired to fix the road by her house. She said an excavator knocked down a few mailboxes and hit her shed. She described some more damage and asked for it to be looked into. Jim said they could do a site visit before the next Selectboard meeting.
- Renee Williams lives on Simpson Brook Road. She said her and her family were stuck for a week or more and still do not have full access to their house. She is very concerned for their safety because a fire truck or ambulance would not be able to access her house. She does not want the burden to be entirely on the homeowner and requested a meeting with people from state agencies to discuss.
- Mr. Jones expressed his concerns with taking money away from the Town Garage repairs. He noted this project has been pushed off for many years. There is mold and sheetrock damage, and since the health of the roof is unknown, it is unclear if it can withstand a

heavy snow storm this winter. He would like to save the remaining ARPA funds to repair the Town Garage.

Road Commissioner Appointment (Discussion/Action)

- Marcia Martel wants to wait and let the town vote on the issue on the next Town Meeting Day. Kevin Gillander said this was put on the agenda for the Board to select a member to work directly with Jim instead of having the whole Selectboard be acting Road Commissioner. They will have to look into when the town voted to appoint the entire Selectboard as acting Road Commissioner to see if it is appropriate to appoint one or two members as the state dictates.
- Howard Remick said the town voted on Town Meeting Day for the entire Selectboard to act as the Road Commissioner and work with the Road Foreman. Kevin Gillander noted that this has posed a problem because the entire Selectboard cannot gather without a public forum because of open meeting laws, so meeting with Jim to make decisions is quite difficult. Howard maintains he likes the system in place.
- Ron Gray pointed out that according to state statutes, the Selectboard is supposed to either elect a Road Commissioner or appoint one or two members of the Selectboard to work as Road Commissioners. Ron said that electing Jim Hayes as the Road Commissioner wouldn't make any changes because the Road Commissioner reports to the Selectboard, which is what Jim is doing currently. Jim agrees it is best to eliminate the middleman of Road Commissioner because he already reports to the Selectboard as it is now. He thinks the system they have is pretty good and adding anyone else into the mix would make it more confusing.
- Marcia Martel motioned to table the topic and leave it as is now. Sue Hayes seconded the motion. Motion passed 5-0.

Highway Update

- Jim Hayes discussed the progress of many projects going on around town. Some blueprints will be coming to the Town Clerk's office any day.
- Mad Brook Road will cost about \$14,112 for a temporary fix. FEMA will pay for labor but not materials. The materials could be reused afterward, so they wouldn't be wasted.
- Kathy Hodgdon asked if it would eliminate the recurring flooding. Jim responded saying before any work started, they did a hydraulic study where everything was taken into consideration. Ben Matthews from ANR will work with Jim to decide what is best and communicate to FEMA what needs to be done.
- Marcia Martel asked for Road Foreman Jim Hayes' opinion on what repair would be the best choice. Jim said it all depends on how much they can spend. He can accommodate either option. He plans to have a meeting with Marcel Lapierre to figure out what the town can afford. The engineer is drawing something up, and they will come up with a pricing model for both options and present them to the Board to make a decision.

- Tom Thomas asked for details on the type of piping and Jim answered. He recommended caution when working with FEMA because his experience has been less than positive. He recalled a few disasters where the amount of money received was much lower than the amount promised.
- Jim discussed the Keith Powers situation. They will do a site visit before the next Selectboard meeting.
- Jim said that he has not caught up with Barclay Stetson.

Driveway Permit (Discussion/Action)

- Road Foreman Jim Hayes said he believes the town's road policies need to be worked on. There is a policy of one driveway per property, and he believes each situation should be looked at individually before deciding if restricting to one driveway is appropriate.
- Ryan Ware wants access for his garage. Jim said the extra driveway wouldn't bother the town at all, but he believes Ryan has done the work to build the driveway before receiving his permit. Jim pointed out it wouldn't be easy to have one driveway for both the house and the garage, but he can't approve the driveway permit because it is technically a violation. The town would have to change their zoning bylaws to allow for multiple driveway permits.
- Kevin Gillander asked if changing the zoning bylaws would affect the town's state funding. Jim said he will have to look into it. Howard Remick, Town Lister and Planning Commission Chair, said the state only gives out funding to towns that adopt the state standards.
- Dwayne Keach asked why they can't make an exception for Ryan Ware if the driveway doesn't affect the town. Kevin Gillander responded saying they cannot set a new precedent because then they would have to accept other similar requests. Marcia Martel pointed out there have been a few other requests for a second driveway permit over the years that have all been denied. Jim will look into it further to see if it's possible to make exceptions.
- Sue Hayes motioned to table the Ware driveway permit until the board conducts a site visit and Jim investigates. Marcia Martel seconded the motion. Motion passed 5-0.

Mold Quotes (Discussion/Action)

- Marcel Lapierre said there is no money budgeted for mold removal. Removing the mold would involve tearing the sheetrock down and getting rid of insulation, which would leave the town responsible to take care of it from there.
- Sue Hayes voiced her concern over removing the mold without fixing the leak. She thinks they need to be done together for it to work since the mold will come back if the leak isn't fixed. The Board has received a mold report, so they can look into if it is safe to have a team of volunteers work on it. Ron Gray said he is not knowledgeable enough to make that decision.

- Road Foreman Jim Hayes pointed out that if they rip out all the insulation they'll have to replace it. It doesn't make sense to reinsulate a section that may end up needing to be torn down, so it would be the most cost effective to do it all together.
- Sue Hayes read the mold report and announced that 86% of the mold is type 2 which was labeled as risky.
- Sue Hayes wants a comprehensive quote of mold work in conjunction with repairs. Kevin Gillander found that the mold quote they received is valid for 6 months.
- Second Constable Tom Thomas noted he knows of a few people who would be willing to go up there and cut a few small holes in the ceiling, pull the insulation down and look at the rafters for under \$1k. Marcel Lapierre knows of some departments that could help the town with funding.
- Marcia Martel motioned to table the topic until Marcel can investigate further. Sukey Watson seconded the motion. Motion passed 5-0.

Drafts of Transfer Station Punch Cards

- Town Clerk Deb Benoit said she spoke with Clem Gray about punch card ideas and he gave some feedback so they will keep making edits.
- Sue Hayes motioned to table punch card topic until the next Selectboard meeting. Sukey Watson seconded the motion. Motion passed 5-0.

Approve VLCT Public Participation Guidelines (Discussion/Action)

- Sue Hayes made the two changes discussed during the previous Selectboard meeting. Sukey Watson asked if the Board will get a timer for the two minute speaking limit. Ron Gray agrees it would be a good idea. Marcia Martel motioned to accept the guidelines. Sukey Watson seconded the motion. Motion passed 5-0. All Board members signed the document.

Fire Dept Mini Splits (Discussion/Action)

- Town Clerk Deb Benoit read a statement from Fire Chief Colin Fucci. The Fire Dept. does not currently have a/c and used an oil furnace. There are two offers for mini splits from Hill Heating Services- \$3100 and \$4100 which includes a/c and heat. The statement did not say if the money would come from the Fire Department's budget.
- Sukey Watson motioned to approve the \$3100 offer from Hill Heating Services contingent on the funding being provided by the Fire Department budget. Sue Hayes seconded the motion. Motion passed 5-0.

Agenda for Special Meeting August 26, 2024 5pm

- Site Visit to Mclaughlin and Simons
- Site Visit to Weir Driveway

Agenda Items for Working Meeting August 26, 2024 6pm

- Transfer Station Punch Card Approval (Discussion/Action)
- Road Repair (Discussion/Action)
- Subcommittee Appointments (Discussion/Action)
- Reading of Balanced Budget Policy (Discussion/Action)
- Budget Meeting Appointments with Town Treasurer Heather Gonyaw (Discussion/Action)

Executive Session 1 V.S.A. § 313(a)(1)(B) - Personnel

- Marcia Martel motioned to enter Executive Session. Sue Hayes seconded the motion. Motion passed 5-0. The group entered Executive Session at 8:20 PM.
- Sue Hayes motioned to invite Jim and Kris Hayes. Kevin Gillander seconded the motion. Motion passed 5-0.
- Marcia Martel made a motion to allow Jim Hayes the use of the Town truck as needed for town purposes. Kevin Gillander seconded the motion. The motion passed 4-1.
- Sue Hayes made a motion for the Selectboard to provide Jim Hayes an annual performance evaluation. Sukey Watson seconded the motion. The motion passed 5-0
- The Group exited Executive Session at 8:53 pm.

Adjourn

- Marcia Martel made a motion to adjourn the meeting. Kevin Gillander seconded the motion. Motion passed 5-0. The meeting was adjourned at 9:11 pm.

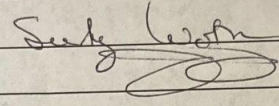
Waterford Selectboard Meeting August 12, 2024

Sign In Sheet

Name

Signature

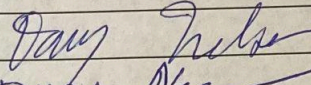
Sueky Watson



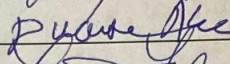
Tom Thomas

~~Tom Thomas~~

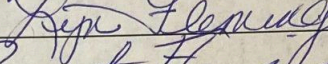
Darry Nelson



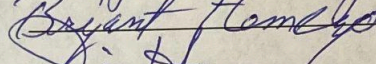
DWATNE KEACII



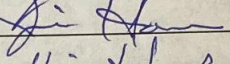
Lyn Fleming



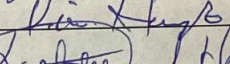
BRYANT FLEMING



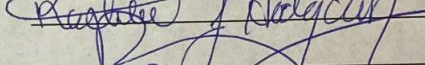
Jim Hayes



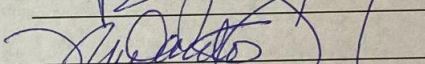
Kris Harper



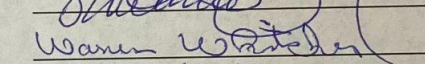
Karla Woods Don



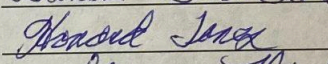
KOLIN WOOD



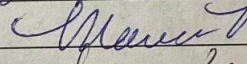
Maria Dantas



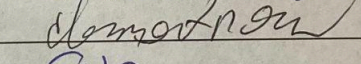
Warren Writcher



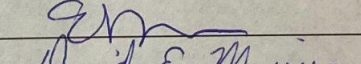
HOWARD JONES



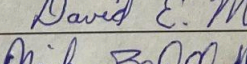
Marcia Monte



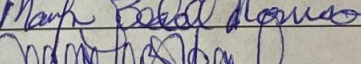
Clemont



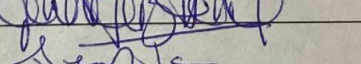
Erin Dimuro



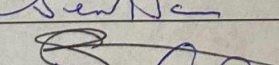
David Morrison



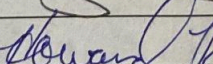
Marilyn Morrison



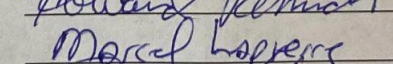
Janifer Hemond



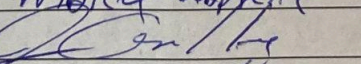
GERARD JONES



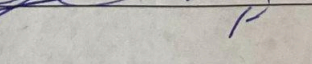
Jacquelyn McLaughlin



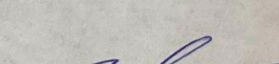
Bob Randall



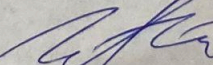
Stacey Randall



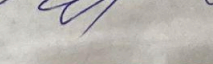
JAMES WATTEY



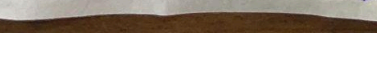
Herb Ester



Barb Ester



Robert Ben Williams



Rence Williams



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Ben Lyon

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Deb Bennett

