

Waterford Selectboard Regular Meeting Minutes

Monday, September 9, 2024 @ 6:00 PM

Davies Library

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

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

Modifications to Agenda

- No modifications were made.

Approval of Meeting Minutes

- Marcia Martel made a motion to approve the meeting minutes of the August 26, 2024 Working Meeting. Sukey Watson seconded the motion. Motion passed 5-0.
- Kevin Gillander made a motion to approve the meeting minutes of the August 26, 2024 Special Meeting. Marcia Mertel seconded the motion. Motion passed 5-0.

Citizens' Concerns

- Dave Morrison shared his comments on the road commissioner discussion from a previous meeting. He conducted some research and found that the Town Report of 1968 states that the Selectmen appointed the Road Commissioner. In the 1970 Town Report, the Selectmen were listed as Road Commissioner. The town never voted to elect the Selectboard as Road Commissioner, but did vote for the Selectboard to appoint the Road Commissioner. Dave also noted that the issue of Jim Hayes' pay being lower than the previous Road Commissioner has not been addressed.
- William Jones referenced the minutes of the August 26 Working Meeting under the Subcommittee Appointments heading, where the term Working Groups is used instead of Subcommittee. He asked the Board to explain the difference between the two terms. Ron Gray explained that working groups work within a working meeting that was already warned. Subcommittees have to be warned on their own, separate from a working meeting, so the Board opted to use working groups that can be items on the agenda for a working meeting. Ron explained the Board had discussed using breakout sessions for the working groups to happen simultaneously, with only two board members in each working group. There would be minutes taken and audio recordings for all groups. They do not make decisions in the working groups, they only gather information to present to the Board during a Selectboard meeting.

- Will Jones asked how citizens should raise concerns if the sessions are happening simultaneously. Sue Hayes said citizens are welcome to walk around and listen in on any/all sessions and Ron Gray added they can express their concerns during Citizens' Concerns at regular meetings as usual.
- Jennifer Hemond asked for an update about flood mitigations. She noted the mitigation plan posted on the town's website is not signed and does not list an adoption date. The Board will speak with the Town Clerk to get the updated mitigation plan on the website showing signatures and adoption date. Ron Gray assured her the Board has updates to share during the agenda item Update on Flood Recovery and Hydraulic Report Requests.

McLaughlin Drive (Discussion/Action)

- Ron Gray went through old meeting minutes and found when the decision was made and the agreement was reached to demolish the shed on their property. Ron, Road Foreman Jim Hayes, and Town Clerk Deb Benoit have not been able to find a written agreement signed by the property owner, but the verbal agreement that was reached is written about in a few previous meeting minutes. Jim had to widen the road to allow for proper drainage, and he confirmed he did not go beyond the town's 25 ft right of way from the center of the road. There is plenty of room for the owners to access their property. Sukey Watson noted that the town needs a better mechanism to communicate with the community to prevent similar issues of miscommunication. Jim regrets that a written agreement was never reached. The project was brought up to the Selectboard multiple times, but the written agreement fell through the cracks.
- DRB member Tom Thomas noted that there may be more information available if the DRB had a permit for the project. The property owners have not put a new shed in yet, and the demolition inspection was done by the state. Jim confirmed the PO signed off on the state inspection.
- Dave Morrisson noted that the town's right of way from the center of the road is 24.9 feet, not 25 feet. Jim confirmed and explained he refers to it as 25' as a simplification.
- Sue Hayes motioned to table the issue until the Oct 14 Regular Meeting to give the property owners one more chance to be present and share any concerns they have before the matter is voted on. Sukey Watson seconded the motion. Motion passed 5-0.
- Jen D'Agostino referenced a comment made by Marcia Martel and the tape set up in the room to control seating and expressed that she felt it fostered a contentious environment. Ron Gray and Marcia Martel noted that the tape set up to control seating arrangements was not approved by the Selectboard, but Ron did feel that the old seating structure made it difficult to see everyone. He expressed his intention of earning the community's confidence.
- Maria Dantos said she was told the tape was approved by the Selectboard and it was instituted in response to safety concerns. The Selectboard confirmed they did not approve the tape.

Ware Drive (Discussion)

- This agenda item has been tabled in the past because it couldn't be approved due to zoning regulations. Ron Gray explained that the Selectboard was under the mistaken impression that towns need to follow state guidelines to receive state funding. State law requires houses located on state highways to only have one access. Jim Hayes found out from Logan Perron, District Project Manager of Operations, that it is recommended the single access point rule is applied to all properties regardless of location, but it is not required to receive funding.
- The Selectboard visited the site with Jim two weeks ago. The permit cannot be approved under the current town zoning bylaws. Marcia Martel shared her experience working with FEMA in 2011. She recalled that the state made a deal with towns because extra driveways cause erosion. The town could change its zoning bylaws to allow houses on town roads to have more than one access, but it would start a new precedent as the Board has been denying permit requests for second driveways for many years. Jim pointed out one case that was approved to have a second driveway.
- Bryant Fleming asked if there is a required minimum length between driveways. Jim wasn't sure, but Ron believes there may be a required distance, so they will look into it.
- Sue Hayes motioned to ask the Planning Commission to consider whether they want to alter the bylaw that requires only one driveway per property. Marcia Martel seconded the motion. Motion passed 5-0.

Update on Flood Recovery and Hydraulic Report Requests (Discussion)

- Jen Hemond asked for updates on what has been done recently. Ron Gray apologized for forgetting to print out the update on the Hale Road 7 ft culvert being installed. He will send it out.
- Ron listed all the other locations where Jim has requested hydraulic studies- Mad Brook Road where the bridge is washed out, Hale Road culvert 138, Simpson Brook Road culvert 0406 by Barkley Stetson, and Daniel's Farm Road culvert 54.
- Jim sends the requests to Logan Perron who sends them to the agency's hydraulic section. Then, the project is assigned to an engineer to do the study, which usually takes a few weeks but they are much busier than normal at the moment. Mad Brook Road has been assigned an engineer while Hale Road, Simpson Brook Road, and Daniel's Farm Road have been submitted but no engineer has been assigned yet.

Highway Department Report (Discussion)

- Road Foreman Jim Hayes reported his team is currently working on getting footing put in the 7 ft culvert on Hale Road. He is meeting with Darrel Mathews to pour concrete and hopes to schedule it for one week from now.
- He is waiting to hear back from the state regarding Mad Brook Road. He is planning to rebuild the bridge. He met with an engineer and has been talking with Ben from ANR.

They plan to have one-lane traffic to get through the winter until they can get a permanent solution. The town will be reimbursed for labor costs of the temporary fix by FEMA.

- They are top coating roads whenever possible, but their top priority is getting the paving contract done. It shouldn't take too long to get the prep work done. They are also trying to get winter sand up and get the depression situated before winter.
- Dave Morrison asked about advertising for the Highway Dept vacancies. Ron Gray said he had hoped to approve the ad at tonight's meeting, but it wasn't able to be included on the agenda in time. He suggested having a Special Meeting at 3pm after the Board Civil Authority meeting this Thursday to approve the ad.
- Dave Morrison asked about what one would do if they had a culvert that wasn't in compliance but did not completely get washed out. Marcel Lapierre said you can ask FEMA to set it up as a project to mitigate a future problem and they will consider it. Jim says it is his understanding that FEMA will only reimburse you to fix what was already there, so if you make it any bigger they won't pay.

Update on Town Garage Repair Plan (Discussion)

- There is no update yet. Kevin Gillander had planned to meet with Marcia Martel and Jim Hayes, but he had to postpone due to a life-changing event. He suggested having a Special Meeting for a site visit to the Town Garage at 5pm before the Sept 23 Working Meeting. Kevin plans to bring a ladder so he can get a closer look at what is going on.

Remaining AARPA Funds (Discussion/Action)

- Martel Lapierre disclosed that there is \$27,495.14 remaining in AARPA funds.
- Marcia Martel motioned to put the full amount of remaining AARPA funds toward the repairs on the Town Garage. Sue Hayes seconded the motion. Motion passed 5-0.
- Jen Hemond asked if that is the best use of the money when the town doesn't yet know how much they will receive from FEMA for flood relief. Marcia explained that the AARP funds have a deadline and must be spent by the end of this year, so we have to use it now and the Town Garage is a hazard for town employees.

Agenda Items for Next Meeting

- Town Garage Working Group (Discussion/Action)
- ATV Ordinance Working Group (Discussion/Action)
- Balanced Budget Policy Approval (Action)

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

- Sukey Watson motioned to enter Executive Session. Marcia Martel seconded the motion. Motion passed 5-0. The group entered Executive Session at 7:16 PM.
- The Selectboard exited Executive Session at 7:55 pm. No action was taken

Adjourn

- Sukey Watson motioned to adjourn the meeting. Kevin Gillander seconded the motion. Motion passed 5-0. Meeting was adjourned at 7:56 pm.

DRAFT

Selectboard Meeting Citizen Sign-In Sheet:

Date: Sept. 9, 2024

Please sign in. Your sign-in also means that you agree to the guidelines adopted ^{at the} August 12, 2024 meeting by the select board for citizen participation at Selectboard meetings. You will be given a maximum of 2 minutes to express your concern or ask a question. Do not expect the Selectboard to provide an answer to your question/concern at the current meeting.

Printed Name

Signature

BRYANT FLEMING

Bryant Fleming

Cyndi Fleming

Cyndi Fleming

Deborah Caldwell

Deborah Caldwell

William Jones

William Jones

Wanna Whitcomb

Wanna Whitcomb

Debbie Allard

Debbie Allard

Maria Dantos

Maria Dantos

Morcel Lapierre

Morcel Lapierre

David E. Morrison

David E. Morrison

Jim Hayes

Jim Hayes

Kris Hayes

Kris Hayes

Kathy Hodgdon

Kathy Hodgdon

Howard Jones

Howard Jones

Erin Dinić

Erin Dinić

R Mgdebe

R Mgdebe

Janet Ross

Janet Ross

Janifer Demond

Janifer Demond