

# Waterford Selectboard Working Meeting Minutes

Monday, September 23, 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

- Move Solid Waste Management Facility Certification (Action) to 6:45pm before Town Clerk Report (Discussion).

## Approval of Meeting Minutes

- Sukey Watson made a motion to approve the minutes of the September 09, 2024 meeting. Kevin Gillander seconded the motion. Motion passed 5-0.
- Marcia Martel made a motion to approve the minutes of the September 12, 2024 meeting. Sukey Watson seconded the motion. Motion passed 4-0. Kevin Gillander was recused because he was not present at the meeting.

## Town Garage Working Group (Discussion/Action)

- There was a Special Meeting at 5pm for a site visit to the Town Garage. The Board looked at the garage, the salt shed, and the other building on the lot.
- During the last meeting, they voted to use the remaining AARPA funds on the garage. Those funds must be encumbered by the end of this year and spent by the end of next year. In addition to the AARPA funds, Road Foreman Jim Hayes also has remaining Town Garage Maintenance funds which need to be expended by the end of this year.
- Howard Jones presented drawings of what was proposed last year for garage repairs. The proposal was to extend an extra 10ft in width, which would require removing a 4ft concrete wall barrier. The group considered raising the roof instead of extending the width, hoping to save some money.
- Howard Jones pointed out that the old quote was just for the contract work, it did not include any permits or upgrades. The state requires commercial buildings to be fully up to code (previous 'grandfathering' no longer valid for plumbing, heating, electric, etc.) when repairs cost more than 25% of the total value of the building. The cost of the upgrades will add a lot of extra expenses.

- Sue Hayes wants Jim to get quotes for lifting the roof, replacing it with new rafters, and installing new doors. Kevin Gillander pointed out it also needs general maintenance like new trim and paint.
- Debra Caldwell recalled that the bathroom needs attention and asked if it was planned to be included in the repairs. Ron Gray responded saying he believes the state will require the bathroom be renovated to be handicap accessible. She agreed that it is important for the health and safety of employees. She asked what they will do with the vehicles etc being stored in the garage while it is under construction, and what they anticipate it will cost to relocate them. Kevin Gillander noted that the garage only stores machinery during the winter, and the roof will need to wait until summer weather to be replaced, so it shouldn't be an issue. The rest of the repairs should be able to be done without removing anything.
- Sue Hayes motioned to authorize Jim Hayes to get quotes for lifting the roof on the storage side, replacing with new rafters, and replacing the door within the existing footprint. Sukey Watson seconded the motion. Motion passed 5-0.
- The Board is hoping to be able to purchase the new rafters this year with the remaining funds in the Town Garage Maintenance budget and get them delivered next spring.
- The Board offered their help to Jim with whatever he will need
- Howard Jones asked when budget discussions will start. Marcia Martel let him know they have a meeting with Town Treasurer Heather Gonyaw this Wednesday.
- Town Clerk Deb Benoit explained that funds left over from this year's budget do not automatically get carried over to next year. Kevin Gillander pointed out that the town has plenty of interest to pay on the \$1mill loan taken out.

#### ATV Ordinance Working Group (Discussion/Action)

- Sukey Watson took a class with VLCT earlier this summer about ordinance adoption and enforcement. The class stressed that you shouldn't have an ordinance you can't enforce. The current ATV ordinance can only be enforced by a licensed enforcement officer which the town does not have outside of the contract with the St. J Sheriff's department and the state Game Warden.
- VLCT also recommends using direct language and avoiding words such as "whereas", "therefore", and "shall". The current ATV ordinance includes these terms, so Sukey recommended using straightforward present tense terms such as "will" or "is" to ensure clarity.
- Sukey noted that the town does not have the money to enforce the current ordinance. She believes the town is owed an answer about expanding the ATV ordinance, but we do not have a mechanism for enforcement. Ron Gray and Sukey agree it is not for the Selectboard to decide if a new ordinance is adopted, it is up to the town's people to vote on at Town Meeting. Debra Caldwell pointed out that it is on the ballot for the next Town Meeting.

- Debra Caldwell spoke about her experience and hearing reports from others about ATVs on private roads with their lights on and no helmets at all hours of the day. Sue Hayes pointed out that regardless of the town's ordinance, all ATV riders are required to meet the state regulations of wearing a helmet, insuring the vehicle, and registering the vehicle. Debra Caldwell voiced her concern of encountering an uninsured ATV on the road and what would happen if an accident occurred. She is concerned it opens the town to liabilities.
- Ron Gray commented that the town has a lot of large bills, so he doesn't anticipate citizens wanting to increase the budget further to allow for more enforcement. He noted the town doesn't currently have a big enough enforcement budget to properly patrol regular traffic of cars and trucks. Ron and Sue Hayes agreed that including an article in Town Meeting for the citizens to decide if the ordinance should be changed is the best course of action for now.
- Town Clerk Deb Benoit said the Article to be voted on in Town Meeting needs to be submitted to her by December.
- William Jones said that a motion was passed during last year's Town Meeting to postpone the article for a year, so it has to be included during this year's Town Meeting. The article has to be worded just as it was left during the last Town Meeting. Kevin Gillander noted that amendments can still be made to the article during Town Meeting.
- Deb Benoit printed copies of the synopsis of the last Town Meeting and the last two bullets containing the amendments were read aloud. Sukey and Ron will work on getting the amended article advertised in the Town Meeting Report. They invited William Jones to assist them.
- Sue Hayes wanted to draft an ordinance before the article is voted on. She is concerned about being unprepared if the citizens vote to change the ordinance, and wants to avoid any potential of having a period of time with no ordinance approved. They can start with the VLCT model ordinance and go from there. If the citizens vote not to change the ordinance, the draft will not be used and the current ordinance will remain.
- Debra Caldwell referenced the results of the survey done last year, noting that of those who want the ordinance to change, some of them want it to become more restrictive and others want it to be less restrictive.
- Sukey Watson said that changing the ordinance may not amount to much since enforcement will not be possible either way.
- Sue Hayes discussed how other towns have ATV clubs that charge dues and use the dues for enforcement, including some self enforcement. She thought there are a few options like this example to explore.
- Kevin Gillander said he is a member of the ATV club VASA (Vermont ATV Sportsman Association), and Waterford can join that network without having to start their own club. He pointed out that you can't access class four roads without going over other roads, so you have to use a trailer to transport the ATV to appropriate routes. There are designated

spots to park the trucks and trailers for those riding ATVs. There is a sticker from VASA that shows you're allowed to be parked in those spots.

- Sukey Watson asked what would happen if the club fails to enforce itself.
- Ron Gray said the question that needs to be answered currently is the article for Town Meeting. Sue Hayes expressed her concern if the town votes to open more roads and the Selectboard is left unprepared.
- Deb Benoit suggested including a date on the article stating when the new ordinance would go into effect to ensure there is enough time for the Selectboard to be ready. Ron Gray agreed that adding a date is necessary.
- Sukey Watson asked if town lines affect ATV club enforcement. Kevin Gillander said VASA can enforce in any towns that are members of VASA.
- Marcia Martel motioned to continue the matter at the next Working Meeting, October 28, when they know what the article will be. Sue Hayes seconded the motion. Motion passed 5-0.

#### Balanced Budget Policy Approval (Action)

- Marcia Martel motioned to approve the budget policy. Sukey Watson seconded the motion. Motion passed 5-0. All members signed the document and gave it to Deb Benoit.

#### Solid Waste Management Facility Certification (Action)

- Town Clerk Deb Benoit found out that the town's recertification comes from NEKWMD, so they filled out the application and it just needs signatures. It has to be turned in by Sept 30. There is no application fee for municipalities.
- Sue Hayes motioned to accept the Solid Waste Management Facility Certification. Marcia Martel seconded the motion. Motion passed 5-0. Ron Gray will visit Deb Benoit later to sign the document.

#### Town Clerk Update

- Deb Benoit reported that they can't add a watermark to the transfer station punch cards, but they can do an embossed seal instead. She passed around an example to the Selectboard who all approved of the change. Deb will work on embossing punch cards this week between working on tax payments.
- Sue Hayes volunteered to go to the transfer station for a bit on Saturday to explain the changes to citizens.
- Clem will be able to sell some punch cards at the transfer station and accept check payments.
- Deb has received the ballots for the general election in November. The Town Clerk's Office is now an official polling location, so firearms are not allowed.

- Her office will be open for normal hours 8:30am-3:30pm the Friday before taxes are due, and she is offering extra hours on Saturday from 8am-12pm to accommodate more people.
- The state should be mailing ballots this week. Waterford is at the end of the alphabet, so we are among the last to receive them.
- Absentee ballots can be mailed in to get counted or they can be brought to the school on the 5th. If you show up to the school without a ballot, you have to sign an affidavit that says you haven't gotten one already before she can give you one.
- She reminded the room that it is the end of the 3rd quarter, so if there are questions for the treasurer she needs to be asked to come to the next meeting.
- Debra Caldwell was called on to share her concern about a private landowner that's clearing a lot of trees and widening his road. She wanted to make sure the Road Foreman was aware of what is happening. The Selectboard will ask Jim Hayes to look into it to make sure there are no problems.

#### Agenda Items for Next Meeting Oct 14

- Highway Department Update
- Fire Department Update
- Cemetery Committee Update
- Budget to Actual, Invite Treasurer Heather Gonyaw
- Executive Session- Personnel

#### 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 7:15 PM.
- Sue Hayes made a motion for Ron Gray to contact three paving contractors for quotes for work needed on Shadow Lake Road as requested by Jim Hayes. Sukey Watson seconded the motion. The motion passed 5-0.
- The Group exited Executive Session at 7:32 pm.

#### Adjourn

- Marcia Martel motioned to adjourn the meeting. Sukey Watson seconded the motion. Motion passed 5-0. The meeting was adjourned at 7:34 pm.



Waterford Selectboard Meeting September 23, 2024

Sign In Sheet

Name

Signature

Deborah Caldwell

DS Caldwell

Eugenie <sup>(Jenny)</sup> Kroeger

Eugenie Kroeger

William Jones

William Jones

Clem Gray

Clem Gray

HOWARD JONES

Howard Jones

Deb Bennett

Debra Bennett