

**Select Board Meeting, Monday, June 12<sup>th</sup>, in the Cavendish Town Office**

**Meeting Room at 6:30 pm**

**Present:** Bob Glidden (Chairman), George Timko, Mike Ripley, Mark Huntley, Jill Flinn, Brendan McNamara (Town Manager), Bruce McEanney (Assistant Town Manager), Jen Leak (Recording Secretary), Ed McEanney from LPCTV and citizens as listed on the attached sheet.

**1. Call the meeting to order.**

Bob Glidden, Chairman, called the meeting to order at 6:30 p.m.

**2. Act upon minutes of the May 8<sup>th</sup> and May 17<sup>th</sup>, 2017.**

*Mike Ripley moved/George Timko seconded a motion to approve the minutes of the May 8<sup>th</sup> and May 17<sup>th</sup>, 2017, meetings as written. All voted in favor.*

**3. Sign Orders**

Bob Glidden, Chairman, informed the Board that there were no orders to sign. He directed them to review correspondence at their convenience during the course of the meeting.

**4. Adjust Agenda**

There were no adjustments.

**5. Hear Citizens**

Trevor Barlow, a resident of Chapman Road, was present. He said that TDS is still not offering high-speed internet service in the upper Twenty Mile Stream Road area. Trevor asked if there were state funds available for Comcast to increase their service area, or if TDS could be pressed to deliver the service they had promised. Margo Caulfield was present said that she will be attending a meeting of the state telecommunications committee in June. She said that she will discuss the lack of service in several areas within Cavendish and welcomed Trevor and anyone else interested in this issue to join her at that meeting. So far TDS has put their efforts into expanding service in other towns. Margo said that she didn't know what else could be done to encourage them to focus on Cavendish. Trevor said that he would appreciate whatever could be done to improve service in our area.

**6. Select Board to consider Coolidge/Ludlow Solar road crossing agreement on Quent Phelan Road.**

Brendan said that Danielle Changala, from Next Era Energy, was present. Danielle explained that Next Era Energy is building a solar array on Barker Road, which is within the Town of Ludlow. The proposed conduit would extend from the array on Barker Road in Ludlow and underneath Quent Phelan Road in Cavendish to connect with Velco's Coolidge Substation. Brendan handed the Board members a copy of the crossing agreement for them to review.

George said that he would need time to read the request before he could consider it for approval. He asked if the Town Attorney, Matt Birmingham, had reviewed the agreement. Brendan said that he had

emailed the agreement to him earlier today but had not discussed it with him yet. Jill and George suggested that the Board postpone approving this agreement so that the Board members and Matt can have time to review it.

*George Timko moved/Mike Ripley seconded a motion to defer a decision on item #6, Select Board to consider Coolidge/Ludlow Solar road crossing agreement on Quent Phelan Road, until the regular Select Board meeting in July. All voted in favor.*

7. **Select Board to discuss possible response to the Natural Resources Board regarding proposed stone quarry on Tierney Road.**

Brendan reminded the Board that William Burke, Vermont Natural Resources Board, had sent out an email requesting input from the public on a proposed stone quarry located on property at the end of Tierney Road. The property is currently owned by Justin Savage, and Snowstone LLC would buy a .64 acre portion and carry out the stone extraction. Brendan said that he and Matt have discussed the issue, and the Board needs to discuss if they wish to respond on behalf of the Town.

Linda and Bruce Watson, residents of Tierney Road, were present. Linda read a statement outlining their concerns and requesting the Select Board to respond in opposition to the quarry. She stated that she and other residents of Tierney Road believe the quarry contradicts the goals set out in the Town Plan. Peter Labelle was present and read a statement from the Concerned Citizens of Cavendish Association. The CCCA is concerned that, without an Act 250 permit, there would be no restrictions imposed on this project. The CCCA would encourage the proposed quarry owners to meet with them and members of the public to draft and adopt a set of legally binding regulations. Peter added that they would prefer not to engage in litigation in order to avoid significant costs to the Town. George asked what the CCCA would recommend if they were not able to reach an agreement with the proposed quarry owners. Peter said in that case the CCCA would ask the Town to oppose the quarry.

Jill commented that the owners seem willing to work with the Town to make the residents happy. She said that people who live here need to be able to make a living using the resources on their land.

Wendy said that she was concerned there could be a revolving set of less-than-one-acre projects which could operate without any Act 250 regulations. She added that her property is near an old quarry. She is trying to sell a portion of land and potential buyers have been concerned about that quarry becoming active again.

Mike said that he agreed with Wendy's concerns but added that the quarry has been there for a long time. He said that would like to negotiate with the proposed owners to set some parameters without resorting to litigation. George commented that he understands everyone needs to make a living, however one person's livelihood should not negatively impact everyone else.

Mike Harrington was present. He said that he owns property on Tierney Road, and he thanked the Select Board for discussing this matter. He reminded the Board that the townspeople who fought against the previous quarry operation raised money and won their case. He said that he would like to find a balance point but was skeptical that the quarry would be compatible with a residential neighborhood. He said he believed that all the residents of Tierney Road opposed the quarry operations and encouraged the Town to respond.

Margo said that she had been very opposed to the previously proposed McLean Enterprises quarry. She commented that commented that stone has been quarried in Cavendish for a long time, and that Mr. Snow currently operates a quarry on Cavendish Gulf Road. She said that she wanted to know more details on

this proposed quarry before forming her opinion. George said that those details would only be available if an Act 250 permit was required. Margo added that she did not want regulations which would make it difficult for people to make a living here. She also said that she believed there were Tierney Road residents who did not oppose this quarry.

Wendy said that she would like the Select Board to ask the proposed owners for more details. She said that the Planning Commission has submitted a list of questions to the Board which they would like to be included if the Board does request more information on this project. Robin Timko said that, as a CCCA member, she would like more details and a binding agreement, but on personal level she agreed that it was a delicate balance between making a living with your own property and being part of a community. Robin and Wendy both urged the Board to ask for a time extension to further study this issue.

Mike Ripley asked Justin Savage, who was present, if he and Jason Snow from Snowstone LLC would be willing to meet with the Board and members of the public to further discuss this issue. Justin said that he would and thought that Jason would as well. Mike suggested that the Select Board ask the Natural Resources Board for an extension of the public comment period in order to have time to schedule an informational meeting. Brendan said that he could draft a letter to Bill Burke, NRB, asking for an extension. He said that both sides have valid concerns, and he hoped that an agreement could be reached without litigation.

Bruce Watson stated that a quarry would devalue all the properties in the area, and the Town would need to adjust make adjustments in property values accordingly, which would bring in less tax monies. He said that he was opposed to any quarry activity on Tierney Road.

*George Timko moved/Mike Ripley seconded a motion that the Town Manager should contact Matt Birmingham to get his opinion on the Town's options, and Bill Burke to ask for an extension of the public comment period, and based on that information to set up an informational meeting for the Select Board, proposed quarry owners and members of the public.* Mike asked if Justin Savage which to speak. He did not. Mark Huntley commented that he was unsure what options people thought a meeting might provide. Robin said that, if a binding agreement was a possibility, then the details could be negotiated later. *All voted in favor.*

Mike asked if the citizens present tonight could leave their email addresses so that the Town Manager can inform them if a meeting is scheduled. Margo said that she would also post information on the Cavendish Connects blog and Facebook page.

#### **8. Select Board to review and consider approval of proposal for a new website.**

Brendan said that he met with Katie Hamlin, website designer and local resident, to discuss building a new Town website. Her proposal to construct the site is \$1,200 to \$1,500, which includes showing the office staff the basics of how to add/edit content. Once constructed, one employee would then be in charge of keeping the site up to date.

*George Timko moved/Bob Glidden seconded a motion to accept Katie Hamlin's proposal for construction of a new Town website at a cost not to exceed \$1500. All voted in favor.*

#### **9. Update on progress with Town Garage.**

Brendan said that he has written the RFP for a design/build on a new garage. He spoke with several area contractors, who said that it would not be possible to complete the project before winter. He and Bruce have therefore looked into other options since the Town crew needs a building before winter. They

thought that it would be possible to construct a garage faster if the Town acts as the General Contractor, having the building demolished, the site prepped and ordering a pre-fabricated building. It might also be less expensive although it would mean a lot of extra work for he and Bruce. One company estimated that they could have the building materials shipped within 6-8 weeks, during which time the demolition and site prep work could be done. Area contractors could assemble the building on site in about a week. The electrical, heating system and plumbing work can be done later once the building is in place, but this would at least give the Town crew a place to work out of the elements.

George commented that the Board would also need to put in additional time as the governing body of the Town. Rich added that the Town acted as general contractor for the water filtration plant construction, and that Randy Shimp has experience coordinating large projects. Rich said that keeping good financial records would be important. Rich asked if the Town was still considering other locations for siting the new garage. Bruce said that the new garage would be placed at the same site as the old garage. Bruce said that the insurance company has requested the Town get another quote for the asbestos removal. Brendan said that he has not been able to schedule another company to do that yet, so the asbestos removal has been delayed.

George said that he would like to see the RFP's. Brendan agreed that he would share all the RFP's for each process with the Board. The Board agreed that Brendan should change focus away from a design/build project in order to get a building in place before winter.

10. **Select Board to review CCCA request for use of Town Green for Summer Concert Series.**

The CCCA is again organizing a summer concert series, to take place on the Proctorsville Green on Wednesday nights from July 5<sup>th</sup> to August 16<sup>th</sup>.

*George Timko moved/Mike Ripley seconded a motion to approve the use of the Town Green for the CCCA Summer Concert Series. All voted in favor.*

11. **Consider resignation of Jill Flinn as Animal Control Officer.**

Jill said that, since Seth is also resigning, she will continue to act as Animal Control Officer as much as she is able.

*George Timko moved/Bob Glidden seconded a motion to defer the decision to accept Jill Flinn's resignation as Animal Control Officer. All voted in favor.*

12. **Consider resignation of Seth Perry as Town Constable and Animal Control Officer.**

Brendan read Seth Perry's letter of resignation as Town Constable and Animal Control Officer aloud to the Board.

*Jill Flinn moved/George Timko seconded a motion to accept the resignation of Seth Perry as Town Constable and Animal Control Officer with regrets. All voted in favor.*

Rich suggested that the Select Board might consider if they wanted a constable with full police powers or not before considering individuals who might fill this position.

**13. Select Board to consider approval of the Vermont Municipal Bond Bank Loan Agreement for the replacement of the Wastewater Treatment Plant Aeration System.**

Brendan said that he and the Town Treasurer have reviewed the agreement, which needs the Select Board members' signatures and approval.

*Mike Ripley moved/George Timko seconded a motion to approve the Vermont Municipal Bond Bank Loan Agreement for the replacement of the Wastewater Treatment Plant Aeration System in the amount of \$790,000.* Rich asked if there would be a special election to vote on this bond. Bruce reminded him that had been done that at the Town Meeting elections in March. *All voted in favor.*

**14. Other business**

Brendan McNamara – none.

Bruce McEnaney – Bruce handed the Board some information on flashing beacon crosswalk signs, which he would like to see placed at the crosswalk across Route 131 at the Cavendish Town Elementary School. He would like to apply for a VTrans grant which would cover 50% of the purchase price, which is \$7924 for 4 signs (both sides of the crosswalk facing both directions). Bruce said that he wasn't sure if the school or Town would cover the balance of \$3,962. George suggested that the issue should be discussed with the school board. Bruce said that the grant is due by July 1<sup>st</sup>, and it needs Select Board approval regardless of who pays the balance.

*Bob Glidden moved/Jill Flinn seconded a motion to authorize Bruce to apply for a VTrans grant to place flashing beacon crosswalk signs in front of the Cavendish Town Elementary School. All voted in favor.*

Jill Flinn – none.

Mark Huntley – none.

Mike Ripley – Mike commented that a Windsor County Deputy was monitoring the intersection of Routes 131 and 103 over the weekend. He believed that they were there to prevent trucks from travelling Route 103 northbound due to the detour around the closed bridge in Ludlow.

George Timko – none.

Bob Glidden – none.

**15. Executive Session regarding personnel.**

*George Timko moved/Bob Glidden seconded a motion to enter into executive session to discuss a personnel matter at 7:50 p.m. All voted in favor.*

The Select Board recessed to the Town Clerk's office.

*Mike Ripley moved/George Timko seconded a motion to exit executive session at 8:03 p.m. All voted in favor.*

**16. Adjourn**

*George Timko moved/Mike Ripley seconded a motion to adjourn at 8:03 p.m. All voted in favor.*

Minutes Approved: \_\_\_\_\_

Date: \_\_\_\_\_