

**Selectmen's Meeting, Monday, August 15<sup>th</sup>, 2016 in the Cavendish Town Office  
Meeting Room at 6:30 pm**

**Present:** Bob Glidden (Chairman), George Timko, Mike Ripley, Wendy Regier, Jill Flinn, Rich Svec (Town Manager), Bruce McEnaney (Assistant to the Town Manager), Jen Leak (Recording Secretary ), Ed McEananey 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 6:31 p.m.

**2. Conduct public hearing on the adoption of the Cavendish Flood Hazard Area Regulations (FHAR) update. The draft of the FHARs update were reviewed by the Board of Selectmen with the Chair of the Cavendish Planning Commission on May 23<sup>rd</sup> and with John Broker-Campbell, Floodplain Manager for Southern Vermont, on June 28<sup>th</sup> and were also discussed at Select Board meetings on October 13<sup>th</sup> & November 9<sup>th</sup>, 2015 and May 9<sup>th</sup>, June 13<sup>th</sup> & July 11<sup>th</sup>, 2016.**

Bob Glidden asked Rich to conduct the public hearing for the Cavendish Flood Hazard Area Regulations. Wendy said she had not seen the final copy which included revisions made after the Select Board met with John Broker-Campbell. The other Board members did not remember reviewing it either, so the Select Board decided to recess and continue the hearing next month. Bob asked if there was anyone present who wanted to comment on the FHARs. There was not.

*George Timko moved/Mike Ripley seconded a motion to recess the public hearing on the adoption of the Cavendish Flood Hazard Area Regulations (FHAR) update until the September 12, 2016, regular monthly Select Board meeting. All voted in favor.*

**3. Review/approve minutes of the meetings of July 11<sup>th</sup>, July 25<sup>th</sup> and August 8<sup>th</sup>, 2016**

*Mike Ripley moved/George Timko seconded a motion to approve minutes of the meetings of July 11th, July 25th and August 8th, 2016. All voted in favor.*

**4. Sign Orders**

Bob Glidden, Chairman, directed the Select Board members to sign orders at their convenience during the course of the meeting.

**5. Review Correspondence**

Bob Glidden, Chairman, directed the Select Board members to review correspondence at their convenience during the course of the meeting.

## **6. Adjust agenda**

There were no adjustments to the agenda.

## **7. Hear Citizens**

Barbara Dickey was present. She said she had heard that Chester and Ludlow had free internet service on their Main Streets and, if true, wondered whether Cavendish could provide a similar service. Larry Wilfong said that the village area in Ludlow does have free wifi, but it was spotty. Mike said that since the signal was shared it could be slow if many people were using it.

Wendy said that the village of Woodstock has a town sponsored wifi system but she thought that Ludlow had open wifi provided by businesses and not by the town. The Cavendish library does have public wifi, as does the Crows Corner Bakery, which residents can use.

Mary Jane Abate, chef/owner of Glimmerstone Inn, was present. She reminded the Board that she has a commercial catering license, and requests permission from the Board to serve alcohol at wedding receptions and cocktail hours. She said most of the permits request service until midnight. She has had some complaints about the music played inside the barn. Since Cavendish has no zoning or town noise ordinance, she believed she was in compliance with local laws but the State Police advised her she needed to gain Town approval to play music after dark. She has future events planned and wanted to clarify Town policy regarding noise to avoid future police involvement.

Rich suggested that she might talk with her neighbors and try to be considerate. Seth Perry, Town Constable, said there have been official complaints from the two closest properties, but he had heard unofficial complaints from properties farther away. He suggested that, with cooler weather, she could close the doors of the barn to help contain the noise. George said he thought the Town Plan had guidelines about decibel levels at her property line, which she could test. Wendy suggested she send notice to her neighbors ahead of time and work towards a compromise if they have objections.

Rich asked Mary Jane if she had looked into ways to minimize noise or attenuate the sound. She said that she does not allow parties to extend after midnight, and that she points the speakers into the barn rather than towards the doors. When it was suggested that she close the barn doors after dark, she replied that the air would be too stagnant with the doors closed. Rich suggested that air handling equipment could resolve that problem.

George asked Ed Garrow, who was present, for his opinion since he is a close neighbor to Glimmerstone. Ed said that he believed business owners needed to respect their community and neighbors. He said that he has heard music from the events at Glimmerstone, and several weeks ago there were fireworks at 11:30 p.m. Ed said he thought that ending at 10 p.m. was more reasonable than midnight. Seth said that the complaint of “disturbing the peace” is at the responding officer’s discretion as to what is a reasonable level of noise and time of day. Mary Jane said that the fireworks were not part of her normal functions. It was pointed out that fireworks were also illegal in Vermont.

Ed said that he thought the Select Board should set some limits on the timing of party noise. Rich suggested that, if there are continued complaints, then the Select Board might need to consider a

Town noise ordinance. He added that business owners should strive for good relations with their neighbors and consideration of others to avoid future complaints.

8. **As Local Board of liquor Control, consider applications for Special Event permit for the Golden Honey Festival and also Catering Licenses for forthcoming Glimmerstone events.**

Rich read the five catering license applications.

Request to Cater Malt, Vinous and/or Spirituous Liquors for the Vermont Golden Honey Festival, to be held at 399 Depot Street on Saturday, September 10, from 10:00 a.m. to 4:00 p.m.

*George Timko moved/Wendy Regier seconded a motion to approve the catering license for the Vermont Golden Honey Festival on September 10. All voted in favor.*

Request to Cater Malt, Vinous and/or Spirituous Liquors for the Inn at Glimmerstone Mansion, wedding cocktail hour and reception, on Friday, August 19, from 3:00 – 9:00 p.m.

*Jill Flinn moved/George Timko seconded a motion to approve the catering license for the Inn at Glimmerstone Mansion on August 19. All voted in favor.*

Request to Cater Malt, Vinous and/or Spirituous Liquors for the Inn at Glimmerstone Mansion, wedding cocktail hour and reception, on Saturday, August 20, from 1:00 p.m. to midnight.

*George Timko moved/Mike Ripley seconded a motion to approve the catering license for the Inn at Glimmerstone Mansion on August 20. All voted in favor.*

Request to Cater Malt, Vinous and/or Spirituous Liquors for the Inn at Glimmerstone Mansion, wedding cocktail hour and reception, on Saturday, August 27, from 2:00 p.m. to midnight.

*Mike Ripley moved/Jill Flinn seconded a motion to approve the catering license for the Inn at Glimmerstone Mansion on August 27. All voted in favor.*

Request to Cater Malt, Vinous and/or Spirituous Liquors for the Inn at Glimmerstone Mansion, wedding cocktail hour and reception, on Saturday, September 3, from 2:00 p.m. to midnight.

*George Timko moved/Wendy Regier seconded a motion to approve the catering license for the Inn at Glimmerstone Mansion on September 3. All voted in favor.*

Wendy asked Mary Jane if Glimmerstone had hosted any events this summer without first obtaining a permit. Mary Jane said they had not.

9. **Updates on two separate VTrans railroad projects to occur this year in Cavendish.**

Rich reminded the Select Board about the railroad trestle underpass project on Cavendish Gulf Road, which has been discussed several times. Bruce attended a pre-construction meeting for this project last week and shared the highlights from that meeting. The road will be closed to through traffic during construction hours from August 22 through October 28. Bruce has advised both GMUHS and CTES of this closure. The shotcrete retaining wall will be tinted in order to better blend in with the existing stonework as previously agreed to. The contractor requested use of Town water but Rich and Randy suggested they use river water instead. The contractors will

place barricades with “Road Closed local traffic only” signs on both the Cavendish and Chester ends of the road.

Rich said he has not heard any more information about the at-grade crossing upgrade project which is also scheduled to be completed this construction season on Cavendish Gulf Road with a temporary road closing needed. He said he will let that project supervisor know the underpass project construction dates so they do not conflict.

**10. Discuss current status and activities related to conveyance of town parcel #1R06-059 which is town-owned land acquired via tax sale.**

Rich said the Town-owned property on Heald Road, formerly owned by Billy England, has been advertised for sale with a local realtor. There are presently two offers on this property. The Board previously discussed and approved an offer from someone interested in an adjacent property, who would like to purchase 0.31 acre to improve the other properties’ road access.

There is also an offer for the main property, which Rich will discuss with the Board in executive session at the end of tonight’s meeting. Rich said the Select Board needs to advertise the Town’s intent to sell this property publicly. He handed out copies of this notice to the Select Board members. It provides a brief history of the Town’s acquisition of this property and outlines how the proceeds of the sale are to be handled. The notice must be in place for 30 days before any sale can take place. If a petition with more than 5% of the Cavendish legal voters is received petitioning an objection to the proposed conveyances, then the legislative body (Select Board) will have to hold a special town meeting and have a town vote.

**11. Discuss September 1, 2016 Transfer Station Fee Schedule Changes**

Rich handed out copies of the updated Transfer Station Disposal fees to the Select Board members, which list household trash disposal fees and as well as special wastes fees. The household trash disposal fees are slated to double, effective September 1<sup>st</sup>. He said that the minutes of the July 9<sup>th</sup> Select Board meeting reflect that the Board approved the changes of the special wastes fees but he did not find record of the approval to increase the MSW (trash) disposal fees. Bruce reminded the Board that, although many items can be disposed of at no charge to residents, the Town still pays for pickup and hauling for many of them, including the single stream recyclables. Rich noted that the trash (MSW) disposal fees have not increased since 1991, and the state now requires transfer stations have a “put and pay” system which covers cost of disposal.

George commented that he heard not all the materials we currently recycle will be accepted in the future. Bruce said this is a possibility since the recycling market has become saturated and flat.

***Mike Ripley moved/Jill Flinn seconded a motion to accept the new Transfer Station disposal fees including the MSW and special wastes fee schedule as revised effective September 1, 2016. All voted in favor.***

Jill asked if our Transfer Station permit policy was also changing. Bruce said that one sticker is issued per property at no charge, and additional stickers can be purchased for \$5. This is not a change. He added that old stickers can be peeled off and brought into the Town Office for replacement at no charge.

**12. Discuss issue with head board clearance of Truck #3**

Bruce said that the new Truck #3 is too tall to fit through the garage doors, despite the sales representative's assurance that it would be the same height as the other truck the Town bought from them. He said the problem is the mechanism which pulls a tarp over the bed, which is required to carry loose loads safely. Bruce said either the truck or the garage door needs to be modified. Rich said he would prefer to modify the truck. Bruce agreed, and said the dealer will need to address it since it is their error.

Seth commented that he has seen this problem is some of the trucks he works with, and explained how they sometimes modify their equipment to fit their trucks through smaller doors.

**13. Review proposed FY 2017 Cavendish Municipal Wastewater System Budget and Rate Schedule for approval.**

Rich said he would like to defer this item as several costs are not fully determined yet. He said he would like to call a special meeting before the regular monthly meeting in September in order to discuss and act upon this. The Board agreed to meet on Monday, August 29<sup>th</sup> at 5:30 p.m. for that purpose.

**14. Brief discussion regarding progress on the board's work plan for hiring of a Town Manager to replace the current manager who is retiring.**

Rich said the Select Board has contracted with VLCT to aid in the recruitment process. Mike has agreed to be the contact person for the Board, and has sent them a draft job description. Mike added that Rich has agreed to stay longer in order to give the Board more time to do a proper search. Bob said they hope to start interviews by the end of September.

**15. Town Manager to inform board of a workshop opportunity for Select Board members on Vermont's open meeting laws which will take place in Chester this October.1**

Rich said the Chester Town Manager informed him of this workshop, which will take place at 6:30 p.m. on Wednesday, August 24<sup>th</sup>. Mike said there is a Board of Civil Authority meeting that night at 5:00 p.m. so the Select Board members will probably not be able to attend. Rich said to let him know if anyone is interested in attending this meeting after the BOCA meeting.

**16. Updates on other town activities including the awards of a Vermont Better Roads grant and a VTrans Town Highway Structures (Bridge) grant.**

Bruce said that he worked with two church youth groups in the Cavendish Village cemetery who cleaned and reset stones. Cemetery operations continue to go well and all equipment is in good working order. He asked the Select Board to consider removing the chain link fence along the road at Hillcrest cemetery this fall, and review options for replacing it next spring. He said that stone posts can be bought locally for a good price and connected by chains or white painted boards. Bruce said he will talk with the property owner at the entrance to the Proctor Cemetery, as the path

to the cemetery is currently partially blocked. He said that G&M Treotech will remove the large pine trees along the edge of Cavendish Village cemetery in September.

Bruce said the highway crew will install guardrails on small bridge on Brook Road, by the old Tiemann house, to replace those which were damaged in Tropical Storm Irene. Other guardrails in town which were damaged in that storm will be installed by a contractor.

Rich said there will be a public outreach meeting for the CT Valley Project, which will upgrade the Velco power lines between the Coolidge and Ascutney substations, this Thursday, August 18<sup>th</sup>, at 6:00 p.m. in the multipurpose room at CTES.

Rich said the energy committees from Cavendish, Weathersfield, Reading and Windsor have formed a consortium and applied for \$5000 hub grant under the name of the Ascutney Area Sustainable Communities. The Cavendish Energy Committee will also host an Energy Fair on October 1<sup>st</sup> at CTES and have invited various vendors to set up displays.

Rich said that lightning damaged a transmitter in the solar array in a recent storm so data was not being transmitted to the website for about two weeks. This was the second time it was damaged, so the repairs were not covered under warranty. However, Rich said it was not a very expensive repair and surge protection was added, which should protect against this type of damage in the future. Since the solar array is generating more energy credits than we can use on our accounts, the energy committee is investigating putting heat pumps in the Town Office, Water Filtration Plant and Wastewater Treatment Plant. The heat pumps could use the surplus electric energy credits to heat these buildings, which would save money by increasing efficiency and reduce the amount of fossil fuels consumed. Rich said the heat pumps might also help to address the problem of excess condensation in the Water Filtration Plant. Rich clarified that the existing heating systems would remain in place, and could be used when needed, for example when solar production was too low to cover the heat pump energy usage. Wendy added that heat pumps can also provide air conditioning during the summer.

Rich reported that the Town has received approval of a VTrans Town Highway Structures grant to repair the Greenbush Road bridge next year. He would put bids out for that project this winter. The estimated cost for this project is \$120,000.00 with a 10% Town match, which will come out of the Bridge Capital Fund. Rich said the Town also received a Planning Grant in the amount of \$7,500 for a culvert and bridge inventory.

## **17. Other business**

Jill Flinn – none.

Wendy Regier – Wendy commented on a letter from the Windsor County Youth Services in the Select Board correspondence which outlined their maintenance activities on the Proctorsville Green. Wendy offered to act as liason to coordinate daffodil bulb planting and to recognize their contributions. The Select Board agreed and thanked Wendy for volunteering to do this.

Mike Ripley – none.

George Timko – George asked if the bridge rail at the intersection of Whitesville and Center roads was painted by the Town. Bruce said it was not. George noted the addition of paving rap and asked if the gate was ready to be installed at the Town gravel pit lot. Rich said that Matt Palmer is fabricating the gate and it should be installed soon. Jill asked if someone could remove the blue

tarp that has been in the lower stock pile pit for quite awhile, since you can see it from Route 131. Rich said he would see that it is removed.

Bob Glidden – none.

***George Timko moved/Bob Glidden seconded a motion to enter executive session on a real estate negotiation at 8:20 p.m. All voted in favor.***

The Select Board recessed to the Town Clerks’s Office.

***George Timko moved/Mike Ripley seconded a motion to exit executive session at 8:34 p.m. All voted in favor.***

**18. Adjourn**

***Bob Glidden moved/Mike Ripley seconded a motion to adjourn at 8:34 p.m. All voted in favor.***

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

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