

# Mount Holly Select Board Meeting October 13, 2020 Minutes

**In-Person with Zoom Meeting: 898 6126 5487**

**Present: Select Board:** Jeff Chase, Jennifer Matthews, Mark Turco

**Town Officials:** Sue Covalla, Francis DeVine, Diana Garrow, Russ Garrow, Robert Herbst, David Johnson, Annette Lynch, Jon McCann, Lori Norton, Peter Perrino, Don Richardson, Jim Seward, Brigid Sullivan, Mary Surething, Laura Swartz, Carol Woolley, Clinton Woolley

**Members of the Public:** Paul Barton, Peter Berger, Ted Crawford, Dennis Devereux, Don Eatmon, Roger Garrow, Zena Gates, Barbara & Steve Hazelton, James Heald, Katie Hollebeek, Chris Kohut, Patti Kohut, Bill McGrath, Stephen Michel, Robin Nelson, Kevin Neubert, Gary Norton, Valerie Perrino, Christine Pratt, Donna Seward, Michael Smelser, Raymond Tarbell, Ron Tarbell, Jeff Teter, Amy Turco, Joe Turco

1. **Call to Order** by Mark Turco at 6:32 pm.

2. All recited the **Pledge of Allegiance**.

3. **Changes and/or additions to the agenda** – Mr. Turco asked to add the leaf blower purchase through the received grant award. Jennifer Matthews asked to add a road use request for the Mount Hilly Runners. It was agreed to add both under ‘New Business, Other.’

4. **Approval of September 8<sup>th</sup>, 2020 Minutes & Special SB Meeting Minutes of September 21<sup>st</sup> & September 29<sup>th</sup>** – Jeff Chase made a motion to approve the minutes, seconded by Mr. Turco, unanimously approved.

## 5. Reports

### a. Highways & Transfer Station Update – Clinton Woolley

i) **Road Salt Purchase** - Mr. Woolley reported he had received three quotes for road salt: American Rock @ \$74/ton; Appalachee @ \$74/ton, the supplier we have been using; and, Cargill @ \$68.50/ton. Ms. Matthews asked if he had checked with Shrewsbury on their experience with Cargill. Mr. Woolley said they were happy with them and he recommended using Cargill because of the lower price. Mr. Turco made a motion to use Cargill for road salt at a cost of \$68.50 per ton, seconded by Mr. Chase, unanimously approved.

ii) **Summit Road Culvert Replacement** – Culvert will need to be replaced sooner rather than later as it is in rough shape due to age and beaver activity. Mr. Woolley is waiting to hear from ANR in the hopes of at least replacing the old culvert with a new one until a more permanent repair can be made. Mr. Chase noted that VTrans has been contacted about performing a hydrological study in preparation for a grant to make the repair; grant availability is a couple of years out due to COVID delays.

iii) **Sawyer Hill Road Grant Application Update** – Mr. Chase submitted the grant on Friday for the project.

### b. Treasurer – David Johnson

i) **Monthly Income & Expense Report** – Mr. Johnson reported the tax payments were coming in better than last year at this time, which is reflected in the bank balance. Looking at the Profit & Loss, he noted that more taxes were paid early so more discounts were taken than budgeted; another \$30,201 payment has been received for the State Aid for Roads, which appears to be the quarterly amount; ballot item Social Service & Support checks to go out next week; Solid Waste Labels Sold figure of \$8,990 is about a third of budgeted amount while we are only through a quarter of the year; Solid Waste Disposal continues to run about 20 tons more than a year ago; Better Back Roads grant expense is for the man-size rock being used for ditching.

ii) **LMHUUSD Remittance Schedule** – Mr. Johnson provided a payment schedule which shows the monthly school payments through the last payment in June.

iii) **Outside Audit – Firms & Costs?** – Mr. Johnson has talked with O’Brien & Shortle in Rutland. He will have a cost estimate at the November meeting.

c. **Mount Holly Planning Commission: Town Plan Revisions Update** – **Jim Seward** reported they had worked on one section and were moving on to the next. Bob Herbst asked why the revisions were necessary. Ms. Matthews responded that the Select Board had concerns about the purchase of Okemo by Vail Resorts, one of the largest ski resort companies both here and abroad, and one with very deep pockets, long-

range plans, and a very wealthy clientele. As it stands right now, the town plan leaves Mount Holly vulnerable to development as it lacks specificity. With no zoning, the town is dependent upon the town plan to spell out what we want and don't want in our community, and specifics are necessary. Specificity is also needed in order to prevail in an Act 250 or court hearing. The specifics in the town plan are what safeguard our community. Ms. Matthews also mentioned the desire to keep Mount Holly affordable for young families and for the adult children who were raised here but now find it difficult to afford to live here. The Select Board agreed as a whole to ask the Planning Commission to review the town plan and to give it some teeth to protect our community. Discussion followed about environmental impact studies, the expense of expansion, and the location of the ski area on state forest land leased from the State. Don Eatmon commented on cancelled contracts and golf courses for sale. He stated that Ms. Matthews should recuse herself from the discussion as she lives on Branch Brook Road, the only access road if Vail does come over the mountain. He stated we went through rewriting the town plan two/three years ago, and what are we wasting our time for?

**d. Mount Holly Conservation Commission Update – Francis DeVine** reported the Commission has had two meetings so far and has focused on organization, a mission statement, and the development of policies and procedures. They plan to understand and catalogue Mount Holly's natural resources so as to be able to advise the Select Board and Planning Commission on the use of the town's natural resources. If the town is successful in receiving a Municipal Planning Grant, they plan to oversee the update of the Arrowwood inventory of natural resources, with the inventory serving as an aid in the work on the town plan. The Commission is exploring other grant opportunities, and it has established a committee to work on how to improve Star Lake. He noted the Commission meets the first Tuesday of every month, except for November when they will meet on November 2<sup>nd</sup>.

**e. Rutland Regional Planning Commission Update – Jon McCann** reported that the Mendon town plan was approved. The Mendon AT&T cell tower project was revised from a 140' tower to a 90' tower with branches and approved with those revisions.

**f. Rutland Regional Transportation Council Update – Clinton Woolley** reported that the main topic of the meeting was the expanded train service to Burlington with stops in Middlebury and Vergennes.

**g. Rutland County Solid Waste District Update – Clinton Woolley** reported on RCSWD's difficulty disposing of the zero-sort materials as they cannot ship due to COVID. He is also working with Mr. Chase on a composting operation for food scraps at the transfer station, as they now have to drive the collected food scraps to Rutland twice a month and it's costly.

## **6. New Business**

**a. Administrative Officer Appointment – Ms. Matthews** noted the letter received from the Planning Commission, which states at their September 22<sup>nd</sup> meeting, they made a motion - passed unanimously - to nominate Renee Sarmiento for the Administrative Officer position. The position does not have a set number of hours, as the hours are dependent upon the work that comes in. Mr. Chase noted this was above and beyond the Planning Commission clerk hours and duties, and he asked if the money was in the budget. Ms. Matthews explained that the subdivision fees cover the Administrative Officer costs, and at present there are two subdivisions with the fees outstanding and another subdivision in the works. Mr. Johnson said the fees go into the general fund. Ms. Matthews explained that according to State Statute, the Planning Commission recommends an individual for the Administrative Officer, and the Select Board then appoints that individual. Ted Crawford said there had been three or four Administrative Officers in the past and they had all stopped working because there was little to do. He stated that State Statutes treat us the same as Burlington and it is in the best interest of the Select Board to ignore State Statutes.

Mr. Turco asked if the proposed fees were the same as the current ones and asked if they had been approved by the Planning Commission. Ms. Matthews responded no. She went on to explain that the fees are to set by the Select Board as spelled out in the Town of Mount Holly Subdivision Regulations passed in 1998: "The Select Board shall review its established fees periodically to insure the fees are covering the cost of published public notices, holding of public hearings, and other expenses incurred in administering these Regulations." She noted the fees have not been adjusted in years, and that in a comparison with neighboring towns, the proposed new fees are still much lower. Mr. McCann explained the Planning Commission has approved one subdivision but not yet collected the fees as there is no published fee schedule. The subdividers want a letter with the Select Board approved fee schedule before paying any subdivision fees. Bill McGrath stated there is a pamphlet with the fees listed. Mr. Eatmon stated the Select Board must vote on the fees before changing them. Mr. Chase stated there was a lot of hostility in the room and the discussion about the fees was just a starting point. Mary Surething stated that one or two people on the Planning Commission and one or two people on the Select Board cannot run the town; the whole town should have a say. Mr. McCann again referenced the 1998

Subdivision Regulations. They state the Select Board, which Mr. McCann pointed out is the elected governing body elected by the townspeople, is to set the fees. He stated the Planning Commission needs the fees, whatever the amounts are, in writing. Ms. Matthews noted that the Subdivision Regulations also state that any change in fees shall have a 30-day notice.

Mr. Turco returned the discussion to the Administrative Officer, stating there was no funding in the budget for the position. Mr. Johnson pointed out there was funding for the Planning Commission clerk, none of which had been used in the first three months of the fiscal year, so there was some funding available. Mr. McCann noted that the work for the Administrative Officer varies greatly and most towns use the fees to cover that work. When there are more subdivision applications, there is more work and more fees. Conversely, when there are no applications, there is no work and no fees. Mr. Seward confirmed that the Planning Commission nominated Ms. Sarmento for the Administrative Officer position, but he said if there was no money to pay her, she shouldn't be hired. Discussion followed about who does the hiring – the Select Board. Ms. Matthews made a motion to follow through on the Planning Commission's unanimous recommendation to appoint Renee Sarmento as the Administrative Officer. No second. The item was tabled until next month.

**b. Planning Commission Appointment** – Two Letters of Interest have been received for a term on the Planning Commission running until November 2021: one from Stephen Michel, one from Brigid Sullivan. Stephen Michel said he was new to town, would like to contribute to the town, and he thought being on the Planning Commission was a good way to learn about the town. He was a New York State CPA. He is on the Board of the Museum and treasurer for the Springfield Area Child Cooperative. As to the town plan revisions, he will try to cooperate, listen and work with people. He has not read the town plan, he has no knowledge of the plan, and he has no background in town planning.

Brigid Sullivan said she had volunteered for many organizations in town, and she had written grants for the Museum, the Mount Holly Conservation Trust, and the MH Volunteer Fire Department. She has worked in public administration with years of experience in planning.

Mr. Chase asked if either individual would re-apply in November when a couple of Planning Commission terms are ending. Ms. Sullivan replied yes. Mr. Michel said he would have to think about it. He added he would bring a neutral look to the town plan and would be open to any idea to improve the plan. Ms. Sullivan said she was available to assist.

Mr. Chase made a motion to appoint Stephen Michel to the Planning Commission term ending in November 2021, seconded by Mr. Turco. Mr. Chase and Mr. Turco voted yes; Ms. Matthews voted no. Ms. Matthews thanked Ms. Sullivan for her willingness to serve. Mr. Turco thanked her too.

**i) November 2020 – Two Terms Expire** – Mr. Turco stated there were two terms on the Planning Commission ending in November. Those who might be interested in the positions should submit Letters of Interest to the Select Board. Ms. Matthews clarified a couple of points made earlier. She said the two young women whose terms are ending in November and who are not seeking to be re-appointed are not leaving due to burn-out but for a variety of other reasons. She said she was sorry to lose the valuable perspective they brought to the table representing younger members with families in the community. She thanked both Nicole Lewis and Gabrielle Macklin-Bickford for all the time and effort they put into the Planning Commission. She stated that their departure is a tremendous loss to the Planning Commission, the Select Board, and to the community as a whole. Mr. Turco also thanked them.

**c. Conservation Commission Resignation** – Mr. Turco noted that one individual has resigned from the Conservation Commission. He made a motion to accept Jay Ummel's resignation, seconded by Mr. Chase, unanimously approved. Ms. Matthews said she would post the opening. Mr. Turco asked if we need to do that as originally there were to be only five seats. Ms. Matthews replied that the Select Board appointed nine individuals and had agreed to nine seats with a re-assessment of that number in a year's time. The Position will be posted.

**d. Permit Application Fee Schedule** – Mr. Turco said this was a continuation from the previous discussion. He said he needed to see the current fee schedule before agreeing to any changes. Discussion ensued about where the current fee schedule could be found. Mr. Seward said it was in the town office and he would pull it out for Select Board review. The Select Board will revisit the issue in November.

**e. Village of Belmont Road Concerns – Dennis Devereux** said these concerns have been discussed over the years:

**i) Lake Street Triangle** – He stated that the grassy area at the bottom of Lake Street was dangerous and he thought it should be removed for safety reasons.

**ii) Four-Way Stop?** – Mr. Devereux thought a four-way stop was necessary at the Belmont Store as cars on Tarbellville Road could not see well at the stop sign, and many from out of the area assumed

and proceeded as if the intersection was a four-way stop. Both were dangerous. He said a red flashing light might be necessary.

iii) **Lower Speed Limit** – With the speed limit posted at 35 mph, many drive at 40-45 mph. He said many villages have lowered the speed limit to 25 mph and it might be a good idea to do that in Belmont.

He also suggested looking at the speed limit on other roads, like Healdville with no shoulder, animals, driveways, and people walking and on bikes.

Discussion ensued on these ideas, both pros and cons. Mr. Chase said it would be best to set up a committee to study the issues. Mr. Turco said the Select Board will review the recommendations received from the committee. Mr. Devereux will draft a notice about the committee for the Chit Chat and town website.

f. **Town Clerk Concerns – Sue Covalla** was concerned about how members of the Select Board were treating her as she was an elected official and not under the Select Board's control. She said the Select Board was making decisions about items that concerned her without asking her opinion. She said she had written a letter to the Select Board about her concerns. With the land record digitization grant, she said she should have been involved in the decision to pursue the grant and she should have had the opportunity to read the contract, as the work involved fell on her shoulders in the midst of an election. She said she was very stressed by the grant, and she would like to have her concerns heard. Mr. Chase apologized to Ms. Covalla if she felt disrespected by the documents put out at the start of the pandemic to keep staff and community members safe. He said he was willing to help with the work for the grant. Paul Barton said all appreciated her service to the community. Mr. Chase asked what the Select Board could do to fix the situation. Ms. Covalla said she's an elected official and she is to work with the Select Board, and the Select Board should ask her opinion on things that concern her. Raymond Tarbell said the Select Board should not try to change everything and should try to work with and listen to the people. Ms. Matthews said to Ms. Covalla that we all appreciate all the good work she is doing, including working on a holiday. She thanked her for being willing to tackle the grant and get the work done at a most inopportune time, and she thanked her for her willingness to do so. Mr. Turco also thanked Ms. Covalla.

g. **Concerned Citizens Comments** – A number of residents spoke on a number of concerns:

- Mr. Herbst spoke of the need to elect a Chair of the Select Board
- Paul Nevin spoke of the need to support and respect those who worked for the town
- Chris Pratt recommended the Select Board tell the Planning Commission which parts of the town plan they have concerns about and which parts the Planning Commission should work on

Discussion ensued about the steps necessary to approve a town plan: public hearings, Select Board approval, Rutland Regional Planning Commission approval.

- Mr. Michel said he thought it unfair for town employees to be called back from vacation to do work that was not an emergency and was scheduled to be done upon their return
- Mr. McGrath said that residents could start a petition to bring the town plan up for a town vote
- Mr. Crawford was displeased with the COVID-19 Guidelines for the in-person Select Board meeting: 6' social distancing, 25 person limit on attendance, not moving chairs. He said townspeople were tired of edicts and rules from the Select Board, and townspeople are smart enough to look after themselves. He also said that Select Board members cannot act alone; an administrative assistant is needed to do the work and then communicate with each Select Board member. Mr. Chase said he wrote the guidelines and had emailed them to the other Select Board members. Ms. Matthews said she understood the concerns expressed, but that Mr. Chase was only listing the health and safety requirements issued by the Governor and the VT Department of Health to keep us all safe during a pandemic. Those requirements include allowing only one person per 100' square feet, strict social distancing, and a mask mandate. She said the document was an attempt to follow those health and safety guidelines to keep everyone safe while trying to accommodate some residents' desire to have an in-person meeting.
- Mr. Barton said that more people had died from the pandemic than died in World War I, the Korean War, Vietnam, Desert Storm, and the current war on terror. Public officials work for the people and are to do the people's work.
- Mr. McCann thanked Mr. Chase for the extraordinary job he did to get this meeting off the ground. He said that the town Health Officer could be the one to deal with these health issues without the need for Select Board approval.
- Raymond Tarbell thanked the Select Board for having an in-person meeting.

- Zena Gates spoke of the need for in-person meetings for those without computers or access to Zoom. She asked how future meetings would be held. Mr. Turco said the Select Board would continue with in-person meetings and Zoom.

Mr. Turco thanked everyone for their comments.

h. **Other** – Mr. Turco said that the **grant for the leaf blower** was approved. Mr. Woolley said the State cost of the blower was \$5,600 with a 20% share, but he could purchase one for \$5,300. Mr. Chase made a motion to purchase the leaf blower, seconded by Ms. Matthews, unanimously approved.

Katie Hollebeek introduced herself as having lived in town for 10 years. She works at the hospital and started running to reduce the stress of the pandemic. She started **Mount Hilly Runners** and wants to expand the group to others in the area. She is planning a 5k fun run/walk/skip on the morning of October 31<sup>st</sup> from the Library down Straight Road to VT Route 155 and back. She will put signs up alerting drivers to the participants alongside the road; the road need not be closed. The Select Board saw no issues and wished her success with the event.

## 7. Ongoing & Old Business

a. **Emerald Ash Borer Inventory Update** – Mr. Chase reported that he, Don Richardson and Jim Corven had completed a training on how to do an inventory of ash trees and what to look for in the trees. The inventory will differentiate right-of-way trees, trees near utilities, and those privately-owned but near right-of-ways. There are infestations now in Londonderry and West Rutland.

b. **Select Board Admin. Assistant** – The revised job description and ad were reviewed. Mr. Turco made a motion to approve the job description and ad, seconded by Mr. Chase, unanimously approved.

c. **Other** - Ms. Matthews provided a brief update on the provisions of **S.54/Act 164**, the retail cannabis bill which became law without the Governor's signature. Towns must opt in through a vote at an annual or special meeting to allow retail cannabis sales in their community. Towns have no say in whether cannabis growers, manufacturers, laboratories, or processors can operate in town. No taxing authority was given to municipalities.

## 8. Announcements/Other Business

a. **Reminder: Fall & Winter Transfer Station Hours, Saturdays 8:00 am-2:00 pm, Sundays 9:00 am-Noon**

b. **Reminder: Election Day, Tuesday, November 3<sup>rd</sup> – Polls Open 10:00 am-7:00 pm; Early/Absentee Ballots Must be Returned to Town Clerk by 7:00 pm on November 3<sup>rd</sup>**

c. **Other** – None.

9. **Review & Sign Orders** – to be signed one Select Board member at a time at the town office.

10. **Executive Session: Title 1 V.S.A. S 313(a)(3) – personnel (if needed)** – Unnecessary this evening.

11. **Adjourn** – Mr. Turco adjourned the meeting at 9:00 pm.

Respectfully Submitted: Jennifer Matthews

Approved: 11.10.2020