

**Select Board Meeting
@ Town Office
June 14, 2022
6:30 pm**

MEETING MINUTES

Present:

Select Board: Jeff Chase (via Zoom), Diana Garrow, Mark Turco (Chair)

Town Officials: Caitlin Boyle, Carol Garrow-Woolley, David Johnson, Jon McCann (via Zoom), Christine Pratt, James Seward, Clinton Woolley

Members of the Public: In Person: Paul Barton, Philippe Crane, Dennis Devereux, Lori Doolittle, Zena Gates, Jessica Metcalf, Stephen Michel, Brigid Sullivan, Amy Turco. Via Zoom: Michael Blais, Jim Corven, Francis and Carol DeVine, Will Duane, Andy Schulz, Donna Seward, Andy Tanger, Monique (no last name given), Paul (no last name given).

1. Call to Order
2. Pledge of Allegiance
3. Consideration of any changes and/or additions to the agenda. Mark Turco noted a request from Town Treasurer David Johnson to add three items to the Treasurer's report, re: the Conservation Reserve Fund, the Waiver of the Homestead Filing Penalty, and the Lister's Report. He also noted a request from Town Highway Foreman Clinton Woolley to add an item re: the Town's purchase of an excavator for the Highway Department.
4. Approval of May 10th & May 17th Minutes. Mark Turco made a motion to approve the minutes as written, seconded by Diana Garrow, unanimously approved.
5. Reports
 - a. **Highways & Transfer Station Update - Clinton Woolley**
 - i. Mr. Woolley noted that the Highway Department will apply again for grants through the Vermont Agency of Transportation's Better Roads (formerly called Better Backroads) program.
 - ii. Mr. Woolley reported that he has been test-driving a new excavator; he has been using the machine for about two weeks. Mr. Woolley noted it is the right size, has the right amount of power, and is digging well, and recommends purchasing it. The price is \$96,409 with a five-year, 5,000-hour warranty. David Johnson noted that there are funds in the budget, from several relevant line items, that amount to \$36,500 dollars; these funds could be used to make a down payment summer outside services, winter material, better back roads grant reimbursement for town equipment. on the excavator. In addition, the Town could use the balance from the equipment fund toward this purchase. This would require a reallocation of additional funds for the equipment fund in the future.
 - iii. Mr. Woolley also noted that Highway Department employees attended a crack-sealing training and recommended renting a crack sealer to help maintain the roads. The Select Board agreed that this approach would be useful in the interim period before repaving can be done.
 - b. **Treasurer Monthly Income & Expense Report - David Johnson**

- i. David Johnson noted that the Town budget is in good shape through the end of the year. We will have an approximately \$300K surplus in funds for the operating budget at the end of the year, which will be used to operate the Town until tax payments are received next year. Additionally, the delinquent tax collector has reported that there are three properties that are delinquent in paying taxes; two have received a letter from the Town attorney. One has made partial payments.
 - ii. **Internal Financial Controls Checklist for Municipalities:** David presented this report to the Select Board for receipt and signature; this report is required of municipalities by state statute but does not need to be filed with the state. Diana Garrow made a motion to accept the Internal Financial Controls Checklist; Mark Turco seconded; unanimously approved.
 - iii. **Conservation Reserve Fund:** David Johnson noted that only \$50 of the \$500 budgeted in the Conservation Reserve Fund has been spent. David Johnson wondered whether it is necessary to establish a Reserve Fund for the remaining \$450. Fra Devine noted his desire to establish the Reserve Fund; David Johnson will do so.
 - iv. **Waiver of the Homestead Filing Penalty:** David Johnson asked whether the Select Board would like to waive the filing penalty for property owners who file their homestead declaration late, as has been done historically. Diana Garrow made a motion to waive the homestead filing penalty fee. Mark Turco seconded; unanimously approved.
 - v. **Lister's Report:** David Johnson noted that there were 16 grievances; 3 were denied; 10 were reduced and 2 are unchanged due to the property owner's ultimate satisfaction with the assessment after meeting with the Listers. One grievance will go to the Board of Civil Authority. Overall, the Town's Grand List has grown by \$5.7 million.
- c. **Mount Holly Planning Commission Update - Jon McCann**
- i. No updates at this time. No meeting was held this month due to illness.
- d. **Mount Holly Conservation Commission Update - Phil Crane**
- i. **General Updates:** Fra Devine reported that the Conservation Commission received a "Tiny Grant" of \$500 from The Association of Vermont Conservation Commissions (AVCC). These grants are small grants given to Town conservation efforts. The grant will be applied to ongoing conservation efforts at Star Lake. The Vermont DEC also approved the Commission's grant application to place a bottom barrier in Star Lake. The Conservation Commission also voted unanimously to approve the proposal to be presented later this evening by the Mount Holly Conservation Trust re: the transfer of land in Mount Holly to the State of Vermont.
 - ii. **Shade Tree Update:** Phil Crane, on behalf of the Conservation Commission, has created a comprehensive Shade Tree Preservation plan, portions of which are required by state statute, and which outlines how the town will maintain or remove trees that qualify under state statute as "shade trees." (A "shade tree" is defined by the law as a shade or ornamental tree that is located in whole or in part within the limits of a public way or public places, provided the tree was planted by a town or is designated as a shade tree in the town's Shade Tree Preservation Plan.) The Conservation Commission requests that the Select Board consider the Shade Tree Preservation Plan to preserve the beauty of public roadways, and to fund the planting of additional trees in the Town. Phil Crane requests that the Select Board add consideration and approval of the proposed Shade Tree Plan as an agenda item at the next Select Board meeting. Mark Turco agreed.

6. New Business

- a. **Mount Holly Conservation Trust Land Transfer to the State of Vermont - Brigid Sullivan**
 - i. Brigid Sullivan, the President of the Mount Holly Conservation Trust, requested the support of the Mount Holly Select Board for the Trust's planned transfer of ownership of the parcel formerly owned by Michael and Jacqueline Ryan to the Vermont Department of Fish and Wildlife (DFW). The DFW is seeking the town of

Mount Holly's support for its proposed acquisition of a 238-acre parcel, which will be part of a proposed 449-acre Wildlife Management Area (WMA). MHCT acquired this parcel and an abutting 210.9-acre parcel in Weston and on the border of Mt. Holly with frontage on Rt. 100. MHCT purchased the property earlier in 2022, with the intent to transfer it to DFW for the creation of a new WMA. The WMA will be open to the public for hunting, trapping, angling, birding, hiking, cross country skiing, and snowshoeing. Plans for a public parking area, signage and trails are in the works for the property. The property will be stewarded by DFW, with other planned management activities including invasive species control and timber harvest to promote wildlife habitat. This is a landlocked parcel that is on the Mount Holly side of the disputed town line with the Town of Ludlow. The State of Vermont is the owner of the Ludlow parcel adjacent to this parcel. State ownership of this contested parcel will forever remove that dispute from future contested issues facing the Town of Mount Holly. DFW ownership of this parcel as a WMA adjacent to the Okemo State Forest will provide better public access to the State Forest and ensure the land is open in perpetuity to our citizens.

- ii. Lori Doolittle, the benefactor of the Trust's conservation and transfer efforts, offered some history of her family's connection to Vermont and her reasons for supporting the MHCT's efforts to transfer the land to the DFW for wildlife management.
- iii. Will Duane of the Department of Fish and Wildlife (Land Acquisition Coordinator) offered further detail on the proposed transfer of the parcel to the State of Vermont. He explained that WMAs are similar to state parks, in that they are owned by the DFW, but they are acquired primarily for wildlife habitat and public access. They do some limited mowing, cutting and logging in WMAs, but generally leave the land wild, as the primary goal for a WMA is the encouragement of wildlife habitat management; the properties are kept open to the public for hiking, cross-country skiing, hunting, and other dispersed recreational activities. Creation of a parking area and/or maintenance of culverts may be done. The primary wildlife management for this area is securing stable and safe wildlife passage, north to south, specifically for black bears. Will Duane also noted that the transfer will have only minimal impact on the Town's property tax receipts. DFW takes the assessed value of the land in the year it was required, and multiplies that value by the current municipal tax rate. The DFW's initial payment to the town on this property would be \$1,032.90 in the first year. He further noted that the DFW is required by statute to notify towns of its intent to acquire land; it seeks to go beyond notification to seek the affirmative support of the town for the acquisition; it must also notify the governor.
- iv. Tim Morton, the Stewardship Forester at the Vermont Agency of Natural Resources, Department of Forests, noted that there is already a road system within the property in question; these are gravel roads that are in disrepair; repairs would be made to the road system in as far as that would enhance public access; failed roads in the hills would be water-barred as needed.
- v. Dennis Devereux noted that the Town should understand how the transfer of the land might affect the Grand List. Will Duane answered that in terms of the Grand List value; the property's value is locked in at the time of the acquisition, and is established by the assessed value at the time of the acquisition (2022). The value of the property as assessed by the Town would still be reassessed when the Town does a reappraisal. David Johnson noted that the current annual property tax on the property is about \$800; this includes the education fund. David Johnson noted that the difference between the taxes the town currently receives on the property and what it would receive in the PILOT tax payment from the DFW, would be approximately \$100.
- vi. Will Duane reiterated that the state is requesting the Town's support and noted that he provided a template letter of approval; a motion by the Select Board is also sufficient for state statutes. Mark Turco made a motion to accept the proposal as written, Jeff seconded the motion; unanimously approved.

b. Notice of Initial Act 250 Application Filing

- i. The Select Board noted that Green Mountain Power (GMP) has filed an Act 250 application for electrical line work at 1358 Shunpike Road, as well as a Proposed Land Use Permit for pole and line relocations on: Shunpike Road/Syria Spur. Zina Gates noted that she is pleased with GMP's similar work on the poles and lines on Gates Road.
- c. **Vermont DEC Aquatic Nuisance Control (ANC) Permit**
 - i. The Select Board will coordinate with the Nineveh Foundation and the Conservation Commission to submit the ANC for both Lake Nineveh; to this end, Caitlin will forward the Permit to Fra Devine and the Conservation Commission.
- d. **Upcoming Town Appointments**
 - i. **Health Officer FY23:** Tim Bickford did not express interest in continuing in the position. The opening will be posted in the Newsflash and Chit Chat and the appointment will be made at the next regular Select Board meeting.
 - ii. **Road Foreman FY23:** Jeff Chase made a motion to appoint Clinton Woolley as Road Foreman FY23; Diana Garrow seconded; unanimously approved.
 - iii. **Rutland Regional Planning Commission Rep & Alternate FY23:** Jon McCann and Ryan Harder are current rep and alternate for FY22; the term expires at the end of June. The opening will be posted in the Newsflash and Chit Chat and the appointment will be made at the next regular Select Board meeting.
 - iv. **Rutland Regional Transportation Council Rep & Alternate FY23:** Jeff Chase made a motion to appoint Clinton Woolley as the RRTC Rep for FY23; Diana Garrow seconded; unanimously approved. The opening for the alternate will be posted in the Newsflash and Chit Chat and the appointment will be made at the next regular Select Board meeting.
- e. **Cemetery Mowing Bids Received - Dennis Devereux:** Two bids were received to mow the Packer cemetery; Mr. Devereux recommends accepting the bid from Craig Russell, the lower of the two. Diana Garrow made a motion to accept the bid from Craig Russell to mow Packer Cemetery at a rate of \$160/month, for five months; Jeff Chase seconded; unanimously approved.
- f. **Purchase of Excavator for Highway Department**
 - i. The Select Board further discussed the purchase of an excavator for the Highway Department. Clinton Woolley noted that when the Town is fulfilling its Better Roads grants, the Town can charge \$77.43/hour for the excavator; this year, the grant was \$17,000; this represented 60 hours of work. Jeff Chase further noted that the machine cost is also justified by the reduction in current costs of hiring out culvert replacement.
 - ii. Mark Turco made a motion for the Town to purchase the excavator as described, with the funding structure proposed by David Johnson; Jeff Chase seconded motion; unanimously approved.

7. Ongoing & Old Business

- a. **Dog License Registration for Unregistered Dogs**
 - i. Town Clerk Carol Garrow-Woolley noted there are 160 previously registered dogs that are not yet registered. Diana Garrow noted that the work of reconciling this list falls under the duties of the Animal Control Officer; Mark Turco agreed; Caitlin will notify the Animal Control Officer of this request from the Select Board. The reminder notice will continue to run in the Chit Chat and on the Town website; Caitlin will also post to public places and notify Animal Control Officer of the postings.
- b. **Old Turnpike Rd - Blais Lighting Concern Update**
 - i. Jeff Chase noted that Mike Blais has provided plans for altering the lighting on Old Turnpike Road, to move it out of the public right-of-way. Amy Turco asked Mike Blais whether the new light being installed will be as bright as the current light,

which can blind oncoming traffic. Mr. Blais noted that the new light will not impede drivers' vision; it will be similar in intensity and directionality to a highway street light; it has zero effect on the driver's upper field of vision, as it is directional. The wattage of this bulb will be lower than the current one; it will be a 120-watt LED bulb. (The one that is there currently is a flood light.) Elevation of this light will be at 22', rather than the current 14' foot elevation. Ms. Turco thanked Mr. Blais for altering the light. No further concerns were expressed by members of the public or the Select Board.

c. Historic Village & Speed Limit Signage Update

- i. Jeff Chase will lead coordination of sign enforcement with the Sheriff and ordering of posts and signs. Costs are roughly \$2,500 for posts and less than \$1,000 for the signs. Clinton Woolley stated that once posts are delivered, it will likely be a few days to install; he and Jeff Chase will coordinate on ordering and installation. Caitlin noted that the Select Board received a letter from Paul Frazier encouraging the final installation of the signs and offering to help.

d. Star Lake Cyanobacteria Signage and Water Testing Update

- i. Jeff Chase noted that he is coordinating with Health Officer Tim Bickford re: testing Star Lake for E.coli during the summer months; he will also coordinate with Jim Corven on the Conservation Commission re: water testing and cyanobacteria signage at the lake.

e. Junk Ordinance Enforcement Updates

- i. Certified letters were sent by the Select Board to the two property owners, on Belmont Road, and on Shunpike Road, who were deemed to be in violation of the Junk Ordinance at the May meeting. Jeff Chase also talked with the property owners in violation of the Junk Ordinance on Route 103. These latter property owners are making progress toward meeting the standard of the ordinance. In addition, the Belmont Road property has been cleaned up.
- ii. Some progress is being made toward cleaning up the property known as the Blue Spruce Inn; the Select Board will send a reminder letter urging further progress toward cleanup until the property is in compliance with the Ordinance.
- iii. The Select Board will also send a reminder letter to Grover Taylor urging further progress toward cleanup of his property.

f. Board of Adjustment Appointments

- i. Diana Garrow read the Resolution to establish a Board of Adjustment for the Town of Mount Holly. Jeff Chase made a motion to adopt the Resolution to establish a Board of Adjustment for the Town of Mount Holly; Diana Garrow seconded. The appointees were designated as Jim Seward, Christine Pratt and Stephen Michel. The alternates are Dennis Devereux and David Johnson. Unanimously approved. Dennis Devereux requested further instruction from the Select Board on the duties of the BOA; Mark Turco agreed that further details can be sent.

8. Citizen Comments

- a. Chris Pratt asked whether a new Town appraiser would be hired. David Johnson said the decision had not yet been made.
- b. Dennis Devereux asked that the Select Board vote on the removal of Scampsville Road from the town's road list, so that the state highway will remove the highway sign. This item will be added to the agenda for the next Select Board meeting.
- c. Dennis Devereux also noted that the Odd Fellows Hall is the backup emergency management site (the school is the first site). The Hall building is in need of repairs for sill rot and other maintenance; Dennis asked that perhaps some ARPA funds can be allocated to support building repairs given its designation as an emergency management site, and a community gathering space. He offered the opportunity for the Select Board to come to do a site visit.

9. Announcements/Other Business

- a. Caitlin noted that two letters of support were received from citizens in favor of the MHCT's proposed land transfer to DFW. Diana Garrow noted that a phone call of support came from Lori Doolittle as well.

10. Review & Sign Orders

11. Executive Session: Title 1 V.S.A. S 313(a)(3) - personnel (if needed)

- a. Diana Garrow made the motion to go into the executive session; Mark seconded; unanimously approved.

12. Adjourn: The meeting was adjourned at 8:50 pm.