**MINUTES SELECTBOARD MEETING**

**Monday 3:00 PM, June 15, 2020**

**Town Hall – Selectboard Office**

**Attendance of Selectboard by Electronic Devices**

**Meeting being held electronically pursuant to 1 VSA 312, including The Legislature’s H.861 (2020) “Temporary Suspension of Designated Physical Meeting Location Requirements” (see attached)**

**Public, wishing to attend the meeting remotely were invited to email** **townadmin@graftonvt.org****, request to be invited to join in on the meeting on Microsoft Teams, and provide the email address to which the invitation should be sent. Instructions on connecting to the meeting accompanied the agenda. See agenda**

1. The Chair opened the meeting at 3:00 PM.

Present at the meeting electronically were:

Selectboard members: Chair Joe Pollio, Al Sands, Stan Mack, Cathy Siano-Goodwin and John Gregory.

Others present: Nancy Merrill, Charles Bonin, Wendy Martin, Galen Pinkham, Jack Bryar, Tom Groves of Lang View Forest, Richard Thompson Health Officer. Amber Stevens, Laurie Danforth, Kim Record Clerk/Treasurer, Danny Taylor Highway Foreman and Bill Kearns Town Administrator.

FACT TV present on Microsoft Teams and live streaming the meeting.

1. Adopt Agenda. The Chair asked that the agenda be amended to include Tom Groves of Long View Forest re: invasive species at Village Park, and Jack Bryar, Chair WNESU Board on the June 25 election, to put them right aft Warrants and to add Humane Society contract after the cemetery policy. Motion by John Gregory, second Stan Mack to adopt agenda as amended. Motion passed unanimously.
2. Approve Minutes: June 1, 2020. Motion by Al Sands, second Stan Mack to accept the minutes as presented. Motion Passed unanimously.
3. Warrants. Warrants which had been signed by Joe Pollio were presented to the Board and acknowledged by them.
4. Village Park – discuss invasive species with Long View Forest: Tom Groves of Long View Forest spoke of his proposal to eradicate the invasive species in the Village Park. He had previously visited the park and mapped the area of invasive species and that map was put on the screen for his discussion. The species included Japanese barberry, knotweed, honey suckle and buck thorn. He would eradicate them with Rodeo with an enviro-friendly mix as was used on wetlands, which he likes to use on all surfaces. The eradication would come in two waves: the buckthorn, honey suckle and barberry in two visits – first the understory, with a second visit to touch up the understory work and then the overstory removal and painting the cut stems; and then in August and September the knotweed. He and his crew are all licensed eradicators and he will present the certificate of insurance and the licenses with his estimate of the cost. When as about follow up years, Tom said the process should be done twice more for two years and the cost would be about half for those processes. In response to Al Sands’ asking about physical removal of invasive species versus chemical, Tom stated the chemical is less invasive and the physical removal disturbs the soil and cause more issues. He will send estimate. He will provide the chemical safety sheet and stated that the Rodeo last 4 hours from spraying, but he would post the park as they were working if the SB wanted that. The Chair asked for anything further, and when there was none, he thanked Tom Groves for the presentation.
5. Jack Bryar discussed the WNESU election taking place in Athens, Westminster, and Grafton on June 25th. He had a sample ballot and FAQs, which will be put on the website. He then went through the “annotated Ballot” and FAQs to explicate the election issues. See the attached items. He then described where each town would vote and stated that absentee ballots would also be available on request. As for the ballots, he reminded voters in all three towns vote for representatives on the Board from all three towns. In response to a question from the Chair, Jack said the court proceedings continue.
6. Highway Report. Danny Taylor presented his report.
	* Paving Bid: The bid for Rte. 35 grinding (bomagging) and paving, as presented by Bazin Brothers in the amount of $165,860, was the lowest bid, included the Certificate of Insurance (COI), and, Danny Taylor said, met all the particulars required in the invitation to bid and should be accepted. The was little discussion. Motion by Al Sands, second Stan Mack to award the bid to Bazin Brothers for $165,860 and approve Bill Kearns as Town Administrator to sign the agreement for the Town Selectboard. Motion passed unanimously. Danny Taylor, when asked by the Selectboard, stated he wanted the work to commence in mid-July because:
		+ The town crew had to finish the grant funded work on Putnam Forest Road by the end of the month and
		+ he wants the crew to do the culvert on Route 35 in the work area as the work started and then
		+ do work on Rte. 35 along with Bazin. This includes hauling the gravel from Eastman Sand and Gravel. He also asked the Selectboard to allow the closure of the road during the day while the cloth was being laid and other work was being done. Selectboard agreed to that.

Danny will work with Bill Kearns to see the closure is properly done. He will have contractors help him haul the materials, as some of his crew would be involved in other timely work, like mowing, and hire the flaggers when the road was open, as discussed in prior meeting of the SB.

* + Chester Hill repairs. There was a void that caused a hole in the road. The spot was cut open and filled with gravel, packed, and left open to make sure it would not fail, and will be re-paved when he is sure it is stable. It was most likely an old failure, not since the culvert was repaired last spring.
	+ Stan asked about guardrails that needed repairs along Chester Road. Danny stated he was planning to fix those rails with rails he had stockpiled and do that this summer.
1. Clerk/Treasurer Report. Kim Record reminded the SB that they had reviewed the budget last meeting and there was nothing new to add. The accounts payable will be done through June 30th so the fiscal year business will close then. Her goal is to have all accounts payable for this fiscal year handle by then. Discussion of setting the municipal tax rate for next fiscal year and the timing of that. Since the state will not have the school tax rate till later, the deadline for setting the municipal rate is extended. SB can set municipal rate on July 20th or if necessary, at a special meeting.
2. “Little Library” located on Library lawn. – make sure outside of Town ROW and “snow throw”. The SB all had a copy of the letter. Michelle Dufort, librarian, said she personally did not see the necessity for such a Little Library in Grafton because of the hours of operation and because the Library is open to everyone. She would bring the request to the Trustees but would recommend against it. The SB acknowledged that the Library is the business of the Library Trustees not the Selectboard. The letter was addressed to the SB regarding siting the little Library. The SB directed Bill Kearns to respond in writing stating the siting on this property was the business of the Library Board of Trustees and wherever she should have authorization to place such a library in Town it should be clearly out of the ROW and out of the area of snow throw from town plows, and wherever located not cause blind spots for persons using the roadway.
3. Town Health Officer:
	* Discussion, CIC Building action by Town Attorney -Executive Session (perhaps).
		+ Bill Kearns stated he had had preliminary discussion with Samantha
		Snow, attorney with Salmon and Nostrand, who was looking into what the town should do to protect itself and town personnel and resolve the contamination issues. He also stated persons should take care about what was said inn the discussion and save details for any executive session to preserve Town rights in potential lawsuit.
		+ Rich Thompson, Health Officer began the discussion concerning the CIC building at 3992 Route 121 East in Cambridgeport. He stated he goes there regularly and finds the contamination, air pollution, continuing as well as the fact that the fire suppression and fire alarm systems continue in disrepair and nonfunctioning state. He stated that he knew of no state plan for cleanup, or enforcement by DFS or VOSHA. The air quality is badly affected but the environmental enforcement persons are not concerned by the recent chemical contamination issue but were seemingly focusing only on the historic (old) ground contamination and had no interest in the recent chemical contamination. He went on to say there is significant need for cleanup in the building and he is seeing nothing being done by the state to addressing the contamination NOR are they interested in enforcing law and regulations of see that the violation found in the building are addressed so as to bring the building into compliance with VOSHA and DFS regulations.
		+ Bill Kearns state that is why he asked the town attorney to investigate the situation. It is his understanding with Salmon and Nostrand that they will look at the materials I sent to them and ponder what they believe we should do and then discuss that with us in a Teams meeting.
		+ Al Sands then asked whether in the evolution of the work with DFS, VOSHA, State Environmental enforcement, HAZMAT, and EPA whether any agency took charge. There was no certain answer to that. DFS and VOSHA cited the owner of the company and found no suppression or alarm system, but to this date no one is doing anything, and the Environmental person told Rich that only he could shut the building down. There is no certainty that either the state or feds displaced the Town Health Officer in any of this, though the DFS did cite the owner.
		+ Rich Thompson ended the discussion by stating he was ready, because of all the continuing DSFS citation violations, to yellow tape (close) the building. The building is illegal and unsafe. When told he should stop now until the attorney has fully reviewed the matter and gotten back to us. Rich asked that this happen quickly.
		+ Executive session was not held.
	* Town pool/pond Rte. 121 West – discontinue use discussion. Discussion included closing the pool to swimming but maintaining mowing and the picnic table at the site. VLCT/PACIF visited the site – Wade Masure – and told the Administrator that a sign “SWIMMING PROHIBITED” posted at each end of the pond would be sufficient to meet PACIF needs. Motion by Stan Mack, second Al Sands to close the pond for swimming, post a “SWIMMING PROHIBITED” sign at each end of the pond and leave the picnic table and continue mowing at the site. Cathy Siano-Goodwin question whether residents would be content with the closing. The question was called, and motion passed 4 to 1 with Cathy Siano-Goodwin voting no.
4. Cemetery
	* Deed -signed. The deed for the sale of lots in Houghtonville Cemetery was approved for signature and Cathy Siano-Goodwin, SB Clerk, will sign the deed.
	* Burgess parcel near Cemetery – discussion of acquisition or not. Bill Kearns stated that he had talked to John Gregory about the possible gravel source on Tim Mueller’s parcel near Burgess Cemetery and Bill stated he mentioned to Tim Mueller that we would like to dig test pits on the parcel and Tim agreed it could be done. The mechanics would be an email from us stating where the pits would be, and Tim will let us know to proceed or not. When agreement is reached, John Gregory and Danny will complete the tests with Town equipment. It weas then discussed that when the tests are complete the Town will know whether it will negotiate with Tim Mueller. We budget $60,000 a year for gravel, and perhaps a three-year payment schedule could be worked out with Tim, thus the money would be there.
5. Coronavirus – Meeting Place discussion. In short, Bill Kearns explained that under the Governor’s orders will not allow a public gathering for a meeting. Bill also stated that the Governor extended the Emergency Declaration till July 15th.
6. Trayhan parcel – Operation and maintenance Agreement. The SB all had a copy. Motion by John Gregory, second Stan Mack to sign the agreement, and Bill Kearns authorized to sign the agreement for the Town.
7. Tree Policy
	* Tree Warden job description. The SB all had a copy. Stan Mack questioned the preference for a licensed arborist, stating this would limit the pool of candidates. It was pointed out that the licensed was preferred not required. There was discussion of the stipend amount. Cathy Siano-Goodwin suggested this could be negotiated with a candidate. John Gregory stated this more properly should be set with the budget. It was moved by John Gregory, second Cathy Siano-Goodwin to accept the job description as presented with no stipend set. Motion passed unanimously.
	* The tree at Pump Park. Kim reported the Wilson Park fund has $23,000 in it for the park and thus there was money for the tree work. Motion by Stan Mack, second John Gregory to tend to the tree and use the Wilson Park funds. Motion passed unanimously.
8. Consider Local Resolution to Legislature Re: funding for COVID-19 financial impacts. Each of the Selectboard had read the Resolution and disagreed with it. After further discussion, including a statement by one of the members that there was nothing in it we would support. Cathy Siano-Goodwin, on advice of Bill Kearns that all motions had to be positive, moved to support the Resolution. Motion failed 5 to 0.
9. Sheriff
	* Approve contract for 2020/2021. The SB all had a copy. Bill Kearns stated the contract was the same as the year before. There is an error in #5 the date should be June of 2019 not 2020. With that correction is was moved by John Gregory, second Al Sands to approve the contract extension and authorize Bill Kearns to sign for the Town.
	* Discussion – Athens - Grafton - Windham pact with Sheriff for share officer and more coverage. Bill Kearns stated he had talked to Kord Scott, who said that Windham was not interested is expanding the coverage, and because of that he had not discussed this with Dave Bemis of Athens – the person suggested to him by Sheriff Mark Anderson. The Selectboard stated it was satisfied with the current agreement and coverage. John Gregory said we could ask for more ticketing. Kim Record noted that the fines are up this year over the Town’s budgeted for fines to be paid to the town. Rich Thompson stated, once again – he had stated his concern before – that when the FD is out on a traffic accident dealing with a drunk or drug-addled driver, the State Police are not available. Things are dicey at times and could be a real issue in the future. More and more there is a need for that police presence.
10. Humane Society contract for next year. The SB all had a copy. Bill Kearns reported the terms were the same as last year. Motion by Stan Mack, second John Gregory to accept the contract with the Windham Humane Society and authorize Bill Kearns to sign for the Selectboard.
11. Other Business – Village Center Designation being pursued by the Planning Commission. The Selectboard asked that the matter of the VCD be put on the agenda for the purpose of having the Chair of the Planning Commission take the opportunity to explain to the Selectboard what the VCD is and entails, benefits and drawbacks, and explain where the PC stands in the application process and what it intends going forward. Bill Kearns said he would put it on the agenda. [John Gregory left the meeting.]
12. Public Comment. Kim Record: Thanks Wendy for doing the minutes at the last SB meeting.
13. Date of Next Selectboard Meeting: July 6, 2020
14. Adjourn meeting. The Chair stated that the meeting should be adjourned, if matters at the discussed during the site visit at the Village Park needed to be noted, the matter would be put in writing and included in the minutes. After adjournment, SB to gather at Village Park at 5:45 PM. Motion to adjourn at 5:15 PM by Al Sands, second Stan Mack. Motion passed unanimously.

Respectfully submitted

William G. Kearns, Town Administrator