**MINUTES SELECTBOARD MEETING**

**Monday 6:00 PM, July 20, 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**](mailto: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 6:00 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, Wendy Martin, Galen Pinkham, Richard Thompson Health Officer, Suzanne Welch, Michelle Dufort, Hardy Merrill, Mary Feder, Eric Stevens, Dottie Cannon, Valerie Rooney, Meg Gonzales, Danny Taylor Highway Foreman, Kim Record Clerk/Treasurer and Bill Kearns Town Administrator.

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

1. Adopt Agenda. Motion by Al Sands, second Stan Mack to amend the agenda to move the Village Park discussion up on the agenda to accommodate Tim Morton and as amended it was moved by Al Sands, second Stan Mack to adopt the agenda as amended. Motion passed unanimously.
2. Approve Minutes: July 6-, 2020. Several amendments were offered by Stan Mack and made by Bill Kearns. Discussion to remove the sentence at the end of the Coronavirus section regarding the concert, which states: There was nothing mentioned about Selectboard approval of the event, nor was it asked for. Motion by Al Sands, second Cathy Siano-Goodwin, to accept the minutes as amended. Motion Passed unanimously.
3. Warrants. Warrants had been reviewed and initialed by all the Selectboard members. The Warrants were presented to the Selectboard and acknowledged at the meeting.
4. Highway Report.
   * Danny Taylor clarified that he did not know when the sink hole above the Rte. 35 Culvert on Chester Hill opened, whether it was old before the repair or afterward. It will be patched over this week or next.
   * Route 35 paving did not occur on Monday as expected because they did not have the trucks available to do the work but will happen on Tuesday. They are doing dust control – spraying chloride.
   * Joe Pollio joined by John Gregory commented that Putnam Forest ditching and stone lining was very well done. Danny Taylor acknowledged that the work was done primarily by Mike Faulkner and agreed it was very well done, as was the other ditching work.
   * On Better Back Roads grants, there was delay in responding to applications, but they are going to grant some, provided the work can be done by December. Danny is working out the details of the work with Better Back Roads of VTrans.
   * Route 121 West in Houghtonville, on paved portion of the road, Cathy Siano-Goodwin reported a big hole. Danny knows the area and suggested the Town itself do a patch that will last until the road can be repaved. He talked of several truck loads of asphalt, truck-spread, and rolled. The Selectboard all agreed that this should be done.
   * Al Sands asked for a report on the effectiveness of the excavator. Danny stated it has been used on ditching on Fisher Hill as well as the Better Roads ditching projects and it is 3X faster. It has been used approximately 350 hours so far. It was used recently on the Rte. 35 culvert, done before paving, and it was fast. Had 60 feet of the 80 feet done the first day.
   * Danny in response to John Gregory described the work done on Fisher Hill Road and Pettingill flats (121 west) with sure-pack and chloride to hold it and the road is holding up well.
   * Grading. The Crew will get to once Rte. 35 paving is done.
5. Clerk/Treasurer Report Tax rate information not available from the State, thus there will have to be a special meeting of the Selectboard to set the tax rate after State provides the information.
6. Town Hall Repairs (continuing) discussion. John Gregory, he asked for this to be on the agenda to try to continue the work. Phase I and Phase III were done but the sealing of the basement floor in the outer spaces and insulation under the SB office portion needs to be done, and inquiry into the discrepancy in cost of the heat pumps resolved. John Gregory and Stan Mack will get together on the above and investigate possible grants for historic work on building.
7. Village Park – Tim Morton State Forester
   * Development Plan. There was a short discussion on the plan for the park presented by Joe Pollio and Al Sands

**Plan for the restoration of the**

**Village Park**

July 12, 2020

1. Engage Tim Morton to do a study and tree marking of the park for the purpose of finding how much money the Town could receive from the Timber Sale Cost $00.00
2. Remove the invasive plants/trees before the logging operation starts. Cost $4000.00
3. Construct the log landing and necessary roads and trails for the logging operation. Create two patch cuts and create at least one new trail. Cost $22,000.
4. Construct a leanto 14x14. Restore the existing picnic table and fireplace and add one additional picnic table. Cost $5,500.00
5. Restore the lower existing Gazebo. Cost $1,500.00
6. Upgrade existing trails so that they can be mowed with a brush hog once or twice a year Cost $2,000.00
7. Replace existing signs and add new ones. Also install a new Kiosk. Cost $1000.00
8. In the future build a new Pavilion. Cost $30,000.

This restoration will take about 3 years and the Town needs to add to its budget $1500.00 each year for upkeep of the trails and park. Total estimated cost $36,000.00, Plus the future pavilion.

* + Logging potential – discussion. Selectboard asked Tim Morton if he could “cruise” the timber in the park and Tim replied he could give an estimate of volumes by species and apply market values to reach an estimated market value, but no guaranteed. You would not know the real value until the logging went out to bid. The Chair then asked the Board if they wanted that to occur, that is Tim Morton cruise the woods and give an estimate. The members all indicated that should be done. Tim Morton agreed he could do that work before September. Al Sands stated that we need a log landing. John Gregory asked if the Town crew could not do that. Al Sands agreed it could but is there time. Tim Morton stated the first step would be the inventory, then harvest in the winter if loggers were available, so if the Town crew is available late and during hunting season, then the timing would be good. It is important that the landing is set, and properly drained or cannot use unless it is frozen solid. There was a discussion of the work and it was agreed Danny Taylor, Al Sands and Tim Morton would meet at the end of the week and go over the work to be done.

1. Town Health Officer: Richard Thompson reported:
   * He is still awaiting the report from the Attorney on the CIC building (3992 Route 121 East) and reiterated that the Health Dept is studying just the historic pollution from past uses, and not current air contamination. The historic deals mostly with ground pollution.
   * Mask Regulations issue. Rich Thompson stated this issue arose when he received complaints and was asked to talk with specific persons about wearing a mask. As for a regulation, he stated if you are going to create it you must enforce it and if someone refuses to wear a mask, then what? He consensus was all we can do is request and recommend as we have no way to enforce. Rich said he talked with the MKT, the PO who told him most were complying with mask wearing. He had not talked to the Tavern or Orson.
2. Coronavirus – Suzanne Welch presented a commentary on the after comments on the Library hosting the VSO and criticized the comparison to other events of crowd gathering. There was a long discussion on the presentation on the VSO and difference of opinion as to what went on, as well as re-opening business and social gatherings and the concerns and actions taken to protect the health of all of us. In the end the SB, on motion by Cathy Siano-Goodwin, second Al Sands and by a 3-2 vote with John Gregory joining Cathy and Al, decided not to include as part of the minutes what Suzanne presented on the screen and the discussion ended with the Selectboard stating that the critique of comments and comparisons of the VSO proposed gathering to other gatherings was well taken by the Board.
3. Planning Commission
   * Village Center Designation – what is it, benefits, drawbacks, process

Dave Culver the Chair of the Planning Commission stated that the Planning Commission had worked on this for some time, with the technical assistance of ACCD from Richard Amore. The basic facts are that if you are within the village boundary as delineated by the map that is ultimately approved by ACCD for the Village Area you may take advantage of the benefits of the Village Center Designation, but otherwise you are unaffected by its existence. So, a business can go after the benefits – remodeling the façade, for instance, and receives tax credits for a portion of the cost, if they so desire. The Planning Commission is not including Neighborhood Development in its application for VCD in Grafton. Dave Culver went over the benefits to the Town from the ACCD materials on-line, which consists of 17 pages and he went over the application guidelines. There was a discussion of the map, which Dave culver explained is meant to be exclusive and small rather than all inclusive – that is require by the VCD board which reviews and approves the applications. Joe Pollio stated he had talked with MKT and the Windham Foundation and neither June nor Bob Donald knew anything about the VCD. If they know nothing about it and have not responded, how can the Selectboard know if this VCD is worthwhile, and if no one uses it why adopt it. Dave Culver responded that he did not talk with them because it is all wins and no losses for them. However, under this program the Village could get money form the state which now goes to the towns around us and we get nothing. Discussion ensued on the benefits and getting the word out to the public and those owners in the Village who could benefit and get comments back from them. There was talk of a deadline of Aug 17th for a decision by Selectboard to support the application so that it could be presented to the Village Center Designation state committee at its September meeting. The Town will ask the WF and MKT and others for feedback and get back to Dave Culver and the PC. The Selectboard would want a public hearing on the application. Cathy Siano-Goodwin stated the Selectboard should approve the application for VCD or lose opportunity to help village property owners.

* + Amend Town Plan re Critical Resource Areas – “no development” - status of amendment. There then ensued a long discussion about amending the Town Plan terminating with an agreement among the persons present and debating that the Selectboard would propose the changes it want to the map and language and provide that to the PC shortly, and the PC will discuss the Town Plan and the VCD at its August 11th meeting.

1. Village Water Quality - Email from State – Discussion. The email is saying we are still looking for a solution for the water quality at the school and one residence, and asking where do you stand in your planning, and if you ready to proceed you might be a solution to our problem. It is not a demand or request that the Town proceed and fix the issue. Do you want to respond? The chair of the Village Water and Wastewater committee stated that she was aware of the email. That she is keeping the school and the town in the loop on the committee’s progress and that she can respond to the email if the Selectboard so desires. The Selectboard agreed she could respond.
2. Cemetery land. Bill Kearns stated the only landowner heard from was Beverly Streeter. The Streeter are interested in donating a portion of their land which surrounds Middletown Cemetery. They had talked to Don Lawrence some time ago about the land to the south of the cemetery and would be happy to entertain discussions with the Selectboard on the matter. Bill Kearns stated the town would do the subdivision. Joe Pollio and Stan Mack would pursue that information with Walter Critchfield and report back to the Selectboard.
3. School – empower the School Advisory Committee to investigate next steps and then advise the Board – short discussion. The School District lost the case which opposed the force merger of Athens and Grafton with Westminster into a school district. Should the school committee investigate possible actions to be taken if any? Left unanswered. Jack Bryar is to get back to the Selectboard about opening in the Fall. Send email to Jack and ask for an update on the opening and on the court matter and possible actions to be taken.
4. Tree Warden – handle if any volunteers. Otherwise pass. There were no volunteers.
5. VSO Concert – discussion – resident’s request. Wendy Martin said much of the discussion she wanted occurred in the Coronavirus discussion above, and left unanswered was this: when the meeting ended the VSO concert was proceeding and then it was cancelled. From the Board’s perspective what happened, was there a discussion about it, did you ask keith about it. I just wanted to know what you had done if anything. Joe Pollio, we did try to get the State (ACCD) to give us some guidance and we never heard back from the state. Wendy Martin why was Bill doing that? Joe Pollio, we asked him to. Wendy stated that since the Governor had come out with guidance, and we knew that why Bill would be making that call. Bill Kearns, because the guidance says no large gathering and then there are exceptions for three items where the attendance is limited to 150 people. Bill stated he asked them how one could have a gathering in an open setting in the middle of the village and then turn people away after 150 people entered the venue, or was that not allowed under the prohibition for large gatherings. Wendy stated she did not want to debate the gathering, she wanted to know why Bill was doing something not asked of him at the meeting. Bill responded that his job was not limited to what was asked of him by the Selectboard at a meeting. Wendy stated that her concern is the Board making decisions and doing things outside of the meeting. Bill replied no decisions were made. This was joe Pollio and I looking at the proposal and asking the state if the town should take action or not depending on the response, we received from ACCD. But we never got any answer from them. Joe Pollio then said when we received word that the concert was cancelled, we stopped our enquiry of the state, from whom we never did receive an answer. There was a long discussion of what was presented or not at the meeting. Joe Pollio the board has the responsibility to keep the residents and the Town safe and we needed to assure that. That is what we did in seeking advice from ACCD. The minutes of the meeting on July 6th will be transcribed word for word. Joe Pollio people can have a gathering that follow states regulations and orders.
6. Other Business None
7. Public Comment None
8. Date of Next Selectboard Meeting: August 3, 2020 at 6PM
9. Adjourn - Motion to adjourn at 8:40 PM by Cathy Siano-Goodwin, second Al Sands. Motion passed unanimously.

Respectfully submitted

William G. Kearns, Town Administrator