

MINUTES SELECTBOARD MEETING
Grafton Town Hall Upstairs In Person/Live
With accommodation for persons unable to attend in person via interactive Zoom

Monday, May 20, 2024, 6:00 pm

Present at the meeting in the Town Hall

Selectboard: Chair Joe Pollio, Vice Chair Cathy Siano-Goodwin, John Gregory, and Steve Sargent

Also: Morgan Wilbur, Margo Matt, Chappy Matt, Al Sands, Rick Aldrich, Kim Record, Don Dougall, Dottie Cannon, Colby Record, Mike Field, Lynn Field, Suzanne Welch, Sam Battaglini, Liisa Kissel, Rodney Record, Anna Keegan, Patrick Cooperman, and Bill Kearns

Present online: FactTV, Michelle Dufort, Amber Stevens, Donna Alexander, Lain Stevens, Wendy Martin, Hardy Merrill, and Robert Baldwin

1. Call to order: The Chair called the meeting to order at 6:00 pm.

2. Adopt Agenda: Joe Pollio requested the agenda be amended to include approval of the Minutes from the Emergency Selectboard Meeting on Friday, May 17th. Pollio also stated a cemetery deed needed approval.

It was moved by Cathy Siano-Goodwin, seconded by John Gregory to adopt the agenda as amended. Motion passed unanimously.

3. Approve Minutes of the May 6, 2024, meeting: It was moved by John Gregory, seconded by Steve Sargent, to approve the minutes of the May 6, 2024, meeting. Motion passed unanimously.

4. Approve Minutes of the May 17, 2024, Emergency meeting: It was moved by Cathy Siano-Goodwin, seconded by John Gregory, to approve the minutes of the May 17, 2024, Emergency meeting. Motion passed unanimously.

5. Worker's Compensation Policy: Morgan Wilbur and Kim Record explained that each year, the Town has an audit done by PACIF (the Town's insurance). This past year, they were notified that several contractors did not carry Worker's Compensation, therefore, the Town had to pay for the exposure charge. They said there is a fee per \$100 for any type of work done (highway, Parks & Recreation, administration, etc.) that is charged to the Town if a contractor does not carry Worker's Compensation. Wilbur and Record were looking to the Selectboard to decide how the Town should handle contractors going forward. Joe Pollio stated that this is rather unfortunate because it essentially eliminates small businesses. However, he understands the reasoning, which is to ultimately protect the Town from any potential lawsuit. After some further discussion, Pollio said the Selectboard would have to think about the best way to move forward and would discuss it at the next regular Selectboard meeting.

6. Highway Report: Colby Record said they were going to repair the failed culvert on Route 35 on Tuesday, May 21st. Once that is complete, they plan to go to Stagecoach Road and cut some trees along the ditch line in preparation for Green Mountain Power to bury the powerlines.

Library Water Drainage Issue: John Gregory opened the discussion by saying that there is a drainage pipe that runs from near the store (MKT) and goes towards Kidder Hill Road. That same drainage pipe is connected to the system that goes around the Tennis Courts, which are owned by the Windham Foundation. Joe Pollio said that the Town had alerted the Library that the lawn appeared to be rather wet. Michelle Dufort, the Librarian, asked Morgan Wilbur to contact VLCT to see if there was any added liability in the Town Highway Crew

performing the work of repairing/replacing the failed culvert that is under the Library's lawn. Wilbur said she contacted a VLCT Staff Attorney who said that since the Library is private property, the Town is not obligated to do the work. However, if the Town did the work, the attorney strongly recommended that a clear and concise agreement should be in place explaining the scope of work to be done and who would be responsible in the future. Kim Record stated that the Windham Foundation cleared the pipes around the Tennis Courts, which seemed to help dry the area out significantly. Patrick Cooperman, a former Library Trustee, said that the Library is a Municipal Library and that the trustees are elected officials. Dufort said she had asked for research to be done because the library is under the town's insurance. She also stated that the Library Trustees, given advance notice, can handle repairs to the building but she felt the Town Highway Crew could handle it in a better fiscal manner. Colby Record said he looked at the site and from looking at the catch basin system, it appeared that all of them are clear and that the issue would be 60-70 feet outside of the Town right-of-way. Dufort said the problem has seemed to have resolved itself but at some point, this will need to be revisited especially with the change in weather. In addition to that, Dufort expressed that the Selectboard needs to research the history of ownership and that needs to be understood by all parties moving forward.

7. Clerk/Treasurer: Kim Record stated that fourth-quarter payments were due last week. Outstanding taxes will now be delinquent and handled by the Delinquent Tax Collector.

Engagement Letter from Sullivan, Powers & Co., P.C.: All Selectboard members signed the engagement letter from Sullivan, Powers & Co., P.C. that was dated May 8, 2024.

It was moved by Cathy Siano-Goodwin, seconded by John Gregory, to accept the engagement letter from Sullivan, Powers & Co., P.C. dated May 8, 2024, to perform a professional audit for the Town of Grafton. Motion passed unanimously.

8. Committee Reports:

Parks Committee: Open Village Park East Access Trail Project 2024 Bids: Selectboard Clerk, Steve Sargent opened the bids.

- There were 4 bids submitted: WW Excavating, LLC (\$38,745.00), Ivor Stevens Grounds Maintenance (\$26,000.00), Taylor Excavation (\$35,781.00), and Summit Contracting (\$43,700.00)

Al Sands said that during the site visit, he did tell the contractors that they had a grant for just under \$30,000. Originally, the grant was going to cover the costs of building the learning center as well as the work to be done on the trails. However, the volunteers had done most of the work on the learning center using donated materials. Therefore, more money could be allocated to the contractor for this project. Sands asked the Selectboard, given the budget, if it would eliminate 3 of the 4 contractors bidding on the project. He was wondering if there were flexibility and/or other funds that could go towards the work. Joe Pollio stated that the Town, as it is, doesn't have additional money set aside for this project. He recommended staying within the budget that is allocated. John Gregory recommended reviewing the bids that were submitted because some bids may have additional, unnecessary work, whereas the low bid might not meet the requirements. Sands and the Village Park Committee agreed to review the bids and be prepared to recommend a contractor at the next Selectboard meeting.

Margo Matt mentioned that also during the site visit, they talked about the drainage issue on the abutting property, currently owned by the Keegans. Colby Record said that a driveway access permit would need to be obtained before any work begins, at which point he will talk about the drainage again. In addition to that, Record said he went to the site visit and asked that the contractor not direct any more water in the direction of the Keegans' property. If the problem persists, Joe Pollio said the Town would handle it.

Cathy Siano-Goodwin asked if all of the contractors attended the site visit at the same time. Al Sands said that yes, all of the bidders attended the site visit at 8:00 a.m., except for Summit Contracting. However, he said that

a provision was written in the request for proposals stating that if a contractor could not attend at 8:00 a.m., an arrangement could be made. Summit Contracting met with Margo Matt later in the day, mid-afternoon.

Cemetery Committee: Joe Pollio stated he went to Springfield Fence to discuss repairing the broken fence at the Village Cemetery. The individual he had been talking to was not available when he went, so he will go back in the coming week.

Personnel Committee: There was no report.

Wastewater Committee: Morgan Wilbur said she had drafted a letter to be sent to the Department of Environmental Conservation Commissioner requesting an extension of 90 days to continue working on developing a village wastewater system. Wilbur received feedback from the committee members, she would make some revisions and then send it to the Commissioner.

July 2023 Flood Update: Morgan Wilbur said that Kim Canarecci, Vermont's State Public Assistance Officer, asked Wilbur to complete a survey of financial questions and send a Certificate of Insurance, all of which had been completed as requested. Bill Kearns said that in Londonderry, his experience that approximately a week after those questions were asked, they began to get reimbursement. Kearns also said that all of Grafton's projects have been sent to FEMA for the CRC to review. The CRC may have some follow-up questions, but for the most part, the projects should be moving forward rather quickly. Suzanne Welch asked if any money had to be borrowed from the line of credit available. Kim Record said no money had been borrowed yet and that the line of credit would mature after July 13th.

9. Special Town Meeting Warning: Morgan Wilbur presented the warning for the Special Town Meeting to vote by Australian ballot to fill the Selectboard seat that had been vacated by Seth Pajcic. Liisa Kissel asked if there were any candidates to be on the ballot. Joe Pollio stated that the only candidate who filed a petition was Anna Keegan. He felt as though moving forward with the Special Town Meeting was an expense that did not need to happen, and the position could have been filled by the Selectboard many weeks ago. Suzanne Welch stated that it is the option of the Town to hold an election. Keegan asked what the expenses would be. Kim Record said that she does all of the printing of the ballots in house, but there would be at least 2 ballot clerks so their compensation would be the expense.

It was moved by John Gregory, seconded by Steve Sargent, to approve the warning for the Special Town Meeting to take place on Tuesday, June 25, 2024. Motion passed unanimously.

10. Cemetery Deed: A cemetery deed was presented to the Selectboard clerk, Steve Sargent. This deed is for selling a plot in the Cobb Cemetery to Elizabeth Schechter.

It was moved by Cathy Siano-Goodwin, seconded by John Gregory, for the Selectboard clerk to approve the deed for Elizabeth Schechter's plot at Cobb Cemetery. Motion passed unanimously.

10. Other Business: There was no Other Business.

11. Public Comment: Al Sands said that someone had been going to the Village Park parking lot and doing donuts. He said it appeared to have been someone with a jeep, ATV/UTV, a vehicle with large tires. He asked the public to keep an eye out for this.

Kim Record said she planned to host a BCA meeting just before the regular Selectboard meeting on June 20th, in preparation for the Special Town Meeting on June 25th.

12. Next regular meeting: Monday, June 3, 2024, at 6 pm.

13. Executive Session 1 V.S.A. § 313 (3): At 6:52 p.m., it was moved by Cathy Siano-Goodwin, seconded by John Gregory, to enter into Executive Session to discuss personnel, per 1 V.S.A. § 313, and to invite Morgan Wilbur into the discussion. Motion passed unanimously.

At 7:32 p.m., it was moved by Cathy Siano-Goodwin, seconded by Steve Sargent, to exit Executive Session. Motion passed unanimously. There was no action taken as a result of the Executive Session.

14. Adjourn. It was moved by John Gregory, seconded by Steve Sargent, to adjourn the meeting at 7:33 pm. Motion passed unanimously.

Respectfully submitted,

Morgan Wilbur

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