



Regular Selectboard Meeting

October 24, 2022

Unapproved Minutes

Members Present: Diane O'Classen and Thomasina Magoon

Others Present: Annina Seiler, Hannah Fjeld, Carol Fjeld, Marci Hayes, Jim Hayes, Fran Viko, Tammy Walsh, Dave McKinnon, Alexander McLaren, Marsha McLaren, Chad Chamberlain, Timmi Moffi, Dave Sabatini, Cecile Todd, Madine Reed, and Bill Mathis.

Call Meeting to Order

7:06pm

Appointment, oath, and organization.

Motion for Executive Session

Two letters of interest for Selectboard vacancy were received, from Tammy Walsh and Dave McKinnon. Diane makes the motion to go into executive session. Thomasina requested to speak before the executive session. Thomasina read aloud a letter she wrote and requested to have it on record (see attached).

Diane O'Classen motions to go into executive session, Thomasina 2nd.

Executive Session

28 min

Board enters executive session at 7:13pm

Out of executive session at 7:41pm, with action of appointment.

Resume meeting, (Part 2 audio)

Motion for Selectboard Chair

Motion passed to appoint Tammy Walsh for Selectboard until March election, when appointed position will be elected.

Diane invited Tammy to take the oath. Tammy took the Oath of Allegiance to the State of Vermont and the Oath of Office of Selectboard, sworn in by Marci Hayes. Tammy signed the oaths. Diane calls for board organization and Chair elect. Thomasina motions Diane be Chair, Tammy Walsh, 2nd.

Changes to the Agenda

1 min

0h02m58s

Diane requested to move minutes between Old Business and Roads. Diane would like to give Tammy a chance to read the minutes, with clarity that she would not be voting on them. Thomasina would like to table Sheriff info until the next meeting.

New Business

17 min

Audio/video recording of meetings

0h04m23s

Diane reported the minutes are now being recorded. Diane inquired if other members of the board are interested in video recording as well. Diane stated that video recording would create a better record and suggested an Owl. A decision needs to be made with where audio/video files are stored. Thomasina stated there is enough room on the website to store audio files.

Thomasina will be speaking with the IT person regarding a server to back up things. Thomasina is in favor of audio recording as it will reflect tone, but not video recording. She invites people that want to see the meeting to attend in person. Tammy agrees. Thomasina suggests a policy that the minutes, which she added do not accurately reflect tone, and audio be available at the same time. The audio would live on the website, be stored on the server, and hopefully backed up off site in case anything happens with the building. Diane inquired if the actual recording is kept on the recorder. Thomasina stated that once on the server, servers are set up to have 30 days of back up. Diane stated that these must be kept for at least a year. Thomasina makes a motion to have the audio uploaded the same time as the minutes to the website, Thomasina stated she will create that place for upload for Marci, Diane added that these would be uploaded to the server, backed up on the cloud, Tammy 2nd.

**Motion for
audio upload
on website**

Grant work,
delegation
0h11m00s

Thomasina reported some confusion with grants. Susanne contacted her after Jeff's resignation regarding unfinished paperwork. Thomasina is unsure if Susane is responsible for filling out paperwork. She inquired about the status of the Hathaway water grant. Grants need to be timely or they may be lost, someone has to own this grant. Diane stated that Jeff was working on the grant and has been the grant writer. To Diane's understanding, Susanne needed to fill out some paperwork, obtain board signatures, and then this was supposed to get submitted. Thomasina stated the grant (connected water way) required final pictures as well as pre-work pictures. She took some after work pictures. Diane inquired with Marci if she has any photos, Marci stated she never took any before the work was done, but perhaps Jeff did. Diane stated that Jeff would have to be contacted as he has much of this information. Thomasina stated these are big grants, Susanne may need some help. Thomasina inquired if there are other grants outstanding, she mentioned the FLAP grant and if there is a list. Marci stated she spoke with Brian Sanderson today, he mentioned for the Town to be on the lookout January/February for grant paperwork to come in, this would then need to be submitted by April. Marci stated that Jeff Cathcart will be stopping by the office tomorrow and will help clarify where some of these grants are standing. Marci spoke with Richelle, from the Federal Land Grant (FLAP), Marci is requesting boards permission to work on this grant with Jeff Cathcart as he has been working on this. Richelle mentioned information needed, Marci will print this out tomorrow and invited the Selectboard to stop by and take a look at the paperwork if interested. Marci stated she will put all the pieces together and hand it over to the board for submission. Marci further stated that Richelle is advocating for Vermont and Goshen as FLAP does not receive many grant requests from Vermont. Thomasina stated this is a 100% grant that would cover the reconstructing and paving of Town Hill, this is something Jeff Cathcart has applied for. Thomasina requested to be cc'd on all emails. Diane inquired if

Jeff would still be interested in writing grants for Goshen. Dave McKinnon believed that Jeff had no interest, but stated that the board could ask him. Thomasina stated she is not adverse to writing grants. Diane mentioned that Dave Sabatini and Jeff Whiting have worked on grants for Goshen. Thomasina stated that when grants come in, work can be delegated at that time and could be shared among the board, Diane does not have interest in grant writing. Dave Sabatini offered to help. Diane stated that the insurance was sent in several times to the Agency of Transportation. Thomasina will write back to Trisha Scribner and inquire if she has received what is requested. Thomasina stated there is a White River Watershed Study and an Otter Creek Watershed, Marci is copied on this. Thomasina would like to make sure that there are no action items being missed and will inquire with people regarding information/action needed. Vermont Department of Environmental Conservation is offering almost \$300,000.00 this fall, this is competitively awarded for projects that reduce emissions from diesel power vehicles and engines. Diane stated that none of this would be beneficial for Goshen, Thomasina agrees.

Old Business

1hr 6min

Amend/
void
garbage
contract
from
previous
meeting
0h20m47s

Diane spoke with VLCT, a few things are wrong with the previous motion regarding garbage pickup. The insurance company recommends that the Town does not rent/loan the trailer, if the Board decides to, paperwork and more time will be needed. Marci stated that the Town attorney would need to be included (required from Insurance company) to draft a contract that would state that the Town is not to be held liable for anything that should happen while Town equipment is being used, the coverage would be the 3rd party's insurance. Tammy offered to loan Dave Sabatini her trailer. Diane stated the other issue is that the item of Dave Sabatini's proposal was not put on the agenda. Diane would like to void this vote and redo it, she would like to give Dave Sabatini the opportunity to back out if he would like to or come up with another solution. Thomasina noted this is on the current agenda, and inquired if she would need to make a motion again. Dave Sabatini stated the trailer needs to be permitted, it currently is not. If the Town is getting out of the trash/recycling business, he inquired if the Town wants to own a trailer they can not use. Dave Sabatini said the Town could either sell the trailer to him, he could rent Tammy's, or he could buy another trailer. Thomasina inquired with Diane if the Town bought the trailer for garbage. Diane inquired with Jim, Marci stated yes. Thomasina inquired if it was for garbage, Marci said yes. Thomasina said the Town could sell the trailer to Dave Sabatini and that it needs some work. Diane stated a problem with that trailer is that doing curbside pickup, much recycling was being lost along the roadside. Thomasina stated that screens could be used. Diane stated that the Town has other options that were never discussed. Thomasina stated the board has an obligation to the

community to do the best that the board can in order to adhere to what the citizens voted on, which was curbside pickup and a proposal made by a Town's person. Thomasina waited for weeks for an apples to apples comparison on paper, nothing came, she then stated she would like to look into this. Diane acknowledged this, except nothing was followed up on. Thomasina stated that she did present information with the fact that every option would be limited in time, would not be curbside, and would be more money for the Town. Diane stated again, that the Board did not discuss at that meeting a follow up. Discussion occurred on who was to do the work, Diane stated that Thomasina offered but this was not reported back on. Thomasina stated it was not on the agenda. Marci interjected that this was on the agenda. Marci stated that she has a responsibility as the Selectboard Clerk, this is part of her job, this item was on the agenda. Thomasina stated the need to address something and apologized to do so, but there is a conflict of interest. Thomasina inquired with Diane if she wants to address this now, or wait for an executive session. Dave Sabatini stated if there are other options, he could be hired back as a Town garbage employee and he would do it as the Hayes' had. Thomasina stated there is a responsibility to fill the contract until June 30th to the Town's people. Thomasina stated that the conflict of interest is not right and is very transparent. Diane stated she is unsure where Thomasina sees a conflict of interest. Diane invited Thomasina to share what she has as a conflict of interest. Thomasina stated that there has been much effort put through to not have Dave Sabatini's proposal work. The person that is putting the effort in to have this not work and doing the research, is a conflict of interest, as this person is a Town employee and will be losing financial means, there is a personal issue as well. Thomasina stated that this conversation does not need to happen when there is an excellent solution on the table. Diane stated that the current proposal is going to cost the Town more. Thomasina stated that it cost the Town \$33,000.00 last year. Diane said it would cost \$500 a week with Dave Sabatini. Thomasina stated this comes to \$24,000 a year, plus Addison County Solid Waste , which is less than \$100 a week, this would cost \$9,000.00 dollars less than what it was costing with the Town. Thomasina said this is a guarantee with Dave Sabatini, he has two trucks and he is in the garbage business. This would give the board time to do an educated process and decide how to present garbage in some way to this community, and it gets everyone through the winter months. Thomasina stated this is why this decision was made, this helps a lot of people, having drop off has been inconvenient, and many people have not been able to bring their garbage down. Diane stated that the board created a help source for people to have their waste brought down if they could not. Thomasina stated that the board did get an initial cost from Ackers, for \$1000 a month for them to show up. There was an added cost per bag, \$4, \$6, \$8, \$10 for the bag, the Town's people would be paying way more when there is a solution that could be provided that would cost less

money until June 30th. Diane stated that there still will be a charge per extra bag that needs to happen with curbside. Thomasina stated that this is not being done, it was reflected in the last minutes that this would be discontinued. Marci went to interject with information on this, Thomasina, said no, and stated that the Board already made an agreement that the Clerk is not part of the Board. Diane clarified the Clerk is part of the Board. Thomasina stated the Clerk is not an elected official, that this was agreed to in the minutes. Diane said that Marci is appointed by the Selectboard, she has rights to speak. Thomasina stated that what is happening, this action being taken is a conflict of interest, as operating as a Selectboard, a part of the Board, that is not reflective of the Board. Marci would like to have a chance to address the conflict of interest statement. Marci stated that she has come up with eleven different options, Thomasina interjected and inquired who asked her to do that. Marci stated the Board. Thomasina disagreed, Diane stated the board did ask Marci to do the work. Thomasina stated that Marci has just done this recently, Thomasina called Addison County Solid Waste, today and Terry said she had just spoken with Marci. Marci said she did have a conversation with Terry, Thomasina stated that Marci took a long time to get quotes, she told Marci that if she had quotes she should have brought them printed. Marci stated that she gave pricing to the board at a September meeting. Thomasina said she had asked for an apples to apples quote, not apples to oranges. Marci stated that there are options for the Town, some of which do not include her financial benefit, she stated she called Terry to get more information regarding a dumpster for the Town. Marci further said that there are many options for the Town that include; Dave Sabatini, curbside, drop-off, Tracy Wyman, Ackers, Denton, R&L, there are 11 options with prices. Thomasina said she did this research as well. Dave McKinnon said this needed to be properly warned, it was not. Dave Sabatini's offer was accepted at 7pm and it was voted on at 8pm, this is not legal. Timmi stated that Marci had 18 weeks to find out information. Diane called for order. Marci requested that the work that she was asked to do and that she delivered on, at least be considered by the Board. This would be Dave Sabatini's offer as well as the 10 other options, and to invite Tracy Wyman to a meeting as Tracy stated he would like to speak to the Board with options he can provide. Marci continued and stated in June when the truck broke down, Tracy said he would do curbside that next week, that Goshen could use Brandon dump, that he could offer drop off. Marci stated it would be nice to see these options considered by the Board. Thomasina, will allow Annina to speak as she is the Town's Waste Representative. Annina stated regarding Tracy Wyman, that Addison County Solid Waste is the only district in the State where they have flow control, this means that all trash from Addison County is legally required to go to Addison County Solid Waste. Marci stated that Tracy acknowledged this and stated that he would have Goshen's trash separate and brought up to Addison County. Thomasina disagrees with what is being

presented and states that this is not how it happened. Thomasina stated that the Town is in crisis mode, as trash is all over the yard and the truck was broken. Tammy stated the decision has already been made. Thomasina stated this is until June, so that people don't have to go through the winter, this was also promised in the taxes, that the Town would pick up the garbage. Dave McKinnon stated the Board still needs to follow VSA laws. Thomasina stated that garbage was on the agenda. Dave McKinnon said it did not have the proper verbiage for a job proposal and acceptance. Thomasina inquired if the board should continue with the offer that is on the table and to sell the trailer to Dave Sabatini so that everything is under one umbrella. Tammy stated it is of no use to the Town at this point. Diane inquired with Dave Sabatini if all his equipment follows guidelines for the solid waste district. Dave Sabatini referenced the paper he gave to the board, he has a certified notarized copy going to the State by mail. Diane inquired if the garbage receptacle has a covering. Dave stated not yet, he has not begun the garbage but will be following all the regulations necessary by the State, he will be observed by the Transfer Station every week, he will have a cover. Thomasina stated this is temporary, other options can be visited, this can be considered in the budget. Thomasina inquired if the trailer will be needed after November 2nd. Marci stated it is up to the Board with what they decide. Madine stated that this should go out to bid. Thomasina stated that Diane said at the last meeting that the board has the authority to make decisions in emergency situations. Diane clarified she said that Jim and Marci had the authority to make decisions in an emergency situation, that Jim and Marci, in an emergency do not need to contact the board, they can go ahead and make decisions and let the board know after, if they could not contact anyone. Thomasina stated she does not understand the conflict, a solution is trying to be made, it is temporary. Dave Sabatini stated there are other options. Thomasina stated that the other options do not include curbside. Dave said the board can hire him as Town employee garbage collector, he will charge what the Hayes' charged. He is doing this to help out. Dave McKinnon stated that it should be decided, if curbside is done everyone interested needs a chance to bid, the bids get warned, the bids are accepted at a certain time, everyone can be at the meeting, the bids are opened, this would be following VSA, the way it was done did not. Thomasina stated what was happening was that the board was given quotes for different scenarios. Thomasina stated that if the Town is getting quotes on things they need to be apples to apples. This is not what was being delivered. Dave McKinnon stated that the Board should have been responsible for this, they could have requested to have just curbside. Timmi stated the last contract the board hired out, was not put out to bid. Tammy confirmed this. Marci stated that this was not intentional. Thomasina stated that doesn't matter. Marci stated that it does matter, if the board can purposefully do something the right way then the board has an obligation to do so. Marci

stated that the board can not be held accountable for an accident, but they can be held accountable for willingly choosing to not do the right thing. Dave McKinnon inquired how he was hired. Marci stated there was a misunderstanding, she doesn't know how it happened. Tammy inquired about why road projects were not put out to bid. Marci stated it was, it was advertised in the paper. Tammy inquired how many people bid on it. Marci inquired which job specifically, Tammy stated by Goodspeed. Marci stated that specific job was done internally, not bid out. Diane stated the current situation is curbside, Marci stated no, the current situation is one free bag per residential parcel that is paid for in the taxes, tipping fee, and everything else is as well. The garbage can be done curbside or drop off, the only thing is to have the one bag accepted free per parcel. Marci stated that Ackers may work with the Town and accept one free bag from people at the drop off. Diane stated it should be decided to have curbside or drop off. The board needs to consider following through with Dave until June. The board needs to have information ready for Town meeting, and see what Townspeople want to do. The board needs to decide if they want to sell the trailer to Dave, Diane inquired if this needs to go out to bid. Thomasina thinks that this should be put out to bid, though this was not going to be done with the green truck. Thomasina recalls the board decided to put a price on the green truck, it is worth next to nothing, it only goes backwards. Thomasina stated that she knows that the mechanic said there is a wheel bearing issue, the wheel is ready to fall off, it will cost the Town money to fix it, and the Town does not need it. Thomasina does not want to get in a lawsuit. Thomasina stated that these decisions are not permanent, these are temporary decisions. Thomasina stated that what was going on with drop off was not working, the hours were changed, the truck broke, there were inconsistencies, this alleviates the situation and provides a service to the community in the winter. Diane inquired what the Board wanted to do. Tammy thinks that the trailer needs to be sold. She does not see a reason to put more money fixing a trailer than what it is worth. Tammy said to get rid of the trailer if the Town is not continuing with the garbage. Diane inquired with Dave if he would like to buy the trailer. Marci stated that the trailer should not be sold before he has the job. Dave stated that he is a trash hauler now. Tammy stated that this should go out to bid. Thomasina stated that the green truck did not go out to bid. Thomasina stated that the old garbage truck was going to be sold, it was going to go on facebook for sale. Tammy inquired why it has been sitting in the yard for a long time. Thomasina stated this was her fault, she was to get information on this when it was moved out of the garage. Diane proposed to start with Dave Sabatini first, she inquired if the board would like to continue with Dave Sabatini's proposal. Thomasina makes a motion to continue with the motion that was made last meeting, where Dave Sabatini picks up curbside trash, compost, and recycling until June 30th of next year, to fulfill the taxpayer obligation, with all his own equipment. Diane stated this sounds reasonable.

**Motion on
Garbage
collection**

Tammy 2nds the motion. All ayes, no nays. Dave Sabatini would like to have the chance to have the trailer looked at first, to see what the cost of repair will be for him. He wants to do this before he hauls anything with it. Thomasina inquires if Dave Sabatini is able to start curbside pick up November 2nd, if this is reasonable. Tammy offered the use of her trailer. Dave Sabatini, said yes he is able, he has two dump trucks, he can do two runs if need be. Thomasina stated the Board can look up what the trailer is worth, she would like to know who will own this. Diane offered to do this. Tammy stated the trailer is not worth much. Dave Sabatini inquired with Jim how much he sold the trailer to Goshen for, Jim said \$5,000. Dave Sabatini stated the trailer has depreciated since then. Tammy inquired if this is a CAM, Jim said yes. Tammy thought it would not be worth \$500. Dave stated he can get the trailer permitted quickly, it would be an addition to the State permitting. Diane inquired to void the previous motion, Thomasina stated that the new motion reflects that he would be using all his own equipment. Thomasina makes a motion to void the last one, which includes the use of the Town trailer to the new motion to Dave Sabatini using all his own equipment, Tammy 2nd, all ayes, no nays. Thomasina stated at the next meeting they will discuss the information regarding trailer costs. This is to be put at the top of the agenda. Dave Sabatini would like the trailer taken to Gerad's as soon as possible. Thomasina inquired if after the garbage is done this week, if the Town can allow Dave to take the trailer to be looked at, Diane inquired if this would be covered under the insurance. Thomasina stated that Dave has a commercial policy and his million dollar policy will cover anything that he is towing. Diane inquired if this will interfere with our own insurance. Marci stated that while the Town owns the trailer, if the Town gives him permission to take the trailer and there is an accident the Town will be liable. Dave suggested having the Town employees take it down to have it looked at. Diane stated to have the trailer dropped off at Gerad's after Wednesday's drop off.

**Motion to
void
previous
motion and
amend.**

Town
Building
Furnaces
0h56m09s

Thomasina contacted Fischer Electric, a 600sqf 15,000 BTU unit is estimated at \$4,800-\$4,900 including installation. This would include a \$750 purchase for the heat and AC unit. An Efficiency Vermont \$200 dollar mail in rebate is available, as well as a 12 year warranty on the unit. Thomasina believes the COVID money can be used. Tammy agreed. This is airflow, just like the windows. Thomasina recommends this goes out to bid. Tammy clarified if this is the heat pump. Thomasina confirmed. Diane inquired if Green Mountain Power was contacted. Thomasina stated that they do not have the heat pumps, they have battery wall storage. Tammy inquired with Jim what the furnace is, if it is air or oil. Thomasina stated it is forced hot air. Thomasina stated that the heat pump is efficient and in the summer provide AC. Thomasina would like this put out to bid and offer a pre-bid walk through. Diane inquired how much money is left in the ARPA fund. Thomasina stated that only \$4,000 was spent. Marci stated

that some of the money is to go to the digitizing of land records, which was agreed on. Thomasina inquired when this was agreed on. Diane stated it was back before Thomasina was on the board. Marci was unsure of the final cost of this, they are picking up the books tomorrow. Thomasina thinks looking into the furnace is good to do. Thomasina will write the specs up. People can do an onsite visit by appointment or on Tuesdays while the Office is open. This will need to be put in the paper. Thomasina inquired what date to open the bids. Discussion on it being December. Tammy inquired if the heat pump goes in, does the furnace come out. Jim recommended not pulling the furnace out. The heat pumps are good, but the furnace will be necessary in the cold months. Thomasina inquired if the furnace works. Marci stated yes. Thomasina inquired if the furnace was a safety issue. Madine stated that it makes noise, Marci stated that it currently is working. Thomasina will send the bid advertisement to Marci, who will put in the Town papers.

Driveway
Access
Permit-Mc
Gee's
1h01m19s

Diane reported that Jim met with McGee's and decided on an appropriate place for the driveway. This is a change from the originally proposed site, it will be moved approximately 75' north. Jim reported this will eliminate the steep incline issue, it is enough away from both Dutton Brook and the ancient culvert. Jim stated that he told the person he met that the approval is pending Board decision. Diane noted the change of driveway on the site map. Marci reported that Zapata from wetlands gave the driveway access site and building site the go ahead, so this is all compliant with wetlands. The wetlands area that she found was at the beginners loop trail and more west. Thomasina makes a motion to approve curb cut access permit for McGee property driveway, Tammy 2nd.

**Motion for
McGee Curb
Cut**

Amend/
void
Driveway
Access
Permit-
Sabatini
1h04m47

Diane found out more information regarding Sabatini property, she looked at the property herself, and it looks to be that currently there are 3 accesses; one is the shared drive, one beside the barn, and one close to the house. Dave Sabatini stated that he parks in the right of way, his house is in the right-of-way. Diane stated the new road that is proposed to go in will make a 4th access. Diane stated that State law and Town bylaws state that there is only one access per parcel, the easement does not have to be counted. Diane stated that if Dave Sabatini wanted to go with the new access with the required corrections from what Jim had stated, he would need to block off those other accesses so that they are not in use. Timmi inquired if this means they wouldn't be able to park where they park now. Diane stated that the little driveway to the house and shed indicates an access, the new proposed access could loop around and come to a different parking spot. Thomasina stated that she can think of several people that have more than one access. Diane stated that no one has more than one (excluding pre-existing). Thomasina stated that Jeff Cathcart has two. Diane stated that he only has one, the old one was gotten rid of when he was granted the new one. Chuck Steady was mentioned as having more than

one, Diane stated that Chuck was denied the access. Dave Sabatini stated he can drive on it as he has for the past 20 years. Diane clarified, yes, but not as a curb access. Dave stated that the Town combined his properties, which are two properties. Dave stated that he could subdivide and have the strip of land to the property above and that will be the only access to that property. Dave is applying for an access permit so that he can develop his property above, without using the current right of way as his only access. Dave stated that there has been word about Town that he is proposing to put in 20 units, which is not what he is trying to do up there, Dave would like to not have a situation where the shared access may be blocked. Dave was advised by his attorney, who did the deed for the right of way, Jeff Smith, that having his own access to the property is the best way to avoid conflict with the neighbors and give him access to his own property. Thomasina inquired how this came about after it was already approved. This item was on the agenda, this was approved, and now a road is being gone down and it is a real problem. Diane stated that this is not the conflict of interest problem. Diane stated that at the previous meeting Thomasina asked that she not go visit the site, Jim recommended that it would be wise for the Board to go visit it. Diane stated that she went to look at the property because she was not sure and that Dave Sabatini said that this curb access would be his only access. Thomasina and Tammy clarified that it would be the only access to the upper part of the property. Diane stated that Dave said it would be the only access to the house too, Diane asked specifically and it was stated from Dave. Diane stated that she is not clear regarding the right of way. There is the driveway that is shared up to his property, there is access to the field on the other side of the barn. Thomasina stated that this is a lawn. Diane stated it is being used as an access, it looks like a driveway, she continued stating that the other access is right in front where the little shed is next to the house. Diane clarified that this makes two definite access points, possibly a third, and now Dave Sabatini is requesting an additional access, which has already been worked on but not with the curb cut yet. Diane stated that the property needs one access. Thomasina would like to defer that there are all sorts of accesses in Town. Diane stated that this is not only Town bylaw, but this is State law. Dave McKinnon stated that if Dave Sabatini does not like the Zoning Bylaws, he would have to go above the Selectboard to the Board of Adjustment. Dave Sabatini stated that irregardless of what the zoning bylaws state he has been using this access and wants a private access to his own property. Diane inquired if he will be going from the road, Dave Sabatini said yes. Diane stated that he can not have two accesses, he would have to get rid of one. Dave Sabatini stated that he could put a rock there to block access. Cecile inquired if the two properties have different deeds. Dave Sabatini stated yes. Cecile mentioned that Towns will put properties together, but they are still separate properties. This is done because the State does not want to pay so much per parcel to Town, so they tell Towns to combine properties. This may be

one property but there are several deeds. Madine stated that this property that Dave Sabatini purchased already has an access, there is no need to put in another road. Madine stated that this right of way exists, no matter what the neighbors say, Dave Sabatini has the right to access his property by the right of way. Madine stated that if he wants one access up to the property, he could give up the right of way to the neighbors, have it changed on the deed. Madine stated that the other driveways were pre-existing driveways, Garfield parked in front of that shed and to his house. Madine clarified that Dave Sabatini currently has more than one access, if the bylaws say one access per property then Dave has more than enough accesses. Cecile inquired why this is considered one property when there are multiple deeds. Thomasina suggested putting the driveway in by the barn, have it run to the house, then put the other driveway in for the other property. Dave stated that he applied for the access permit and that the Board can agree to it or not. Diane stated that the permit would have to be denied because it is more than one access. Dave Sabatini inquired about Shawn Martin's driveway, Diane stated that this is pre-existing. Marci clarified that pre-existing has to be used in the same manner it has always been used for, once the use of the pre-existing access is changed, then it is no longer considered pre-existing because it is being used for something else. Marci clarified that if a landing is used, then the landing is extended up to the meadow, that is not pre-existing because the use has been changed. Thomasina stated that access is access. Marci encouraged the bylaws to be read. Timmi inquired about the Board of Adjustment. Dave McKinnon stated that they would tell the Board of Adjustment that they have been denied the access. Dave McKinnon stated that the Board would need to deny this in order to follow the Zoning Bylaws. Thomasina inquired about what the time frame is that the Town has to respond to a permit and to the Board of Adjustment, because people have a right to a speedy answer. Dave McKinnon agrees with this, but in this situation this should be denied because it is in violation of Zoning Bylaws. Thomasina stated that Dave and Timmi have been waiting since June 18th, they paid the Board of Adjustment for a different issue. Dave McKinnon stated that the Board needs to be in contact with the Board of Adjustment and tell them of the issue. Dave Sabatini stated he just wants access to his property. Madine stated that he has access with the right of way. Diane stated this will have to be denied and that he will have to take it up to the Board of Adjustment. Diane would like to void the previous motion for Dave Sabatini's Access, and deny the permit. Thomasina stated that she will abstain from the vote. Dave Sabatini inquired if Diane was with someone when she looked at the property, Jim or someone else, or if she was alone. Diane stated she was alone, no one was with her, she did not want any influence on what she saw. Diane stated that Thomasina said not to go because she knew the property, Jim said to check it out, so she did. Dave Sabatini stated that he would have been happy to meet with Diane on the property. Diane stated that she wanted to look for

herself and be clear and make sure everybody is on the up and up. Diane makes a motion to deny the access permit to Sabatini property, clarifying that it is only one access, per Zoning Bylaws and State law, Thomasina abstains from the vote, Tammy stated that she does not know enough about this to vote on it, she would like to look at this for herself. Diane stated that no action can be made on the motion, this will be tabled. Thomasina stated she would like to do more research on this, she does not feel prepared to make the decision and that the Selectboard has more authority than realized, she would like to find out more. Diane forwarded information regarding the law to Thomasina, Thomasina stated that she will get Tammy set up with the Selectboard email.

Sheriff
patrol Tabled

Roads **15min**

Report of Road Foreman 1h26m53s Jim stated another truck is down. The frame on the lift in the black truck is cracked. Jim ordered steel and will pick this up tomorrow from Mac Steel. Jim will fish plate the crack by welding, the truck can then be used. Thunder Towing will work on the green truck in the garage tomorrow. Tammy inquired if it is legal for Jim to weld the frame in the Town truck. Marci said that a Viking Cives guy inspected the truck and saw the crack. He recommended a new bed, but stated for the winter the welding would be fine. Jim will be able to have the black truck welded by tomorrow. Jim reported that the truck bed needs to be replaced, it is rusted through in some places. The bed is 11 years old, a price for a new bed will be obtained for the next board meeting. Jim said the Viking Cives person reported the Town got the most use out of the bed. Thomasina inquired if this would affect the truck being able to be inspectable. Jim said the crack is not the frame of the truck, it is the lift frame. Jim said that as far as welding it, he welded in the United States Navy, and he is a qualified welder. Jim is holding off on ditching because he has not wanted to use the truck with the cracked lift frame. The culvert will be done as soon as the truck is fixed. Tire chains have been ordered (hardwire for the truck) as well as two new tires, the chains eat the tires up. Winter road sand is being brought up. Diane inquired about needing just a body for the truck or would a new truck be needed. Jim said that the truck will be ok. The Town got two loads of salt, usually four or five loads are needed. Barrett trucking is bringing another two loads. Salt is getting hard to get due to the rail workers strike. Sand will come Wednesday. The shed will be full with salted sand. Before the last 7 loads are put in, two more loads of salt are put in the sand/salt shed. Usually in January the Town shed will be filled again. Jim stated that a few years ago they filled the shed 3 times. Thomasina inquired if at the next meeting, they could find out if the trucks are in good running order. Jim said yes. Diane inquired if Jim has a meeting with Pike tomorrow. Jim said that he is meeting with Pike at 9am, if anyone from the

Board would like to join. Board members all have work and can not make the meeting. Thomasina stated that she reached out to Tim Rice, he apologizes for not getting back to Marci. Thomasina stated he would not be able to make it to Goshen this year. Thomasina also reached out to Jeremy Disorda who works for the Town of Brandon and found out that Pike is paving in Brandon. Thomasina stated that she called Mike Mullens, who said he also spoke with Marci in the morning. Marci stated that the Pikes plant in Rutland is only making asphalt until the first week of November, there is another plant that may run longer. Thomasina stated that something needs to be done regarding Town Hill. Thomasina inquired if Jim has the equipment or the ability to cut and patch, Jim stated that Pike's can do this. Dave McKinnon stated that the board can make a motion to give Jimmy the authority to make the decision with Pike at the meeting, with a do not exceed figure. Thomasina inquires if \$20,000.00 is reasonable. She also inquired about the FLAP grant. Diane stated that if the FLAP grant is gotten, they would not start until the spring or later, this patch work from Pike would hold the road until then. Diane suggested \$30,000.00. Thomasina makes a motion to give Jim Hayes the authority to approve work for Pikes industries to patch pave wherever he deems necessary with a not to exceed amount of the \$30,000.00, Diane 2nd. Jim stated that he will notify the board after the meeting.

Motion for Pike paving approval

Dave Sabatini inquired if the grader could be used to take down the shoulder, which is higher than the road (Town Hill). Diane stated this is temporary and that shoulder and ditching work would be done with a grant money project. Jim stated the blacktop can not be disturbed, the shoulders are higher than the road, but the blacktop is higher at the shoulder as well. Jim stated he does not dare touch the shoulders, if the burme is shaved down it would take some blacktop as well. Jim prefers to not do anything until Pike looks at it. Thomasina stated that Wilks can come back next year to fix the hump on Capen Hill patchwork. Jim said that to fix it, it should be cut out and aproned.

Previous Meeting Minutes 6 min

1h42m09s Thomasina would like to have the price corrected under Dave Sabatini's garbage proposal, \$420, not \$425 for the initial proposal. Thomasina stated it was also left out if Diane inquired if this price was reasonable, and that this price was stated by Diane as being too low. Thomasina would also like it to be corrected that where it stated that "Fran would like Dave to be paid the same rate as the current Town employees", this was not what Fran said, she said what it is costing the Town, and she also said that Dave has always done a good job, and Dave thanked Fran for the compliment. Thomasina also wants to clarify the tag issue; she inquired why the Town stopped doing it. Diane stated that when we went to drop off it was stopped. Marci stated that people can pay directly with drop off, tags are not needed. Thomasina stated that with the driveway access,

Jim never said for it to be put in a different location. Marci stated that it was mentioned, it is on the recording. Thomasina would like to state that it is important to put the recording up because some things could be omitted that change the narrative. Diane stated that is why there are so many pages of the minutes. Thomasina stated this as a good time to address the minutes and what is required in the minutes. Thomasina stated that; "meeting minutes do not have to be a transcript of the meeting. Minutes must give a "true indication of the business of the meeting"-which may require supplementing the following statutorily-required elements: members present; active participants at the meeting; motions, proposals, and resolutions made, offered, and considered and what disposition is made of the same; the results of any votes taken; and a record of the individual votes if a roll call is taken"1 V.S.A. § 312(b)(1). Thomasina feels that 15 pages of minutes is too much. This can be toned down, especially with the audio recording. The minutes should reflect what business is being done, not what he said, she said, etc, this leaves tone change. Thomasina would like to see a slimming down of minutes. Thomasina suggested that minutes could refer to the audio at the bottom of the page.

Public Comment

20 min

1h47m37s

Carol Fjeld is a representative of the Brandon Public Free Library. Carol handed the Board information and a letter to read later. Carol would like to be put on a future agenda. Carol reported that Brandon Free Public Library is in the midst of doing a capital campaign after 60 years of not doing anything. This is a big project. Carol reported that the library is an important institution for who they serve, which includes Goshen. There are 51 library cards, serving approximately a 3rd of Goshen through a variety of things. Carol is going to all the selectboards of the Town's that the library serves, she is asking for a small portion of ARPA funds, she would like to ask the Goshen Board to consider a \$4,000.00 donation for the capitol fund campaign. Thomasina inquired if spreading the money over some years instead of one payment would be possible. Carol, stated that yes, this can be spread over a 5 year period. Diane stated that the next meeting is the budget meeting. This will be on November 14, for the Town budget, which would be good to be at. Marci will have Carol from the Brandon Free Public Library on the Agenda for the 14th. Thomasina inquired about who is the architect that is doing the work. Carol stated it is VIA, Vermont Integrative Architecture, they specialize in historic buildings and they have done other libraries. Thomasina stated that this is great and that it will be exciting for Brandon. Carol reported that they are using local folks which is good. Thomasina thanked Carol for sitting through the meeting.

Cecile inquired in the Office two weeks ago, regarding South Hill and Marci stated that she had called regional planning. Cecile reported that she called

today and they did not know anything about South Hill. Cecile spoke with Brian, the transportation person. Marci had spoken with a woman several months ago. Cecile inquired about if the road change was recorded by the Town Clerk. Marci stated that this was not done as it wasn't required. Marci stated she was told the adoption of the road had to be reflected in the minutes from the Selectboard meeting, this is what makes it official. There is a form in the spring that the Town gets for the certificate of highway mileage. Marci stated that the road issue was resolved after the Certificate of Highway mileage was done, so she was told to report the change on the next coming Certificate of Highway Mileage. Marci stated that it was optional to call the State, Marci did this as she wanted to address the issue of the ghost road on the map. This was resolved, the ghost road no longer exists. What she was told is that the change is effective internally, it is not the State or Regional that makes this change official, it is the Town. Marci stated there was no paper to have filed in the vault, the minutes are stored in the vault as they are a permanent record. Cecile asked how long they are stored in the vault. Marci said forever. Thomasina stated that this is a land change and it should be filed, she thought the planning commission would want this as well. Dave McKinnon said that Cecile can go into the Town Office and request for anything to be filed. Cecile stated that it should be filed in a road book, if it is a change in the roads. Marci stated that she has not come across a road book, there may be one. Marci stated that she can call and speak with Regional Planning again. Marci stated that Cecile could come down and request to have something filed. Cecile mentioned that the map on google is still wrong. Marci said that she nor the Town has any control over what google has. Cecile said that she reported to google of their error.

Dave Sabatini hasn't billed for the garbage duties yet, he did the garbage one time with his truck and the trailer at \$60 an hour. Dave Sabatini inquired about how to bill for the garbage, as he is unclear what happened and who hired him. Dave Sabatini put sides on his truck, went up to Jim's around 9 to pick up the trailer, he dropped off his truck and trailer, and went to a job. He came back at 1pm and the trailer was unhooked from the truck and the garbage was taken out of the truck and was put into the town plow truck. He stated that Marci and Jim went to Addison County Solid Waste, and he is guessing that they brought the trailer up with Jim's truck the next day. Dave Sabatini said he didn't do anything other than get the trailer and leave his truck there all day. Dave Sabatini stated that the Hayes' took two trips to Middlebury and he does not want the Town to pay double over a misunderstanding. Dave Sabatini wanted to clarify if he was fired after he was hired. He inquired what happened. Diane stated that she got a hold of Jim, he tried to get a hold of Jeff and couldn't, Jim was trying to get a hold of Dave Sabatini to see if he could take the recycling up. Diane stated, it was no problem, that he could do what

**Motion for
Dave
Sabatini's
pay**

he needed to do. Her understanding was that Jim was going to take the garbage up and Dave Sabatini would take the recycling up, but she is unclear. Tammy said that Dave Sabatini needs to be compensated for the time that the truck was parked there. Diane inquired with Dave Sabatini what is reasonable. Dave Sabatini was there for 4 hours. Thomasina makes a motion to pay Dave Sabatini \$250 for the use of the truck last garbage day. Diane 2nd.

Dave McKinnon, congratulated Tammy to her position as selectboard. Dave McKinnon stated that after 15 years of Selectboard service, he thinks of things pertaining to the board. Dave McKinnon stated that Tammy as the new Selectboard person is now a person who is responsible for the money in Town and Fran as an Auditor is responsible for balancing the books, these are incompatible offices. Diane and Thomasina acknowledged this. Thomasina clarified the issue for the public, Tammy is Selectboard and Fran is the Auditor and these two offices can not share the same house.

Any Other Business Legal and Proper to do at this time

Motion to adjourn

9:52pm

Respectfully Submitted,
Marci Hayes

Attachment: Letter from Thomasina

I am not sure what is happening in our community?

I chose to be on this board to make things better. I initially sat through 6-months of meetings where I really couldn't understand what was happening and who was in charge? Extremely frustrating and not welcoming of community members to participate.

I was part a large percentage of townspeople who have long been frustrated with the status quo of how the town, and roads, are (not) managed.

I threw my hat in the ring in hopes of:

1. Improving Communication – out of the gate after the election I

dug in and created a town website (worth roughly 5k) for free. In addition, I have invested my time and knowledge to teach other community members how to use and manage the site. With a website—people can easily access agendas and minutes so that they stay informed on what is happening in town—it's a positive. There are extensive resources, event calendars, people stories, etc.

2. Developing transparency – this is the one that makes people uncomfortable if they have been doing things the same way for a long time-change is hard. Isn't that why we have elections? And term limits? Someone comes in and they start asking questions. It can easily turn to defensiveness and conflict. However, I am not ashamed or afraid to continue to ask tough questions and drill down into the process? If I don't understand how it works, then how can I make contributions to make things better? Isn't that what I am supposed to do?

3. Creating a sense of community—this can be gained through sharing personal and collective accomplishments, such as the GHS working on a fundraising event or Green Up Day, and then sharing these on the town's website—telling our stories. It also provides opportunity for the community to learn about people they may not know in town. I do not agree with townspeople being silenced during meetings. If you run a solid respectful meeting—you won't have problems.

I am not a perfect person, but my intentions are to collaboratively manage this town more efficiently and simply by creating processes and procedures that are clear. I am truly disheartened to arrive back from a week away on a work trip and see two items on the agenda

for void/amendment. It is evident that a lot of energy has been spent on these issues over the last week and for the life of me I cannot understand it.

With the garbage the board accepted an offer for a solid temporary solution to resume curbside pickup for taxpayers-this includes garbage, compost and recycling. Isn't that in the best interest of the community? They voted on it—it is our job as the board, to deliver. And we did. More discussion on that to come.

What are people mad about? Why the conflict?

I manage a one-million dollar marketing budget. That is mine alone to manage. The \$300k road and \$250k town budgets are not rocket science. However, no one can ever answer my questions and we have no clear idea on real costs. There are other ways to do this than the “way we have always done it” and that, unfortunately upsets the apple cart.

I certainly hope that whoever decides to join the board understands that I am not going anywhere and I am not going to stop asking questions and doing what is in the best interest of the citizens, and not benefitting only a few who oppose change—and have the loudest horn—or perceived power or upper hand.

I spent all day today—I took the day off to prepare for tonight. Can you imagine. I have to spend all day collecting information to defend an action that was already approved, instead of moving forward.