



Special Selectboard Meeting

November 7, 2022

Unapproved Minutes

Members Present: Thomasina Magoon, Tammy Walsh, and Bill Mathis

Others Present: Dave McKinnon, Madine Reed, Marci Hayes, Jim Hayes, and David Hochmann.

Call Meeting to Order 6:35pm

Changes to the Agenda -

No changes made to the agenda

Public Comment -

No public comment made

Assessment of Town Trailer 2 min

0h00m56s Tammy brought the Town dump trailer to Green Mountain Garage last week for an additional assessment. Green Mountain Garage has not yet looked at the trailer as they are busy. Tammy should have a report by the end of the week from them. No action will be taken with the trailer. This item will be tabled until the next meeting.

Review of the state of the Town 1hr 12 min

0h01m38s Dave McKinnon explained what constitutes a regular, emergency, and special meeting. Dave received this information from training while he was on the Selectboard. Emergency meeting is when something has to be done in an emergency that can not wait until the next regular scheduled meeting. Dave gave the example when he, David Gale, and Bruce Webster were on the Board, there was a dog bite, immediate action was needed, thus an emergency meeting was called. They posted it that afternoon and dealt with it in the evening. Another example often given, is in the dead of winter a furnace breaks, the board needs to make a decision for a furnace replacement, this would warrant an emergency meeting. A special meeting is a follow up, such as what is going on tonight, a follow up on the trailer. A special meeting is something that has to be dealt with prior to a regular selectboard meeting. A regular meeting is, expected by the public, to be when regular town business is done. Dave raised the concern regarding all of the items that were on the originally posted agenda for this meeting, many items should have not been during a special meeting but rather at the regular meeting. Thomasina stated her interpretation, based on State statute and from discussion with the gentleman from VLCT, is that the vagueness of the language for what constitutes a special meeting is done so for a reason. She stated the many items on the agenda for a special meeting, was because during the budget meeting there may not be the time needed for the discussion and conversation on some of these topics. Thomasina stated that the Statutes state that "special meeting are any non-regular scheduled meeting", regular is the 2nd and 4th of the month, this meeting was called for as a special meeting to do Town business, not during regular scheduled time, because the Board is new, there is a wide period of time between meetings, and that the next meeting is not regular business as it will be mostly for the budget. Thomasina stated that legally there was nothing wrong with what they did. Dave McKinnon agreed and stated it should be remembered that

the Selectboard works for the Town and for the people. At training he was told that the public expects regular Town business to be done during regular meetings. Dave understands the reason the Board called for the Special meeting but it could be surmised that things are being done at special meetings to circumvent public knowledge. Thomasina understands what Dave is stating, the intent for the special meetings is to help the community and that the special meeting was posted a full week ahead of time. Dave said they make different meetings for a reason, Special is for Special, Emergency for Emergency, and Regular for Regular. Bill stated his experience with school board meetings is that often special meetings were called, for the purpose of doing more work and research. Bill inquired about work sessions, if the board customarily has done work meetings. Dave said no, they have not in the past, everything was done at the regular meetings. Dave also said that the meetings can be recessed instead of adjourned, this could be used for emergency situations. Dave said just like Town meeting which is recessed until voting the following day.

Thomasina will be meeting with Susanne this week to submit the water grant. Thomasina has been corresponding with Marci regarding the FLAP (Federal Land Access Program) grant. Marci stated she will be creating a map, is waiting to hear back from the Forest Service regarding a letter of support, is also working on obtaining an engineering estimate, and needs to get the NEPA document, these are the outstanding pieces that need to happen before the grant application can be submitted. Thomasina requests Marci copy her with emails, she would like to have more insight and information with the process. Thomasina stated if Marci needs help to ask the Board. Thomasina inquired who decides on the grant, if it is the Forest Service. Marci stated that the Forest Service letter is for support of the project because it is a road that will be improved that leads to National Forest Land, the decision is made at the Federal level. Bill inquired how much the grant would cover, Thomasina stated 100%. Marci stated much of her communication has been through phone conversations, but she will email the board of updates and cc on emails as well. Thomasina suggests Marci draft an email inquiring interest to provide an engineering estimate for the paving project and send this to the four companies that Brian Sanderson suggested. Tammy asked what the deadline is for this. Marci stated that Richelle would like this as soon as possible. She told Richelle she would aim to have it ready in the next several weeks. Thomasina stressed that this is a huge project and opportunity. Tammy wants to be sure the deadlines are met with this grant.

Thomasina inquired about ARPA funds. Thomasina stated money was spent on the windows and it was stated that a motion was made to spend APRA funds on digitizing the land records, she inquired if this was approved, as she does not recall this motion being made. Dave McKinnon stated this decision was done while he was on the board. Marci explained that they made this decision early on when the ARPA funding became available. Early there were many restrictions on what the money could be used for, one suggested use was for digitizing the land records. During Covid handling land records was discouraged and in some areas not allowed. The digitized land records were needed, this is why digitizing the land records was a high priority. Thomasina inquired if

this will get all the records digitized. Marci explained it will be book 1 right up through to the current. Rosie has already digitized some of the books. Thomasina inquired about how the records will be accessed. Marci stated this will be accessible to researchers/the public through NEMRC. Dave stated that they will be on NEMRC from the company doing the digitizing. Marci stated this also includes land surveys as well.

Thomasina would like to discuss what to do with garbage after June 30th, as this will need to be reflected and considered during budget planning. Bill inquired if the public voted on the garbage pick up or was this a Selectboard decision. Dave McKinnon stated that the Town people voted to have curbside. The budget needs to be done and the Board would need to put in the cost of the garbage. At Town meeting this could be presented to the people, which depending on the vote there may be a change of the budget. Tammy inquired about the eleven other options, and if the budget could be based on those figures, setting for the highest of those options and if it comes in lower than adjustments can be made. Thomasina would like Marci to put all of this together and send it to the Board. Thomasina would like to have information put on the website for the community to see the options and request for their input. Thomasina would like to let people know what the options are and to notify them that the budget reflects the highest amount, an option will be voted on by the taxpayers in March, the budget would then reflect the voted option. Tammy added it will be with compost as well. Tammy said that last week there were several people that were not notified and they were upset regarding not knowing of the change to curbside. Thomasina stated some of the other options may be more expensive than the current curbside, as there would be out of pocket expense for individuals. Thomasina stated it will need to be decided if Town employees would be garbage police at a drop off. Bill stated it is a difficult place to put the Selectboard in the collection agency business. Thomasina agrees. Bill would like Marci to get the options, then the decision will need to be made if this will be done using Town equipment. Thomasina stated it is to the Town's benefit to contract the job out. She added with Town equipment there are maintenance issues. Bill said that the maintenance would be the contractor's problem, Tammy agreed. Thomasina would like to have this put out to bid by March, for July 1st, with the disclaimer that the bid is based on voter approval. Thomasina will draft a letter to the community. Dave McKinnon said there is enough time to get this petitioned for a vote for March. Bill inquired about the Town report. Thomasina will work on the draft for the Selectboard report. Marci will contact people again to see if there would be an adjustment in the figures for what it may cost for garbage for next July.

Thomasina inquired what the Town's procedure is for selling Town items. Bill thinks it would be safer to bid everything out. Dave McKinnon stated that items should go out to bid, this is what they have done in the past, the yellow plow truck was put out to bid. Dave recalls a policy for selling items, if the item is a certain worth it would be bid out.

Thomasina mentioned a purchase policy but a hard copy has not been found. Marci stated that there is policy for employees allowed to purchase without board approval if under a certain amount. Tammy suggested that if no policy can be found the Board should create one. Thomasina agreed, the board should have a policy and a clear process for purchasing and selling.

Thomasina informed the Board that it was motioned and approved previously for the Road Account to loan the Town Account \$30,000.00, this needs to be paid back within 12 months. Thomasina believed this was done in June or late May. The law recently changed on this but it is good practice to pay back money in which voters approved to be allocated for a specific purpose.

Thomasina would like to continue with Policies and Ordinances. Dave McKinnon stated that anytime there is a new board they need to organize and re-adopt the policies and ordinances. This will be done after the budget meetings, perhaps in January.

Thomasina spoke with Brian Sanderson who said that there is a bridges and network inventory form that is supposed to be submitted to the State, 2018 was the last time Bridges and Road Inventory was done. This is presumed to be housed with the Addison County Regional Planning. Marci stated there is a password for this program, the people she recalls working on this were Dave Sabatini, Jeff Cathcart, and Jeff Whiting. Dave said that the password could be reset. Thomasina inquired who to contact regarding this, Marci suggested Addison County Regional to start. Thomasina will contact Mike Winslow. Dave stated that there used to be a link on the desktop at the office for this program. Thomasina would like to have this on the next agenda.

Thomasina mentioned the Access Policy for the buildings, that there is now a policy in place that the selectboard will maintain this. Dave stated that the Selectboard, by VSA, is in charge of all the Town buildings and maintenance. Thomasina stated this policy includes who has access to what buildings. There was an issue with only allowing the Chair access as the other elected officials need to also have access to do their work. Dave McKinnon stated that from a security expert position, too many people in the office becomes a concern. Dave stated that originally cards were used to unlock doors, then codes were used. Dave stated that the problem with codes is that they can be shared out, cards may be given out but the person will want their card back. This allows for a tighter security. Dave recommends going back to card access. Tammy inquired about using keys, Thomasina stated this may limit technology issues. Dave stated when the Town went from key to card, problems were eliminated. Prior, the Clerk would go into work and would find things missing, riffled through, or out of place. Bill said keys can be duplicated, which was a problem in the past. Thomasina inquired about the cost of the cards if they would need to be replaced and the reliability of the cards. Dave

stated the Town has about 400 cards that can still be programmed and that they work all the time, they are proxy cards. Thomasina will work with Dave and inquired about taking over the software. Dave stated that if Thomasina will be taking over she will need to buy her own software as Dave uses his own software, which he provided for the Town. Tammy inquired if this is part of the security cameras, and where the security footage goes. Dave said that the cameras in the office are the Constables and are the Towns cameras. Thomasina inquired where the footage is stored. Dave McKinnon stated that he is not at liberty to disclose that information. Tammy reminded Dave that they are the Board. Dave acknowledged that but stated that the cameras are the constables, in order to maintain security, security information and control of, is not disclosed. Dave inquired if there was an issue. Tammy inquired why Dave has the access. Dave stated he is a security professional and an elected Constable in Town. Dave stated if there is a concern or footage is needed to be viewed, anyone can contact the constables and they will provide the security footage to the requestor. Thomasina stated the Selectboard is in charge of the buildings and has the authority to take the security cameras out of the office. Tammy agrees with taking out the security camera. Marci stated she does not recommend taking out the security cameras. The reason the security cameras were installed was due to several break-ins to the office. Thomasina stated this is a gray area in regards to the footage, she has spoken with VLCT about this. The office is a public building, if someone requests footage, it needs to be in a place, on a server, in a municipal building. Dave stated that either constable can and will provide footage upon requests. Tammy would like to table this. Bill agreed.

Thomasina stated there was a citizen request to have behind the Town Garage cleaned, there is a well that belongs to the adjoining land owner and there is concern regarding the refrigerators with freon that has been dumped there. Marci said she received as constable, a complaint and request from said adjoining land owner, he is requesting to have cameras put up or a fenced in area to prevent people dumping trash there. Marci stated this person requested the clean up and security to be in place. Marci has spoken this over with Dave McKinnon about a plan for surveillance in this area. Marci stated that people have been dumping things here, moving forward, action needs to be taken to make sure this is not being used as a dump site. Tammy inquired about a sign being put up stating no more metal can be dropped off. Marci stated there has been a sign attached to the front of the building for several years. Tammy inquired about having one on the side. Tammy said that approval may need to be obtained from the neighbor to have a no dumping sign. Thomasina stated moving forward, situations like this need to have something in writing, not just hearsay. Thomasina stated that it is the Town property that is a mess. Bill said that if it is on our property the Town can carry it away, but it is unfortunate if it is from others dumping on Town property. Tammy said that some of this is Towns stuff, such as a plow and sander. Marci said that some of this is storage for things that are still being used. Thomasina would like this cleaned up.

Thomasina would like to have the board that is used for posting notices redone, the plexi glass often falls on the ground when opened. Thomasina would like to have quotes obtained for a new, functional, professional notice board for the office.

Thomasina inquired if the Town plow trucks are working. Marci said the black one is good, the green one is still being worked on by Gerad, for the oil cooler. Jim welded plates on the black truck, it is holding well for now. Jim reported that Viking Cives gave a quote for \$25,000.00 for a new bed. Jim said that the box is dangerous, there are holes in it, something should be done eventually, it should be good for this winter but next year this should be considered. The board will need to decide if they want to put \$25,000 into a truck that may need to be replaced 5 years down the road, or get another truck. Price quoted by Viking Cives includes everything, the scissors and all the hardware. Tammy inquired if both trucks will be ready for winter, Jim said yes. Tammy inquired if the wing has been fixed. Jim said everything is set for winter, the wing, sanders, and plows are all in good shape. Jim stated that five loads of sand are coming tomorrow. Jim said unfortunately instead of grading tomorrow he will need to spend the time pushing up sand and salt, as Jeff Cathcart has resigned from the road crew this morning. Grading for North Goshen might have to wait because of the loss of help. If it gets too dry he won't be able to grade as the teeth won't cut. Dido is bringing up another six loads which will give the twenty one loads that were ordered. Two loads of salt will be set aside for later use. This is so that in mid winter the Town will have a salt reserve, Tammy likes this strategy of having a salt reserve. Jim said that twenty loads is half of what is used. Jim said that he was hoping to have another culvert installed this week, but this may not happen as we are down a man, it is just himself and Marci. Tammy inquired if another should be hired. Jim said they would need a CDL to drive anything of twenty six thousand pounds, Marci added that they need to pass the drug testing. Thomasina inquired if an ad should be put out for someone. Dave McKinnon stated that they looked for years for someone. Tammy may know a few people and suggested her brother George. Jim said that there was a couple interested in town, one has a CDL but is too busy with work, another interested person is in town but would need to go to school to get a CDL, this is about \$5,000.00 it was brought up if the Board would pay for someone to get there CDL. This is not ideal as the person could leave after getting a CDL to work for more money elsewhere. Jim said that it is preferred to have the driver live in Goshen. Jim said that they should be ok for this year, it would be good to have someone do the turnarounds and intersections. Marci said Dave Sabatini has been doing it in previous years. Thomasina would like to have someone on backup in case the current crew is sick or injured, or if there is a lot of snow. Marci stated that the Town, years ago, entered into an agreement with surrounding towns, which was for the purpose of providing help if needed. Jim said that often Brandon may not get the storms that Goshen gets, this may be in the Towns favor as it would mean that a driver in

Brandon would be available to help in Goshen. Jim said Ripton would be contending with the same storms as Goshen.

Bill inquired about ditching of Carlisle Hill. He inquired if the drop off had been filled in. Jim said the shoulder can be extended only a foot or so. Thomasina noticed that heading up the hill there are some areas on the shoulder where the car tires go off the pavement easily. Tammy stated that the edges need to be filled in and compacted so the tires are not being caught. Tammy said that she has a compactor that the Town can use for free. Jim said that it is difficult doing fine work with the loader mid hill. Tammy inquired about a tractor. Jim said that a small tractor could be used. There is a special shoe that goes on the town truck that can do shoulder work, which the Town does not have. The equipment the town has is too big and articulating on the hill is difficult. Jim said that this could be put out to bid for someone that has smaller equipment if the Board would like. Jim said that he put the shoulders as they currently are, and at a steep pitch on that hill for the purpose of the water running off. If the shoulder is not pitched enough the water erodes the black top. The water has to get off the hill, not down the road. This is why he did the shoulders as he did. Tammy inquired about Carlisle Hill ditching by Raymonds property. Jim stated that the State came down and it is recommended a swale to be at the bottom of Raymonds driveway, not a culvert. The road could be brought up 2"-3" which would make a natural swale. The State approved of the ditching that Jim did, it needs to be raked and seeded. The ditch that Tammy did was good, the State said it could have been a little deeper, but Jim conveyed to them that part of the ditching was to give strength to the wall, a deeper ditch would weaken the wall support. They recommended putting damns, little piles of stones along the ditch where Tammy is working to slow water.

Tammy inquired where the trees are marked for Dave Sabatini to remove. Jim said they were marked several times. Jim got paint from Green Mountain Garage that isn't very visible. Jim will get marking paint from Paris Farmers. Jim marked trees on north Goshen, South Hill, Flora White, and Hathaway. Jim marked only the ones that the mirrors and wing hit. Jim did not mark the trees on property beyond Town Right of Way, that lean into the road. Tammy suggested talking to the land owners. Thomasina stated permission should be asked prior to marking. Jim reported that one of the trees on Hathaway is an ash on Leonard Abess' property that two mirrors have been damaged on. This was marked, and scarred by the wing. When the wing is down the tree is not hit, but with the wing up the wing hits the tree. Tammy will get in touch with Leonard and ask for permission to take the tree down. Jim said there are about twenty trees marked. Tammy said that 20 trees to cut for \$1500 may not be a reasonable price, this can be revisited at a later time.

Bill inquired if there are any other comments or questions. Hearing none, Bill calls to move into Executive Session.

Executive Session

12 min

Brief Executive session was called regarding Town personnel. The Executive Session was entered at 7:49 pm and was out at 8:01 pm. No action was taken. Motion to adjourn at 8:01 by Thomasina 2nd, by Tammy.

Motion to adjourn

8:01pm

Motion to Adjourn the meeting reported as done immediately after the Executive Session, Thomasina motioned and Tammy 2nd.

Respectfully Submitted,
Marci Hayes