

TOWN OF CHESTER
BOARD OF SELECTMEN

September 4, 2019
Minutes

PRESENT: Arne Jonynas; Heather Chase; Lee Gustafson; Leigh Dakin; Ben Whalen;
David Pisha

VISITORS: Julie Hance; Shawn Cunningham; Abigail Freidman; William Lindsay;
Jason Rasmussen; Kirby Putnam; Wanda Purdy; Brian Mosher; Amy
Mosher; Tim Roper; Lisa Kaiman; Richard Jewett; Naomi Johnson;
Sharon Huntley

1. APPROVE MINUTES:

A motion was made by Lee Gustafson to approve the minutes of the September 4, 2019 Selectboard meeting. Seconded by Ben Whalen. The motion passed.

2. CITIZEN'S COMMENTS:

There were no citizen's comments.

3. OLD BUSINESS:

EMS Building: David Pisha stated that cost estimates for the new building are expected Friday or early Monday. An EMS committee meeting has been scheduled for Monday at 3:00. Craig Jennings will be attending via a conference call. Arne Jonynas questioned the timeline for the vote. Julie Hance stated that in order to vote November 5, the Board will need to sign the bond documents on September 18. David Pisha stated that there are two informational meetings scheduled for September 25 and October 23. There will also be a special meeting on November 4 prior to the vote.

Town Hall: David Pisha state that Vermont Hardwoods is processing the wood for the town hall floor and will be holding it awaiting notification from the town.

Leigh Dakin asked for a status regarding the trucks in front of the new Jiffy Mart. David Pisha stated that he will speak with the Police Chief and VTrans.

Arne Jonynas questioned the status of the charging station. Julie Hance stated that GMP will be setting a new pole and then installation will begin. The stations should be installed by the end of the month.

Arne Jonynas questioned the status of paving on Route 35. Kirby Putnam stated that the last he heard, it would be end September.

4. TOWN MANAGER SEARCH DISCUSSION:

Abby Freidman was present from VLCT to discussion the town manager search process. VLCT provides back office support to Selectboards. A packet of information was provided to the Selectboard with the services that VLCT can provide.

Ms. Freidman stated that they can help with the application process and can help prepare and coach on interview questions and help with confidentiality issues. She advised the Board that there can be 30-60 applications received during this process. The first review should be handled by the point of contact with the town and help reduce the list down to around 10 applicants. VLCT will provide a timeline to the Board. However, the Selectboard will need to determine qualifications required, set salary scale, etc.

VLCT also recommends that the Board establish a Town Manager contracts which they can help with. In addition, they can help with the background check the top applicants.

Ms. Freidman stated that the benefits of working with VLCT are free advertising through the League website and magazine, they have special rates with other advertising organizations, they have good communications with other advertising organization and they have been providing this service for many years.

Ms. Freidman stated that it is helpful to have one single point of contact with VLCT. The Board also needs to decide if a committee should be formed for this process or if the Selectboard will handle the search process. The VLCT timeline will help guide the Board regarding when decisions need to be made. The Board will need to spend some time on this process as it is an important decision that can be time consuming.

Heather Chase questioned the payment process. Ms. Freidman stated that billing is typically done monthly. Sometimes ads are bundled and billed at one time. She also indicated that the Board will need to decide how much they want to spend on advertising. The advertising costs should not be more than \$3,000. Totals suggested are \$4500-6800. Ms. Freidman stated that this is the Board's process therefore it has control over how much it spends. She followed by stating that VLCT plays a supportive role only. The more services needed, the higher the cost.

Arne Jonynas stated that the process should be discussed at the next meeting. The Board agreed that assistance will be needed from the League. The Board will need to discuss a job description, whether a committee or the Selectboard guide the process, and its overall approach at the next meeting. The salary scale should also be determined prior to advertising.

Ms. Freidman stated that there are references for VLCTs services that have been provided that the Board could follow up on. She also clarified for the Board that hiring decisions are allowed to be in held in Executive. Session. However, process discussions are open to the public.

Ms. Freidman also stated that the Board should be clear about describing Chester in its advertisement: describing what is unique to this town, what are strengths to attracting a new manager.

5. TOWN PLAN REVIEW; ENERGY CHAPTER:

Jason Rasmussen from Regional Planning and Naomi Johnson and Tim Roper from the Planning Commission were present to help answer questions.

Lee Gustafson stated that he was concerned about the town adopting rules that the town doesn't necessarily want to be a part of. He wants to make sure that we are not subjecting the taxpayers and residents of Chester to regulation that is difficult. Lee Gustafson stated that he learned that this is the standard that is being set by the State of Vermont. The State is recommending towns review these regulations for consideration of adoption.

Arne Jonynas questioned how the monitoring will take place. Tim Roper stated that the goals are from the State legislature. He also stated that many towns have energy committees. These committees take the lead toward achieving these goals. Chester does not have a committee. The Board discussed that the resolution that was passed at town meeting did recommend a committee.

Jason Rasmussen clarified that this language is optional. The template prepared by Regional Planning was meant to apply to any town. However, the Planning Commission has reviewed and made the template applicable for Chester. Jason Rasmussen also stated that there are not hard and fast numbers that have to be complied with.

Lee Gustafson and Tim Roper both offered that the driving force is more of a rewards-based system. Lee Gustafson indicated that he has questions regarding where the State is heading with this approach. Naomi Johnson also stated that this is language in a Town Plan not in Zoning Bylaws. Therefore, this language is not regulatory. Arne Jonynas questioned if this language can be brought into a court system. Jason Rasmussen indicated that it could, but it would be rare.

Tim Roper stated that there were court battles several years ago regarding a couple of large projects where the service board controlled the outcomes and the town had no input. The result is this language that helps protect the towns and gives them input into projects within the region.

Leigh Dakin suggested that this is not mandated language at this time. Heather Chase indicated that it may in the future. Ben Whalen agreed that the vision is good he just doesn't want the board limited.

Tim Roper indicated that the Planning Commission did an energy survey of the community before suggesting this language to the Selectboard. There was a 20% response and an overwhelming support for renewable energy.

Lee Gustafson stated that the version the Board is reviewing is not the latest version. Naomi Johnson stated that the Board has not reviewed this chapter since it was sent to the board. Lee Gustafson stated that there are several blanks where appendix references are missing. Julie Hance stated that minor change are acceptable, however other changes are not allowed at this time and explained the process that would be necessary if changes are made now.

The general consensus of the Board is to approve this chapter.

6. ALTERNATIVE SELECTION; THOMPSON BRIDGE:

The Board agreed that discussion for both Agenda items 6 and 7 can take place at this time since both projects are connected.

Arne Jonynas stated that VTrans was present at the last meeting to present several alternatives for the Board to choose from relative to the replacement of Thompson Bridge, Jewett Bridge and Palmer Bridge. Arne Jonynas read the alternatives from the Scoping Report. He stated that alternative 5 was the recommendation from the State.

Arne Jonynas stated that he has reviewed the scope of work in detail. His primary concern is not just financial, but also safety. The bridges are not in a good location for site distances as well as approaches.

Heather Chase stated that she has questions about Palmer Bridge which may affect her decision. David Pisha stated that the State of Vermont declined the temporary bridge request. Kirby Putnam has received two estimates from Cold River Bridge, one for a temporary bridge and one for temporary repairs to the current bridge. Longevity was not indicated, but it was indicated that this would get us about 5 years until the State's construction project.

David Pisha stated that he has spoken with People's Bank about borrowing the \$88,000 for the bridge repair. The payment would be about \$31,000 a year for 3 years.

Ben Whalen stated that alternative 5 makes sense to him. That being said, he does understand the concerns expressed by the Moshers'. The Mosher's expressed their intent that no right of way will be issued across their property. Brian Mosher stated that if the Board approves Alternative 5, then the Board is approving condemnation of a portion of his land as well as disruption to a historic farm. He stated that this project will create increased traffic not only past his dooryard but also along the back of his property. He is concerned that there is a commercial farming operation next door to him.

Brian Mosher stated that condemnation of property rights is a high bar. This country was founded on property rights. Amy Mosher questioned if an estimate has been received for a Palmer Bridge replacement, not using just the State's numbers. Brian Mosher asked if the State will reimburse for condemnations costs if the town loses.

Richard Jewett stated that the town has known for years that Palmer Bridge was in trouble. He stated that research was done for several years ago trying to find someone to make repairs to the bridge. The town could not find someone to do the work. Since that time, the bridge has had further failure requiring a reduced weight limit. Richard Jewett stated that the town has to do something with Palmer Bridge prior to winter because EMS, fuel and plow trucks cannot cross over the bridge.

Lee Gustafson stated that repairs to the bridge are necessary and should take place this year. He also recommended alternative 5 which is what the State will pay for. Arne Jonynas stated his agreement regarding the repairs to Palmer.

If alternative 5 is selected, the State will begin its design process and the town would begin its condemnation process. Richard Jewett stated that the abutments to Bridge 28 are satisfactory. The bridge replacement does not need to be \$1 million. He believes that the town could replace the bridge themselves for a lot less money. He indicated that the town could investigate the cost and allowances for bridge replacement for Palmer.

Brian Mosher stated that the town should talk with its attorney about condemnation prior to making its decision. He also stated that if the Selectboard votes for alternative 5, condemnation will be required. Amy Mosher stated that her home is very important to her and that this decision does not have to be made tonight. She feels that there are many questions to be answered still and that the Board should take its time. She also stated that the Jewett Farm is on the State's historic register. This project would require a section 106 environmental review and a 4f historic resource review. Amy Mosher also stated that she does not feel that the State has researched a feasible and prudent alternative.

Amy Mosher stated that the town has known since 2013 that Palmer bridge needed repairs. She also indicated that the prior owner of the property abused the bridge by driving heaving logging trucks over the bridge with no consequences from the town. She asked the Board to make sure that it researches all feasible and prudent alternatives. She further encouraged the Board to take its time when making this decision. Amy Mosher stated that she would like to have integrity, respect, honesty, etc from her Selectboard and invited the Board members to visit her home and the property that is being affected.

Arne Jonynas stated that he takes offense to the remarks that were just made. The Board does the best that it can to make these decisions.

Amy Mosher stated that she spoke with Kyle from the State Preservation office. She spoke with Kyle today who indicated that Kyle was not made aware of alternative 5 until she called. His letter was issued in 2017 prior to Palmer bridge being included.

Lee Gustafson stated that the primary decision to be made this evening is repairs to Palmer Bridge.

The general consensus of the Board was to hold off on making the decision regarding the alternative. There needs to be more discussion at a future meeting. This will be on the next agenda.

Heather Chase stated that the State will only pay for one bridge. The town will be required to pay for the other bridges. She also stated that safety is a huge concern as well.

Arne Jonynas suggested that there be discussion about condemnation with the town's attorney. He also questioned if the alternative selected can change once an alternative has been selected. Things could change during this design and historic reviews. Arne Jonynas also stated that he would like to see all of the property owners come together for a unified solution.

7. PALMER BRIDGE REPAIR OPTIONS:

David Pisha indicated that the best plan from a cash flow standpoint is to take a loan and repay through the capital plan for 3 years. People's Bank has indicated that they can have paperwork by the October 2 meeting.

A motion was made by Heather Chase to authorize the temporary repair of Palmer Bridge at a cost of \$88,756.00. Seconded by Lee Gustafson. The motion passed.

8. SOLAR FARM DISCUSSION:

David Pisha stated that the contract suggests a buyout of the solar farm in the amount of \$905,918.00. The contract also stated that the ultimate price will be determined by a third-party appraiser.

David Pisha reviewed savings being generate by the field. He offered his opinion that if a buyout takes place, the farm would be paying for itself and could provide a financial benefit to the taxpayers. However, another question to be answered is the other party contracts for people who buy power from the field.

Lee Gustafson stated that this field would cover the town's entire electric usage and then allow some for sale. Heather Chase questioned when the seven year buyout option is available. David Pisha will review the contract.

It was discussed that the life expectancy of the field is approximately 25 years. Lee Gustafson stated that there is some equipment that may need to be replaced during that 25 years. Heather Chase stated that she would like to see all potential future costs, maintenance, revenue lost due to taxes paid and rental as well as income generation on a flow sheet.

The Board agreed to have David begin researching these numbers.

9. ROAD & BRIDGE STANDARDS:

Julie Hance stated that due to ACT 64, the State of Vermont has revised their requirements relative to town Road and Bridge Standards. Kirby Putnam has reviewed the amendments and determined that the town's Standards comply with the State's requirements. The only change that will affect Chester, is the additional requirement that erosion must be controlled on Class IV roads as well.

Lee Gustafson questioned how many class 4 roads the town has and can the town discontinue those roads. There are some class 4 roads that are managed by the snowmobile club. Julie Hance stated the inventory of hydrologically connected road segments will be completed next year. She will also provide the statues relative to discontinuing a road.

A motion was made by Ben Whalen to adopt the Road and Bridge Standards. Heather Chase seconded. The motion passed.

10. NEXT AGENDA/NEW BUSINESS:

The Board stated that future agendas should include Health Officer Role, Marijuana legislation, accounting system explanation. The next meeting should include the Town Manager search process and bridge alternative discussion

Heather Chase stated that she will not be at the next meeting but will plan to call in.

David Pisha was asked to talk with the Police Chief regarding the idea presented of no thru trucks on Church Street.

11. EXECUTIVE SESSION; TOWN MANAGER REVIEW:

A motion was made by Ben Whalen to enter Executive Session at 8:50 p.m. for the purpose of performing a review of the Town Manager. Seconded by Lee Gustafson. The motion passed.

A motion was made by Lee Gustafson to exit Executive Session at 9:03 pm. Seconded by Leigh Dakin. The motion passed.

12. ADJOURN:

A motion was made by Lee Gustafson to adjourn. Seconded by Heather Chase. The motion passed. The meeting adjourned at 9:03 p.m.

Julie Hance
Secretary of the Select Board

Ben Whalen
Clerk of the Selectboard