

TOWN OF WAITSFIELD, VERMONT
Selectboard Meeting Minutes of
December 22, 2008

I. **Call to Order.** The meeting was called to order at 7:35 p.m. at the Waitsfield Town Office. Present were Selectboard members Charles Hosford (Chair), Paul Hartshorn, Roy Hadden, Bill Parker, and Kate Williams; Town Administrator Valerie Capels, Minutes Taker Nancy Myrto; Tony Italiano (Channel 44/45), Elizabeth Hewitt (Valley Reporter); Suzanne Chamberlain, Sue Frechette, Chuck Wardell, Peter Laskowski, Richard Schattman, Delbert Palmer, Helen Kellogg, and Ken Felderman.

II. **Scheduled Appearances.**

1. **8:30 – Mad River Valley Recreation District Candidate: Helen Kellogg.** Ken Felderman, Mad River Valley Recreation District Chair, explained the Mad River Valley Recreation District consists of nine members, three each from Fayston, Warren, and Waitsfield. Currently two open positions exist, one each in Warren and Waitsfield. Ms. Kellogg is seeking appointment to the At Large position, which, according to the Articles of Agreement, is a one-year term. Ms. Kellogg explained she and her family moved to Waitsfield this past summer and was very well received by members of the community. She believes helping in various areas, including the Waitsfield PTA, Spring Hill School, and the Mad River Valley Recreation District, is an excellent means to learning more about the community. Ms. Kellogg also noted that she spent five years in grant making and feels this would be a valuable asset to the community.

MOTION: A motion was made, seconded, and carried unanimously to keep with the Selectboard's protocol to go into executive session to discuss a personnel matter. The Selectboard met in executive session, with Mr. Felderman invited to participate, from 8:38 p.m. to 8:45 p.m. Upon the returning to open session the following action was taken:

MOTION: A motion was made, seconded, and approved unanimously to appoint Ms. Kellogg to the Mad River Valley Recreation District in the At Large position.

III. **Regular Business.**

1. **Public Forum.** Peter Laskowski noted the receipt of a charter from the state for the Mad River Community Police Association. They are moving ahead on an educational program and other continuing development for area constables. Mr. Laskowski also mentioned a need for office space.

2. **Review of Old County Road on-street parking.** Sue Frechette explained that when parking problems arose last year fliers were posted on all the Mad River Valley Health Center office doors stating to tenants appropriate parking procedures during the winter months. There appeared to be no problems last year, but the posting of no parking signs during winter snow storms has caused much concern among tenants. Ms. Frechette suggested two long-term solutions which may be helpful. One solution would be to move the septic system to generate more parking spaces behind the building. This could only occur if a community waste water system was put in place, or perhaps an alternative septic field could be accessed at Flemer field.

The other long-term solution would be to incorporate sidewalks and parking spaces on Old County Road at the same time community water is installed.

Ms. Frechette suggested that short-term solutions include informing the public about what constitutes a winter snow storm possibly via the Valley Reporter, and off-campus parking utilizing space at the Mad River Garden Center and the Wait House. Ms. Capels stated that Brian Fleisher contacted her, who noted that Barry Bender of Clear Water Sports also offered parking spaces behind his business establishment to the Mad River Valley Health Center. Fire Chief Delbert Palmer explained that parking at the Fire Station would not be a good idea because cars could get blocked or be an obstruction in the event of a fire call. Selectwoman Williams asked if the problem would lessen considerably if the ten tenants parked off-campus. Ms. Frechette confirmed this to be the case should adequate parking be found off-campus. Ms. Frechette will speak with Stuart Grandfield to clarify the posted signs, report back to Ms. Capels with the findings, and also publish the findings in the Valley Reporter. Ms. Frechette will also speak with Barry Bender, and work with the Wait House and Mad River Garden Center, to establish six to eight off-campus parking spaces for tenants.

3. **Consideration of request for school zone warning signals.** Richard Schattman, Waitsfield Elementary School Principal, explained that he spoke with Deputy Sheriff Laskowski about his concern regarding traffic and excessive speed around the school. He also asked Mr. Laskowski what the procedure would be to install school zone warning signals at either end of the school zone, and if Mr. Laskowski felt it advisable to have a clearer marking of the school zone. Dr. Schattman also noted that all other schools in the district, with the exception of Warren which is not on a public road, have the school zone marked by flashing lights. It was agreed that the school zoning marking and flashing lights would help slow traffic in general as it enters the Village. Asked who would be responsible for installation, Mr. Laskowski said he spoke with the traffic engineer who advised a request be filed with the reasoning explained, and the case would be discussed. Mr. Laskowski has drafted a letter to send to the state. It was suggested that a sentence be added that the initiative has the full support of the Town. MOTION: A motion was made, seconded, and carried unanimously to support this endeavor in any way the Town can.

Dr. Schattman expressed thanks to the Selectboard and the Waitsfield Road Department for the great job the Road Department has been doing to keep the school parking lot open, which has improved the safety issues there.

4. **Town Pond: review and discuss proposed reconstruction plan.** Selectman Hosford noted that the Selectboard needs to decide whether to do nothing about the Town Pond, or go forward with construction bids to be presented at Town Meeting. Selectman Hartshorn recommended not doing anything at this time due to the economic situation. Selectman Parker stated this may be a good idea, but that many community members have spoken with him voicing concerns that the Town Pond should be repaired as it is a major attraction for the Town. He noted that members of the Planning Commission voiced concern that they be consulted with regard to the future of the Town Pond. Selectman Hadden noted that all Selectboard meeting agendas are posted and the Planning Commission and community members have had ample time to attend discussions with regard to the Town Pond. Although the economy is not very good at this time, this kind of project could help create or retain jobs. Selectwoman Williams stated that we should go forward

with the bids to repair and let the community decide at Town Meeting. Ms. Capels stated we are not likely to have the bids back in time to finalize the warning on January 26. Selectman Hosford suggested putting a “not to exceed” amount on the warning. Regarding whether to seek bids on the existing plans or have plans drawn up for the spillway design, Selectman Hadden suggested going forth with the current plan and allow the town voters to decide. MOTION: A motion was made, seconded, and carried unanimously to authorize Ms. Capels to obtain bids based on current engineering plans for the repair of the Town Pond.

5. **Consideration of Vendor’s License application for Eastman Long.** Ms. Capels reported that this application is nearly identical to previous years. MOTION: A motion was made, seconded, and carried unanimously to approve the application.
6. **Consideration of contract with Sharon Murray for professional planning services as needed.** An e-mail from Steve Shea was made available outlining the Planning Commission’s support of these services. Ms. Capels noted \$15,000 was budgeted in 2008 for special planning projects, and approximately 36% has been spent. She further noted a similar amount would most likely be budgeted for 2009. Selectman Hosford questioned the automatic renewal. Selectman Parker noted that the contract can be cancelled at any time with a 30-day notice. Ms. Capels also noted that if Ms. Murray’s services are not needed, the Town is not billed. MOTION: A motion was made, seconded, and carried unanimously to authorize the contract as presented for Ms. Murray’s services as needed.
7. **Review of timeline for budget and Town Report preparation.** Ms. Capels reported that the proposed timeline involves the Selectboard meeting every week, but can met as many additional times as necessary. The timeline meeting with different sectors mirrors last year’s, and copies have been given to all involved. Ms. Capels also noted that the January 26 meeting will be challenging, as it includes the capital budget public hearing, the zoning revisions public hearing, and is the date the Town Meeting warning must be finalized. The January 5 meeting will be the only time the Selectboard has to view the capital budget before it gets noticed for the public hearing. No changes to the timeline were suggested.
8. **Town Report: review and discuss Selectboard report, dedication, cover ideas, and schedule.** Ms. Capels intends to provide a draft of the Selectboard’s annual report, based on last year’s outline, at the January 5 meeting. She asks Selectboard members bring any ideas on content or presentation to that meeting.

Selectman Hosford offered two ideas for the dedication: one is a dedication to the remaining farmers in the area; another is to dedicate it to the coalition of nonprofits that serve the town. Following a brief discussion, it was agreed to dedicate the Town Report to Waitsfield’s farmers. There was also agreement with Selectman Hadden’s suggestion that a collage of the farms be the cover feature. Ms. Capels will contact Robin McDermott of the LocalVore project to see if agricultural photos would be available to be used.
9. **Bills payable & Treasurer’s warrants** were signed.

10. Minutes of March 24, August 25, October 27, October 30, and November 24, 2008.

MOTION: A motion was made, seconded, and carried unanimously to accept the November 24 minutes with a correction noting Selectwoman Williams was not present.

11. Selectboard roundtable. Town Pond Design Plans. Selectman Parker noted that the engineer stated in the original plans that the pipe would be connected with steel collars and observed that there was no mention of the steel collars in the material list. Selectman Parker asked Ms. Capels to clarify with Weston & Sampson as to whether or not special couplings are needed.

Community Energy Mobilization Project. Selectman Hosford said that a message was received from Efficiency Vermont, through Paul Markowitz, Coordinator for the Community Energy Mobilization Project. Efficiency Vermont is choosing several communities to pilot some direct weatherization. This would involve organizing a committee to identify homes and/or businesses in need of these services. Selectman Hosford noted that he would contact Dennis Derryberry of the Energy Committee to assist in this endeavor. Selectwoman Williams also noted that the members of the carbon shredder group may also be of assistance.

Armstrong Right-of-Way. Selectman Hartshorn asked Ms. Capels for an update on the right-of-way situation. Ms. Capels responded that she sent some information to Ted Joslin to begin the easement and is waiting to hear back of what additional information he needs.

Proposed Zoning Revisions. Selectman Hartshorn, after reviewing the proposed Zoning Regulation changes, was concerned about the 200 foot setback for all buildings on Route 100 and whether it would mean a visit to the DRB for any owner in this area wanting to put on an addition. Selectwoman Williams noted that the 200 foot setback only pertains to businesses in this area, is not residential, and appears to be an existing provision.

Mad River Path Association. Selectman Parker noted that at last week's Mad River Planning District Steering Committee meeting there was discussion regarding towns getting involved in helping the Mad River Path achieve their goals. He was asked to inquire of the Selectboard if the Town would be willing to hold easements on sections of the path that cross landowners' property. Asked if there were legal reasons why it would be better for a municipality to hold the easements, Selectman Parker stated that it would be with regard to liability issues. Ms. Capels suggested that we may wish to seek legal reviews of some or all of the easements should we assume this responsibility. Mr. Parker noted that at the meeting it was discussed that there may be a standardized form that could be used. Selectman Hosford stated that the Town's support would be a good gesture toward supporting the Mad River Path.

12. Town Administrators report. Ms. Capels shared information with regard to another grant program coordinated by the Agency of National Resources. She explained this could involve monies toward solar panel installation on municipal buildings. She also encouraged Selectboard members to look over the materials and think of municipal buildings that may be good candidates.

Oversight of New Road Construction. Selectman Hosford noted that the issues associated with the Koepele Subdivision drainage should make everyone aware that after the DRB has approved

plans there needs to be a device used to ensure the plans are put in place according to the engineer's drawings. He suggested that the DRB include a condition that the Town's interest be represented by an engineer to ensure the road and drainage issues are done correctly where it relates to Town property. Selectman Parker suggested that the Selectboard's curb cut approval include a provision, similar to a certificate of occupancy, may be a better solution. Ms. Capels agreed, noting that a form could be developed that the Road Foreman or other designated person would complete stating that the new road or driveway was built according to plans. She added that if at any time it is noticed that the curb cut is incorrect, the Selectboard can revoke the permit and no further lots can be developed in the subdivision. She also stated that the builder, or homeowners association be contacted regarding the deficiency before revoking the permit to allow them to correct the discrepancy. Selectwoman Williams noted that the Selectboard needs to be careful in determining whether the Koepele Subdivision curb cut is incorrect due to not following the approved plan, or because the approved plan did not comply with the curb cut.

Irasville Walking Loop. Ms. Capels reported that information came in Friday afternoon from Joe Grant (Back to Action Physical Therapy) expressing interest in creating a pedestrian walking area in Irasville in part of the shopping center and Slow Road. There would be distance markers and a path painted on the roadway and parking lot. It has the support of the Mad River Path Association, who had a similar idea years ago, and had envisioned the alignment along the Slow Road being a mowed path in the adjacent grass. The Selectboard is being asked for support of the use of the Slow Road. Selectman Hosford noted that plowing would need to be maintained in this area. The Selectboard expressed support and inquired whether there is room within the right-of-way to accommodate it off the road.

IV. Other Business. There was no other business.

V. Executive session re. pending litigation. MOTION: A motion was made and seconded to go into executive session to discuss pending litigation. The Selectboard met in executive session from 11:10 p.m. to 11:25 p.m. Upon returning to open session, no action was taken.

VI. Adjourn. The meeting was adjourned at 11:30 p.m.

Respectfully Submitted,

Nancy Myrto
Minutes Taker

and reviewed by

Valerie Capels
Town Administrator