

## UNAPPROVED/DRAFT MINUTES

Duxbury Selectboard Meeting Minutes

9/14/20

ZOOM Meeting

**Selectboard Members Present:** (8582479580) Kevin Garcia (chair), Dick Charland, Jerry McMahan, Mari Pratt ,(8022411565)Dan Schillhammer

**Others Present:** 8029225692, 8027939998, Eric (Bauer), Henry Amistadi, David Specht (Zoning Administrator), Jonathan DeLaBruere (Selectboard Assistant, Cathleen Gent (CVWMD), Alan Quackenbush, Maureen's Galaxy (Harvey) (Town Clerk and Treasurer), Brenda Hartshorn

**Call to Order:** 6:03 pm

### **Changes to the Agenda:**

No additions or changes to agenda

Motion to move from regular SB meeting into recess to discuss town plan and then move back into regular SB meeting immediately following. Mari 1st; Kevin 2nd

AIF

6:05 RECESS to Open Discussion about Town Plan:

Several times Kevin asked for questions, concerns, comments regarding town plan.

Mari makes motion to accept town plan as presented. No second

Kevin-can't vote on it in recess; needs to go on agenda for next meeting.

Jerry- this discussion purely meant to be informational

Discussion to make a motion to reconvene SB meeting. No first or second. No action taken; Recess continues

Eric- As far as accepting town plan, are the borders of the town plan final? Doesn't include his property within the borders and would like it dealt with in the proper way.

Mari- in what way?

Eric-town plan excludes his property and the use has changed within the borders of the village-restricted now in dividing his property

Mari-Eric's property is in farm district

Eric-no, it's not in the farm district; it's in the village district. Are we agreeing to town plan as written and is it open to interpretation?

Maureen-districts set in plan or in zoning

Alan-Districts are set in the plan

Eric- wonders if his district has changed or not; he is cemetery district

David-there is a disconnect between the zoning regulations and the master plan for the State Farm property. Master plan is not in agreement with the zoning and it could be addressed in upcoming zoning regulations

Dick-so could Eric go before the zoning administrator?

David-yes, he could and then it would be up for appeal by anyone in the town.

Eric-is satisfied with the clarifications

Dick moves to close recess public hearing on town plan; Dan seconds

Discussion of procedural mistake

Yea (1) Dick Nay(1) Mari, Jerry, Dan, Kevin

Motion fails

Mari moves to close public hearing and reconvene regular Selectboard meeting; Jerry seconds

AIF

Motion carries 6:23 pm

### **Citizens and Visitors to Address the Board:**

None

### **Approval of minutes:**

8/24/20 Regular Meeting Motion to accept with

Motion to accept 8/24/20 minutes with modifications as noted under New Business Mari 1st;

Kevin 2nds

AIF Motion carries

8/27/20 Special Selectboard Meeting

Mari-New Business, Ryan #1 add, move to accept low bid "from Percy at \$26, 950."

Mari motions to accept 8/27/20 minutes with noted change above; Dan 2nds

AIF

Motion carries

### **REPORTS**

#### **Highway Foreman:**

Mari-Truck #1 low pressure issue and looking at rebuilding whole lower end according to Ben--  
out of warranty because it's the 14.

Kevin-that truck is up for replacement next year.

Mari-yes, we should be putting it on for town to vote on, 2022 budget to purchase new truck  
from capital reserve

Dick-any idea when they'll be going up to work on Camel's Hump?

Kevin-no idea, not high on the priority list; another letter came in this morning and not sure why  
it's class 3 road (reference to pictures)

Kevin agrees it needs to be graded and he can talk with Ben about it

Dick referred to letters sent on Aug. 27, 2020

Dan-maybe we can get Ben to go up there and do some work, even though we have our hands  
full caring for roads used by more people right now.

Kevin-Lars' house to Kevin's house does need to be addressed

Dick-washing away and compromising the gravel and guardrails.

Dan suggests addressing the main part of the road and then spend a couple of hours up higher

Kevin-no good time to grade that road unless middle of the night because too narrow with cars parked on side of road. It's a ¼ mile road; nothing more than a logging road

Jerry-most of the people going up there are visitors going to the state park; maybe we can get the state to take more responsibility

Dan-perhaps we can look at closing it off up there for a week so Ben could work up there  
Kevin-Ben will get up there now that we have gravel. He was out grading today.

Dan-we have residents who haven't had their road needs met yet and that's what we're focusing on; he's training Andre to use equipment

**Town Treasurer:**

Dick-are taxes flowing in Maureen?

Mari-look at revenue sheet

Maureen- \$3.6 million is requested for property taxes; not all received yet, but all has been billed; truck is paid off

Need \$270,00

SB needs to be mindful of cash flow--how much is owed and when will you be getting reimbursed; Project Financial Management; school bill is due around Nov.

Should be seeing an invoice of about 50% of Sicard's contract amount around end of September

Jerry-due 30 days after, which will make it after the property taxes are received

Maureen-Project worksheets are usually submitted to FEMA; uploaded through FEMA portal, they approve it and after that it goes to VT and the money gets released; Need to be mindful, because it doesn't happen instantaneously. Jonathan gave Maureen an invoice for services rendered through Aug. 6, 2020 due Dubois and King (Crossett Hill Slide oversight); Mari and Jerry signed off on the bill

Maureen-applied for \$30,000 grant for digitization of land records; this grant is money provided through CARES Act to get land records online, so researchers can continue to do their work; all came to a halt when pandemic caused town offices to close buildings, preventing access to land records to deed researchers, etc. If grant is received, there is a deadline of 60 days to get the land records digitized.

Maureen- has documents at the office that need signatures Kevin and Dan will get to the office to sign

Kevin will talk with Jonathan about Crossett Hill project

Maureen- Selectboard should be getting Crossett Hill project updates from field engineer (Dubois and King); she has invoice, but no report

Antonio (D&K Field Engineer Construction Manager bill is \$440 for 7 hours onsite)

Charles (D&K, does the review and overview of Antonio; Charles is Antonio's boss; Charles receives \$144/hr)

David- not seeing Antonio there (on site of Crossett Hill Slide project). Never seen him there.

Mari- I have seen him there twice. Stopped and talked to him one time.

Kevin-will call Charles at D&K and follow up with Jonathan (at this time Jonathan was no longer on the call); Kevin will inquire and might swing by site; Antonio is supposed to be onsite.

### **Selectboard Assistant:**

Kevin asks Jerry to get notice out on FPF that Crossett Hill Road will be closed beginning on Sept. 21, 2020 for approximately 4 weeks, until project is completed, in the slide project area.

Scrabble Hill Road Stabilization-waiting on right of way meetings that need to happen with landowners; there will be easements for construction and conversations will need to take place by affected neighbors

Ryan Road turned over to Ben to coordinate with Percy; starting Sept 21st or 28th a Mon to Tuesday, completion by Oct. 31, 2020 should not be a problem

Camel's Hump Culvert replacement is in Ben's hands; two day project; first day culvert and second day for ditching and clean up; needs to be completed by Oct. 31, 2020

Jerry asked to get this on FPF and update neighbors. Road will not be closed, but there will be warning signs to slow down

Jonathan's SB Assistant report was not submitted for last meeting(8/24/20), so both that last meeting's report and this meeting's reports are attached to this regular SB meeting

### **NEW BUSINESS**

**Cathleen Gent, General Manager of CVSWMD** (Central VT Solid Waste Management District), gave summary of mission

Described CVSWMD pursuit for a year-found facility to manage household hazard waste, in the Barre-Mont, Berlin, or East Montpelier area. Hope to find land, build and open Spring, 2020. Currently, CVSWMD has received ANR (Agency of Natural Resources) grant of \$500,000 and \$594,000 is committed from internal reserves.

Goal is to have \$1.2 million dollars for the project and avoid going for public bond.

She asked Duxbury SB for feedback

This project will not cost Duxbury anymore fees, but do expect to charge individuals when they come to facility to manage the household hazard waste

Per capita, it's usually \$1/person for a town to be part of the CVSWMD, but this year it was reduced to .50/person. There are approx 1,400 Duxbury residents, so town pays between \$700-\$1,400/ year

Right now, CVSWMD offers five seasonal events, but once the permanent facility is built and open, there probably will not longer be an event in the area

All of CVSWMD programming is in one place during COVID-19 and selling compost equipment curbside

Website: [cvswmd.org](http://cvswmd.org)

CVSWMD is trying to help folks find options to comply with new state food scraps and single use plastic laws; has budget of \$1.1 million and is also a municipality

Duxbury doesn't have a rep on the CVSWMD Supervisory Board, but Cathleen extended an offer for a Duxbury resident to take on this role.

Maureen shared that the town voted in 2016 to switch from the Mad River Solid Waste Management District to the Central Vermont Solid Waste Management District

Kevin-if any Duxbury resident is interested in being a rep to the CVSWMD Supervisory Board, contact Kevin or Mari and they'll put you in touch with Cathleen Gent.

**Scrabble Hill Culvert (7:30 pm):**

Dick sent everyone an email about a guy who charges \$50/hour and works with Doug Newton; he just finished a job in Fairfield; could probably save money with him; Jonathan worked with him on the Fairfield project

Kevin-are we obligated to put this out to bids

Dick-yes, we are; I don't think we need to go with an RFP

Kevin-do we just pay him out of general funds?

Dick-it's not a big enough project to need an RFP

Mari-it's my understanding that FEMA would expect us to do an RFP

Maureen-Duxbury used to use Doug Newton; he would be like a SB assistant with an engineering background and he saved the town a lot of money; he knew what the town needed, how much it would cost and could submit it; you can have him as a contracted service

Kevin-Scrabble Hill is a FEMA project; is it an issue? Kevin will contact Kim at FEMA and find out

Mari makes motion to have Kevin contact Kim from the state to inquire if Duxbury can hire a consultant to give the numbers needed for the Scrabble Hill culvert replacement project

Jerry seconds

AIF

Motion passes

Kevin will share with SB members what he hears from Kim and then this will be added to the next regular SB meeting agenda

**Cubit Survey:**

Update from David Specht, Zoning Administrator- David researched deeds back to the 1940s; found a description of boundaries, but no survey; perhaps the Touchette property could be researched to see the boundary on that site. David spoke with Mr. Cubit and he knew of a pin by the river.

Kevin talked with Zeb and discussed options; Zeb checked with his father and didn't know of a survey either

Kevin- Dan, did letters go out in the mail?

Dan- last I knew, we discuss it and they are okay to send; I'll talk to Maureen to send

David- under current zoning (2011), there is room for parking; under the proposed zoning, there is still parking allowed, but with more restrictions and requirements like fewer cars, putting in green space, such as trees, which is a significant change. Number of cars is undetermined and amount of green space is undetermined in the proposed zoning, but it is required

Kevin- reminded SB members that a vote at a regular SB meeting a while ago was a 4-1 vote to put in a parking lot on the Cubit property that was given to the town

Dick- let it be open space

Maureen- might turn into a trash dump if parking lot; it would need to be plowed

Mari- it should be a place for people to access the river and the pick-up truck can plow it

Dick- this isn't on the grand list of priorities

Kevin and Mari had both received some positive comments from residents for turning it into parking lot

Mari moves to table the Cubit Survey to next regular Selectboard meeting; Dan seconds  
AIF

Motion carries

**CVRPC Road Erosion Inventory Grant:**

The grant is due by Dec 31, 2021; it's a grant for \$8,000 with town paying \$1,600 in kind  
The inventory needs to be done before there is snow on the ground (October 31stish) and completed and submitted before December 31, 2020.

Jerry- waiting on state to get their documentation finished

Kevin- If inventory starts in mid October for the 4 ½ miles of road, it should take about 2 weeks; are we going to accept this grant?

Jerry- the negatives would be pretty small; town not on the hook for much money

Kevin and Dick agree that it sounds like the state is going through the town for money for the town to turn around and pay the state back to do the road inventory with this grant

Mari moves for SB to accept the Better Roads grant authorize Kevin to sign the BR grant for \$8,000 and town pays \$1,600 toward the inventory; Dan seconds

AIF

Motion carries

Grant agreement BR0754 signed by Kevin Garcia on 9/14/20 (grant is with State of VT AOT)

Mari moves that Kevin signs BR FY21 agreement for Road Erosion Inventory so town can utilize CVRPC assistance; Dan seconds

AIF

Motion carries

### **Town Garage:**

Dick emailed Chris Temple twice and spoke with him; asked him to come up with an RFP; Dick hasn't seen it yet.

Mari moves to table Town Garage to next regular SB meeting; Dan seconds

AIF

Motion carries

### **Crossett Hill Update:**

Mari-for the record, the town will be closing Crossett Hill Road in the "slide" area for approx 4 weeks beginning Sept 21, 2020

Jerry will post on Duxbury FPF

Kevin-blocks will be coming out on Spet. 21 so could be ready to be used on Ryan Rd by Sept. 22

Kevin will see if D&K field engineer, Antonio, is on site tomorrow and ask some questions

Mari notified school and bus about Crossett Hill Road closure

Jonathan is notifying all of the emergency services

Kevin thought Jonathan was also notifying the Post Office

David has been to site several times most days, since he lives right there and owns some of the property; David listed several people he as seen on site and their positions, but he stated again that he has never seen Antonio on site; David only saw him at the pre-construction meeting and two status meetings.

Kevin will check tomorrow and get email out to all SB members with what he finds out

Mari reported seeing Antonio on site once when she visited and another time. No one was flagging at the time; it was just before lunch

### **Budget Discussion:**

Kevin will reach out to Ben for ideas and other committees who need funding

Jerry-there will probably be a big deficit because of the way the town funded some of the road projects

Dan-there may be some people who may come up short on paying property taxes this year--hard times

Kevin-if we're going to do paving next year, we need to know how much it's going to cost; still have note coming due in Oct; suggests putting budget on agenda for next week. (No motion made, no second and no vote)

Maureen announces she just received email stating that the town was awarded \$30,000 grant for digitizing town land records!

**Motion made to adjourn by Mari; Dan seconds**

**AIF**

**Meeting adjourned at 8:39 pm**

**Respectfully submitted,  
Brenda Bean Hartshorn**