

**Select Board Meeting Monday, October 18<sup>th</sup> at 6:30pm**  
**Location: Town Office Meeting Room: 37, High Street Cavendish Vermont**

**Present:** Bob Glidden (Chairman), George Timko, Mike Ripley, Sandra Russo, Stephen Plunkard, Brendan McNamara (Town Manager), Jen Leak (Recording Secretary), Noah Schmidt (OVTV) and Duane Warren (arrived 6:55 p.m.)

**1. Call the meeting to order**

Bob Glidden, Chairman, called the meeting to order at 6:30 p.m.

**2. Act upon the minutes of September 13<sup>th</sup>, 22<sup>nd</sup> and 29<sup>th</sup>, 2021.**

*Sandra Russo moved/Mike Ripley seconded a motion to approve the minutes of September 13<sup>th</sup>, 22<sup>nd</sup> and 29<sup>th</sup>, 2021 as written. All voted in favor.*

**3. Adjust agenda**

Brendan said that item #9 “Discussion of possible uses of ARPA Funding” can be stricken from tonight’s agenda as nothing has changed.

Brendan said that he would like to add two items to tonight’s agenda

#9.a. “Select Board to consider appointment to the Planning Commission”

#9.b. “Select Board to consider resignation and replacement of Cavendish Fire Warden”

**4. Hear Citizens**

There were no citizens wishing to be heard.

**5. Discussion regarding Town and Library Operations.**

Brendan said that Sandra had asked him to distribute some documents to the Board after the last meeting and to put this discussion on tonight’s agenda. Jen asked Sandra to please be specific during this discussion and identify whether she was speaking as a Select Board member or a Library Board member since she is a member of both Boards.

Sandra said that the Library Board has put together a list of questions/topics for the Select Board to consider which she had emailed to Brendan yesterday. Brendan said that he would email that list to the Board. Sandra said that the Library Board would like the Select Board to decide what should be reviewed by the Town Attorney.

Brendan said that he believed the list of questions Sandra had emailed were too general to present to the Town Attorney. He said that the relationship between the Town and Library came up when Sullivan & Powers accounting firm conducted an audit of the Town accounts and recommended looking into how the library/town funds were handled. He added that the audit report was available for the Select Board to review. Brendan said that the relationship between the Town and the Library is not clear. He said that he thought the Select Board needed to draft a document outlining this relationship and then the Town Attorney could review that for legality.

Sandra said that she believes the Library is a municipal library since the Library Board members are voted on by the Town and that therefore it is a department of the Town although it has not functioned that way in the past. Sandra agreed that there were details to work out and it was

confusing. She said that there is a “Law of Public Libraries” which outlines how municipal libraries should function.

Stephen asked about the Library/Elementary School relationship. Sandra said that the librarian is a 100% Town employee but does provide services for the school. She added that the Library Board is working on defining the relationship between the Library and the School. Sandra said that the Town owns the Library building but the School owns the land under the Library which is leased to the Town for \$1/year for 99 years.

Brendan suggested that the Select Board read the audit report and review Sandra’s questions for discussion at the next Select Board meeting.

Sandra asked if the Town Attorney would be reviewing the materials as well. Brendan said that there was no document for the attorney to review and the Town Attorney was not comfortable giving an opinion on the Library without Select Board approval to do so.

6. **Continued discussion pertaining to the ‘Junk Yard Ordinance’.**

Brendan said that he has been noting which properties may fall under this ordinance as he has been driving around town. He said that if the Board wanted to enforce the ordinance in the spring then the property owners should be given advanced warning.

George asked if this issue had surfaced due to complaints from residents about properties in town. Brendan said that there have not been many complaints recently. Stephen said that he has been approached about this ordinance by several people who didn’t want to be identified. Brendan agreed that it was a sensitive and difficult topic. He said that this ordinance has been in effect since 2006 but hasn’t been enforced often. He added that he thought the costs of enforcement to both the property owners and the Town could be huge.

Stephen said that he thought the Board needed to decide whether to move forward and enforce this ordinance across the board or not, and if not to perhaps eliminate it. Jen commented that she thought the Board had made a resolution to enforce the junk ordinance at a previous meeting but the Board did not recall doing that. Sandra said that she didn’t think eliminating it was appropriate. George added that the Board can’t get rid of all the ordinance that aren’t regularly enforced since most are not, but they are still in place for especially egregious cases.

Stephen said that the Board can’t selectively pick properties out for enforcement. Sandra asked if the junk ordinance should be enforced only when there are complaints. Mike said that wouldn’t be fair to property owners in more visible locations and that was why the Board wanted to enforce it for everyone. George suggested that the Board could notify all violators but pursue only the worst. Sandra asked how other towns handle this issue. Brendan said that he did not know but he could investigate. Stephen asked if VLCT had any guidelines for junk ordinance enforcement. Brendan said that he could ask them.

Duane Warren now joined the meeting at 6:55 p.m.

Mike asked Brendan to put this item on the agenda for the next meeting so the Board can continue talking about it.

Duane said that he has done a lot of cleanup on his property. Brendan agreed and said that he and Duane have continued to talk about his property. Duane said that most complaints about his property refer to the things in his front yard which is not the portion in violation of the junk ordinance. He said that he would not stand to be singled out for enforcement of this ordinance simply because he lives in a visible location. The Select Board agreed that he should not be singled out.

7. **131 Project: (Sidewalks and Speed limits post construction)**

Brendan said that the paving is almost finished. He said that some of the driveway aprons are still being done and there are some questionable areas which still have significant lips. Brendan said that he still has concerns about puddling in some areas and some of the manholes seem too low. He said that he is still waiting for answers regarding grading where the edge of the road has a significant drop onto the grass. He said that the sidewalks in Cavendish village are finished and look nice although rather than replacing the damaged concrete they were paved. He added that some curbing in Proctorsville along the sidewalk might be needed since there is little separation from the roadway there but perhaps it could be added later.

Brendan said that some residents have asked about lowering the speed limit in Cavendish village to 25 mph and adding a crosswalk. He said that the Town would need to ask VTrans but he thought there was not enough sight distance on the curve near the Fire Department to place a crosswalk there.

Duane said that he believed a speed study was done in Proctorsville near the school and thought no significant speeding issue was found. Brendan said that once the paving is finished another speed study could be done.

Stephen said that he thought the road has been widened a little and no traffic calming measures were put in to slow traffic down. He said that he felt sure the traffic was moving faster because the road now looks like a highway. He added that he thought the Town could have had more input into the design. George asked if the vibrations from truck traffic is any better since the road has been rebuilt. Stephen said that it was.

Duane asked if the sheriff has noticed increased speeds in the villages. Brendan said that he could ask them to look at that over the next few months once the construction is finished. Brendan said that he will order the digital speed signs soon. Sandra commented that there is a lot of activity at the school at all times of day and thought the speed limit there should be 25 mph all the time, not just during the morning and afternoon when the school zone signs are flashing. Brendan said that he can request a speed study be done there. Stephen added that it is a quality of life issue as well not just school safety. Brendan said that the digital speed signs have worked in other towns but enforcement is the problem.

Duane said that he believed in the speed limit being set at 25 mph near the school but added the timing of the flashing signs is off. He said that the issue is the number of accidents and if there weren't many accidents then traffic should be moved along and not slowed down just because people didn't like fast cars. Stephen said that he didn't want to wait for an accident to happen.

Bob said that the Board will now move on to item #8.

8. **Select Board to consider a resolution to open a new checking account with Berkshire Bank for the receipt and disbursement of all ARPA Funds.**

Brendan said that Diane McNamara, Town Treasurer, is asking the Board to authorize opening a new account to hold the ARPA funds. He said that \$210,747.00 has been received so far and Peter LaBelle, Town Auditor, has suggested holding those funds in a separate account.

*George Timko moved/Sandra Russo seconded a motion to open a new checking account with Berkshire Bank for the receipt and disbursement of all ARPA Funds. All voted in favor.*

9.a. **Select Board to Consider Appointment to the Planning Commission**

Brendan said that Bruce McEnaney has recently moved back into Cavendish and expressed an interest in being appointed to the Planning Commission. He said that Etienne Ting, Planning Commission Chairman, agreed to his appointment.

*George Timko moved/Mike Ripley seconded a motion to appoint Bruce McEnaney to the Planning Commission. All voted in favor.*

9.b. **Select Board to Consider Resignation and Replacement of Cavendish Fire Warden**

Brendan said that Cavendish Fire Warden Roger Sheehan gave his resignation verbally and his wife will put this in writing for him. Brendan said that he wanted to thank Roger for all his contributions to the Town as fire Warden, including placing and caring for the Smokey Bear signs in both villages. Brendan said that Roger has spoken with and recommended Chris Marks to be the new Fire Warden. He said that Chris is already one of Roger's Fire Warden Key men and a Captain in the Proctorsville Fire Department. Brendan added that the State also needs to approve the Fire Warden appointment.

*Sandra Russo moved to appoint Chris Marks as the Cavendish Fire Warden. Mike Ripley added that Roger Sheehan's resignation can be accepted when it is received in writing. George Timko seconded the motion. All voted in favor.*

10. **Select Board to discuss upcoming budget process and appropriation requests.**

Brendan said that the budget process begins in early January and organizations are already sending in appropriation requests. He asked if the Board wanted to ask a representative from each organization to attend the December Board meeting as has been done in the past but which was not done last year due to Covid-19. He said that last year the Board had agreed to reach out with questions via phone or email if needed.

The Board agreed they would not require in-person presentations from organizations requesting external appropriations.

Stephen said that he had suggested setting up a fund for grant matches to add into next year's budget. Brendan said that could be done. He added that he and Diane have discussing setting up a grant review policy which includes the Town Treasurer as well as the Select Board. Stephen said that there is a grant which the Okemo Valley Chamber could assist with for cleaning up the old Town Garage site. Brendan said that he would be willing to review that with Diane.

11. **Other business**

Brendan McNamara – none.

Stephen Plunkard – none.

George Timko – none.

Sandra Russo – Sandra asked when the lines will be painted on Route 131. Brendan said that he didn't know but he would ask for the crosswalks near the school to be painted.

Mike Ripley – none.

Bob Glidden – Bob said that the sewer manhole cover in front of his house has been covered with dirt during the Route 131 construction. Brendan said that he would have that fixed.

12. **Executive Session (Personnel Matter)**

*Mike Ripley moved/Sandra Russo seconded a motion to enter executive session at 7:32 p.m. All voted in favor.* The Select Board and Town Manager moved to the Town Clerk’s office.

*Bob Glidden moved/Mike Ripley seconded a motion to exit executive session at 7:39 p.m. All voted in favor.*

13. **Adjourn**

*George Timko moved/Mike Ripley seconded a motion to adjourn at 7:40 p.m. All voted in favor.*

Minutes Approved: \_\_\_\_\_

Date: \_\_\_\_\_