

iii. Add Other Business – following Discussion Town/Village Merger Discussion

3. **APPROVE MINUTES OF PREVIOUS MEETINGS**

- A. Brett Sanderson advised that the minutes to be approved are from the regular meeting of June 5, 2023 and the Joint Meeting of July 24, 2023.
- B. **MOTION by George Tucker, Jr. and seconded Bob Brandt to approve the minutes of the Regular Meeting of June 5, 2023 and the Joint Meeting of July 24, 2023 as presented.**
- C. Bob Brandt noted that under Item 14, Executive Session the following must be added:
 - i. Information about Motion by to exit Executive Session and Motion to adjourn meeting.
 - ii. Brendan McNamara to get the information to Lisha Klaiber
- D. **Motion to accept minutes with additions to be made passed unanimously.**

4. **COMMENTS FROM CITIZENS**

- A. Glenn Heitsmith made following comments:
 - i. When was the sewer line break and when was the public advised
 - ii. When was the boil water notice put out
 - iii. Dam Sites 1 – 5 have a lot of silt – has it been cleaned up and was there immediate danger
 - iv. On the Fire Departments “False Alarms” - they are not really false alarms – the systems were activated and the alarms responded as they should.
 - v. Glenn Heitsmith noted that for Item 10, 5Bi – reference was made to the Armory Building. Mr. Heitsmith advised that it is the Community Center and that the Tank Building is the Phyllis Agan Building. He said that people should be educated of the correct names.
- B. Brendan McNamara advised that the sewer leak was discovered either Wednesday or Thursday. He said that the Boil Water notice went out on Tuesday, July 11th. There was some confusion – one media site said “Don’t Drink.” But, we didn’t lose much pressure. There was a small leak at the plant and also one at Plumley, and both were fixed.
- C. Brett Sanderson said that the State issued the Boil Water notice.
- D. Brendan McNamara said that we tested our water and it was fine.
- E. Glenn Heitsmith asked how the notices were published.
- F. Brendan McNamara said we tried to notify businesses and the state also handled the dissemination of information. The information was also on our EMS Department site.
- G. Glenn Heitsmith said that Ron Tarbell came to his home to notify him to evacuate. He added that if, when they fix the sewer line behind Village Pizza, if they put the pipes back in place the way they were, they will break again.
- H. Brendan McNamara said the town is looking into more ways to get information out to the people.

5. **DISCUSS POSSIBLE STIPEND INCREASE – DRB AND PLANNING COMMISSION**

- A. Brendan McNamara said that the following are the current stipends:

Cemetery Commissioners	\$900.00
DRB	\$1,200.00
Planning Commission	\$25.00/meeting (Approx. \$300/year)
Select Board	\$1,600.00
Trustees of Public Funds	\$400.00

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|---------------------|------------|
| Trustees – Village | \$1,000.00 |
| Water Commissioners | \$1,000.00 |
- B. Brendan McNamara said that the Planning Commission members receive \$25/meeting and do a lot of work. We need to bring them in line with other boards.
 - C. Scott Baitz said that amount has not changed in 25 years and is ridiculously low. He added that the DRB members put in a huge amount of time, with meetings, site visits and deliberative sessions. He suggested that the Planning Commission be raised to \$900/year. He added, that currently, if a Planning Commission member misses a meeting, they do not get paid, while the other boards' members don't have that restriction. He suggested that that be changed. He also suggested that the DRB stipend be raised to \$2,000.
 - D. **MOTION by Scott Baitz and seconded by George Tucker to increase the stipend to Planning Commission members to \$900/year with no penalties if they do not attend a meeting. He motioned to raise the stipend to DRB members to \$2,000/year.**
 - E. Eric Alden voiced his opinion that the Planning Commission is the most important board in town. He said that it should be supplied with a laptop and software.
 - F. Scott Baitz said this board approved that months ago and it would not be incorporated into his motion.
 - G. Brendan McNamara said it can be supplied and he will look into it.
 - H. **Motion passed unanimously.**

6. **DISCUSSION & REVIEW – ENTERPRISE FUND**

- A. Postponed until the next meeting.

7. **DISCUSS & POSSIBLY APPROVAL OF NEW PRIVATE ROAD NAMES**

- A. Brendan McNamara advised that there were two requests and that all requested names and not similar to existing road names
- B. Tesha Buss – new road off Rod & Gun Club Road
 - Burdock Lane
 - Beaver Pond Road
 - Beaver Dam Lane
 - i. **MOTION by Bob Brandt and seconded by George Tucker to name the road Burdock Lane. Motion passed unanimously.**
- C. Teresa DiNapoli – road in 3-lot subdivision off East Lake Road
 - Sunset View Lane
 - Cooper's Way
 - i. **MOTION by George Tucker and seconded by Bob Brandt to name the road Sunset View Lane. Motion passed unanimously.**

8. **STR/GRANICUS UPDATE – POSSIBLY APPROVE ESRI INTEGRATION**

- A. Postponed until the next meeting.

9. **UPDATE ON ESR BY GARY BLODGETT**

- A. Gary Blodgett said that the Expeditionary School at Black River received state approval on June 28, 2023. This enables them to get state tuition for school choice students. The focus this year will be English, Math, Science, and Spanish. This year our focus will also include government, geography, flood, history of Vermont. The school provides a unique local option.
- B. George Tucker asked how many students they expect to have this year,
- C. Gary Blodgett said last year they had 15, but due to the late approval from the state, they lost some students as well as staff. They expect to start this year with 10 students. He said that the school has been leasing space from the town, with a modest rent. He is asking to negotiate a 2-year extension.
- D. Brendan McNamara said that the lease has expired.
- E. Pat Pullinen asked if the town would give them a letter, for the State, saying that they are in the process of extending the lease.
- F. Brendan McNamara said he would give it to them tomorrow.
- G. Eric Alden suggested that any discussion about the building and its future should be discussed at public forum; it would be a disservice to the public not to.
- H. Brendan McNamara said he will draft a proposal, but it would have to be approved by the Select Board at a public meeting.

10. **DISCUSSION – RE: TDS AND ROW EXEMPTION**

- A. Brendan McNamara advised that they had been in discussions with TDS about fiber optic installations and about their request for an exemption to waive the bylaws for road crossings. The board approved detectable tracing tape in the Right of Ways, but crossings under the road must be encased in steel. TDS was not happy, but at 5:00 p.m. today, TDS called and said that they had reevaluated the project and would be able to cut the number of road crossing in half and are continuing with the installation.

11. **REVIEW AND POSSIBLY AWARD BIDS:**

- A. Town Summer Paving

VENDOR	BID	
Fuller Sand	\$332,534.00	\$78.00/Ton
Pike Industries	\$446,359.00	\$92.00/Ton
Wilk Paving	\$356,094.00	\$83.74/Ton

- i. Brendan McNamara said that due to the flood, they will not be doing the access road (they have a grant for this, and have until next year to do the work.) He said that Ron Tarbell said the options are to wait and see what part FEMA will fund for Dug Road and Red Bridge Road. Once done, we will have to shim and overlay. We will put the work out for 30-day rebid with a different scope. If the contractors honor these bids, that would be okay also. We have to see how much we get from FEMA for repairs.

- B. Skate Park Landscaping

VENDOR	BID
Slate Rock Timber	\$21,500.00

- i. Brendan McNamara said this is not an issue now. We have to stabilize it and then reseed.

12. **CONSIDER WAIVING PENALTY FOR LATE HOMESTEAD DECLARATION FILING**

- A. Brendan McNamara said that in the past, the town has waived the penalty for late filing.
- B. Ulla Cook said that VLCT suggested that if we waive one, we should waive all. There are only 10 issues at \$3,200.00
- C. **MOTION by George Tucker and seconded by Scott Baitz to waive the penalties for late filing of Homestead Declaration. Motion passed unanimously.**

13. **DISCUSSION TOWN/VILLAGE MERGER**

- A. Brendan McNamara said that we are at the point to move forward. We have discussed this at other meetings. The Trustees want the Select Board to agree to move forward with exploring this. It would be a good thing for the Town on many levels including the administrative side. One particular issue was the Access Road; the town received a grant to do $\frac{3}{4}$ of the paving, but the Village did not receive a grant to pave its $\frac{1}{4}$ portion. He said that separating the costs for FEMA for the town and village is a lot of work. He has not heard anyone say that merging the town and village is a bad idea. Some of the old issues no longer exist. This board is ready to move forward and have joint meetings with the Trustees. We need to research the legality and how to get this done.
- B. There was general consensus of the board to move forward.
- C. Eric Alden said that the Village was incorporated in 1867 as a way to fund services. There are only 30 villages left and 50 examples of how other towns and villages merged. In Ludlow, the Water Department and Electric Department can be made into separate districts.

14. **DEPARTMENT HEAD REPORTS**

- A. Brett Sanderson noted that reports are in their packets.

15. **MUNICIPAL MANAGER UPDATES**

- A. **Dams**
 - i. Brendan McNamara reported the dams were inspected and there was substantial damage at the spillway to dams 3 and 5. We are working with the state to assess the dams and from the state; there is no major sense of emergency.
 - ii. Glenn Heitsmith asked about the silt.
 - iii. Brendan McNamara said that is also an issue. We were on track for dams' inspection on August 5th and it was done before that. With the silt, you can actually walk across the dams. That is a problem. If the dams fail, we would be in a very different situation, with a cost of \$10,000,000 to fix. It would be catastrophic and possibly lead to loss of life.
 - iv. George Tucker said prior to the flood, there was about 20 – 25% silt. The dams may not survive another event like this.
- B. **Emergency Status**
 - i. Brendan McNamara said that the town did a great job for response and reaction and service to the community. There was no loss of life. He advised that next week, the Emergency Management Team will meet and review the whole process. The Community Center was open the week after and did a great job. He said that there were 15 people at town hall and

Jarrold Jowdy set up an Emergency Center here at Town Hall. We later transported them to the Community Center via ambulance and fire trucks. There were people who were unable to get to the Community Center. We put directions on the town website and well as the EMS Facebook page. We need to control information and resources.

- ii. Eric Alden suggested that the boards continuously discuss this situation. What are the thoughts and what are your plans.
- iii. Brendan McNamara said we are at the recovery stage now, and we need to look at the infrastructure as a whole, not just pieces. He said that the retaining wall behind TDS and Blue Duck may fall into the river and would jeopardize Main Street, the Black River Academy and the Senior Center if it does fall. He said that Shaw's now has an online ordering and pickup option. We are trying to help them look at options to get open. The goal is to support people and businesses. The Community Center was open 24/7 a while. There were donations and services. We need to get back to some sort of business as usual and help people – there are still people here to help.

C. Lake Rescue Association

- i. Brendan McNamara reported that he went to a recent meeting and it's like "another world" out there. We are making temporary/permanent repairs. We have to build back better. Looking at culverts and doing a hydrologic study and work with FEMA.

D. Water/Waste Water Plant

- i. Brendan McNamara reported that Joe Gaudiani has been working with the crew and the Army Corps of Engineers and the plant is running at summer capacity. They have treatment going out and are cleaning out the clarifiers (5 feet of mud inside.)

E. River Dredging

- i. Brendan McNamara said that we can get into the river and he had met with Scott Jensen from the State River Management. There are 6 or 7 spots we can get in to dredge.

F. Dams

- i. Brendan McNamara said that we need to look at the dams and how to protect our infrastructure going forward. We need to better protect the Water/Waste Water facility.

16. **OTHER BUSINESS**

A. Warnings of Meetings

- i. Eric Alden said that warnings for meetings are usually posted in 3 locations: town hall, post office and THE VERMONT JOURNAL. The post office is closed and he did not see this meeting posted in THE VERMONT JOURNAL. He added that agenda item titles should not contain abbreviations: ESBR, STR, TDS and ROW. It would help the public if things were spelled out.
- ii. Brendan McNamara said the only change this time was the Post Office. It was on the website. He will follow-up. He added that possibly a sign board on the square by town hall would be a good place for postings. It would be more transparent and he agreed about abbreviations.

B. Local Options Tax

- i. Ryan Silvestri suggested that it may be a good time to consider a Local Options tax as a source of additional income for the town. We need to educate the public and also to set

- plans out to them on how the funds might be used. We should put this on the radar and include it in our long- term plans.
- ii. Brett Sanderson agreed.
- C. State Education Fund
- i. Lynn Baldwin said that the State has a \$94,000,000 surplus in the Education Fund. How will those funds be used?
- D. Confusion of Where to Go During Emergency
- i. Lynn Baldwin said that she wasn't sure where to go during the emergency. She called the police and they told her to go to the Community Center, but the roads were closed. She called the police back and dispatch didn't know the road was closed. She was trying to help some elderly women. Could there an alternate emergency center, such as the Senior Center. We need more notice.
- E. Municipal Energy Assessment Grants
- i. George Tucker said that he and Brendan McNamara had submitted the application for the Building Assessment Grant and hopes to hear by the end of August.
- F. Fire Station
- i. Bob Brandt asked if it has been repaired
 - ii. Brendan McNamara said nothing has been done yet, they have shored up the floor.
- G. False Alarms
- i. Glenn Heitsmith said that "False Alarms" is a misnomer. An activated alarm went off.
 - ii. Brendan McNamara said that he spoke to Chief Kolenda about if and many of them do go off. There are a crazy number of them, sometimes 3 or 4 for the same place.
 - iii. Brett Sanderson said people are not charged for the 1st alarm but another within 6 months will be fined.
 - iv. Brendan McNamara said sometimes, we can't get in touch with the key holder.
 - v. Ryan Silvestri asked how much the fines are.
 - vi. Brett Sanderson said they differ, based on roll or no roll of fire trucks.
 - vii. Brendan McNamara said if a truck rolls, it could be \$200 plus accounting for personnel.
 - viii. Ryan Silvestri said they should look at the costs for responses. They should consider making the fines more of a deterrent.

17. **SET DATE FOR NEXT MEETING**

- A. September 4, 2023

18. **POSSIBLE AGENDA ITEMS FOR NEXT MEETING**

- A. Brett Sanderson said the next meeting would be June 5, 2023 at 6:00 p.m.
 - i. Granicus/Short Term Rental
 - ii. Town and Village Merger
 - iii. Enterprise Funds

19. **SIGN WARRANT ORDERS**

- A. Brett Sanderson said that warrant orders have been signed.

20. **POSSIBLE EXECUTIVE SESSION/PERSONNEL/CONTRACTS/LEGAL**

- A. Brendan McNamara advised that an Executive Session is needed for Personnel Contracts.
- B. **MOTION by George Tucker, Jr. and seconded by Scott Baitz to move into Executive Session. Motion passed unanimously**
- C. Board entered into Executive Session at 7:02 p.m.
- D. **MOTION by George Tucker, Jr. and seconded by Bob Brandt to exit Executive Session. Motion passed unanimously**
- E. Board exited Executive Session at 7:30 p.m.
- F. Consensus to approve salary increases as discussed.

21. **ADJOURN**

- A. **MOTION by George Tucker, Jr. and seconded by Brett Sanderson to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 7:33 p.m.

Respectfully submitted,

Lisha Klaiber

Brett Sanderson , Chairman

Justin Hyjek

Scott Baitz

George Tucker, Jr.

Bob Brandt