

Plainfield Select Board Meeting
May 19, 2021
Minutes - Approved

Agenda

- Approval of/changes to agenda
- Announcements
- Select Board (SB) Rules of Procedure re Public Participation
- Public Comment
- Town Clerk/Town Treasurer Report (Linda Wells) including:
 - Re-roofing municipal building update
 - Catering permit: 892 Cocktails, Inc. at Spruce View Event Barn, May 29
 - Excess weight permit: Gravel Construction Co., Inc, Wolcott, Vermont; Donald Moore, Jr., Hardwick, Vermont; Jeff Maron, Washington, Vermont
 - Approval of warrants
- Administrative assistant terms of employment
- Financial review
 - Ongoing and anticipated obligations
 - Update on alternatives for \$120,000 in COVID-19 funds coming to Plainfield
- Update on Old Fire House inc. potential sale
- Enforcing Zoning violation fines related to DRB Decision
- Noise complaint on High Street related to private sign
- Complaint about dirt bikes and vehicles racing and speeding on Main St.
- Route 2 intersection update including review of agreement between Town and State
- Vandalism complaint
- Other business

Present

Jim Volz, Select Board Chair
Tammy Farnham, Select Board
Sasha Thayer, Select Board
Linda Wells, Town Clerk
Paula Emery, Administrative Assistant to SB

Community Members

Sean Odom
Steve Pappas
Eric Blaisdell (Times Argus)
Susan Grimaldi
George Cushing
Chris Ditmeyer
Adam Hochschild
Ryan Christiansen
David Strong
Betsy Zeigler
Sean Odom
Greg Western, Cross Vermont Trail Association

Approval of/changes to agenda No changes were made to the agenda

, **SB Rules of Procedure re Public Participation and Public Comment** were waived due to lack of comment on each.

Announcements

- Reading of the SB Rules of Procedure re Public Participation and Public Comment B was waived by the chair.
- Thayer made a brief announcement about new COVID cases being up and down.
- Thayer reminded the public that fireworks are not legal to display without a permit: plan ahead, get a permit, and contact the Fire Chief: Greg Light.

Town Clerk/Town Treasurer Report (Linda Wells):

- **Re-roofing municipal building update**
Wells reported that there are no new bids for the municipal roof so Ken Randall won the bid. He will provide estimates for the two small roofs. He'll start in June. Re-roofing will be paid for by the Municipal Building Reserve Fund.
- **Board of Listers 2020 Errors and Omissions Report**
SB needs to approve the report. There were questions and discussion about the changes evident in the report. Changes to the report result in corrections to the Grand List. SB was asked to approve the report. **Decision: Linda will discuss with Listers and this item will be taken up at the next meeting.**
- **Catering Permit**
802 Cocktails, Inc. applied to sell alcoholic beverages at Spruce View Event Barn, May 29.
Volz signed the catering permit and returned it. **Thayer moved to approve. Unanimously approved.**
- **Excess Weight Permits**
Gravel Construction Co., Inc., Wolcott, VT; Donald Moore, Jr., Hardwick, Vermont; Jeff Maron, Washington, Vermont. **Farnham moved to approve. Approved unanimously.**
- **Approval of warrants**
Two payrolls for May 14 and May 21 and one accounts payable for May 10, totaling \$173,105.68. The May 21 warrant for payroll will be paid on the 21st if approved by the SB. **Tammy moved to approve. Approved unanimously.**
- **Access Permit on Gore Road**
Mike Nolan spoke with the landowner. Linda created an invoice for the cost of putting the culvert in. Invoice is for labor and materials for installation of culvert (referenced in 5/5 SB meeting). Mike will take the invoice to the landowner and see that payment is sent to Linda.
- **Dumping in Spruce Mountain Parking Lot**

Someone dumped shingles in the Spruce Mountain parking lot. The state forester cleaned it up this time. Linda is seeking suggestions for what town can do to alleviate dumping in the Spruce Mtn. parking lot.

Discussion centered around the town's inability to enforce dumping law at that site, signage, and working with the state forester in charge of the park, Dan Singleton.

- **Main Street Pedestrian Bridge construction start time**

Later in the meeting, Wells explained that there will be work on wastewater lines on Main Street near the church in July. The homeowners have to pay for the work, including the traffic flagging. She needs to know the timeline for Main Street pedestrian bridge.

Farnham said that the contractor is going to set up in the end of June and begin work on July 1. Wells will ask the homeowners to do the wastewater project in late June so that the two are not happening at once.

Farnham requested addresses for people in the village to give forewarning about the potential noise impact of this project on village residents. **Wells will send addresses to Farnham.** Singleton.

Administrative Assistant terms of employment

Linda did research on this and found one town that pays \$20/hr. and another that pays \$15.50. Linda recommends \$18/hr. for 24 meetings per year. At approximately five hours per me

Financial Review

- **Ongoing and anticipated financial obligations of the town**

Thayer put a 3-page report together showing what we're paying on various items from 2021 – 2031. Alice Merrill gave the town a schedule of what would be paid out in the coming 20 years, up to 2042, for a proposed \$310,625 loan the Brook Road Bridge if that project goes forward. Ongoing and potential financial obligations of the town summary available at https://www.plainfieldvt.us/uploads/8/1/0/6/81063668/2021-05-17_ongoing_and_potential_financial_obligations_of_the_town_summary.pdf

Thayer suggested that as an alternative to replacing the Brook Road bridge, the SB may want to consider turning the bridge into a pedestrian bridge and having people go the other way to pass through town in order to save money.

Farnham noted that in 3 – 4 years we may be able to take out smaller loans. Farnham also noted that the summary doesn't include paving projects.

Regarding road equipment replacement, Wells said that she spoke with Mike Nolan and he thinks that the '08 grader will need to be replaced in 2028, the '07 Mack will need to be replaced soon. The '15 ford will need to be replaced. Deere backhoe by 2027. The Mack is first priority because it's costing a lot for maintenance – should be replaced in the next year.

Volz recommended that this be discussed at future meetings.

Wells offered a reminder that the Route 2 Intersection and Brook Road (village) Bridge replacement projects are going to cost quite a bit of money. **The SB will need voter approval to raise funds for these projects; if either project is going to move forward a town vote will be required. Voter approval criteria is required on loans of five or more year terms.**

Farnham said that the Route 2 project is several years out and asked if it would be possible to put money into the budget now for the project so as to lessen the amount we need to borrow. Wells said that there is no reason you can't, provided that there is room in the budget.

- **Alternatives for \$120,000 in COVID-19 Funds Coming to Plainfield**

Thayer informed the board that these funds come in two installments of \$60,000.00 per year, and that we have to apply for them. The options for using the money are somewhat limited, but include water/wastewater infrastructure expense.

Farnham suggested that this item be added to the next meeting's agenda so that there's time to review the summary and asked whether the money can be used for paving. Thayer said that it can't.

Decision: Plainfield residents should email SB members with their suggestions to Sasha Thayer at selectboard23@gmail.com.

Update on Old Firehouse Potential Sale

Ruben Ramirez has offered to buy it for \$1. Should the town consider this offer?

Volz, Farnham and Thayer agreed that it's current condition is a town liability – very expensive to fix, but is going to collapse – possibly into the Winooski – and the town will be liable for clean up if it does. All expressed concern that it won't last another winter.

At the May 10 meeting, Mr. Ramirez indicated that he has crews and could act quickly if he gets it. But SB hasn't gotten a proposed purchase and sales agreement from Ramirez. Thayer noted that the building's value on the grand list isn't relevant because of it's poor condition.

Susan Grimaldi told the SB that she has put a lot of effort into preserving the building and has gotten estimates on repairs. Totals are \$13,000 for roof, other repairs are \$15-20,000; the entire project with claim on asbestos for 60% comes to \$40-50,000. She offered to buy it with the intention of restoring it and noted that if there isn't going to be something in the contract with Ramirez that he restores it, it should be put out to the public to make an offer. Susan is willing to sign an agreement to restore it. Thinks that others might want to use it as well. Others need to know about this.

Farnham and Grimaldi had a discussion about updating the cost estimate. Susan estimated that the cost would rise to \$70,000. Farnham asked if Grimaldi is ready to move on it and Grimaldi said she is.

Farnham requested a written offer from Grimaldi and anyone else who would like to make an offer for the building. Ramirez came to them and made an offer. This was appealing. They need someone who is able to move forward quickly.

Susan: if Ramirez is absolutely committed to restoring it and making it publicly available and puts that in writing she'll step back. For that price he should have to make a commitment, or the town should let someone else do it. It is on the national register. It is worth saving and the town should have that in their intention in this sale. Susan wants solid terms from Mr. Ramirez without any loopholes. The town has the deed and they need to put the parameters on this sale. Create deed restrictions and make sure it happens. Is the town willing to put it in the deed?

Volz will send Ramirez's contract around to people and said that Susan is making a good point.

Betsy Zeigler said that the purchase should be opened to the whole local community. Community members have an interest in this building, even though it is easy to overlook. It is a unique piece of history of the town. Stabilizing it is a priority, but over time it's restoration could be completed. It has been forgotten over the years. It makes the town unique.

Farnham suggested advertising on internet channels through Friday (May 21).

Thayer urged that it shouldn't be extended beyond Friday and Grimaldi noted that Friday is two days away, which isn't enough time to put it out there to the community and get proposals. Plainfield Historical Society has worked hard to get a grant but didn't know that the town was willing to sell it. Now it suddenly has to be done in three days. They need at least a week.

David Strong said that he'd recently written to Volz about this. Any time the SB wants to sell town property it has to put it out to bid. Also, any sale of real property has to be approved by the voters. Urged the SB to give the community some time to do what's best and not give away town property without due deliberation.

George Cushing indicated that he agrees with Susan and thinks that it is being rushed. The town needs at least two weeks to give townspeople a real chance. Strong is correct: study the municipal laws. You can't give away town property.

Volz said that if the SB doesn't have authority to sell the attorneys will catch that, and also noted that they are not pulling this out of the blue. Ramirez is buying the Hardware Store and has offered to buy the Old Firehouse. That's why he wants to buy the building.

Cushing noted that it still has to be done the correct way – even if Ramirez is offering a quick solution.

Zeigler said that Nate Phillips, an engineer and builder, offered to help to address the major issues. There may be others who are able to help out to address the big needs. Nate helped to take down the Gallison house, helped to rebuild the Martin Bridge.

Volz said that Phillips was willing to do an assessment – not the work. A great value, but it doesn't get the work done.

Strong urged the SB to immediately call Nathan and take him up on his offer. Ask Phillips to please provide a quick assessment so that the community can make an informed decision about how to handle the project. Strong said that he'd sent Volz a report done by the Preservation Trust, who recommended that the best way to preserve the building would be to move it. SB considered it in the past when Dave was on SB. If it can't be maintained in its current location moving it should be considered.

Thayer noted that moving the building is not a viable option because of cost.

Ryan Christiansen said that he doesn't think it's accurate to say that it can't be moved. Put out an Request for Proposals (RFP) and see if the community has ideas about it. Put out the request and then evaluate the offers. State the scenario – describe the condition of the building and the town's inability to fix it, give them two weeks, then meet to evaluate the offers.

Farnham said that she's willing to extend the time and get proposals, but reminded that the construction season is realistically coming to a close in terms of getting contractors. It needs to be done by the end of June to make sure that whoever gets it has the chance to get some work done before winter. The next SB meeting is June 2. Make the RFP clear that the town doesn't have funds. Make it clear that certain parts of the work have to be done by winter. How to hold the contractor accountable?

Strong recommended putting up an escrow account to have it fixed or moved by (date) or lose the escrow. Volunteers could buy it for \$1 and sell back to the town for \$1.

Grimaldi said she got a grant from Preservation Trust to get a study done, which they did. If the building is moved it is no longer historic or able to get funding, including federal. Only applied for one grant and it wasn't the right grant. Many of the other grants required matching funds with a minimum of \$50,000. The basement is the historic part and it can't be moved. There are steel I beams and a concrete pad. The foundation is very strong. The back wall and roof need attention and can be done this summer.

Ryan Christiansen reminded the SB that it is important that an RFP should communicate the problem (funds, condition, historic building) and really put the energy into describing the situation and stating the goals and then put it out there. Request actual proposals, not dreams. Evaluate who brought the best proposal.

Farnham asked Christiansen if he could help write the RFP. Christiansen agreed to help. Suggested that they start by looking at other towns' RFPs. Everyone at the meeting has the ability to bring the best deal to the town.

During the meeting, Thayer drafted language for the RFP. There was discussion about how to advertise the RFPs and the cost of advertising.

Volz made a motion to go forward with advertising the building and draft an ad for that. There was discussion about where to advertise it, decision to use social media because it's free. ***Ad: the town of Plainfield is seeking requests for proposals to help save historic building downtown. See town website for more information.***

Thayer requested additional time for consulting with Ryan Christiansen and writing the ad copy.

Enforcing Zoning violation fines related to DRB Decisions

Volz said that SB got a proposal for decision from DRB. Thayer said that they'd been hearing about a travel trailer on Bean Road. Zoning Administrator Karen Storey sent a letter on February 16, 2021 to Melanie Sargent saying she had to be out by May 14. The letter said what the penalties are for failing to do so. DRB minutes indicated that a member suggested that they were trying to work with the land owner, however the DRB minutes for April 14 and May 12 show that the DRB upheld Zoning Administrator Storey's February 16, 2021 notice of violation.

The concern is that the town is threatening penalties and then not enforcing them. We need to have, in our communications from the town, clear statement of the penalties.

Ryan Christiansen: DRB website has all of this information. Karen has been very clear with dates, rules and fines. Has communicated deadlines and violations of code (septic). What are the fines for violating a zoning rule for Plainfield? Ryan emailed this question in February, April, a few weeks ago. This meeting is the meeting when the information was to be presented. Is the town going to enforce the zoning rules or not, and if so, how? Who is the attorney?

Thayer said that Zoning Administrator's letter was clear. DRB can't enforce, SB has to do enforcement.

Adam Hochschild asked how will the town enforce this. Volz reminded all that there is no constable, so it has to be done by the lawyer, which is expensive.

Farnham said that the town can't put it up for tax sale, but could enforce fines by putting a lien on the property. A lien makes it so that you don't have clean title, which makes it difficult to sell the property. Recommends going to Zoning Administrator for more guidance. Farnham also asked whether there are there other properties similar to this and are we being consistent across the board?

Volz moved that SB contact attorney and ask for advice on how to proceed. provide DRB information, meeting minutes and Karen S's letters.

Farnham requested that it be added to the agenda for next meeting with Zoning Administrator present. We need to detail how we enforce zoning violations.

Motion approved unanimously.

Christiansen said that, according the zoning fines every day is expensive. When does the SB share this with the person in violation? The value of the land vs the expense of the fine is problematic. If it's clear can that be communicated to the property owner quickly? I don't think the magnitude of the fines is understood by the owner, which is why they are in violation. Requesting that the SB explain the penalty. Asking SB to make it very clear so that there's no question about what the current fines are what the daily fine is going forward Why are any of us following town zoning rules if they aren't being enforced?

Volz said that the SB will do that ASAP.

Farnham will reach out to Karen Storey to speak about verbal communication other than the letter and get further clarification. Will also volunteer to reach out to landowner to make sure she understands the fines.

Farnham requested that SB make sure it's doing this enforcement equally across the board.

Thayer agreed that it is important that we convey that the rules have to be enforced. Also important that the DRB understands that enforcing the zoning has to happen and has to be dealt with in a timely manner.

Noise complaint on High Street related to private sign

Sean Odom spoke to this issue because the sign is on their property and the complainant asked him to take it down and he politely refused. He has spoken with state police. He thinks that, unless he's in violation of an ordinance it isn't an issue. If he's in violation of an ordinance he'll take the sign down. The sign says: "Honk if you love Jesus. Text and drive to meet him."

Volz and Thayer pointed out that loud noises are a nuisance, that honking might be troubling to neighbors, and that it is clearly a problem to neighbors. Odom was asked if he could ask people to show their love for Jesus in another way? Think about whether honking car horns are actually helping to accomplish the goal. Some neighbors are thinking of moving away because of it. What is our impact on other people?

Farnham asked if honking part of the noise ordinance and noted that honking is free speech.

Volz encouraged Odom to consider modifying the sign to care for his neighbors.

Complaint about dirt bikes and vehicles racing and speeding on Main Street

Thayer gave a brief update from Captain Brett Meyer from the Sheriff's department. He said they'd do five, rather than three hour shifts and that they were able to do more deployment of deputy sheriffs, but they haven't seen any of the behavior that's of concern. They've handed out civil violations.

Route 2 intersection update including review of agreement between Town and State

Farnham said that SB needs to talk about the financial and maintenance agreements with the town, but that tonight isn't going to work. **Requested a special meeting to address this topic.**

Thayer stressed that she will not sign a financial agreement unless she sees it in writing, including concerns of Fire and Water/Wastewater Departments. Cannot encumber for future costs without being mindful about costs that will be incurred to support the Water and Wastewater Departments.

Farnham met with State and they went over the suggested design. They wanted to do this before finalizing the finances. This is our opportunity to negotiate, so we have to do this well. Tammy will email .pdf to Jim and Sasha

Farnham moved that the SB meet to go over the financials in detail in a special meeting. Volz requested that the SB will find a date and time via email and warn the special meeting. Finance Maintenance Agreement went out via email earlier in the week.

Vandalism complaint from Main Street resident

Melinda Vieux informed the SB that there are potholes at the corner of Creamery and Main Streets. A piece of asphalt was thrown from the sidewalk at her front window and broke outer and inner windows. This has never happened here. Vieux expressing gratitude to the road crew, who responded very quickly by filling the potholes. It is unsettling.

Volz asked if Vieux is asking SB to do anything more. Vieux replied that she is not asking for more but wants others to know that it happened.

Other business

- Farnham said that the electrical pole at the corner of the pedestrian bridge has to be removed ASAP because the contractor is coming July 1. Wants permission to ask the road crew to use the backhoe to move the pole. Green Mountain Power will only connect and disconnect, but they won't do the digging. **Farnham moving to authorize the town road crew to use backhoe to help move the electrical pole for the pedestrian bridge project. Motion approved unanimously.**
- Thayer suggested changing the meeting night. **It will be discussed at the next meeting.**
- Thayer is trying to work with people from Town Hall-Opera House to come up with proposals to reopen thoughtfully, post-COVID. She's also doing follow-up about how to put together a hybrid meeting post-COVID. She will continue to work on that and **this will added to the meeting agenda for the next meeting.**
- Thayer read a draft of the advertisement copy relating to the Old Fire House. **Farnham requested that we contact Ryan Christiansen for assistance with the RFP. Thayer will send an email to Ryan requesting his help. Volz made a motion to allow Sasha to meet with Ryan and come up with a proposal and then place the ad. Proposals due June 1. The motion was approved unanimously.**
- Greg Western of the Cross Vermont Trail Association was present, but was told that he is on the agenda for the next SB meeting (agenda item Follow-up re trespass on town land related to private generator)
- Executive Session: The SB went into executive session relating to the administrative assistant terms of employment. When the SB returned to the public meeting, **Thayer moved to pay Paula Emery \$17 per hour. The motion passed unanivously.** There was also discussion about moving the weekly meeting to Tuesdays which would be better for Paula's schedule.. Will consult with Linda about change of date

Sasha moved to adjourn at 10:11PM. The motion was approved unanimously.

AGENDA ITEMS FOR UPCOMING MEETINGS:

Agenda items for June 9, 2021 Select Board Meeting

Further discussion re items of focus for coming year

- Board of Listers 2020 Errors and Omissions Report approval
- Further discussion re items of focus for coming year
- Further financial review
- American Rescue Plan Act funds to Town (\$120,000)
 - Possible use of/priorities for funds
 - Process for receiving/requesting funds
- Appointments
- Rte 2 intersection update including review of agreement between Town and State
- Brook Road Bridge Replacement Project
 - Review of timeline provided by Alice Merrill
 - Financial implications of going forward and how to meet them
 - Review of ongoing and anticipated multi-year financial obligations, including project not yet started
 - Implications of not going forward
 - Discussion re whether there should be Town approval of the project
- Friends of the Opera House contract proposal
- Follow-up re trespass on town land related to private generator
- Approval of minutes including January 5, May 5, May 10 and May 19
- Zoning enforcement follow-up (MS)
- Reopening planning
- Post-COVID meeting planning, including hybrid meetings
- Consideration of changing regular Select Board meeting night to Tuesdays