

Town of Plainfield, Vermont
Select Board Meeting
December 7, 2021
Minutes - Approved

Present:

Jim Volz, Select Board Chairman
Tammy Farnham, Select Board member
Sasha Thayer, Select Board member
Linda Wells, Town Clerk and Treasurer
George Cushing, Delinquent Tax Collector
Ryan Christiansen
Betsy Zeigler
Mike Nolan, Road Foreman
Scottie Harrison
Alice Merrill
Charles Cogbill
Paula Emery, Administrative Assistant to Select Board
Milena Yasus
Christian Meyer, Central Vermont Regional Planning Commission (CVRPC)

Agenda

- Executive session re letter from attorney demanding court action re Bean Road property & possible litigation
- Changes to Agenda
- Announcements
- Public Comment
- Town Clerk/Town Treasurer Report - Linda Wells
 - Approval of warrants
 - Approval of minutes inc. July 27, October 19, November 2, and November 16
- Pedestrian Bridge update - Tammy Farnham
- Review of parking spaces in front of former hydroponics store authorized by Select Board and possible reduction of number of parking spaces
- Appointment of committee to assist with ARPA (American Rescue Plan Act) funds use
- Planning for meeting with town committees
- The Health Center gully remediation project
 - easement
 - Operation and Maintenance Agreement per Operation and Maintenance Plan
 - designation of Select Board member to sign necessary documents
- Appointments including Recreation Committee, Development Review Board, CV Emergency Management Committee, and School Director.
- Additional appointments needed: Conservation Commission, Planning Commission
- Other Business

Executive Session: Letter from Attorney Demanding Court Action Regarding Bean Road Property & Possible Litigation

Executive session commenced at 6:30 PM and concluded at 6:55 PM. No action was taken.

Chairman Volz called the meeting to order at 7:00.

Changes to Agenda

- Melina Yasus scheduled to arrive at 7:15, so move School Board Appointment up on the agenda
- shorten parking spaces agenda item
- add Jay Southgate – Old Fire House
- add New Employee Advertising – Job Description and Compensation

Announcements

Thayer reminded all to wear masks, get vaccinated and to work together as a community to prevent the spread of COVID 19. Discussion about mask mandates will be on a future meeting agenda.

Public Comment

There was no public comment.

Town Clerk/Town Treasurer Report - Linda Wells

Approval of Warrants

Farnham moved to approve payroll warrants for November 19, 25, and December 3, **and accounts payable warrants** for November 17, 24, and 29. **The motion was approved unanimously.**

Approval of Select Board meeting minutes for July 27, October 19, November 2, and November 16

There was no meeting on November 2. **Thayer moved to approve November 16 minutes and the motion was approved unanimously.**

Wells reported that, due to an immediate vacancy on the Road Crew, she has received offers from two people to fill-in. Mike Nolan detailed the options: 1) Dale Blair will plow the parking lots and smaller areas that the large plows can't do for \$225.00 per plow (not per storm), using his own truck. 2) Tim Davis is willing to fill-in, using the town's smaller truck, as a temporary contract laborer for \$25.00 per hour.

Thayer moved to hire Tim Davis in a part-time, temporary, at will capacity for \$25.00 per hour with no benefits. The motion was approved unanimously.

Thayer moved to allow Nolan to contract with Dale Blair at \$225.00 per plowing to do the parking lots, Harvey Hill, Mill Street Park, etc. with his own truck. The motion was approved unanimously.

Referring to the Winter Parking Ban, Nolan stated that he put notices about towing onto vehicles still parked in the street overnight. He asked the SB about towing them. Emery stated that the presence of Daniels Co. vehicles in the parking lots causes a shortage of overnight parking.

Thayer moved to delegate authority to tow vehicles to Nolan. The motion was approved unanimously. Volz and Farnham offered to assist Nolan with this task if needed, as he's short staffed.

School Board Interview with Milena Yasus

Milena Yasus attended in person and gave a brief presentation about her interest in serving as Twinfield School Director. Her children went to Twinfield, and she has both worked and volunteered at there. Yasus worked as the executive assistant to the Provost at Norwich University for 21 years. She is now retired and would like to return to service in Plainfield. The SB thanked her for coming to meet with them in person and for offering to fill the vacant School Director seat.

Pedestrian Bridge Update - Tammy Farnham

Farnham reported that she met with VHB Engineering and Daniels Company on Friday, December 3. The Daniels Co. has requested an extension of the single lane traffic permit. They are currently pouring concrete and using heat blankets to keep it warm enough to set and dry. This will take two weeks and then they'll pour the sidewalk. They expect to remove the traffic barriers and return the bridge to two lanes in late December. They plan to stop work in January and February and then resume in March to finish the job. The project deadline is July 31, 2022. They expect to meet this deadline.

Before leaving for the winter, they will move the concrete barriers and traffic barriers. They will cover the newly poured sidewalk with plastic to protect it during their absence.

They will move on to repairing the other side of the deck in the spring and then repave the bridge surface in June/July.

Thayer brought up the current condition of the bridge surface and asked about temporary repairs. Farnham confirmed that she spoke with them about this and that they intend to patch the holes in the bridge before leaving for the winter.

Farnham circulated a change order she received for the addition of the rear entrance to the apartment building for \$1,211.68.

Farnham spoke with Alice Merrill about grants for repairs to the decking on the upstream side of the bridge. Merrill will look for funding sources. Daniels Co. will provide an estimate for the job soon.

Review of Parking Spaces in Front of Former Hydroponics Store Authorized by Select Board and Possible Reduction of Number of Parking Spaces

Farnham said that the SB needs to notify the owner of the Hardware Store building about the issues with parking. **Thayer requested that the item be on the December 21 agenda. Volz will send the property owner an email requesting that he attend the meeting and bring documentation of his ownership of the parking spaces and property lines to the meeting.**

Emery asked if the Daniels Co. equipment will be removed from the Route 2 town parking lot when they leave for the winter. Farnham said that their use of that lot required a permit and they will have to leave material there. That lot will not be made available for winter parking.

Ryan Christiansen spoke to the issue of parking in front of the Hardware Store. [Christiansen's family owned the building until recently.] He stated that the town has never been able to support claims of town property in front of that building. He suggested that the town also bring documentation of ownership of the parking in front of the Hardware Store to the meeting. He stated that there are seven approved town parking spaces in front of that building and that the entire thruway belongs to the building and not the town, because the property line of the building goes all the way to Route 2.

Thayer suggested looking at the Grand List and tax maps.

Appointments: Recreation Committee, Development Review Board, Central Vermont Emergency Management Committee, and School Director.

This item was moved up on the agenda.

- **Thayer moved to appoint Mary Niebling to the Development Review Board. The motion was approved unanimously.**
- **Thayer moved to appoint Greg Light to the Central Vermont Emergency Management Committee. The motion was approved unanimously.**
- **Thayer moved to appoint Milena Yasus to the Twinfield School Board. The motion was approved unanimously.**
- **Thayer moved to appoint Ryan Gillard to the Recreation Committee. The motion was approved unanimously.**

Appointment of Committee to Assist with ARPA (American Rescue Plan Act) Funds Use

Farnham suggested that the SB develop a questionnaire or some way of vetting and selecting members of the committee. She recommended that Thayer begin a draft description of the task of the committee for the other SB members to revise. **This item was added to the December 21 SB meeting agenda and Thayer will draft a description and circulate it.**

The Health Center Gully Remediation Project

Christian Meyer of the Central Vermont Regional Planning Commission attended the meeting to discuss the gully remediation project on the bank of the Winooski behind the Health Center. Thayer apologized for not circulating materials on this topic to the SB. She asked Meyer to provide an overview for the SB. Meyer noted two things that the town needs to be aware of:

1. There will be a Maintenance Agreement that gives the town responsibility for a stormwater abatement project that requires that an excavator access the site to remove silt every five years.
2. The town needs an easement in order to access the site through the Matthew and Health Center properties.

Thayer confirmed that the town will need two easements, the expense of which will be covered by the project.

Meyer stated that the town's responsibility is to remove silt every five years. The state will be responsible for inspection with occasional tree and log movement to provide woody debris in the gully. All of the above information is included in an engineering report.

Meyer clarified that the agreement is for a minimum of ten years, but ideally for the lifetime of the infrastructure.

Announcement

Thayer announced that there is funding available for septic improvements and asked Farnham to post it to the town.

Planning for Meeting with Town Committees

Thayer reminded the SB of this idea from a previous meeting and suggested reaching out to committee chairs to find out when they would like to come. She requested that Volz add this to his letter to committees about budgets. These updates will be in addition to the Town Meeting updates and put it on the agenda for Town Meeting so that people are aware that it is happening.

Old Fire House – Jay Southgate

Farnham reported that she and Volz read through emails from Karen Storey, Zoning Officer, to determine the legality of removal and reconstruction of the Old Fire House by Southgate. Volz noted two issues: 1) Can we allow someone to take it down now without violation of regulations or laws; and 2) Will that interfere with the construction of something there later. Volz quoted Vermont Statute [24 VSA Section 4414](#).

(F) Local historic districts and landmarks.

(i) Bylaws may contain provisions for the establishment of historic districts and the designation of historic landmarks. Historic districts shall include structures and areas of historic or architectural significance and may include distinctive design or landscape characteristics, areas, and structures with a particular relationship to the historic and cultural values of the surrounding area, and structures whose exterior architectural features bear a significant relationship to the remainder of the structures or to the surrounding area. Bylaws may reference National and State Registers of Historic Places, properties, and districts. A report prepared under section 4441 of this title with respect to the establishment of a local historic district or designation of an historic landmark shall contain a map that clearly delineates the boundaries of the local historic district or landmark, justification for the boundary, a description of the elements of the resources that are integral to its historical, architectural, and cultural significance, and a statement of the significance of the local historic district or landmark.

(ii) With respect to external appearances and other than normal maintenance, no structure within a designated historic district may be rehabilitated, substantially altered, restored, moved, demolished, or changed, and no new structure within an historic district may be erected without approval of the plans therefor by the appropriate municipal panel. The panel shall consider the following in its review of plans submitted:

(I) The historic or architectural significance of the structure, its distinctive characteristics, and its relationship to the historic significance of the surrounding area.

(II) The relationship of the proposed changes in the exterior architectural features of the structure to the remainder of the structure and to the surrounding area.

(III) The general compatibility of the proposed exterior design, arrangement, texture, and materials proposed to be used.

(IV) Any other factors, including the environmental setting and aesthetic factors that the panel deems to be pertinent.

(iii) When an appropriate municipal panel is reviewing an application relating to an historic district, the panel:

(I) Shall be strict in its judgment of plans for those structures deemed to be valuable under subdivision (1)(F)(i) of this section, but is not required to limit new construction, alteration, or repairs to the architectural style of any one period, but may encourage compatible new design.

(II) If an application is submitted for the alteration of the exterior appearance of a structure or for the moving or demolition of a structure deemed to be significant under subdivision (1)(F)(i) of this section,

shall meet with the owner of the structure to devise an economically feasible plan for the preservation of the structure.

(III) Shall approve an application only when the panel is satisfied that the proposed plan will not materially impair the historic or architectural significance of the structure or surrounding area.

(IV) In the case of a structure deemed to be significant under subdivision (1)(F)(i) of this section, may approve the proposed alteration despite subdivision (1)(F)(ii)(III) of this section if the panel finds either or both of the following:

(aa) The structure is a deterrent to a major improvement program that will be of clear and substantial benefit to the municipality.

(bb) Retention of the structure would cause undue financial hardship to the owner.

(iv) This subdivision (1)(F), and bylaws issued pursuant to it, shall apply to designation of individual landmarks as well as to designation of local historic districts. A landmark is any individual building, structure, or site that by itself has a special historic, architectural, or cultural value.

(v) The provisions of this subdivision (1)(F) shall not in any way apply to or affect buildings, structures, or land within the "Capitol complex," as defined in 29 V.S.A. chapter 6.

Volz expressed concern about the legality of removal of a historic building from a historic district without doing more research. Farnham suggested contacting the town's attorney. Thayer reminded the SB of the concern expressed by Greg Light that the building will not make it through the winter this year and will present a financial hardship to the town if it collapses or falls into the river.

There was agreement that the building needs to be removed for safety reasons. Southgate wanted to remove the building last week and this week.

Volz said that Southgate will take it down and replace it with one that looks like it. Farnham said that she spoke with Southgate today and they discussed that the town will could pay him to remove the building and then charge him that amount to purchase the building and lot. They discussed the amount of \$7,500. Whether the lot is grandfathered-in is a question Storey has been asked to determine.

Farnham expressed concern about the risk of paying someone to take the building down and then they decide not to rebuild and the town has to pay for the removal.

Volz will contact the Department of Historic Preservation about this issue as soon as possible and send the information around to the SB. The SB discussed holding a special meeting on Thursday, December 9. Farnham will speak with Southgate and then follow up with SB members.

Emery suggested contacting Suzanne Jamele. Volz will call her.

Other Business

There was no Other Business.

Thayer moved to end the meeting at 8:47PM. The motion was approved unanimously.

Respectfully submitted by Paula Emery.

Agendas For Upcoming Meetings

December 21, 2021

- Report from Road Foreman
- Appointment of Committee to Assist with ARPA (American Rescue Plan Act) Funds Use
- Employee Job Description for Road Crew

January 4, 2022

- Continuity of Operations planning including planning for upcoming retirements
- Return to Rt. 2 intersection