

SANDGATE VERMONT SELECTBOARD MINUTES - APRIL 4, 2022

CALL TO ORDER: 6:04

ATTENDANCE: Board Members: Karen Dzialo, Charlie Pike, Joe Nolan and Karen Tendrup. Also present: Sandra Reidy, Erin McDermott, Roy McDermott, Melissa Mattison, Willy Mattison, Debra DeSacia, Tim Fagan, Shelley Finn, Sheila Kearns, Ann Hamerle, Rob Viglas, John Phelps, James Peters, Jim Henderson, Peter Markalunas, Jeanne Zoppel, Richard Zoppel.

EXECUTIVE MEETING: Joe Nolan States that the Board would like to call an executive meeting to discuss the following topics: (1) To determine the appointment of the fifth board member. (2) To discuss the Rules and Procedure policy. (3) To determine a special meeting date to vote on the passed over Article 3 from the Town meeting. Joe Nolan makes a motion the Selectboard move to Executive Meeting. Charlie Pike seconds. All in favor.

DETERMINE THE APPOINTMENT OF THE 5TH SELECTBOARD MEMBER: The Board returns. Karen Dzialo nominates John Phelps for Select Member until the next March Election. Karen Tendrup seconds. All in favor.

RULES OF PROCEDURE AND CONDUCT POLICY: Joe Nolan states that the policy they are about to sign is a model policy from VLCT. The policy is an outline of the rules and procedures for running town meetings. It will be posted online at the Town website, www.sandgatevermont.org.

DETERMINE A SPECIAL MEETING DATE: Joe Nolan states the Board needs to decide on a date for a Special Meeting, to have public vote on Article 3. The date has been set for May 9, 2022.

RESOLVE ROAD LIAISON APPOINTMENT: The position of Road Liaison has been dissolved by the Board. Sheila Kearns mentions that in the past the Road Liaison phone number has been posted on the town site, for residents to call with road problems. She asks what the Board's substitute will be. Joe Nolan states that all the Selectboard phone numbers will be posted and the residents can call them. Sheila comments that the bulletin boards around town have a poster with the Road Liaison name and phone number. Joe Nolan states that they will have some poster made up to be hung on the bulletin boards.

SETTLE THE PAY RATE FOR THE PAY RATE FOR THE PROVISIONAL ROAD WORKERS: The Board decides the 2 road workers will get a pay rate starting at \$24.00 per hour. Deb DeSacia asks if that is the base salary for someone that would want to do the job permanently. Joe Nolan answers that the Board will decide the pay rate for any future employees based on their experience and capability. Deb DeSacia asks if the Board decided this for the current road employees. Joe states that both Road crew employees have experience and the rate is less than

our previous Road Foreman and part time worker. Jim Henderson asks when the Board will advertise the hiring position for the road workers. Sandra Reidy states that it has been advertised in the Bennington Banner and posted at Town Hall. The Board will post an opening for 1 full time and 1 part time position in a few more sites such as Front Porch Forum, Manchester Journal, and News Guide.

ROAD REPORT: Joe Nolan states the Road Crew have been working everyday to shape up the road for mud season.

OTHER BUSINESS: Jim Henderson states that he drove around with Skipper and Jay Wilson (our current road crew) and Richard Zoppel, and showed them all the FEMA sites. Jim continues to say he received a letter from Bill Doyle in regards to the emergency fix that was done 2 weeks ago just north of the covered bridge. The letter states that this particular fix can not be included in the temporary repairs project for the road erosion grant because there was existing erosion before the July storm event. Jim Henderson states that he will appeal this position at his next meeting. Jim comments that there is 6-month window from the day that the President declares international disaster, that the towns must file temporary repairs. This repair was completed a week before the deadline. Jim speaks about a culvert on Pantaleon Rd. that is just before the road turns from a Class 3 road to a Class 4. He continues on saying that this culvert is almost completely clogged up. Jim passes out a packet of pictures he has taken at problem spots along this road. Josh Carvajal has told Jim that the Town does not need a stream alteration permit to remove less than 10 cubic yards of debris at a time. Jim would like the Board to ask the road workers to maintain the culvert flow by periodically scooping out the culvert with the backhoe. Jim speaks referring to Tate Hill Road being classified from a Class 4 back to Class 3. He continues to say that it's not uncommon for towns to do this, especially if there are homes on that portion of road. Jim states that the procedure for reclassifying a road is to fill out the forms, put out a public notice to all the home owners and people who use the road, to call a public hearing and the road would have to meet the current road standards. Willy Mattison asks if the Board would like to bring this road back to a class 3 and if so, he does not agree with that. Jim goes through his packet of pictures and explains each problem area on this road. Jim states that regardless of the classification of the road, town roads must be maintained when unsafe or unpassable, against any liability. Jim explains that a Class 4 road does not have to meet the same standards as a Class 3, but a Class 4 with the municipal general permit must not have a gully on it. A gully by definition is an erosion that is 1 foot or deeper. He continues saying that the erosion taking place on Tate Hill Road will become a stream across the road. He finishes by saying that whether or not the town changes the classification of Tate Hill Road the town is looking at some significant expenses for the mandatory fixes. Willy Mattison asks how much it will cost the town to reclassify Tate Hill Rd. Joe Nolan replies that the Board will look into the costs. Karen Dzialo

states that it is in the contract with Constance West that the town maintain that section of Tate Hill Road.

CITIZENS CONCERNS: Richard Zoppel mentions the Grogan home on Chunks Brook. He states he was horrified by the conditions. Richard continues that the animals at this residence should be taken away, due to the in humane conditions. Melissa Mattison mentions that the pond on the Grogan residence has turned an acid green. She wants to know what the town can do. Jim Henderson states that the Conservation District had the Agricultural Agency look at the residence last year and they deemed it to not meet the standards of a running farm. Jim continues that the state said it was a hoarding situation and the Ag. Agency can not do anything to enforce change. Karen Dzialo states that there are laws in place to protect home owners, which makes it hard to legally change the situation. Melissa Mattison states that she has called a number of State Agencies. Erin McDermott states she is the town's Small Animal Control Officer and she has been to the residence. Erin continues that the dogs were chained up and had housing, food and water. Tim Fagan asks, what about the loose animals? Erin McDermott and Suzy dePeyster had rounded the animals up previously. Willy Mattison mentions that a large boar with tusks has been in his yard. Shelia Kearns mentions that there have been various instances in the news where a hoarding problem was eliminated. Erin McDermott states that the town and Selectboard need to come up with a system of fines to be enforced. She continues that she has had a hard time with some people in the past. Willy Mattison states that Erin is volunteering for the Animal Control position and there is no pay. He continues that the Town's Constable is paid \$100 every month and he had called the Constable, Rick Dahm, the other day and his call was never returned. Karen Tendrup states that she has is waiting to go through a Health Officer course and she will keep looking into how to correct the problem. Bill Haggerty states that the town had written a law for loose animals back when Steve Saltonstall was on the Board.

Deb DeSacia would like to know how the road erosion fix north of the covered bridge/Tutor Road was paid for. Joe Nolan states the town paid it out of the Construction Fund. Willy Mattison states that the town construction account only has so much money and other parts of the roads need to be addressed. Sandra Reidy states that there is money in the budget construction account and money in the reserve construction account.

Ann Hammerle thanks the Board for the work completed on the Rupert Road.

REVIEW THE MARCH 21, 2022 MINUTES: Karen Tendrup makes a motion to approve the minutes. Charlie Pike seconds. All in favor.

SIGN ORDERS: The Board signs the orders.

ADJOURN: Karen Tendrup makes a motion to adjourn. Karen Dzialo seconds.
Meeting adjourned at 7:28.

THE NEXT MEETING WILL BE HELD APRIL 18, 2022 AT 6:00 IN THE SANDGATE TOWN HALL.

Respectfully Submitted by Sandra Reidy

For a complete recording of this meeting contact the Town Clerk.