

**Selectmen's Meeting, Monday, July 11<sup>th</sup>, 2016 in the Cavendish Town Office  
Meeting Room at 6:30 pm**

**Present:** Bob Glidden (Chairman), George Timko, Mike Ripley, Wendy Regier, Jill Flinn, Rich Svec (Town Manager), Bruce McEnaney (Assistant to the Town Manager), Jen Leak (Recording Secretary), Ed McEananey from LPCTV and citizens as listed on the attached sheet.

**1. Call the meeting to order**

Bob Glidden, Chairman, called the meeting to order at 6:31 p.m.

**2. Conduct public hearing with regard to update of the Cavendish Municipal Water System By-laws before intended adoption of the revised bylaws. Cavendish Board of Water Commissioners reviewed and approved of the revisions on April 25<sup>th</sup>, 2016 and the Cavendish Board of Selectmen has previously reviewed the by-law revision draft at its regularly scheduled meeting on June 13<sup>th</sup>, 2016 whereat it set the July 11<sup>th</sup> public hearing date.**

Bob asked Rich to conduct the public hearing. Rich said the Water System Bylaws draft which he handed out this night included the minor changes suggested by the Select board at the June 11<sup>th</sup> Select Board meeting. Rich asked if anyone in attendance had any comments or questions. Gerry Martel was present and said he would like a minute to review this new draft. Rich mentioned the specific changes that had been made in this final draft. No other comment was received either in person or in writing.

*Mike Ripley moved/Bob Glidden seconded a motion to adopt the Cavendish Municipal Water System Bylaws as written. All voted in favor.*

Rich asked the Select Board to sign 2 copies of the bylaws, which they did.

Bob said the Select Board will now move on to the regular monthly Select Board meeting.

**3. Review/approve minutes of the meetings of June 13<sup>th</sup>, June 28<sup>th</sup> and July 6<sup>th</sup>, 2016**

*Mike Ripley moved /Jill Flinn seconded a motion to approve the minutes of the meetings of June 13<sup>th</sup>, June 28<sup>th</sup> and July 6<sup>th</sup>, 2016 as written. All voted in favor.*

**4. Sign Orders**

Bob Glidden, Chairman, directed the Select Board members to sign orders at their convenience during the course of the meeting.

**5. Review Correspondence**

Bob Glidden, Chairman, directed the Select Board members to review correspondence at their convenience during the course of the meeting.

## **6. Adjust agenda**

Rich said that he needed to adjust item #11, "Consider a request for a catering license." Rich said there are now three catering license requests and one regular liquor license request for the Select Board to consider for approval.

George said he would like to request an executive session for a personnel matter at the end of the meeting.

## **7. Hear Citizens**

Rich asked Margo to update the Board on recent telecommunications committee activities.

Margo said Cavendish is under consideration for grant funding for improved internet service from the State Cavendish having been identified as an underserved town. She said that the Town may also be able to work with ECFiber, which has an excellent service and maintenance record.

Margo said that TDS has made some equipment upgrades and hopes to improve service, in some areas at least, by August. Comcast still lists Cavendish as a priority site. Margo said she is now more confident about the possibility of working with ECFiber.

Margo said the Cavendish Historical Society had previously decided to fix up and reinstall the original front doors on the building. Now, they have changed their minds and intend to put the original doors back into storage rather than try to restore and use them as the work needed to restore them is too great. Instead, they are working on another set of purchased historic doors. Bruce explained that the original doors maybe repairable in the future, or used as template to build a replica set, but they are currently too far gone to properly restore and use. Margo said the new doors will be solid, double doors, appropriate for the period when the Museum building was built.

Margo asked what was being done to hire a new Town Manager since Rich announced his retirement for September at the June Select Board meeting. Bob and George said that the Select Board is working on this issue.

Carl Snyder was present, and thanked Bruce and Rich for the repair of the stone culvert on High Street. Bruce and Rich noted that the highway crew did the repairs, using stones we already had in stock. Bruce would like to thank the road crew for their timely response.

Carl commented that the intersection of Whitesville Road and Route 131 has been unsafe since the Route 131 bridge was replaced, and he asked what was being done to correct that situation. Rich said he discussed that intersection in depth with the local Agency of Transportation district representative and with an engineer from CDL Engineering who is currently working on the repaving project scheduled for next summer on that section of Route 131. Rich said the white painted stop line resulted from that discussion, although he noted that it has since considerably worn away. Rich said he has proposed that, when the repaving engineering takes places, they re-design that intersection. Rich said he has not seen any revised plans for that intersection part of the repaving plans as of this date.

8. **Recap of activities with regard to setting the tax rate and sending out the FY17 tax bills.**

Since two of the Board members were not able to be present at the July 6<sup>th</sup> meeting, Rich reviewed the FY2016-2017 Town of Cavendish tax rates which were set that date. He said that FY17 tax bills should be mailed tomorrow, and said that interested property owners and others could check the Town website to review the tax rate calculations.

9. **Town Manager to propose that the Select Board consider a lot line adjustment on town-owned parcel #1R06-059 (which is currently on the market) with the adjoining property owned by Ward.**

Rich said this topic may require brief executive session since it involves a matter of negotiation. He reminded the Select Board of the history of the Town's tax sale acquisition of the property on Heald Road formerly owned by Billy England. Rich said that Town resident Mabel Ward owns an adjacent property. These two properties each have half of an old Town Highway right of way which used to provide access to the former Ordway Mill. This Town road was given up by the Town in approximately 1923 and each of the two abutting properties received half of the width of the road.

Rich said someone is interested in purchasing the Ward property and would like to have the entire width of the barway (old road between two stone walls) to facilitate access to the part of the Ward property they would like to develop. The prospective owner and Ms. Ward would thus like to purchase the other half of the right of way from the Town in order to more easily access their property with a full-width roadway.

Rich said that he recently met with Ms. Ward and her attorney to discuss this matter. Rich said they agreed that the expenses for this transaction should be borne by the Ward property, including having the properties surveyed. Rich handed out copies to the Select Board of the recent survey and an excerpt of the Town parcel map showing the location of the two affected properties.

Rich asked if there were any interested parties present this evening who wished to speak, and there were not.

*Mike Ripley moved/George Timko seconded a motion to go into executive session at 7:05 p.m. for the purpose of considering this purchase request. All voted in favor.*

*George Timko moved/Mike Ripley seconded a motion to exit executive session at 7:14 p.m. All voted in favor.*

*Mike Ripley moved/Jill Flinn seconded a motion to make an adjustment to the property line of the Ward property (lot #57, map 6), by adding 0.031 acre from the Town property (lot #59, map 6), as shown on the Michael Engineering drawing dated July 6, 2016. Further, the offer is made with the understanding that the Ward property owner bears all costs of the transaction and survey plus a land sale price of \$1,000. All voted in favor.*

10. **Consider letter of request from the Cavendish Library Board with regard to a replacement of a board member who has recently resigned.**

Rich read aloud a letter from Robert Evens stating that Mary McCallum has resigned from the Library Board. The Library Board requests that the Select Board appoint Cheryl Leiner to fill Mary's position. Cheryl would then need to run in March, 2017, for the remaining four years of Mary's five year Library Trustee position.

*Wendy Regier moved/George Timko seconded a motion to appoint Cheryl Leiner as replacement for Mary McCallum on the Library Board. All voted in favor.*

11. **As Local Board of Liquor Control, consider a request for a catering license for Vermont Farms Catering for an event on August 6, 2016 at Foxford Farm.**

Rich read the three catering license applications. He explained that the Select Board needs to approve these applications but does not need to sign them.

Request to Cater Malt, Vinous and/or Spirituous Liquors for the Inn at Glimmerstone Mansion, wedding cocktail hour and reception, on Saturday, July 30<sup>th</sup>, from 3-11 p.m.

Request to Cater Malt, Vinous and/or Spirituous Liquors for the Inn at Glimmerstone Mansion, wedding cocktail hour and reception, on Friday, July 22<sup>nd</sup>, from 5 p.m.- midnight.

*George Timko moved/Jill Flinn seconded a motion to approve the catering licenses on July 30 and July 22 at the Inn at Glimmerstone Mansion. All voted in favor.*

Request to Cater Malt, Vinous and/or Spirituous Liquors for Vermont Farms Catering LLC, wedding reception, on Saturday, Aug 6<sup>th</sup>, from 3-11 p.m. at Foxford Farm.

*Jill Flinn moved/Bob Glidden seconded a motion to approve the catering license for Vermont Farms Catering, LLC. All voted in favor.*

Rich read the application for a first and second class liquor and tobacco license for Jill Flinn, doing business at 1990 Main Street, Cavendish. As applicant, Jill said that the current operators of MiniBeez are leaving sometime this summer, and she has been asked to take over the business by the owners Ron & Lynn Bennett.

*Mike Ripley moved/Bob Glidden seconded a motion to approve a first and second class liquor and tobacco license for Jill Flinn. George Timko, Wendy Regier, Mike Ripley and Bob Glidden voted in favor. Jill Flinn abstained.*

12. **Set date for public hearing with regard to the adoption of the Cavendish Flood Hazard Area Regulations (FHAR). The draft of the FHARs update were reviewed by the Board of Selectmen with the Chair of the Cavendish Planning Commission on May 23<sup>rd</sup> and with John Broker-Campbell, Floodplain Manager for Southern Vermont, on June 28<sup>th</sup>.**

Rich reminded the Select Board that they have discussed the Cavendish Flood Hazard Area Regulations with Planning Commission Chairman Etienne Ting on May 23 and with VT Floodplain Manager John Broker-Campbell on June 28 of this year. Rich asked if the Board was ready to set a date for the public hearing for adoption of the FHAR.

George asked if Rich has made the corrections the Select Board had suggested. Rich said that he had made those corrections. Wendy said she would like to see the revised draft. Rich said he could email that draft to the Select Board members this week.

***George Timko moved/Mike Ripley seconded a motion to set the public hearing for adoption of the Cavendish Flood Hazard Area Regulations for Monday, August 15, 2016, as the first order of business at the regular monthly Select Board meeting. All voted in favor.***

### **13. Updates on other town activities**

Rich said he met recently with Brendan Melaney, Crossing Maintenance Supervisor for the Green Mountain Railroad. Brendan said that they are planning to replace the tracks and railroad ties at the at-grade crossing on Cavendish Gulf Road near the Blair property. The road will need to be closed for several days in order to make these repairs. Since there are two drainage culverts near that crossing which are old and rusted, Rich worked it out such that the Railroad project would install them during these repairs and the Town will supply the new culverts pipes.

Wendy asked when this work would be done. Rich said it would be soon, but that it was not precisely scheduled yet. He said the Railroad will advise the Town when the work is scheduled, and will place signs on Cavendish Gulf Road giving advance warning of the planned road closure.

Bruce said that the new Truck #3 was received this past week. He said that the old trucks #3 and #4 were traded-in to Clark's Truck Center, since the private offers we received for those trucks were less than the final trade-in offer from Clark.

Rich commented that there has been some illegal camping and campfires in the Proctor-Piper State Forest recently. He said that on Friday he had reported an active fire in the forest to the Fire Warden who, after visiting the scene, called the Cavendish Fire Department to make sure it was safely put out.

Rich said the summer concert series on the Proctorsville Green has started. They will take place on Wednesday evenings through August 10, and are sponsored by the CCCA. Rich said that he had WattsUp Electric upgrade the electric system in the gazebo to prevent some of the electric problems that occurred last summer. He added that the park lights around the Proctorsville Green have been replaced with energy efficient LED lights.

Rich asked Bruce if there were any updates on the Town Cemeteries. Bruce reminded the Select Board that the youth work group, sponsored by the Cavendish Baptist Church, is coming the last week of July and will be cleaning stones in the Cavendish Village cemetery.

Rich informed the Select Board that tomorrow evening there will be a meeting with both the Cavendish and Proctorsville Fire Districts, here at the Town office, to discuss the possibility of a merger into one district. Rich said that both parties asked him to mediate this meeting. Rich said he agreed to do so, but emphasized he would be impartial and not participate in making any agreements. He said he hoped the discussion would be productive. Jill asked if the meeting would be open to the public. Rich said that this meeting will be closed. He said it was important for the two districts to start mending their differences and to negotiations. They will need to come to an agreement between themselves without a lot of public comment. If they are able to make progress future meetings should be open to the public to discuss any plans. Ultimately, a change

in the Cavendish Fire District structure would require public approval and then Vermont legislative approval.

#### **14. Other business**

Jill said she had had heard from some of the residents on Cavendish Gulf Road, and they are concerned about condition of the paved part of that road. Rich agreed it was in poor shape. He said the Town does not have a paving grant from the State this year, but he will have the highway department see what can be done. He added that water drains down from the hill on one side of the road and is trapped by the railroad berm on the other side, which makes that section of road difficult to maintain and prone to subsurface water problems.

Wendy Regier ó Wendy thanked the road crew for trimming on the grass and brush on the roadsides. Rich noted that roadside trimming was delayed this year as the roadside mower needed repairs.

Mike Ripley ó none.

George Timko ó George asked if there were any updates on the Depot Street bridge replacement. Rich said he is working on the Town part of the RFP for utilities, but he has not seen anything from the State on this project.

George asked if the Town planned to put a gate across the road to the gravel pit. Rich said yes, that this has been planned for some time. He added that he intends to add a lift of asphalt rap material similar to what we had done previously at our former sand pit area on Power Plant Road. This material packs down well and, after being baked by the sun, makes for a sturdy asphalt surface.

George asked for an update on the Cavendish Gulf Road railroad underpass project. Rich said he had asked Brendan about that project when they met to discuss the at-grade crossing project, and Brendan said that he didn't know anything about the underpass project. Rich said he suggested that Brendan should inquire about the underpass project, because the Cavendish Gulf Road couldn't be closed at both places simultaneously.

Bob Glidden ó none.

.

***George Timko moved/Mike Ripley seconded a motion to enter executive session, for Select Board members only, at 7:46 p.m. All voted in favor.***

Mike Ripley moved/Jill Flinn seconded a motion to exit executive session at 8:05 p.m. All voted in favor.

The Select Board discussed the need to move along the process of finding a replacement for the retiring Town Manager Rich Svec. Rich said that he would get the Board copies of Town Manager job descriptions from various towns that are similar in size and composition to Cavendish. He will do this through the VLCT and also speak with them about advertising the opening and helping with the process.

The Board discussed and set up a meeting date of August 8<sup>th</sup> at 6:30 p.m. to have an "executive session only" Select Board meeting for further in-depth discussion of the hiring of a new Town

Manager and to review of any candidates that may then be known. The regular monthly Select Board meeting for August is scheduled for 6:30 p.m. on Monday, August 15<sup>th</sup>.

**15. Adjourn**

*Mike Ripley moved/Wendy Regier seconded a motion to adjourn at 8:10 p.m. All voted in favor.*

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

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