

Revised Minutes
MAIDSTONE SELECTBOARD MEETING

Monday, February 6, 2023

7.00 pm

Hybrid Meeting, both in person at Town Hall and by Zoom Video Conference

Members Present in Town Hall (in-person): Scott Lovell, Brad McVetty. Bruno McKenzie

Town Officials Present in Town Hall (in-person): Emergency Management Coordinator and Fire Warden Bill Sanborn

Town Officials and Staff Present via Zoom: Town Clerk and Lister Amy Pear; Assistant Town Clerk Suzy Irwin; Zoning Board and Planning Commission member Bruce Barker; Zoning Board and Planning Commission member and Auditor Chris von Alt; Lister, Auditor, and Health Officer Sandra Gray; Administrative Assistant Mary von Alt

Also Present via Zoom: Bob and Laurie Snowman, Lin Mixer, Carol and Burt Kline, Jim Bennett, Lisa Plourde, Allen and Marianne Bouthillier, Bonnie Lovell, Sam and Carol Gorham, Ed Tully, Doug Lord, Jo Giampolo, Shaun Carroll, Jr.

Chairman Scott Lovell began the meeting by reminding everyone about the Rules for Participation, based on the Rules of Procedure passed at the September 12, 2022 Selectboard meeting. (The Rules are posted on the Town website; they were emailed in advance to the people who have requested Selectboard meeting notifications.)

Chairman Scott Lovell then called the meeting to order at 7.02pm.

APPROVE MINUTES:

Brad made a motion to approve the January 23, 2023 Draft Special Selectboard Meeting minutes; Bruno seconded the motion. All voted in favor.

REPORT FROM THE ROAD COMMISSIONER:

Brad reported that:

- he had tried graveling the Lake Road to do away with some of the ruts; that seems to have worked for now;
- he has received the application for the Class II Highway and Structures Grant and is considering whether there is anything the Town should apply for through this grant.

REPORT FROM THE TOWN TREASURER:

Bob Champagne-Willis is not able to attend the meeting tonight; Amy reported in his stead that there will be no Budget to Actual report until after the voters approve the proposed budget at Town Meeting. The Selectboard Warrant is on the Signing Desk.

REPORT FROM THE DELINQUENT TAX COLLECTOR:

Reporting on behalf of the Treasurer, Amy said there has been a reduction in the amount of delinquent taxes owed to the Town due to payments received from the Brooks. Wiedeman family members have been in touch with the Treasurer and the lawyers handling the upcoming tax sale, but, at this time, the tax sale of the Wiedeman property is still scheduled for February 16, 2023.

REPORT FROM THE LISTERS:

The annual "Certificate - No Appeal of Suit Pending" form, declaring that there are no matters pending and the 2022 Grand List is complete, is ready for signature by the Selectboard. Once signed, the Listers will lodge it in accordance with Vermont law.

REPORT FROM THE EMERGENCY MANAGEMENT COORDINATOR:**• Equipment trailer update:**

Bill Sanborn said bid invitations for the equipment trailer have been issued with the help of Amy Pear and Bob Snowman. Bill listed 6 places to which the invitations have been sent. In response to Bruno's mention of a possible source in Wells River and asking if they were all set with the bids sent out, Bill said that if no reasonable bids are received, they will go through the process again, expanding the potential sources as needed. Bill said the bid specifications were for a 6' x 12' trailer, 7' high based on Bob Snowman's advice, with a tandem rear axle with electric brakes, aluminum shell and frame, aluminum 15 inch radial wheels, spare tire, a wheel jack mounted on the front, 3/4 inch floor, and 3/8 inch sides of engineered wood - much of that being standard. He offered to give a copy of the specs to the Selectboard, but they did not think that was necessary.

• Groveton and Stratford Fire Contracts:

- Bill said the Groveton Fire Department contract incorrectly describes the area that it covers in the Town of Maidstone. Two fire departments provide emergency fire services to Maidstone - Groveton Fire Department and the Town of Stratford's Fire Department. In accordance with 911 requirements, because two different towns provide fire services to Maidstone, Bill, as the 911 Coordinator, drew the line on the map years ago to delineate areas of coverage. Based on mileage from their fire houses, Bill drew a line from a point between Norman Young's barn and Gary Young's trailer on Route 102 that extends across land and comes in where North Road and Hall Road meet. Stratford covers everything from Norman Young's barn on 102 north plus Bear Hill Road, Hall Road, Masters Road, Paul Stream Road, Paul Stream Pond, and everything at the Lake. Groveton covers everything from Gary Young's trailer at 2283 VT Route 102 down to the southern boundary of Maidstone, everything off North Road, and all roads off North Road. That is how fire coverage has operated for some years now. Bill would like to work with the Groveton Fire department to have them clearly spell out in the contract the area for which they provide fire services.
- In addition, he would like to ask Groveton and Stratford to agree that in the event that either fire department is unable to respond to a fire emergency call from Maidstone, the other department will take the call.
- Until recently, Vermont law said that a town's Fire Warden had to take charge of any wildland fires in town; that law has been changed to allow the Fire Warden to authorize the Chief in charge of the responding fire department to direct the response services. Bill would like to establish an agreement with Groveton and Stratford for the respective Fire Chiefs to take charge of any wildland fires in Maidstone.
- Bill would also like Groveton and Stratford to agree to provide the Town of Maidstone with a copy of any incident report when they respond to fire emergency calls in Maidstone.
- He would like Groveton to agree to back flush and pump the dry hydrants in their area of coverage once a year, as Stratford has always done. That would ensure that the Department sees where their hydrants are and verifies that the hydrants are working.
- Bill would like to go to each Town fire department to see if they are willing to either change their contract or add addendums to include the above.

• Groveton EMS Contract:

- Bill would like Groveton EMS to agree to provide the Town of Maidstone with a copy of any incident report when they respond to calls in Maidstone, while still following privacy protection laws.

Bruno made a motion to allow Bill Sanborn to change the contracts as he proposes with Stratford and Groveton; Brad seconded the motion. All voted in favor. Amy said the contracts would go on the Signing Desk after the budget is approved by the voters at Town Meeting, so there is time for the contracts to be modified.

REPORT FROM THE TOWN CLERK:

- The Town Meeting Sample Ballot has been posted, as have the Voter Checklist and the Town Warning.
- Amy is setting up a Board of Civil Authority meeting to move forward with the election officials.
- The Annual Report will be sent to the Selectboard tomorrow for final review.
- Amy is working on arranging to pick up the lightbulbs recommended by Efficiency Vermont that were discussed at an earlier Selectboard meeting.

- The grant for the backup generator and the emergency radio that Amy applied for with Bill Sanborn has been tentatively approved by the State, pending FEMA's approval of Maidstone's environmental and historic preservation research regarding any limitations on what can be done on the property.
- Laurie Snowman, Justice of the Peace, has taken the training class required for her Notary Public license and has asked for reimbursement of the \$59.00 training fee. Amy will take the training soon, for which there will be another \$59 training fee. This is the first year that the State has required Notary Publics to pay a training fee.
- Amy sent the Selectboard a copy of Vermont Bill H 42, recently signed into law by Governor Scott, authorizing remote only meetings with no requirement for a physical location until July 2024. The Selectboard did not have any questions about the new law.

Brad made a motion to reimburse Laurie Snowman the \$59.00 for the Notary Public training; Bruno seconded the motion. All voted in favor.

OLD BUSINESS:

- **Update regarding progress on NEK Broadband's installation site on Town property near Town Hall:** No new information has been received from NEK Broadband.
- **Discuss why the Planning Commission is working on updating the Town Plan and Zoning Bylaws, as well as why a lawyer was consulted:** Bruno said that Jim Bennett had phoned Ray Lovell, who then became concerned that the Bylaws were being changed and contacted Bruno. Bruno asked Chris von Alt, Chair of the Planning Commission, to explain what the Planning Commission is doing with regard to the Zoning Bylaws and why.
- Chris explained that in accordance with Vermont law, the Town Plan must be readopted every 8 years either by the Selectboard or by the Town, if the Town has voted that the Plan must be adopted through Australian ballot. In Maidstone, voters have not voted to require adoption through Australian ballot, so the Selectboard has the authority to readopt the Town Plan. As part of that process, the Planning Commission is responsible for reviewing the existing Plan and making any proposals for modification of the Plan to ensure that it reflects what the Town wants; this is done through an open process in which the Commission gathers information by holding public meetings and perhaps conducting a survey. The Selectboard then decides whether or not to adopt the Town Plan with or without any modifications. The implementation of the Town Plan is done through the Zoning Bylaws, so after the Town Plan is readopted, the Bylaws must be reviewed to ensure that they reflect the Town Plan. Chris explained that the Planning Commission members are a new team that, in the process of looking at the Bylaws, came up with questions that needed to be answered by a lawyer. The Selectboard authorized them to consult with an attorney. The Town Plan must be readopted by February of 2024; if the Town Plan is not readopted, the Town loses various benefits. Bruno asked if any changes were being made other than changing wording. Chris responded that no changes at all are being made at present; any changes will be put in front of the public and the Selectboard. At this point, the Planning Commission is doing basic research. Chris stressed that the Plan is not the Planning Commission's Plan, but the Town's Plan.
- Jim Bennett commented several times that the Zoning Bylaws need to be changed completely, that there were a lot of rules and regulations in the Bylaws that should not be in there, but when asked by the Selectboard for specific suggestions of changes needed, he did not offer any, saying that they all need to be changed. He later modified this to say that there are paragraphs that need to be changed. He is concerned because he has heard rumors about changes that are being made. Scott pointed out that these Bylaws were adopted by the Town by a democratic process and are changed through a democratic process; Bruno added that the Bylaws have been in place for a long time and that changing them takes time. Jim said the Bylaws were being changed with regard to the amount of road frontage required; Scott said road frontage was being discussed, but no changes are being made at this time. Bruno pointed out that there is a process involving the Zoning Administrator and the Zoning Board of Adjustment, which must consider Vermont Statutes.
- In response to Bruno asking about the bylaw amendment process, Chris said it is a two-pronged issue; one is what vision the townspeople have for the Town, and the other is how that vision is implemented

through Bylaws that follow the State Statutes. The Statutes specify an involved procedure that must be followed in changing Bylaws. Bylaws can be changed at any time, but the procedure required takes a lot of time on the part of the Planning Commission, the Selectboard, and the Town, so it is more efficient to combine Bylaw changes.

- Scott suggested that Jim should put together a letter addressing specifically what he wants to change. Jim said that the Town should figure that out.

NEW BUSINESS:

- Allen Bouthillier (AB) read his letter to the Selectboard (a copy of his letter is **posted online** in the Background Documents for this meeting). Scott thanked him for reading the letter. A discussion followed that included but was not limited to the following:
 - Allen said both A B Excavating and Carroll Concrete have gravel, contrary to Brad's statement at the January 9th Selectboard meeting regarding the very limited availability of gravel in this area;
 - Differing opinions on the quality of gravel provided in the past;
 - Whether or not road work had been done in accordance with the engineer's specifications, whether the proper material was used, and whether the road was crowned properly;
 - Problems experienced in neighboring towns both in the present and historically;
 - What might cause potholes to reappear;
 - Problems inherent with dirt roads;
 - Problems caused by significantly increased volume of traffic, increased speed at which vehicles are driven, and increased weight of vehicles;
 - Shaun Carroll's comments that it's fair to say that we (area towns) are not managing the roads as well as should be; in the past, roads were graded more frequently; we are not replacing gravel in the manner we should be; 3 - 4 inches of gravel should be put on dirt roads every year; if we are not replacing gravel in the right manner, our budget needs to go up to allow us to do so;
 - Shaun and Allen both said that given the specifications, their companies can make the gravel required, and both companies have gravel;
 - Shaun said, "Let's be fair to everybody. Let's put it out to bid, and let's make sure that the gravel spec is the same."; "How can we be competitive and sell a little each, so that we all get a piece of the pie and make this thing work";
 - Brad said that in the Springtime, he gets prices from everyone for the summer; Allen and Shaun said they would like to be included in that price solicitation;
 - AB asking why the Town's purchasing policy is not being followed with regard to road work, to which Brad replied, "Well, I can answer that pretty much. Doug Lord brought up that things needed to be sent out for bid. That was not last summer, but the summer before. I was going to do some ditching up there. So I said, go ahead, we'll send it out to bid. Well, Bob Snowman, if I remember right, stepped in and said it doesn't need to go out to bid. If it goes out to bid, it will never get done. Go ahead and do it. So I did it." Bob asked at which meeting Brad remembered Bob saying this, as he himself did not recall saying that; Brad said he would have to look into that and check his records; **
 - issues regarding the challenges of implementing the purchasing policy for road work;
 - Brad said he has been doing the road work for the Town for about 28 years; when he took the job, he was told to maintain the roads as needed and stay under the Town's budget, and that is what he has been doing;
 - Concerns that questioning the implementation of policies is being interpreted as a personal attack or a lack of appreciation of the hard work done by Brad and Jason McVetty for the Town;
 - Reassurance from several that no lack of appreciation or disrespect for the job being done was felt or intended, just concern about the negative impact of policies not being implemented consistently;
 - Amy's suggestion that the Selectboard consider having road work such as graveling being bid seasonally;
 - Scott suggested and others agreed that the Town should consider increasing the \$2,000 limit on the purchasing policy with regard to road work.

Jim Bennett said that Allen's letter should have been addressed at the January Selectboard meeting. Mary pointed out that it was written in response to the minutes for the January 9, 2023 Selectboard meeting, and that the other two Selectboard meetings in January were Special Meetings called to address the budget, therefore did not consider any other issues. Allen verified that he did not send the letter until January 19th.

- **Discuss and act on Essex County Sheriff's Department contract with the Town of Maidstone for 7/2022 - 6/2023:** The terms of the contract were discussed at the January 9, 2023 Selectboard meeting; the contract was received and signed after the last meeting and covers the Town from 1 July 2022 until June 30, 2023.

OTHER BUSINESS:

No other business was brought up for discussion.

The business of the meeting having been concluded, Brad made a motion to adjourn; Bruno seconded the motion. All voted in favor. The meeting was adjourned at 8.22 pm.

Respectfully submitted,
Mary von Alt

** This paragraph has been revised at the request of the Selectboard; Mary watched the recording of the meeting and rewrote the paragraph to clarify that Brad was talking about the purchasing policy not being followed for the ditching project under discussion at that meeting in the summer of 2021. The following was the paragraph in the original draft minutes:

"Why the Town's purchasing policy is not being followed with regard to road work, issues regarding the challenges of implementing the purchasing policy for road work, and whether or not Bob Snowman when on the Selectboard had said that the purchasing policy should not be followed for road work; Bob asked what meeting Brad is referring to at which Brad remembers Bob saying this; Brad said he would have to look into that and check his records;"