

Approved Minutes
MAIDSTONE SELECTBOARD MEETING

Monday, July 10, 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, Chair; Brad McVetty, Bruno McKenzie

Town Official Present at Town Hall: Emergency Management Coordinator and Fire Warden Bill Sanborn

Also Present at Town Hall: Duncan and Melissa Dano

Town Officials and Staff Present via Zoom: Town Clerk and Lister Amy Pear; Treasurer, Delinquent Tax Collector, Lister, Zoning Board and Planning Commission member Bob Champagne-Willis; Zoning Board and Planning Commission member Bruce Barker; Lister, Auditor, and Health Officer Sandra Gray; Administrative Assistant Mary von Alt

Also Present via Zoom: Laurie and Bob Snowman, Jan Barker, Lin Mixer, Sam and Carol Gorham, Burt and Carol Kline, Bonnie Lovell

Chairman Scott Lovell called the meeting to order at 7:00 pm. He began the meeting by reminding everyone that the Rules for Participation, with which all are now familiar, governed the meeting as usual.

APPROVE JUNE 5, 2023 SELECTBOARD MEETING MINUTES:

Brad had several corrections for the June 5, 2023 minutes:

- On page 3, correct the name and acronym of Northeastern Vermont Development Association (NVDA)
- Fix typos in first sentence on page 5
- Change “fire hydrants” to “dry hydrants” in discussion of Groveton Fire Department

Bob added that the reference to a \$102 application fee in the line, “Bruno McKenzie reviewed the \$102.00 application fee” needed clarification - \$102 is the fee for the Appeal of Zoning Administrator Decision and for the Variance Request Application, not for all zoning related applications. Brad made a motion to approve the minutes as amended; Bruno seconded the motion. All voted in favor.

REPORT OF THE ROAD COMMISSIONER:

Brad said he has finished up the Better Roads Grant work on the Hall Road. The Town will submit the paperwork and then expects reimbursement from the State for the \$18,500 amount, Brad thinks. The replacement of the box culvert at the head of the lake on Westside Lake Road is still scheduled for shortly after Labor Day. The Town has received the Better Roads Grant for the ditching work starting at the campground and continuing about a mile down the Lake Road to the telephone building. There has not been a lot of damage from the heavy rain - a little bit of washout on some of the hills, but that can be taken care of with the grader and 2 or 3 loads of gravel. The rain and heavy traffic have beat up the Lake Road, as expected.

Lin Mixer had several comments:

- He passed along a compliment heard at a recent Zoom meeting he attended; a fellow from an engineering location commented that he had not been on a gravel road in such great shape in quite a while. *(Note from Mary von Alt: this was a comment by the engineer from Stone Environmental, Montpelier, VT, when reporting on the Maidstone Lake Watershed Action Plan at a Maidstone Lake Association Zoom meeting on June 27, 2023.)*
- Lin asked if Brad had perhaps picked up the STOP sign usually posted at the intersection of Westside Lake Road and Maidstone Lake Road. Brad said that he had picked it up about 4:30 that morning.
- Lin asked if there were any news about the traffic study scheduled for this summer. Amy said she had talked with Doug Morton of NVDA a couple of months ago, at which time he told her the Maidstone Traffic Study would happen this summer.

REPORT FROM THE TREASURER:

- **Budget to Actual:** The Report has been submitted for the month of June. There is nothing extraordinary to report.
- **Selectboard Warrant:** Bob said the Selectboard Warrant is on the Signing Desk.

Bob reported that the Town has received the Homestead and Non-Homestead tax rates from the State. There is no dispute over the Non-Homestead Tax Rate, but Bob is currently working with our Legislature and Brad James of the Vermont Education Agency on the Homestead Tax Rate. Bob hopes to resolve that before the Selectboard meeting in August at which the municipal tax rate will be set. That will be on the Agenda for the August Selectboard meeting.

REPORT OF THE DELINQUENT TAX COLLECTOR:

The Delinquent Tax Collector Report has been submitted. There has been steady progress on reducing the delinquent taxes due.

REPORT FROM THE LISTERS:

We are entering the period of reappraisal for the 2024 Grand List. Reappraisal work will start later this Summer or early Fall. The Town has received its first download of the Homestead Payments. Everyone who files a Homestead Declaration and receives an Income Sensitivity Reimbursement from the State should be receiving a letter from the State. If you have questions about whether your expected Reimbursement has come through, you can check with Bob to see if your payment has been included in the Homestead Payments received by the Town thus far.

REPORT FROM THE TOWN CLERK:

- Amy reported that she had followed up with Vermont League of Cities and Towns (VLCT) as requested by Scott at the May meeting, regarding whether or not the Selectboard has to file the written report from the Cemetery Commission to the Town Auditors as stipulated in Vermont Statute. The response from VLCT was that as long as the Selectboard is acting in the capacity of the Cemetery Commission, the Selectboard must follow all laws that the Cemetery Commission is required to follow; therefore, the Selectboard must submit that written report to the Auditors annually.
- In an email forwarded to the Selectboard, the Town was informed that the State would be adding weight limit signs to some bridges throughout the State by July 31st; the Town is supposed to be informed if any such signs will be added to any bridge in Maidstone. Neither Town Hall nor Brad has heard anything thus far.
- The Town has been contacted by Cornerstone Energy, Inc., which is doing some of the legwork for the power line proposed along Route 102. They are seeking permission to go on three properties owned by the Town, specifically Town Hall, Taylor Cemetery, and McDade Cemetery, in case they need to do any environmental surveys on those properties. Suzy Irwin told Amy that in the past, such permission has been issued by the Town Clerk's office. The Selectboard did not have any problem with continuing that practice.
- The Sheriff's Department contract is on the Signing Desk.
- The Northeast Kingdom Waste Management District (NEKWMD) has contacted the Town to inquire if there is any interest in purchasing recycle bins. After some discussion, the Selectboard asked Amy to contact the NEKWMD to clarify the kind and size of bins to which they are referring; Brad said that the email sounded like the bins under discussion were the no-sort big containers that must be picked up by a mechanical arm off the trash truck. Amy will do the requested further research.
- In reference to the issue of burying a power line through the Town along Route 102, Bob said that the figure of \$750,000 is being tossed around, often confusingly, as it was at the Maidstone Lake Association annual meeting on Saturday, July 8th. It has been mistakenly said that the Town would receive \$750,000. To clarify: the Town will not be receiving a \$750,000 check. If the proposed power line is approved, an amount estimated at this time to be about \$750,000 will be added to the value of the Grand List, i.e., the Grand List total value would increase by \$750,000. The result of this, calculated using last year's

municipal tax rate, would be that the Town would receive \$2400 as payment of the municipal taxes due for that added \$750,000 Grand List amount. This additional value of \$750,000 is projected to be added to the Grand List value every year after the proposed power line is in place. As Amy said, it's like one person building a \$750,000 house and the Town receiving payment of the municipal taxes associated with that house. That number will vary with the municipal tax rate.

Mary questioned a further piece of apparent misinformation - the statement that Maidstone would receive some of the electrical power being passed through this buried power line. Mary thought this power line was a conduit carrying power through Maidstone, but not power for Maidstone. Bob pointed out that the proposed buried line would add to the power available to the entire New England power grid, but would not go directly to the Town.

- Amy received notice this week that the full \$500,000 is now available for municipal grants through Vermont's Municipal Energy Resilience Program (MERP), and proposals are now being accepted; if the Selectboard is interested, she would like to discuss possible uses for which a grant could be sought with Scott, including solar panels for Town Hall. Scott said he talked with our State Senator Russ Ingalls, who said that if Maidstone needed an NVDA representative to help the Town decide how best to structure spending of such a potential grant, he would arrange for an NVDA rep to attend the next Selectboard meeting. Scott will arrange that with Senator Ingalls.
- The Selectboard has been updated on additional licensing for canines that has come through.
- Amy asked if Bruno had been able to get any information from any propane people related to the generator grant. Bruno said that he had met with two people from Rymes, who did a site visit and were supposed to send a quote to the Town; they told him they would do the required work this month, if approved. Town Hall has received nothing from Rymes. Bruno said he would contact the company's secretary to find out what was happening with the promised quote. Amy has had some luck contacting other companies and hopes to have quotes coming in. Both she and Bruno have been advised that a 500 gallon tank is what should be installed. Amy pointed out that only lights, wall outlets, and a small on-demand water heater would be using a generator in an emergency.

REPORT FROM THE EMERGENCY MANAGEMENT COORDINATOR AND FIRE WARDEN:

Bill Sanborn said the new forestry trailer is now sitting in his yard. He has registered the trailer and is now working on how best to store tools and equipment in the trailer. Scott will be helping with some of that.

The bridge on Lamoureux Road is currently closed. This bridge is normally used by our fire protection and emergency medical services; the necessity to drive around to use the bridge either in Bloomfield in the north or the bridge in Guildhall in the south will add an additional 15 minutes or so to response time. Therefore, both Groveton Fire and Stratford Fire have agreed to respond simultaneously to any issues here in Maidstone. Bill said we need to push for action on the bridge repair because of the impact on emergency response time. Brad has been told that information regarding the length of time anticipated for repairs to be completed should be known by the end of this week. Amy has spoken with Logan Perron of the Vermont Agency of Transportation (VTRANS), who said he has added Maidstone to the State bridge update email distribution list. Prior to the new flooding due to heavy rains, he had said that he expected it would be one to two weeks before assessments were made to determine what needed to be done and to then estimate how long the repair work would take. Due to the State-wide flooding, that may be delayed.

OLD BUSINESS:

Complete review and approval of the new and revised zoning related application forms: Bruno has reviewed the forms and is fine with everything on them; Brad said he is all set. Bruno made a motion to approve the forms for the Appeal of Zoning Administrator Decision, Conditional Use Permit Application, Curb Cut Permit Application, Variance Request, and Zoning Permit Application; Brad seconded the motion. All voted in favor.

Review and approve corrections to "Basic Job Requirements" in the updated Town Clerk job

description: Amy went over the changes needed, including removal of a reference to a Vermont Statute that no longer exists and removal of the responsibility for E911 files that now belongs, according to Vermont

Statute, to the E911 Coordinator for the Town, Bill Sanborn. The other change would be to the requirement to obtain and maintain Certified Municipal Clerk designation. This would require membership in the International Institute of Municipal Clerks, costing approximately \$1200/year. In Vermont, it is more relevant to require Certified Vermont Clerk designation (CVC), to which all of the training provided by the Vermont League of Cities and Towns (VLCT) and the Vermont Municipal Clerk Treasurer Association (VMCTA) applies. After a brief discussion, the Selectboard decided that Amy should make the changes she proposed to the job description. Once those changes have been made and copies of the job description have been given to the Selectboard, the revised job description will be officially voted on.

Open and review bids received for the Taylor Cemetery Project; decide on winning bid: A letter was received from Dirty Rock saying that they could not do the work. One bid was received from R & S Tree & Landscaping. Scott read the description of the work included in the bid and the total amount of \$1827.50 (eighteen hundred and twenty-seven dollars and fifty cents). Amy said that because of the concern about about getting vaults into place in the cemetery, she and Bruno had reached out to the funeral home; the people at the funeral home explained how they do that, which does not require any more road work. That is why R & S Tree & Landscaping did not include any road work in their bid. Brad made a motion to accept the bid from R & S Tree & Landscaping; Bruno seconded the motion. All voted in favor.

Open and review bids received for Trash and Recycling Pickup; decide on winning bid: A bid was received from Hodgdon Trucking for \$54,221.40 (fifty-four thousand two hundred twenty-one dollars and forty cents). A lower bid was received from Duncan and Melissa Dano, but they would only be able to pick up trash and recycling on Wednesdays, as they are committed elsewhere on Mondays. Brad pointed out that trash is often left out after people have spent a weekend at the lake. After some discussion of concerns about leaving trash out two more days for a Wednesday pickup, which would attract attention from animals, and the fact that the Selectboard did not have to take the low bidder, it was decided that the Danos' proposal could not be accepted. The Selectboard thanked the Danos for bidding and for attending the meeting. Brad made a motion to accept the Hodgdon's bid proposal for \$54,221.40; Bruno seconded the motion. All voted in favor. Bob said he would pursue this and get a contract for the Selectboard to sign. Laurie Snowman suggested that the requirement for a Monday pickup be included in the request for proposal. The Selectboard and Bob responded that it had been included; the Danos chose to submit a bid anyway for this three year contract. Amy thanked the Selectboard for making the Monday pickup a requirement; she pointed out that trash is frequently left out after the weekend by people on North Road and Bear Hill Road as well as by people on the lake, so the Monday pickup is important.

Continue review of Purchasing Policy; decide upon revisions needed: The Selectboard began discussing changing some of the dollar thresholds and correlating requirements to obtain quotes or to follow a sealed bid process. Concern was expressed about unexpected road problems that require unplanned expenditures; Amy pointed out that the emergency expenditure clause addresses such road emergencies.

Approving a sole source vendor was discussed, which Brad said was in our policy, but has never been done. That's a person to whom the Town just goes to for the work, he said, which is how Guildhall operates. Scott asked if the \$10K threshold they had been discussing would apply to the sole source vendor; Brad said the sole source vendor would be for all the expenditures/work. Amy said McVetty Construction is effectively the sole source vendor now for Maidstone's road work, according to the way the Town operates; we don't go out seeking bids for that work. Brad said that he does that as the Road Commissioner and because he has the equipment to do the work. Amy said she thought that the Road Commissioner job was different from the job of the Construction Contractor doing the road work. Brad said it has always been one job since he has been doing it; he assumes that is why he was appointed, because he had the equipment to do the work.

Bob pointed out that there are instances where getting bids has come up recently, specifically naming the cemetery mowing, the work on the website, and the landscaping project at Taylor Cemetery. The real reason behind getting a bid, he said, is to get the best number for the Town; for example, Amy did a really good job at getting several different bids for the website work. Brad said with regard to the Taylor Cemetery, "if I remember right, I was going to do a lot more work than this, and I was going to donate my time, and have the Town pay for gravel for the roadway to put in there for, I guess, maybe five or six hundred dollars. So now you are getting less work, and you are paying more money for it. I don't see where this actually amounted to

anything other than costing the Town money.” Scott agreed. Bob responded, “At that meeting, there were two Board members present; you were one of them. We could not advance at that moment to award that work.” Brad said, “I am not saying that we could have. But I’m just saying the Town could have had all this work done for \$600, until I got a two page email telling me what a conflict of interest it was and I wasn’t following the purchase policy. That ended my thing right there, when someone sends me an email telling me how I need to handle a conflict of interest. And I think that person knows who.” Bob said, “I’m just bringing up the point that at that particular meeting, there were two Selectboard members present.” Brad said, “Right. We could have postponed it for another meeting. In fact we did. We talked about it at the next meeting when Bruno came back. I’m just saying I don’t think common sense should be overruling some of this stuff here. We got somebody who is willing to do the work for very little, and now we are paying 1800 to have the same, actually having less done. I’d like to know what the bid would have been if they’d have fixed the road going in there.”

Amy said, “But Brad, there is no reason why you couldn’t have put in a bid and articulated all that,” to which Brad responded, “Yeah, I could have.” Amy continued, “I sent you the email just like any other vendor, because you had shown interest at that meeting. You had the same opportunity. Nobody is saying you can’t do this, and nobody is saying you can’t be kind to the Town.” Brad said, “That is not what I am saying. I am saying it cost the Town more money by sending this out to bid than if they had just hired me to do the job for the price of the gravel.” Amy said, “But if that’s the case, then how do I handle building a new website, and why do I have to get three separate quotes and bring them to the Town for websites, for garbage bags, for annual reports? Why do I have to do all that work for the purchases I make for Town Hall, if other stuff doesn’t have to follow the same rules? I just want it to be consistent. Because if you guys tell me for that for five thousand I don’t have to follow these rules, I’ll just go out and get people to do the jobs and have whoever I want do it. But I think it’s fair for the Town to have competitive bidding, and it’s fair for us to be consistent all across the board.”

At this point, technical difficulties caused more problems with the video and audio from Town Hall freezing, as had happened several times during the meeting, probably due to all of the rain. Intermittent snatches of conversation were heard. The Selectboard had apparently moved on to the **Update about progress with flagpole purchase**. With regard to that, Bob reported that he had run into the limit on the amount of money allowed for purchases with the Town’s debit card online, so he phoned the company involved currently with the flagpole purchase, which is when that company started giving him the runaround. Scott said he would contact the company. Technical issues arose again. Mary and Laurie had questions about what had happened to the discussion about the purchasing policy, if perhaps the Selectboard had tabled the issue.

Bruno then phoned Mary to say that they had decided to table both the Purchasing Policy and the Flagpole Purchase issues until next month, a conversation that the attendees on the Zoom were able to hear.

Bruno then made a motion to adjourn the meeting; Brad seconded the motion. The motion carried. The meeting was adjourned at 8:04 pm.

Respectfully submitted,
Mary von Alt