

Select Board Meeting Minutes

July 23, 2019

Select Board (SB) Members: Chuck Martel (Chuck) and Mike Jordan (Mike)

Select Board Assistant: Patti Lewis (Patti)

Road Foreman: Stuart Hallstrom (Stuart)

Minutes Recorder: Lisa Koitzsch (Lisa)

Guests: Margo Wade (Margo), Doug Mosle (Doug), Karyn Scherer (Karyn), and Seth Thomas (Seth)

Chuck called the meeting to order at 5:12 p.m.

1. Mike made a motion to approve the minutes of July 9, 2019. Chuck seconded, no further discussion, all in favor, motion approved.
2. Slide Brook Road: The SB discussed the status of Slide Brook Road repairs with Margo Wade of Sugarbush in order to determine the extent of the Town's responsibility in fixing the recent damage from a washout. The SB gave Margo a copy of an agreement between SB and Bob Crean that specifies that Mr. Crean or his assigns are responsible for any maintenance of the Class 4 road but that the Town maintains control over the determination of culvert size, any work specifications, and retains ownership of culverts. Clearing for underground power has begun on the southeast side of road up to the driveway to the Crean development. Chuck stated that there needs to be a decision made as to who will finish the road work to fix the damage from the washout. Margo told the SB Sugarbush has generally maintained the road especially when logging operations are conducted in Slide Brook but that no logging has been done in the past few years. She said a large rainstorm plugged one of the two culverts and caused the recent washout and she commented that both culverts appear to be undersized. She had spoken to Mr. Crean recently and he told her that he is responsible for the installation of infrastructure and the road upgrading. He also stated that he and the new property owners are responsible for road maintenance. The development has 4 lots, one is common land and one, Lot 2, has recently sold. Margo reminded the SB skiers use Slide Brook Road in the winter and in the past, the road has not been plowed down to German Flats Road. She is not certain whether this will change given new landownership on the road. She suggested there might be a ski path that could bypass the road in the winter if it ends up being plowed. Right after the rain event, the Town contributed several truckloads of gravel and Sugarbush repaired the mouth of Slide Brook Road, cleaned out the water bars, and flushed out the larger culvert to enable water flow. Margo said she believes that Mr. Crean is responsible for the upgrade of the two existing culverts and Chuck concurred, adding that perhaps the SB needs to write a letter to Mr. Crean detailing his responsibilities regarding Slide Brook Road, including culvert replacement, maintenance, and repair. Margo added that to replace the culverts, it would probably be necessary to obtain a stream alternation permit. Chuck thanked Sugarbush for doing the work on the road.
3. Errors and Omissions: Doug Mosle, Lister, summarized a lister error that was made on Gael Jacobson's property assessment, Parcel ID #02-023. The property value was listed incorrectly due to a software/Lister mistake in the basement calculations, causing the 2019 property tax amount to be grossly inflated. Because this happened after grievance and causes a change to the Town's Grand List, the SB needs to approve the correction. Mike made a motion to accept the Errors and Omissions Certificate that changes the value of the property from \$1,514,600 to

\$277,100. Chuck seconded, no further discussion, all in favor, motion passed. Both SB members present signed the Certificate.

4. Ermione, LLC Land Donation: Chuck reported that Liza Walker of the Vermont Land Trust is working on easement language and a land transfer document and the Town's attorney, Jim Barlow, still needs to review the property and transaction details. There may be more information available at the SB's next meeting. Lisa said the Fayston Conservation Commission will be meeting with Liza in a few days to begin work on the interim management plan that needs to be in place when the property transfer happens and to review possible funding and resources for the public land management process. The SB noted that the land is still privately-owned and that people should respect the No Trespassing signs currently in place.
5. Update on ADA Project: Mill Brook Construction will begin work in early August on the ADA upgrades to the Town Hall. Karyn is putting a contract together and will schedule a preconstruction meeting next week, possibly on Thursday, August 1. She will send the contract to Mike for review before sending to Dave Pratt. The start date for the contract will be August 1, 2019. A SB member should attend the preconstruction meeting so that the contract can be signed. Chuck made a motion to give Mike the authority to sign the construction contract on behalf of the SB. Mike seconded, no further discussion, all in favor, motion passed. Karyn reported she had a good meeting with Stuart about the Town Garage and they will meet again in August. A feasibility study will need to be completed.
6. Road Foreman Update: Stuart reported the Bragg Hill ditch work should be completed by next week. The stone-lining will help with the additional water flowing down from the upper part of Bragg Hill. The lower access culvert going into the field below the new construction's driveway needs to be replaced. Ron Graves, construction contractor, will be talking to the owner about this. Kingsbury's has fixed the driveway and Stuart hopes this will improve things. The excavator rental will be returned next Thursday. Gravel crushing will be scheduled for the end of August although Stuart hopes it can be sooner. Paving on Bragg Hill is completed but one driveway needs to be redone. The washout at the bottom of Top of the Valley Road will be fixed once the road settles a bit. Mike and Stuart will visit the Griffin property this week. In response to an email from Mark Savino, Stuart said that there is nothing wrong with the culverts on Farm Road but that culverts will get plugged if they don't get much use. He added that there has never been a berm on that road and that nothing has changed since the Town took over the road maintenance. Mike will respond to Mark Savino's concerns.
7. Other Business: Seth Thomas asked the SB for some updates on several issues he was concerned about and thanked Stuart for doing such a good job on road maintenance. Stuart said there is a long-term plan to fix Number 9 Hill, including working with a landowner to move the road over away from the bank. Paving on Route 17 has been delayed for a while as the state has been focusing on other priorities. In response to a question about skier accessibility on Slide Brook Road, Mike said it will be up to Sugarbush, new landowners and the Town to establish a right of way for skiers and that this might be a good time to discuss this issue. Seth expressed concern that development of the Boyce Road property had been turned down but the SB corrected him and said the property had been approved for an 8-lot subdivision by the DRB. The current owner has decided to gift the 93-acre property to the town and the Vermont Land Trust is working with the Town to put together a conservation easement on the land. The Fayston Conservation Commission will work with the public on a land management plan once the property has been conveyed. Seth supports the land conservation and trail access but is concerned about liability regarding the pond. He asked for his email to be added to any updates from the Town regarding this property. In response to a question about Fayston Elementary, Mike said there have been several suggested plans for district reorganization but only one of them suggests the school will

stay open. The buildings are currently owned by the school district but if they are not used for education, ownership will revert to the Town. Regarding the LOT issue, Mike said Fayston has voted to be a part of the negotiation with other towns to establish a structure for the LOT and said there is more information about this issue available through the MRVPD's website. Seth expressed that the LOT will not work, could adversely affect his business, will not fix the Valley's housing issue, and that the state will get too much of the funds. Mike suggested that the LOT could help especially if money accumulates over the years in a reserve fund. He also said that the LOT will follow state tax laws and will not tax anything that the state does not.

8. Excess Weight Permits – The SB approved and signed an excess weight permit for Bacon Trucking, Bristol, VT.
9. SB read mail and signed orders.

At 6:20 p.m. Mike made the motion to adjourn the SB meeting. Chuck seconded, no further discussion, all in favor, motion approved.

The next SB meeting is **August 13, 2019 at 5:00 p.m.** at the Robert Vasseur Municipal Building.

Respectfully submitted,

Lisa O. Koitzsch

Approved: Jared Cadwell