

PENDING APPROVAL

Town of Lincoln, Vermont
Minutes of Select Board Meeting
Lincoln Town Office
October 16, 2018

At 6:00 p.m. the following met with Maura Carroll, Executive Director of VLCT: Bill Finger, Chair; Board Members Ellie Bryant and Paul Forlenza, and Select Board Assistant/Bookkeeper Ann Kensek. Ms. Carroll began her tenure as VLCT Executive Director ~~two~~three years ago on retirement of long-time Executive Director Steve Jeffrey. The purpose of her presentation to the Select Board was to introduce herself and discuss VLCT initiatives and specific Lincoln concerns that may be shared by some other or all Vermont towns. Dinner was offered during the meeting.

Regular Select Board meeting convened at 7:00 p.m.

In attendance: Bill Finger, Chair; Board Members Ellie Bryant, Paul Forlenza. Select Board Assistant/Bookkeeper Ann Kensek. Citizens James Cornett and Sun Ray Peace Village representative Reverend David Walker, Andrew Tobey, Vice President of the Sun Ray Land Trust, Venerable Dhyani Ywahoo, Maura Carroll. Absent, Oakley Smith and Will Sipsey.

MOTION by Paul Forlenza, second by Ellie Bryant, to approve the meeting agenda. Report on Burnham Hall Centenary, Front Porch Forum support, and November meeting dates were added to the agenda.

MOTION PASSED as amended 3-0-2.

MOTION by Paul Forlenza, second by Ellie Bryant, to approve minutes of meeting of October 2, 2018, as amended.

MOTION PASSED 3-0-2.

Will Sipsey arrived at 7:05.

Citizen concerns and comments:

Special issue: Town enforcement of conditions for permitted uses. Neighbors James Cornett and Sun Ray Peace Village expressed differing views of compliance/noncompliance with town permit conditions governing land and building development and uses.

N.B. The Select Board holds no quasi-judicial role in this matter. Claims/appeals of non-compliance are first brought to the Zoning administrator. The Zoning Administrator's decision can be appealed to the Zoning Board of Adjustment (ZBA). The ZBA's decision can be appealed to the State Environmental Court. Decisions of the Environmental Court can be appealed to the Vermont Supreme Court. The Select Board, to some degree, may control the scope or extent of litigations by its decisions to fund legal representation. This meeting was solely for the Select Board to hear Sun Ray's perspective on the allegations that Mr. Cornett has brought to our

47 attention. No decision was required or expected at this meeting.

- 48
- 49 • Mr. Tobey explained issues with Mr. Cornett regarding the tree boundary situated
 - 50 between the Peace Village and Mr. Cornett's property. The arbor vitae trees have been
 - 51 damaged by deer.
 - 52 • Venerable Ywahoo expressed her belief that the Peace Village has been responsible in
 - 53 maintaining the tree boundary.
 - 54 • Mr. Hall stated that he does not believe Sun Ray is in default regarding the trees but is in
 - 55 violation of the zoning requirement to gravel the driveway.
 - 56 • Reverend Walker stated that discussions are in process to move the parking area to a
 - 57 higher location, which should solve the issue of car noise and lights affecting Mr.
 - 58 Cornett's property.
 - 59 • Mr. Hall stated that a 13-sided building is located too close to the boundary line but has
 - 60 not increased the zoning nonconformance.
 - 61 • The only real issue, Mr. Hall stated, is the noncompliant parking lot.
 - 62 • Mr. Cornett read from a zoning permit stating that any additional construction at Sun Ray
 - 63 Peace Village would put a strain on the town. Mr. Hall disagreed with Mr. Cornett's
 - 64 claim that the 13-sided building is noncompliant.
 - 65 • Mr. Hall stated that the ZBA requires a certificate of occupancy, the responsibility for
 - 66 which rests with the property owner rather than the ZBA.
 - 67 • Mr. Hall and Mr. Cornett agreed that once the parking lot and driveway are relocated, the
 - 68 major issues in the dispute will have been resolved.
- 69

70 All citizens except Ms. Carroll exited the meeting at this point.

71

72 Because of the November 6 election, the next Select Board meeting will be October 30. The

73 following meeting will be held on the regular meeting date of November 20.

74

75 Highway Report:

- 76 • On Monday, October 15, Paul, Bill and Dave met with Robert Clark, P.E. of Otter Creek
 - 77 Engineering (OCE) to review the scope of OCE's analysis of the proposed sand resource
 - 78 approved at the October 2 Select Board meeting.
 - 79 • Dave Cavoretto is having plows attached to trucks in anticipation of a snow forecast.
 - 80 • Quaker Street paving from Downingsville Road to Zeno Bridge ~~using BBR and~~ Class 2
 - 81 grants will begin this week.
 - 82 • Purchase/lease estimates have been acquired from Milton CAT for the grader that was on
 - 83 display at the October 2 meeting. The FY20 budget line for a grader is \$33,600. CAT
 - 84 offers a 10-year annual up-front lease-purchase payment of \$30,932. Alternatives are 5-
 - 85 year or 7-year lease-purchase agreements or paying a net price of \$250,000.
- 86

87 MOTION by Paul Forlenza, second by Ellie Bryant, to give tentative approval to lease or

88 purchase the CAT 12M3AWD at a net cost of ~~\$250,000~~ \$250,000.

89 MOTION PASSED 4-0-1.

- 90
- 91 • Paving is planned for Quaker Street, West River Road, Creamery Street and East River
 - 92 Road in conjunction with completion of the box culvert project there. There was some

93 confusion in the state's approval of three Cat B Better Back Roads Grants for drainage
94 work on Quaker Street. Two of the applications were nearly identical. Re-application
95 needs to be made for Cat B funds for the Quaker Street section between mailbox 318 and
96 Elder Hill Road. The other two grants are complete. Quaker Street milling and paving
97 will be done under the VTrans Class 2 roadway grant.

- 98 • East River Road structure construction is nearing completion. Tim Parent anticipates
99 guardrail installation late this week or early next. There will be some minor drainage
100 ditch work and slope improvement in front of the mill.
- 101 • HRRR punch list has not yet been addressed by the state. The Town contracted with
102 Freshcoat to paint the school crosswalk because the HRRR contractor still has not
103 returned to complete project punch list items.
- 104 • Regarding BBR Cat A Road Erosion Inventory Grant, discussion ensued about whether
105 to hire a private engineering firm rather than using Addison County Regional Planning
106 Commission. ACRPC can provide the inventory training and computer for a town
107 designated employee, which has a certain cost advantage as well as in-house ability to
108 keep the inventory updated. A private contracted firm would most likely require an
109 additional fee for on-going updates.

110
111 MOTION by Ellie Bryant, second by Bill Finger, to hire Addison County Regional Planning
112 Commission to work on the application for regional planning to perform the BBR Category A
113 Road Erosion Inventory.

114 MOTION PASSED 4-0-1.

- 115
116 • BBR Category D large structure greater than 36" grant application will be submitted for a
117 large culvert near Brian McDonough's house.
- 118 • It needs to be determined where to apply approximately \$16,000 2019 DEC Municipal
119 Grant in Aid for ditching and drainage work. Colby Hill was suggested.
- 120 • Salt/Sand shed: No action taken at this time.

121
122 Budget and Finance:

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124 Paul Forlenza presented check warrants.

125
126 MOTION by Paul Forlenza, second by Ellie Bryant, to approve Accounts Payable Warrant 19/16
127 in the amount of \$65,184.85. Highlights: 5400 gals of liquid calcium @ \$4400, 462 yards of
128 gravel @ \$9 and 168 yards @ \$10 for a total of \$5800, milling on Quaker Street \$5800, sealing
129 cracks and line painting \$7500, 378 yards gravel \$4500 and 276 yards gravel \$3300, partial
130 payment for weatherization of town garage \$7600, \$2200 into property tax escrow.

131 MOTION PASSED 4-0-1.

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133 MOTION by Paul Forlenza, second by Bill Finger, to approve Payroll Check Warrant 19/15 in
134 the amount of \$4228.99 and Payroll Check Warrant 19/16 in the amount of \$3632.73.

135 MOTION PASSED 4-0-1.

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137 MOTION by Ellie Bryant, second by Paul Forlenza, to approve a donation of \$100 to Front
138 Porch Forum's supporting member campaign to come out of Select Board miscellaneous

category. Discussion: Noble causes may request contributions in the future. This is a small cost for a good advertising medium to post notices of town events, road closures etc.

MOTION PASSED 4-0-1.

- Ann Kensek reported on general and highway fund budget for FY19. Payroll is at 25%. Gravel is at 44%. Winter sand is \$26,000, under budget. Chloride is at 56% of budget.
- Estimated \$180,000 total for paving Quaker Street, \$5,000 above the Class 2 paving grant of \$175,000 according to D&F Paving estimates. To draw down the full \$175,000 grant the state requires the town to demonstrate a total paving project cost of \$218,750. Use of town equipment, personnel and contractors will bring the cost close to the requirement.
- Close to two miles of road will be paved under the current budget and grants.

Public Safety:

- On Thursday, October 4, a dozen people attended the town forum on Community Safety and Substance Use and Prevention at Burnham Hall. Presenters included Matt Atkins of Lincoln Fire and Rescue, Lincoln Constable Josh Otey, Vermont State Police officer Matt Daley, Addison County United Way Prevention Coordinator Jesse Brooks, Trish Lafayette, and Turning Point Executive Director Stacy Jones. NEAT video recorded the meeting, which may be viewed at <https://videoplayer.telvue.com/player/6t4JFD38pkivJz72qlakWmYVbn6wB-u/media/385574?autostart=false&showtabssearch=true>.
- Bristol Police Chief Bruce Nason is in the process of requesting approval from the town of Bristol to possibly implement a contract with Lincoln regarding speed enforcement.
- An update on radar speed sign vendors and costs was presented. Ellie recommends purchasing two signs from Traffic Logix and will inquire about the mounting system and find a local installer. The location for placement of the signs was not decided.

MOTION by Will Sipsey, second by Ellie Bryant, to purchase two radar speed signs from Traffic Logix at a total cost not to exceed \$6000.

MOTION PASSED 4-0-1.

- For the 2019 Burnham Foundation Centenary, each Lincoln organization, including the Select Board, will sponsor an event during the year to honor the mission of founder Walter Burnham. A suggestion was made for the Select Board to sponsor a Walter Burnham Community Scholarship of \$500 to be awarded to a high school junior in the spring of 2019 based on an essay responding to the student's community involvement activities, funds to be provided by the Burnham Foundation. There was consensus that the scholarship is a good idea. Approval will be voted on at a later meeting with the Burnham Committee.
- A power line is leaning toward the church building, correction of which may offer an opportunity to request that GMP redesign the power grid to make the lines more attractive in the downtown area. A discussion will be held with the power and telephone company/companies.

MOTION by Paul Forlenza, second by Will Sipsey to summon the phone company and the power company to a Select Board meeting regarding the aesthetics of the poles located in

185 downtown Lincoln.

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187 MOTION PASSED 4-0-1.

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189 Will Sipsey stated that an abandoned house on South Lincoln Road located on town property is
190 in disrepair and should be condemned. He will reach out to attorney Benjamin Putnam about the
191 process of condemning the house.

192

193 Meeting adjourned at 9:45 p.m.

194

195 Respectfully submitted,

196 Ellie Bryant

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198 Clarifications added by Bill Finger for SB consideration and approval at the next regular
199 meeting.