

Pending Approval

Town of Lincoln, Vermont
Regular Selectboard Meeting

(This meeting held from multiple remote locations via GotoMeeting).

Tuesday, May 19, 2020, 6:30 PM

In Attendance: Selectboard Chair, Bill Finger; Vice-Chair, Paul Forlenza; members Oakley Smith, and Bay Jackson; Select Board Assistant/Bookkeeper, Ann Kensek; Selectboard Clerk, Sarah Summers

Guests: Road Foreman, Dave Cavoretto; State Reps, Caleb Elder & Mari Cordes (7:30 PM)

Bill called the meeting to order at 6:34 PM:

1. *Agenda adjustments and approval

- a. MOTION BY BILL, SECOND BY PAUL, TO APPROVE THE AGENDA (AS AMENDED TO INCLUDE ADDED ADDENDA OF EMERGENCY MGMT. PLAN UNDER ITEM 8D AS WELL AS AN EXECUTIVE SESSION BY OAKLEY). NO DISCUSSION. VOTE CALLED AND PASSED. (4-0-0-1).

2. *Approve 5-05-2020 regular meeting minutes

- a. MOTION BY BILL, SECOND BY PAUL, TO APPROVE THE MINUTES FROM 5-05-20 REGULAR MEETING(as clarified and distributed). NO DISCUSSION. VOTE CALLED AND PASSED. (4-0-0-1).

3. Citizen comments:

- a. NONE

4. Highway report:

- a. **Driveway access permit request – Chris Acker – Elder Hill Road – Report/Update/Decision
 - i. On May 5th, Will and Dave met with Chris Acker and his daughter on-site. Dave said it was a very productive meeting and that he recommended the culvert be moved up approx. 35-40 feet from the location of the existing driveway culvert. Dave explained that Chris and Melanie are on board with the culvert relocation plan. Paul inquired about the precise location of the proposed culvert and if they were any alternatives discussed at the May 5th meeting. Dave expressed confidence in the proposed location; he said the new culvert will sit flush with the road and it will accommodate more water. Dave noted that there is no other suitable option. Dave mentioned that the existing culvert does not work very well and the new one would be much more substantial. **The new culvert will include a substantial concrete heard to reduce the probability of overflow.**
 - ii. MOTION BY PAUL, SECOND BY BAY, TO APPROVE THE DRIVEWAY ACCESS (AS RECOMMENDED BY DAVE), PLACING CULVERT FURTHER UP ELDER HILL. NO FURTHER DISCUSSION. VOTE CALLED AND PASSED. (4-0-0-1).
 - iii. Bill explained the recent arrangement of a meeting between Dave, Ashley Bishop (VTRANS), and ~~Christie-Kristi~~ Lafayette regarding ~~Christie's-Kristi's~~ drainage issue on her property. Dave said the meeting went fairly well

45 and Ashley recommended mitigation through the use of additional
46 culvert piping **at Kristi's cost**. There is a possibility of getting
47 recommendations/estimates from Acker or Atkins. Oakley asked why this
48 issue concerns the Town; Bill explained that the Town has made no
49 commitments to this project. Further discussion on drainage routes and
50 possibility of relocating. Bill and Dave explained the inability to divert
51 water without extremely substantial infrastructure changes which are not
52 feasible. Bill noted that it would just create new drainage issues.

53 b. Road Maintenance Update:

54 i. Grading/Ditching: (**Missing content: audio issue). Dave said **most roads**
55 **have been graded and are in pretty good shape**, more ditching to be
56 done next week.

57 ii. Gap Road drainage and opening: Dave said that the Gap Road is officially
58 open as of this morning and that all of Lincoln's signage is down. He
59 noted that Warren still has their signs up. Dave noted that he is out of
60 money for gravel, and he will likely be a bit over budget. Paul and Dave
61 **will** discuss gravel budget.

62 iii. Grant application and reimbursements: Bill explained that two
63 applications were submitted to VTRANS on Friday: one is a Class 2 for
64 Downingsville Road. Second was a structures application for the culvert
65 **on Grimes Road** that washed out on Halloween last year. There has been
66 an estimate performed by Tim Parent (Parent Construction) based on the
67 preliminary hydraulic study where they determined existing culvert is
68 only a third of the size it should be. Estimate was \$360,000. Applied for
69 \$175,000 of the \$360,000. Paul asked about reserve funds and budgets;
70 Bill clarified the longer-term timelines and that the Town has two years
71 to complete the projects.

72 iv. Other grants: Browns Road: Bill explained that the reimbursement
73 **request had moved up been submitted** and the Town can anticipate
74 receipt (per **Mike Winslow, ACRPC**). Natural Turnpike: Bill said that
75 reinforcement has been completed and the Town is awaiting receipt of
76 invoice from **Lucas Nezin**. Quaker Street: Bill noted that the
77 reimbursement has been received. He added that the reimbursement
78 request for South Lincoln Road is pending. Ann said she spoke to James
79 Marshall (VTRANS); he said they anticipated the application would go
80 through. Further discussion on the timing of receipt of funds.

81 c. Equipment and vehicle maintenance

82 i. Dave **celebrated-noted** the completion of the Western Star
83 repairs/maintenance and the upcoming sale to Charlebois later this week
84 or early next. Bill noted the need for a detailed Bill of Sale.

85 d. Sand pit – update on permitting process Planning Commission Sub-Division
86 hearing 5/21

87 i. Bill noted that Otter Creek Engineering and Larose Surveyors have been
88 **busy-working** on the **survey of the North-end-of-theNorton** property. The

89 subdivision meeting is open to the public and scheduled for Thursday at 7
90 o'clock. Bill has sent notification to the Planning Commission, Norton,
91 Otter Creek Engineering, etc. It was noted that some members do not
92 have the ability to join meetings remotely and that assistance from
93 ~~family/friends is to be provided~~ will be sought. Oakley mentioned that
94 other members of the public would like to attend.

95 e. 2020 Paving Plan

- 96 i. Bill presented a paving spreadsheet outlining various
97 projects/costs/funds. He outlined the need of additional pavement for
98 several projects. He summarized remaining grant funds, paving reserve
99 funds needed, etc. Highlights: ~~There is a proposal~~ Then plan is to add 2
100 inches of finish course to W River Rd section. The Quaker Street projects
101 are broken down into 3 segments due to grant structure; the total is just
102 under a mile and it needs a finished layer. Bay asked if it would include
103 the section of road going down to the Store; Bill confirmed it would be
104 included. The South Lincoln Road projects are broken into 4 segments
105 and Category D Better Roads funds ~~have been applied for to fund two~~
106 ~~large culverts that need to be installed before paving can be done to be~~
107 ~~used for other part of project~~. Bill also introduced the Downingsville
108 Road project and Dave/Board members noted the particular need to
109 invest in that section of road. Bill would like approval from the Board so
110 Dave can proceed in paving ~~discussions~~ planning and scheduling.
111 ii. MOTION BY PAUL, SECOND BY BAY, TO APPROVE THE PLAN FOR PAVING
112 (AS PRESENTED BY BILL FINGER) INCLUDING 1 SEGMENT OF WEST RIVER
113 ROAD, 3 SEGMENTS OF QUAKER STREET, AND 4 SEGMENTS OF SOUTH
114 LINCOLN ROAD. NO FURTHER DISCUSSION. VOTE CALLED AND PASSED.
115 (4-0-0-1).

116 f. Other business:

- 117 i. NONE

118 **5. State Reps Caleb Elder & Mari Cordes – Info regarding state financial assistance to**
119 **towns**

- 120 a. Mari did a broad overview of developments surrounding healthcare, EMS,
121 unemployment, and Selectboard authority regarding education/property tax.
122 She explained that House Healthcare Committee had been working on a number
123 of bills prior to the pandemic. Some summaries included:
124 i. EMS Bill: Bill to increase EMS funding, which was originally passed
125 unanimously but was later amended and stripped in response to CV-19
126 pandemic. Bill includes budget recommendations to help fund EMS
127 (beyond the \$300,000+ already appropriated (pre-CV19)) for the Dept. of
128 Health EMS training fund. Mari noted an urgent need to assist the EMS
129 system which was already in crisis prior to CV-19.
130 ii. Pandemic Omnibus Bill: Signed by the Governor, an outline of emergency
131 measures instated to increase flexibility of various agencies' ability to
132 respond, including increasing workforce, eliminating copays for CV-19

133 testing/treatment, etc. This bill has given pharmacists the authority to
134 refill regular medications as well as included telehealth medicine
135 directives for insurance companies. Mari also mentioned the lack of
136 broadband capabilities in various rural areas in the State. She noted that
137 health insurance enrollment was extended twice, now until June 15.

138 iii. Mari explained that she and other legislative members have taken on the
139 role of assisting the Dept. of Labor in regard to the unemployment influx.
140 She said that she has assisted people who can't get in touch with the
141 Unemployment Office and noted some specific citizen instances of
142 extreme difficulty getting through to the Dept. of Labor. She explained
143 that it is unusual for the public to reach out to legislators as opposed to
144 the of Dept. of Labor and that soon all responsibility will transition back
145 under the Dept. of Labor umbrella. She mentioned the Statewide
146 antiquated computer system.

147 b. Caleb spoke about a few bills, all of which fall under the category of increased
148 flexibility for municipal governments; (in acknowledgement of the severe impact
149 of CV-19 on revenue streams). Paul inquired about town responsibility for paying
150 school district regardless of available funds. Caleb noted the complex structure
151 of the State education system and that uniformity would be helpful. Bill
152 highlights:

153 i. S344: Originated in senate and is now "Session Law", which means it is
154 temporary and will expire. This bill authorizes legislative bodies to do
155 three things:

- 156 1. Extend timeline or establish new timeline/method of payment for
157 property taxes.
- 158 2. Reduce or waive penalties/interest/fees for late payments.
- 159 3. Adjust municipal tax rates for the *calendar* year 2020.

160 ii. H947: Caleb noted that this bill is on the Senate calendar for tomorrow. It
161 is intended to provide selectboards with temporary authority to adopt
162 municipal tax rates for the next fiscal year (provided that the municipality
163 has not held annual or special meeting). This allows selectboards to
164 approve budgets without a town vote, which is a significant possible
165 change for municipalities. Caleb explained how this relates current school
166 board conversations and the prickly nature of various FY21 budget
167 discussions.

168 iii. H948: Gives authority to municipalities to perform quasi-judicial
169 proceedings remotely.

170 iv. H951: Currently in Senate appropriations and has passed in the House.
171 This would establish Municipal Emergency Statewide Property Tax
172 Program. This would create a special fund and a set of rules to be the
173 responsibility of the State.

174 v. Mari spoke about the national conversation surrounding the CARES Act,
175 which would allow municipalities to have interest free loan. Bill noted
176 that it is a state-imposed tax, which the Town is required to both collect

177 and distribute. He asked why the State doesn't take over the
178 responsibility. Mari deferred to Bill H954 Section 4, introduced by the
179 Committee on Ways & Means which introduces an implementation plan
180 to transition responsibility for billing and collecting from the
181 municipalities to the State.

182 vi. Paul inquired about the procedures surrounding Bill H951 and how it will
183 function if funds are missing. Caleb suggested waiting to see what
184 happens in the Senate. Paul noted the Town's ability to borrow against
185 unpaid tax funds. He also asked if school budgets are expected to change.
186 Caleb explained that the revenue for FY20 has a significant hole (due to
187 loss of sales tax and rooms & meals tax) and that FY21 differs since some
188 districts have not established budgets yet. Caleb suggested using federal
189 funds to solve the revenue problem.

190 vii. Bill followed up with Caleb about his inquiry into timely receipt of road
191 grant funds. Caleb said he had passed Bill's questions along to the
192 Transportation Committee, but he had not received much of a response
193 yet. Caleb mentioned that he wasn't sure if there is a formal statutory
194 way to address Bill's concerns. Bill noted that it takes a longer time than
195 seemingly necessary for the legislature to make the final appropriations,
196 which falls under the legislative umbrella. Bill noted that making drastic
197 changes to process in the middle of existing applications has a certain
198 quality of unfairness.

199 **6. Budget & Finance:**

200 a. *Approval of check warrants:

201 i. MOTION BY PAUL, SECOND BY BAY, TO APPROVE (BOTH PAYROLL
202 WARRANT #20/46: \$3,475.50 & PAYROLL WARRANT #20/47: \$3,783.16.
203 NO DISCUSSION. VOTE CALLED AND PASSED. (4-0-0-1).

204 ii. MOTION BY PAUL, SECOND BY BILL, TO APPROVE ACCOUNTS PAYABLE
205 WARRANT #20/47: \$42,803.38. (Highlights included: 2 invoices totaling
206 about \$12,000 for gravel, overpayment of property taxes, \$2,000 for
207 ditching, \$3,000 for second payment on sidewalk consulting, \$4,500 for
208 health insurance, \$1,300 for storm water operating fee). VOTE CALLED
209 AND PASSED. (4-0-0-1).

210 b. **Contingency planning for potential revenue loss due to COVID-19 economic
211 impact: NONE

212 c. Other business:

213 i. NONE

214 **7. Admin & Personnel:**

215 a. **Employee Safety Policy as required by VOSHA for reopening town facilities:

216 i. Dave said safety procedures going very well and that employees are
217 working in staggered shifts. Dave noted the difficulty in acquiring
218 sanitizing wipes; Bay to facilitate with procurement through the
219 Middlebury Co-Op.

220 b. **Sally & Ann – proposals for use of the Town Office:

- 221 i. Ann explained how she and Sally have discussed physical barriers,
222 workspace reorientation, etc. She noted that the plexiglass has not been
223 installed yet. Sally is considering using the conference room for title
224 searches. She explained the continued use of staggered shifts and only
225 one person working at a time. Ann to check in with Sally about the
226 increasing need to allow visitors and additional personnel into the Town
227 Office. The Board recognized the need to establish policies surrounding
228 in-person operations at Town facilities.
- 229 ii. Paul noted that in-person voting will be an option for the primary in
230 August and there is a high likelihood of an increased need for volunteers
231 should mail-in ballots be instated in the Fall. Paul asked Bill to add this to
232 the agenda. Bay mentioned the possibility of potentially safe in-person
233 voting this year.

234 c. Other business:

- 235 i. NONE

236 **8. Public Safety:**

237 a. ****Policy & procedure for Green-Up Day – May 30:**

- 238 i. Bill summarized the draft policy for Green Up Day and opened the floor
239 to suggestions. Paul asked why Green Up Day was still being held given
240 the risk of the virus; Bill explained that State Green Up leadership has
241 officially changed the date to May 30. Dawn has cancelled the festivities
242 at the Firehouse.

- 243 ii. Dave noted the equipment necessary for the day, various trailers for
244 tires/trash/metal. He suggested donating revenue collected for metal
245 recycling to Moose Rubbish for his continued great service and
246 accommodation to the Town of Lincoln.

- 247 iii. MOTION BY PAUL, SECOND BY OAKLEY, THAT ANY REVENUE FOR METAL
248 RECYCLING WILL BE PAID TO MOOSE RUBBISH & RECYCLING FOR THE
249 REST OF FY20 AND FY21, NO FURTHER DICUSSION. VOTE CALLED AND
250 PASSED. (4-0-0-1).

- 251 iv. MOTION BY BILL, SECOND BY BAY, TO ADOPT GREEN UP DAY POLICY AND
252 PROTOCOL AS PRESENTED (WITH THE REMOVAL OF ANY REFERENCE TO
253 SATURDAY JUNE 6. NO FURTHER DISCUSSION. VOTE CALLED AND
254 PASSED. (4-0-0-1).

255 b. ****Extension of Transfer Station permits to August 15:**

- 256 i. MOTION BY PAUL, SECOND BY BAY, TO EXTEND THE VALIDITY OF
257 CURRENT TRANSFER STATION STICKERS UNTIL SEPTEMBER 1, AND TO
258 AUTHORIZE THE TOWN TO SEND OUT NEW STICKERS WITH TAX BILLS IN
259 AUGUST (FREE OF CHARGE). NO FURTHER DISCUSSION. VOTE CALLED
260 AND PASSED. (4-0-0-1).

261 c. ****Issuance of new permits: (SEE ABOVE MOTION-~~BEGINNING LINE 273~~).**

262 d. **(**ADDITION TO AGENDA): APPROVAL OF LOCAL EMERGENCY MGMT PLAN**

263 **(LEMP):** Ann outlined the simple plan that is updated annually. She explained
264 that it is very straightforward, but it is important to keep all up to date. Andrew

265 at Regional Planning will send the info to the State. The LEMP helps the Town
266 receive the maximum amount of funding from grants. Hazard Mitigation Plan is
267 also in process.

268 e. MOTION BY PAUL, SECOND BY BAY, TO APPROVE THE LEMP (LOCAL EMERGENCY
269 MGMT PLAN) FOR THE TOWN OF LINCOLN. NO DISCUSSION. VOTE CALLED AND
270 PASSED. (4-0-0-1).

271 **9. Board Member Concerns:**

- 272 a. VLCT Training – Registrations/postponements:
 - 273 i. NONE
- 274 b. Other business:
 - 275 i. NONE

276 **10. Executive Session:**

- 277 a. ****Decisions (if any on any matters discussed in executive session):**
 - 278 i. MOTION BY OAKLEY, SECOND BY PAUL, TO BEGIN EXECUTIVE SESSION TO
279 ADDRESS A LEGAL MATTER (ATTENDEES TO INCLUDE ONLY THOSE
280 BOARD MEMBERS CURRENTLY IN SESSION). NO DISCUSSION. VOTE
281 CALLED AND PASSED. (4-0-0-1).

282 **11. Adjourn:**

- 283 a. Meeting Adjourned: **8:49 PM**

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285

286 Respectfully submitted,
287 Sarah Summers

288
289

Clarifications suggested for SB approval 6/3 added 5/21 by Bill Finger