

1 Pending Approval

2 Town of Lincoln, Vermont  
3 Regular Selectboard Meeting

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

5 Tuesday, June 16, 2020, 6:30 PM  
6

7 **In Attendance:** Selectboard Chair, Bill Finger; Vice-Chair, Paul Forlenza; members Oakley Smith  
8 (7:08 PM), Will Sipsey, and Bay Jackson; Select Board Assistant/Bookkeeper, Ann Kensek;  
9 Selectboard Clerk, Sarah Summers

10 **Also present:** Road Foreman, Dave Cavoretto; Ralph Meima (Green Lantern Solar).  
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12 Bill called the meeting to order at 6:42 PM:  
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14 1. **\*Agenda adjustments and approval**

15 a. MOTION BY PAUL, SECOND BY BAY, TO APPROVE THE MEETING AGENDA. NO  
16 DISCUSSION. VOTE CALLED AND PASSED. (4-0-1)

17 2. **\*Approve 6/02/2020 regular meeting minutes & 6/09/2020 special meeting minutes:**

18 a. MOTION BY PAUL, SECOND BY BAY, TO APPROVE BOTH THE 06-02-2020  
19 REGULAR MEETING MINUTES AS WELL AS THE 06-09-2020 SPECIAL MEETING  
20 MINUTES (NORTON PROPERTY), (AS POSTED AND CLARIFIED BY BILL FINGER). NO  
21 DISCUSSION. VOTE CALLED AND PASSED. (4-0-1).

22 3. **Citizen comments:** NONE

23 4. **Highway report:**

24 a. **Quaker Street Drainage Update:**

25 i. Dave explained that another meeting was held yesterday with Kristy  
26 Lafayette and Jim Ryan (Dept. Of Environmental Conservation) regarding  
27 the drainage on her land. Dave noted that a letter had been sent to the  
28 Governor and Jim was compelled to attend the meeting. Dave said that  
29 Jim was very fair in his discussions with both parties, but it was concluded  
30 that the flow of water cannot be avoided. Bill noted that Kristy will be  
31 moving forward with well water testing. She had it tested when the home  
32 was purchased and all was deemed safe, but she now says her water has  
33 a bad taste. Further discussions will likely continue if contaminants are  
34 present. It was noted that if contaminants are found, it will be difficult to  
35 pinpoint the source. Will noted that the Town has a legal right to  
36 discharge water and that other Townspeople share her experience; he  
37 added that it sounds like a preexisting issue and it should be brought to  
38 the sellers. Dave noted that he believes the meeting was the sixth of its  
39 nature.

40 b. **\*\*Road maintenance update:**

41 i. **Grading/Ditching:** Dave told the Board that he is unable to grade when  
42 conditions are so dry; he and Wayne will be taking a few days off. Atkins  
43 and Sargent are both available for emergencies.

44 ii. **Gap Rd. winter maintenance change request:**

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1. Paul and Bay informed the Board about their recent meeting with Thayer & Lea Osborne at their property on the Gap Road (to discuss the potential of plowing to their ideal proposed access). Bay explained the layout/best areas for access (higher up the road than likely desired for the purpose of plowing). Brief discussion on Gap Road plowing history/distance of plowing; Dave clarified that the Town has never plowed beyond the log cabin. Bay added that it is a Class 2 Road and they are tax-paying citizens, and that it seems a good opportunity for cooperation. Paul noted that they were informed about the inability to add access prior to the purchase of the property.
  2. Paul informed the Board about a potential statutory obligation that may dictate the Town's next actions: (Title 19/Sec 314 suggests the Town needs to maintain the road unless a public hearing process takes place). Paul added that if no action is taken by the Board, the Osborne's will likely be requesting that the hearing process be initiated.
  3. Bay reiterated the Osborne's determination in gaining access to their property site and that current Lincoln access parameters were referenced/given much consideration in terms of the project. Bay added that some features of the site (% grade) are not dissimilar to other Town-maintained roads. She added that some common parameters of the Access Ordinance would be difficult to comply with (if an access point *other* than the one proposed at the "landing" area higher up were to be used).
  4. Bill reiterated that the Osbornes came to the Board three times prior to purchasing the property and were told that the Town would not plow beyond the stopping point.
  5. Will noted the Town's historical difficulty in making improvements within Forest Service maintained areas; he added that the Osbornes seem to be coming up with some workable solutions that may have positive impacts for the Town and its people.
  6. Oakley mentioned that the Board was very clear about not granting access from the onset. He highlighted the probable significant burden it would bring to the plow route. Oakley reiterated the importance of considering the financial impact on *all* of Lincoln's tax-paying citizens. He noted the clear benefits to both the Town and the property owners and that it seems like land-stewardship is a priority for the Osbornes. Paul asked about the cost to plow; Dave said Atkins or Masterson can likely provide a quote.
  7. Dave illustrated the harsh winter conditions on that section of road and the unmanageable nature of them; he was clear that he would not be happy about the decision and that he would have to

89 outsource the work. He added that it would also need constant  
90 and heavy sanding. Dave asked about school bus routes: the  
91 Osbornes have children; will Lincoln be required to add this  
92 stretch of road to the bus route should access be permitted? Dave  
93 restated his discomfort and the potential for endangerment.

94 8. Bill advised the Board to begin gathering all necessary information  
95 (costs, impacts) and researching existing statutes to prepare for a  
96 formalized process. Brief discussion on legal representation and  
97 zoning-specific attorneys. Ann added that should a vote be  
98 required-it should be a part of the Primary or the November  
99 election and the Town should keep logistics in mind. Paul and Bay  
100 to collaborate on next steps.

101 **iii. Grant applications and reimbursements: -**

102 **iv. Paving/patching/mowing:**

103 v. Dave announced that paving/patching/mowing is happening now. He  
104 said that the folks who pull invasive plants are not happy with the  
105 mowing timeline, but that June is the only month it can be accomplished.

106 vi. Dave outlined the current volumes of pavement being used and the  
107 volumes expected to deliver this week. He noted some shoulder work  
108 being done on Forge Hill, Elder Hill, and Quaker Street. He has some help  
109 from the Town of Starksboro lined up to provide assistance with their  $\frac{3}{4}$   
110 ton pickup with blade attachment. Crack sealing is complete.

111 vii. Bay asked about the tree mowing and its apparent abuse of trees. Dave  
112 explained that the mower is the only equipment capable of completing  
113 the job to standard and that hand trimming is not feasible. Dave said the  
114 canopy is idyllic/aesthetic for the public but that it can be  
115 damaging/dangerous to vehicles. Bill added that maintenance had been  
116 deferred in previous years, hence the need for continued aggressive  
117 cutting. Bill hopes the Town can be more mindful of the treatment of  
118 trees when trimming in future years. Other Board members agreed that  
119 the process seems a bit aggressive but there is no other reasonable  
120 alternative.

121 **c. Major project (So. Lincoln Road & Sand Pit) update/progress report plans and**  
122 **policies:**

123 i. Bill explained that Dave has been able to get preliminary work started on  
124 the Urz project and the sand pit, but that work is now on hold. Bill said  
125 some questions arose that he couldn't directly answer and that the Town  
126 may have been ahead of some processes. The sand pit is in the  
127 subdivision procedure; Bill said the outlook is smooth but there is still  
128 potential for hindrances. Bill also mentioned that the wetlands  
129 representatives continue to mark/flag the So. Lincoln Road area. Work on  
130 both projects has been put on pause until permitting is clear.

131 ii. Bill introduced the matter of material-removal from So. Lincoln Road. He  
132 acknowledged the notion that should useful resources be discovered, it

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- seems prudent to make the materials available for other public use, (which Dave already practices). The question arose of how to make the materials available to all residents/taxpayers.
- iii. Dave explained his arrangements to truck materials (at no cost) to other sites needing fill. Further discussion on current material trucking arrangement. It was determined that the arrangements make sense but that others may be interested in the availability of resources.
  - iv. Dave highlighted Wayne’s recent statement: that the Town is *extremely* fortunate to have the ability to remove/relocate material at no cost. Dave reiterated that this ability is a very valuable asset that is typically paid for. Dave listed a number of material recipients: Patterson, Otey, Apgar, Jackson, Norton. Dave also emphasized his unique opportunity to build out the sand pit road infrastructure for a fraction of the cost it will be once it is Town-owned. He clarified that once the Town officially owns the property, he will have to purchase processed material for roadbuilding (a requirement of the subdivision permit).
  - v. The Board agreed that Dave’s current practice is efficient and of benefit to the Town and public. It was also noted that the Board wants to continue to empower Dave to make decisions efficiently and autonomously but that the offerings likely need to be publicized in some fashion. Further discussion on ‘material availability outreach’ and how it is not a requirement of Dave’s responsibilities (nor a necessary function). Discussion on potential avenues for alerting public of resource availability.
  - vi. Bill noted that Tommie Thompson’s property is adjacent to the Town Garage property and that Tommie has requested the use of some material in order to establish some sort of barrier to shield noise and visual impact. Will suggested reviewing the Conditional Use Permit to determine sound specification at the boundary and to take measurements. Will added that the Town should keep in mind being a satisfactory neighbor. He suggested getting a full list of items to address from Tommie (lights, sound, etc.).
  - vii. Bay noted the importance of transparency for the public, especially when considering larger and highly visible projects/scenarios. She asked for a clearer understanding of certain policies (when related to such projects) in order to be well-equipped to answer questions from the public.
  - viii. Brief discussion on the Town’s purchasing policy; brief discussion on personal liability. Continued discussion on potential “cans of worms” for Dave. Bill noted that both Bay and Will were precise in their statements about (1) information availability and (2) permitting at the garage.
  - ix. Bill concluded that if useful material is available that can be used as a sound barrier, perhaps the Town can move forward with that project, but professional advice will need to be sought.

176 x. Bill stated the importance of separating the projects. He is currently more  
177 (loosely) concerned about the wetlands issue than the sand pit road. He  
178 concluded that the final report from Otter Creek Engineering is due for  
179 presentation to TAC this week or next, and it does not appear to be  
180 scheduled. He hopes that the Town can refocus quickly in order to  
181 continue the work.

182 **d. Equipment & vehicle maintenance:**

183 i. Dave informed the Board about a defect on the 2016 Freightliner dump  
184 body. Norton is to perform the work next week.

185 **e. Other business: NONE**

186 **5. Green Lantern Solar – Potential Solar Credits – Ralph Meima:**

187 a. Ralph from Green Lantern solar presented his proposal of offering some  
188 remaining solar credits from the Rathbun Gravel/Quarry project to the Town of  
189 Lincoln. The project is a 150-kw net metered solar array located where Route  
190 116 meets Notch Road in Bristol. The Town had preemptively sent some relevant  
191 electric bills for Ralph’s assessment. Ralph noted that Lincoln’s street lighting is  
192 not metered so it cannot be included, and that anticipated first-year savings  
193 would be \$266.22. Paul inquired about the downsides: Ralph explained that the  
194 only downside to the offer is that it is on specific terms. The Town would be  
195 making a commitment. He explained that it is typically a 20-year agreement;  
196 agreements are typically granted in 5-year increments thereafter. Ralph noted  
197 that panel efficiency is getting better. He clarified that an agreement with Green  
198 Lantern does not prohibit the Town from signing up for other net-metering  
199 accounts.

200 b. Oakley shared his experience regarding the Lincoln School and their former  
201 agreement to purchase power through a solar array on his property. He  
202 explained that when the contract was not renewed by the school (after  
203 consolidation), the power generated went to unknown recipients—thus  
204 defeating his efforts in providing for localized entities. Oakley also asked Ralph  
205 about Green Lantern’s leasing practices; Ralph clarified that cost and incentive  
206 make it difficult to do any leasing. Bill noted that a special meeting was  
207 happening on the 30<sup>th</sup> and that the Board would review the agreement and get  
208 in touch with Ralph. Brief discussion on other solar projects.

209 **6. Budget & Finance:**

210 **a. \*Approval of check warrants:**

211 i. **PAYROLL #20/50: \$3,642.86**

212 ii. **PAYROLL #20/51: \$3,855.94**

213 iii. **AP #20/52: \$20,468.76:** (Highlights: Asphalt, excavator work, boiler  
214 maintenance, Larose survey, gravel, health insurance.)

215 iv. **AP #51/A: \$600.00:** (Homeward bound payment ((delayed receipt of  
216 invoice.))

217 v. **MOTION BY BILL, SECOND BY PAUL, TO APPROVE BOTH PAYROLL**  
218 **WARRANTS #20/50 & #20/51. NO DISCUSSION. VOTE CALLED AND**  
219 **PASSED. (5-0-0)**

220 vi. MOTION BY BILL, SECOND BY PAUL, TO APPROVE BOTH AP WARRANTS  
221 #20/52 & #51/A. NO DISCUSSION. VOTE CALLED AND PASSED. (5-0-0)

222 b. **\*\*Contingency planning for potential revenue loss due to Covid-19 economic**  
223 **impact:** Paul mentioned a potential upcoming conference call with Mitzi  
224 Johnson.

225 c. **\*\*Schedule special meeting for FY20 yearend approvals (June 30<sup>th</sup>?):** Bill noted  
226 that another “mop up” meeting is needed to take care of some leftover items.  
227 Ann mentioned that the Board can also approve VMERS & State Tax at that time  
228 so all yearend closeout can occur simultaneously. Paul requested an updated  
229 expense report.

230 i. MOTION BY BILL, SECOND BY PAUL, TO HOLD A SPECIAL MEETING ON  
231 JUNE 30TH AT 6:30 PM IN ORDER TO TAKE CARE OF ITEMS MENTIONED  
232 IN ITEM 6c. NO DISCUSSION. VOTE CALLED AND PASSED. (5-0-0)

233 d. **Other business:** NONE

234 7. **Admin & personnel:**

235 a. **\*\*Sally & Ann -proposals for use of Town Office – update:**

236 i. Ann explained that Sally hopes to have the office open prior to the end of  
237 June. The plexiglass has been installed and the Town Office will continue  
238 operating on an appointment-only basis. Ann noted that discussions  
239 surrounding election logistics have begun; Paul reiterated his desire to  
240 use Burnham Hall as the polling place due to greater capacity. He added  
241 that the Town Office would be confined if the logistical plans don’t come  
242 to fruition.

243 b. **\*\*Broadband Innovation Grant (BIG) – ACRPC letter of support:**

244 i. Bill informed the Board that the Town has been asked to provide support  
245 for the Regional Planning Commission’s efforts towards obtaining a  
246 \$60,000 grant (in order to study broadband feasibility within Addison  
247 County). The ACRPC has requested that towns within Addison Country  
248 submit a letter of interest on their behalf. Bill amended the letter slightly,  
249 removing certain “eager” rhetoric, which he did not believe applied to  
250 Lincoln.

251 ii. MOTION BY BILL, SECOND BY PAUL, TO APPROVE THE ACRPC GRANT  
252 LETTER. VOTE CALLED AND PASSED. (Results undetermined).

253 c. **Zoning Administrator – Application update:**

254 i. Bill explained that the deadline has been set for the ZA position  
255 applications and a total of 7 email inquiries have been  
256 received/forwarded to Aaron Thomas (Chair of Planning Commission) for  
257 consideration. It was noted that Joe Jackson and Sarah Summers have  
258 both applied for the position. Bay inquired about potential conflicts of  
259 interest and her ability to abstain in certain votes; Bill clarified that there  
260 is nothing statutory that prohibits the employment. Aaron has suggested  
261 discussing the ZA position during the (already scheduled) July 9<sup>th</sup>  
262 subdivision meeting to hear recommendations from the Board. Paul  
263 asked Bill to forward letters of interest/resumes from potential

264 candidates to Board members. Brief discussion on the Zoning  
265 Administrator's direct reports (ZA reports statutorily to Planning  
266 Commission) and Selectboard autonomy (in terms of hiring/termination  
267 of a ZA).

268 **d. Other business:** NONE

269 **8. Public Safety & Environment:**

270 **a. \*\*Extension of Transfer Station permits to June 30, 2021:**

- 271 i. Bill initiated a brief discussion on changes to the Transfer Station permits  
272 (as delineated in the notice below) to include extending the expiration of  
273 the current stickers until June 15, 2021.

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275 **(\*\*\*LINCOLN FRONT PORCH FORUM NO. 2209 READS:**

276 **"IF YOU DESIRE A NEW TRANSFER STATION STICKER TO PLACE on a new**  
277 **vehicle or replace your existing sticker – Simply mail a "Self-Addressed,**  
278 **Stamped Envelope" (SASE) to Sally Ober, Town Clerk, 62 Quaker St,**  
279 **Lincoln, VT 05443, or drop a SASE in the drop box at the Town Office**  
280 **entrance. Please include a note with your vehicle make and year and a**  
281 **contact phone number. There is no charge for the new sticker.\*\*\***

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283 ii. **MOTION BY BILL, SECOND BY WILL, TO EXTEND THE JUNE 15, 2020**  
284 **EXPIRATION OF TRANSFER STATION PERMITS TO JUNE 15, 2021. NO**  
285 **DISCUSSION. VOTE CALLED AND PASSED. (5-0-0)**

286 **b. \*\*Sidewalk scoping study survey:**

- 287 i. Bay shared the sidewalk survey that Christina put together for  
288 distribution to Lincoln residents. Obtaining public opinion surrounding  
289 sidewalks/travel needs is a requirement of the study. Bay reiterated the  
290 importance of ensuring that the residents along River Road are aware of  
291 the survey/study as the sidewalk project would certainly be impactful to  
292 them, and that River Road residents' thoughts hold certain value in  
293 relation to the project. Will thanked Bay for her continued efforts on the  
294 sidewalk plan.

- 295 ii. **MOTION BY BILL, SECOND BY BAY, TO APPROVE THE SIDEWALK SCOPING**  
296 **SURVEY. NO DISCUSSION. VOTE CALLED AND PASSED. (5-0-0)**

297 **c. Other business:**

- 298 i. Paul said he had been contacted by a resident regarding the property  
299 across the river from the Library. Bill noted that Bob Hall sent a letter and  
300 that Sally also sent a letter to Gary at the environmental enforcement  
301 office outlining her concerns. Some concerns mentioned: absence of  
302 septic, number of vehicles/dwelling units, noise. Bill noted that the Town  
303 does not have a role in septic requirements as it is governed by the State.  
304 ii. Oakley inquired about the Acker permit and observed that the  
305 foundation is in. Will noted that he doesn't believe a permit is needed for  
306 a foundation only.

307                   iii. Bay informed the Board about her website-building expertise and  
308                   expressed her ability to offer her skills to the Town (in regard to updating  
309                   the Town website). Brief discussion on conflict of interest policy. Ann  
310                   noted that it seems a good time to introduce new things given the new  
311                   fiscal year.

312                   **9. Board Member Concerns: NONE**

313                   **10. \*\*Executive session: personnel/legal matter (a separate GoToMeeting will be opened**  
314                   **solely for X Session)**

315                   a. MOTION BY BILL, SECOND BY WILL, TO BEGIN EXECUTIVE SESSION TO DISCUSS  
316                   PERSONAL/LEGAL MATTER. NO DISCUSSION. VOTE CALLED AND PASSED. (5-0-0)

317                   **11. EXECUTIVE SESSION BEGAN: 9:05 PM.**

318                   **ENDED 9:55 PM**

319                   **Meeting ADJOURNED 9:55 PM**

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321                   Respectfully submitted,

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323                   Sarah Summers