

Pending Approval

Town of Lincoln, Vermont

Regular Selectboard Meeting

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

**Tuesday, October 6, 2020, 6:30 PM**

**In Attendance:** Selectboard Chair, Bill Finger; Vice-Chair, Paul Forlenza; members Oakley Smith, Will Sipse, and Bay Jackson; Selectboard Assistant, Ann Kensek; Selectboard Clerk, Sarah Summers

**Guests:** Tommie Thompson (Chair ZBA, Vice Chair PC), Nate Gusakov (Vice Chair ZBA), Josiah Jackson, Margo Casco, Sean P Gryzb, Nancy Stevens (Collector of Delinquent Taxes)

Bill called the meeting to order at 6:31 PM.

**1. \*Agenda adjustments and approval:**

**a. ADDITIONS\*: 09-01-2020 Regular and 09-10-2020 Special Meeting minutes for approval, confirmation of Benj Putnam as Town attorney for Solworth tax sale), approval of annual DEC-GIA funding letter of intent for 2021 and reappointment of ZBA members Barry Olsen and David Brett**

**b. \*MOTION (BILL), SECOND (PAUL), TO APPROVE THE MEETING AGENDA WITH noted additions. NO FURTHER DISCUSSION. VOTE CALLED AND PASSED. (5-0-0)**

**2. \*Approve 9/01/2020 regular meeting minutes:** Brief clarification on previous motion to merge PC and ZBA; introduction of main discussion item and new agenda style.

**a. \*MOTION (PAUL), SECOND (OAKLEY), TO APPROVE THE 09-01-2020 REGULAR MEETING MINUTES (as amended). DISCUSSION:** Bay noted a CORRECTION\*: (she did not second the PC/ZBA merge vote. To be corrected to reflect an undetermined second, Oakley noted a CORRECTION\*: (he did not "request" in person SB meetings, only discussion on the subject).  
VOTE CALLED AND PASSED. (5-0-0)

**b. \*MOTION (PAUL), SECOND (BAY), TO APPROVE THE 09-10-2020 SPECIAL (GAP ROAD PLOWING) MEETING MINUTES. NO DISCUSSION. VOTE CALLED AND PASSED (4-0-1-0 - Will abstains)**

**c. \*MOTION (PAUL), SECOND (OAKLEY), TO APPROVE THE 09-15-2020 REGULAR MEETING MINUTES. DISCUSSION:** Bay noted several lines missing, Bill noted problematic versions but all online. Bill not present at 09-15 meeting VOTE CALLED AND PASSED (3-0-2-0 - Bill and Will abstain)

**3. Resolution to authorize SB Chair to create "consent agenda" ...:**

44 4. \*MOTION (BILL), SECOND (WILL), TO AUTHORIZE SELECTBOARD CHAIR or  
45 PROXY TO CREATE CONSENT AGENDA AS NEEDED FOR SELECTBOARD  
46 MEETINGS. VOTE CALLED AND PASSED (5-0-0) - Citizen comments:

- 47 a. Bill informed the Board about anti-Semitic words painted on the Gap  
48 Road reported by Rob Rieber (on Lincoln and Warren sides); Town  
49 Admin of Warren contacted. Mr. Reiber contacted VSP. Words on  
50 pavement will be painted over.
- 51 b. Tommie informed the Board about his ongoing discussion with Will  
52 about sound and noise abatement around the Town Shed, (specifically  
53 north side). He noted that current light and sound impact worse than  
54 years prior, tailgate sounds measuring 50 decibels.
- 55 i. Bill noted that Otter Creek Engineering has been commissioned  
56 to look at ways and means of cutting down noise issue; they will  
57 reach out to Tommie. Tommie also mentioned a dead tree line  
58 due to salt runoff from sand pile; Trees should be replaced.

59 5. **\*Schedule special joint SB/PC meeting 10/13 to discuss Josiah Jackson**  
60 **letter viz SB & PC procedures. Executive session per counsel advice: --**  
61 **Suggests special meeting for next Tuesday to do so. Move forward with**  
62 **response and plan to do things better in future.**

- 63 a. \*MOTION (BILL), SECOND (PAUL), TO SCHEDULE SPECIAL MEETING  
64 TUESDAY OCT. 13<sup>TH</sup> AT 6:30 PM VOTE CALLED AND PASSED (5-0-0)  
65
- 66 b. \*MOTION (BILL), SECOND (PAUL), TO MAKE BENJ PUTNAM THE  
67 LAWYER FOR SOLWORTH tax sale. VOTE CALLED AND PASSED (5-0-0).  
68
- 69 c. \*MOTION (BILL), SECOND (PAUL), TO AUTHORIZE SB CHAIR TO SIGN  
70 AND SUBMIT 2021DEC - GIA LETTER OF INTENT. DISCUSSION: Funds  
71 distributed (based on connected segments that each town has). Town  
72 has used for 3-4 years on various projects: Gove Hill, Browns Road. There  
73 is no real application, it is based on how many segments the Town has  
74 and a willingness to comply with standards. VOTE CALLED AND PASSED  
75 (5-0-0)

76 6. **Primary Discussion Item:**

- 77 a. **Nate Gusakov developing a restructuring proposal for Lincoln's**  
78 **Planning Commission and Zoning Board of Adjustment into a single**  
79 **Development Review Board , determining feasibility and**  
80 **appropriate plan for Lincoln**
- 81 i. Nate informed the Board and guests about his ongoing research  
82 in outlining all possible restructuring options for the PC/ZBA to  
83 explore. He noted that a proposal could be drafted for Jan. 2021  
84 if changes deemed helpful. Discussion on decision-making  
85 authority. Continued discussion on Town Plan process and  
86 previous issue in finalizing Plan. Tommie noted the opportunity to

87 reinvigorate Town Plan/change regulations/use of consultants for  
88 land studies/etc.

- 89 1. Bill noted a gross understaffing of administrative needs  
90 and a heavy reliance on part-time staff and volunteers. He  
91 noted it is a bigger issue to discuss and thanked Nate for  
92 his energy and efforts.
- 93 2. Oakley noted that he had not seen any collaboration  
94 between boards during his tenure and he read from the  
95 VLCT Selectboard Handbook Chapter 20/Sec. B. Brief  
96 discussion on SB members as 'ex-officio' PC members,  
97 zoning board acting as judge, members from each board  
98 liaising on other boards, minute submission to  
99 Selectboard.

100 b. **\*Confirmation of accuracy and approval of 9/1/20 SB minutes:**  
101 **(ABOVE)**

102 c. **\*Long-term virtual meeting plan development. Refer to sub-**  
103 **committee or defer to next meeting for full discussion:** Brief mention  
104 long term plan/virtual meeting.

105 **7. Decision Items:**

106 a. **\*Shall the Selectboard accept the generous offer of 123 acres of**  
107 **undeveloped land to be forever conserved via conservation**  
108 **easement held by Middlebury Area Land Trust(MALT)?**

109 i. \*MOTION (BILL), SECOND (BAY), THAT THE SELECTBOARD  
110 ACCEPT THE 123 ACRES TO BE FOREVER CONSERVED.

111 DISCUSSION: *Jamie Montague provided overview of MALT's*  
112 *funding model/stewardship endowment fund. \$15,000 to be*  
113 *raised; no ongoing financial commitment other than minimal*  
114 *maintenance (brush hog 1x year, volunteers for trail work).*  
115 *Discussion on difficulty to predict future needs in creating*  
116 *contingencies. Will S asked about the possibility of a pedestrian*  
117 *path; Jamie to discuss with Jackson and hopefully include on draft*  
118 *easement. Mention of old road for possible access. VOTE CALLED*  
119 AND PASSED (5-0-0)

120 b. **\*Shall the town extend winter maintenance of Lincoln Gap road**  
121 **beyond the present plow turn- round as requested by property**  
122 **owners?**

123 i. \*MOTION (BILL), SECOND (PAUL), TO EXTEND PLOWING.

124 DISCUSSION: *Lea thanked the Board for time spent on the issue.*  
125 *She reiterated their hope to live on the land and work with the*  
126 *Town to set up safe parking area for recreators. Mention of*  
127 *triangular section of adjacent property with potential for*  
128 *ROW/access (logging road below cabin); mention of*  
129 *stream/grade/older growth forest at location. Clarification on*  
130 *distance requested to plow: (roughly additional 450 feet to gain*

131 access to land). Discussion on possible amendments to motion to  
132 include a study of the area. Board noted future discussions will not  
133 be obviated.

134 1. \*MOTION (PAUL), SECOND (WILL), TO AMEND THE  
135 ORIGINAL MOTION TO INCLUDE REOPENING THE  
136 DISCUSSION AFTER WINTER 2020/2021 WITH UPDATED  
137 LANDOWNER PROPOSAL. DISCUSSION: It was noted that  
138 the amendment seemed unnecessary. VOTE CALLED AND  
139 FAILED (2-3-0-0)

140 a. ORIGINAL MOTION CALLED AND FAILED (2-3-0-0)

141 i. Winter maintenance not to be extended as  
142 requested. The Board informed Lea that they  
143 would look at another proposal in future.

144 ii. \*MOTION (BILL), SECOND (WILL), TO APPROVE AND ADVERTISE  
145 SNOWPLOW OPERATOR PART TIME POSITION, (amended to  
146 exclude ability to obtain CDL). NO FURTHER DISCUSSION. VOTE  
147 CALLED AND PASSED (5-0-0). Urgency noted in terms of  
148 seasonal timing.

## 149 8. Finance

### 150 a. WARRANTS:

- 151 i. Check #21/13: \$3,881.75: Seasonal help to haul sand, Ashley  
152 Smith flagging.  
153 ii. Check #21/14: \$4,285.26: Will Clark/Colby Hill driving/flagging.  
154 iii. Check #21/15: \$4,162.00 : New Assistant Clerk Caroline's first  
155 week.

156 1. \*MOTION (BILL), SECOND (OAKLEY), TO APPROVE  
157 CHECK WARRANTS #21/13, #21/14, AND #21/15. NO  
158 DISCUSSION. VOTE CALLED AND PASSED (5-0-0)

- 159 iv. AP #21/15: \$326,176.65 : Paying back \$180,000 on tax  
160 anticipation note taken out, annual payments on Garage and  
161 Office, some fuel for garage, about \$20,000 in gravel, health  
162 insurance.

163 1. \*MOTION (BILL), SECOND (WILL), to approve AP Warrant  
164 #21/15. NO DISCUSSION. VOTE CALLED AND PASSED (5-  
165 0-0)

## 166 9. Highway Report

- 167 a. Summary provided to Board in packet prior to meeting; no discussion.  
168 Bay seeking alternatives to mowing current aggressive roadside  
169 mowing.

## 170 10. Public Safety and Environment

- 171 a. **\*\*Sidewalk scoping update - (Bay):** Board awaiting proposal.  
172 Discussion on benefits of reconsidering sidewalk configuration given  
173 Willard Jackson's land donation.

- 174 i. (Bill noted Sean Gryzb's attendance and welcomed him): Sean  
175 cited his recent attendance of the Gap Road (Special SB 09-10-  
176 2020) meeting and his willingness to volunteer on the Willard  
177 Jackson property. (Sean to strongly consider appointment to the  
178 ZBA for the next SB meeting).
- 179 **b. Reappointment of ZBA members:**
- 180 i. Nate Gusakov provided an overview of ZBA role/responsibilities.  
181 \*MOTION (BILL), SECOND (PAUL), TO APPOINT DAVID BRETT  
182 AND BARRY OLSEN TO THE ZONING BOARD OF ADJUSTMENT.  
183 VOTE CALLED AND PASSED. (5-0-0)
- 184 **c. Website - (Bay): NONE**
- 185 **d. \*\*Town transfer station - Masks:**
- 186 i. Randy at Moose Rubbish & Recycling has been contacted to  
187 address the issue. Nancy Stevens' comment about open Transfer  
188 Station gate noted.
- 189 **e. Continuing Solar discussion: NONE**
- 190 **11. Board Member Concerns:**
- 191 i. Paul noted internet improvement with upgrade.  
192 ii. Sarah noted website improvements would be incredibly helpful;  
193 Bay confirmed it is in process.
- 194 **12. \*Executive session-**
- 195 **a. \*\*Decisions (if any) on matters discussed in executive session:**
- 196 i. \*MOTION (OAKLEY), SECOND (PAUL), TO enter executive  
197 session to DISCUSS PENDING LITIGATION WHERE PREMATURE  
198 PUBLIC KNOWLEDGE WOULD PLACE TOWN AT SUBSTANTIAL  
199 DISADVANTAGE, AS WELL TO DISCUSS PERSONNEL ISSUE. NO  
200 DISCUSSION, VOTE CALLED AND PASSED (5-0-0) - 8:58 PM.  
201 Meeting adjourned at 9:35 PM
- 202 ii. Respectfully submitted,  
203 Sarah Summers