

Town of Mendon

Selectboard

August 24, 2020

Members of Selectboard present: Richard Wilcox, Geoff Wells, Scott Bradley

Town Officers and employees present: Sara Tully, Town Administrator & Health Officer, Bill Ellis, Road Commissioner, Nancy Gondella, Town Clerk & Treasurer, Teri Corsones, Planning Commission, Justin Lindholm, Planning Commission, Gary Sihler, Planning Commission

Visitors present: None

The Selectboard Meeting was called to order at 4:59 PM with all present participating remotely.

In response to COVID-19, the Selectboard strongly encourages the public to participate in this meeting by video or teleconferencing. The public can follow the directions on the agenda and posted publicly on the Mendon website at www.mendonvt.org.

As Chair of the Town of Mendon Selectboard I find that, due to the State of Emergency declared by Governor Scott as a result of the COVID-19 pandemic and pursuant to Addendum 6 to Executive Order 01-20 and Act 92, this public body is authorized to meet electronically.

In accordance with Act 92, there is no physical location to observe and listen contemporaneously to this meeting. However, in accordance with the temporary amendments to the Open Meeting Law, I confirm that we are:

Providing public access to the meeting by video with additional access offered through telephone. We are using Gotomeeting.com for this remote meeting. All members of the Selectboard have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen and, if desired, participate in this meeting by **joining the meeting from your computer, tablet or smartphone.**

Selectboard August 24, 2020
Mon, Aug 24, 2020 5:00 PM - 7:30 PM (EDT)

Please join my meeting from your computer, tablet or smartphone.

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- a) Providing public notice of instructions for accessing the meeting. We previously gave notice to the public of the necessary information for accessing this meeting, including how to access the meeting using telephone and video in our posted meeting agenda. Instructions have also been provided on the town website at: www.mendonvt.org.
- b) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anybody has a problem, please *e-mail mendonclerk@comcast.net* and
- c) Continuing the meeting if necessary. In the event the public is unable to access this meeting, it will be continued to a time and place certain.

Please note that all votes taken during this meeting that are not unanimous will be done by roll call vote, in accordance with the law.

Let's start the meeting by taking a roll call attendance of all members participating in the meeting.

Roll call: Richard Wilcox, Geoff Wells, Scott Bradley

Agenda: R. Wilcox moved to approve the agenda with the addition of November Election, Cell Phones and Selectboard Meetings. Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

Announcement

The Town of Mendon is accepting applications for a Highway Maintenance/Equipment Operator and Building/Grounds Maintenance. This is a full-time position. Information can be found on the town website at www.mendonvt.org.

Administrative Matters

Selectmen's Orders were reviewed. Motion by R. Wilcox to approve pay orders for the period ending 8/24/2020 in the amounts of \$23,417.17 and \$8,016.68. Motion seconded by G. Wells. The Selectboard unanimously approved the motion. Motion by R. Wilcox to approve payroll for the period 8/24/2020 in the amount of \$9,367.80. Motion seconded by S. Bradley. The motion passed unanimously.

Minutes of Previous Meeting: R. Wilcox moved to approve the minutes of August 10, 2020. Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

Business

A. Errors and Omissions 2020 Grand List S. Potter, Vermont Municipal Assessor, submitted

the following Errors and Omissions for the 2020 Grand List to be approved by the Selectboard:

- 1) #P98006000 Comcast incorrect assessment \$285,842 correct assessment \$278,250
- 2) #040243001 Green Mountain Power incorrect assessment \$2,879,800 correct assessment \$3,568,200
- 3) #130006000 VT Transco incorrect assessment \$109,300 correct assessment \$93,400
- 4) #040228000 Sampson; wrong valuation \$0 correct valuation \$279,100
- 5) #040234000 French; wrong valuation \$304,000 correct valuation \$278,900
- 6) #050023032 Richardson; wrong valuation \$270,300 correct valuation \$267,000
- 7) #060104000 Bridge; wrong valuation \$180,800 correct valuation \$177,500
- 8) #060104100 Bridgeco LLC; wrong valuation \$0 correct valuation \$48,100
- 9) #080161000 Lamb; wrong valuation \$226,000 correct valuation \$228,100

N. Gondella reported that grievance hearings will be scheduled for September 14th for the above change of appraisal notices. Amended tax bills will be sent.

Motion by D. Wilcox to accept the above referenced Errors and Omissions for the 2020 Grand List. Motion seconded by S. Bradley. The Selectboard unanimously approved the motion.

Amend 2020-2021 Tax Rate The 2020 Grand List was amended by Spencer Potter, Vermont Municipal Assessor after the Tax Rate that was set at the August 10, 2020 Selectboard Meeting. The new value would result in a lower municipal tax rate and therefore the Selectboard will amend the 2020-2021 Tax Rate.

Motion by R. Wilcox to amend the 2020-2021 Tax Rates originally set on August 10, 2020 to:

2020/2021 Tax Rate:

Homestead = \$2.0545
(\$.5435+\$1.5092+\$0.0018)

Non-Residential = \$2.2441
(\$.5435+\$1.6988+\$0.0018)

Municipal Tax Rate: \$.5435

2020-2021 Amount to be raised by taxes \$958,497 (rollover \$55,109)

2020-2021 Municipal Grand List \$1,763,563

Education Tax Rate:

Homestead = \$1.5092

Non-Residential = \$1.6988

2020-2021 Summary:

Municipal Tax Rate= \$.0339 decrease or 5.9% decrease

Education Tax Rate:

Homestead = \$1.5092 a \$.1427 increase or 10.4% increase
Non-Residential = \$1.6988 a \$.1441 increase or 9.3% increase
Total Homestead = \$. 1092 increase or 5.6% increase
Total Non-Residential = \$.1106 increase or 5.2% increase

Local Agreement Tax: \$.0018
Eligible properties (7)
Voter approved Property Assessment Exemption \$40,000 = 280,000/100
Total Exemption \$2,800
2020-2021 Municipal Grand List \$1,763,563

Motion seconded by S. Bradley. The Selectboard unanimously approved the motion.

Municipal Grants The grant application for digitization of land records is due September 1, 2020. The maximum grant allowance is \$20,000 and \$2,000,000 is available in grant funds. The acceptance of a contract is required to apply for the grant funds. N. Gondella presented three quotes for digitizing 40 years of land records. This will allow for a 40 year title search. Cofile submitted a cost of \$36,191 with an \$11,000 annual fee. Approximately 60 books would be sent to Burlington for scanning and returned. Cots submitted a cost of \$36,546 with a \$1,900 annual fee. Cots will scan the books onsite in 1-2 days. Avenue was the third price that quoted \$18,000 for scan of 5 years of records. This company did not submit a cost for the requested scan of 40 years of records. N. Gondella recommended the Selectboard accept the Cots quote. Motion by R. Wilcox to spend up to \$38,000 from the Preservation Fund for the digitization of 40 years of land records with Cots. Motion seconded by S. Bradley. The Selectboard unanimously approved the motion.

COVID-19 Response & Town Government Operations The Selectboard confirmed that the town will not be applying for a grant to reimburse the town for COVID expenses incurred. Any expense must be denied by FEMA first. Labor is not an eligible expense to be reimbursed. Current estimated cost of equipment and supplies to respond to COVID total \$5,100. Applications are due September 4, 2020. The Selectboard decided that this is not a grant application the town will submit.

Helvi Hill Update S. Tully provided a recap of three meetings the town has had with representatives from Helvi Hill, Jerry Weitzenkorn on Sherwood Drive and Josh Carvajal, Agency of Natural Resources. J. Carvajal will be submitting his recommendation on what the town needs to do to handle the water on Sherwood Drive. He also provided guidance to the representatives of Helvi Hill Road how to appropriately handle water run off and stop erosion from occurring on the private road. B. Ellis, S. Tully and S. Bradley will present a plan to the

Selectboard once finalized.

Equipment Grant The Equipment Grant is due August 28, 2020. B. Ellis reported costs for a roller for the Grader are cost prohibitive. B. Ellis requested the town apply for the purchase of a blower that will be pulled behind the pickup to blow leaves out of the ditches. Grant funds will pay for up to \$7,000. Motion by R. Wilcox to spend up to \$5,000 from the Equipment Replacement Fund to purchase a blower. Motion seconded by S. Bradley. The Selectboard unanimously approved the motion.

November Elections N. Gondella provided a recap on how the primary election went with approximately 100 voters electing to vote in person at the town office. Social distancing was observed by entering the polling place through the front door and existing the rear of the building. It is difficult to anticipate how many voters will want to vote in person in November. N. Gondella is recommending the polling place be moved to the Town Garage and wanted to get preliminary approval from the Selectboard to use the Town Garage. The Board of Civil Authority must vote to approve the change of the polling place. Hearing no opposition from the Selectboard, N. Gondella will warn a meeting of the Board of Civil Authority.

Cell Phones N. Gondella provided information on a new service from Verizon for unlimited call, text and data plan for \$40 per month per line. Currently, the cost is \$50 per line and the town has one cell phone, but we have had up to three lines in the past for Road Commissioner, Fire Warden and Constable. The Town has recently appointed a new Fire Warden, Seth Bridge who will take over for Geoff Wells as soon as the appointment is confirmed by the State. It was suggested the Town Administrator, currently working 30 hours per week remotely due to COVID, be provided a phone line. The Selectboard approved the additional expense for phones.

Selectboard Meetings G. Wells requested in person Selectboard meetings if possible. The town must follow guidance from the Governor's Executive Order. Remote meetings would be replaced with in person meetings observing social distancing and wearing masks. The current regulations will be evaluated along with space allowed in the Helen Lawrence Conference Room at the Town Office or at the Town Garage. It was requested by the Selectboard that this be evaluated as the Governor continues to loosen the restrictions.

Motion by R. Wilcox to adjourn the Selectboard meeting at 5:40 until after the Liquor Control Board Meeting. Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

Motion by R. Wilcox to convene the Liquor Control Board Meeting at 5:41 PM. Motion seconded by G. Wells. The Liquor Control Board unanimously approved the motion.

Motion by R. Wilcox to approve the Liquor License for Flannels restaurant LLC dba Flannels Bar and Grill. Motion seconded by S. Bradley. The Liquor Control Board unanimously approved the motion. The Selectboard will sign the Liquor License at the Town Office.

Motion by R. Wilcox to adjourn the Liquor Control Board Meeting at 5:42 PM. Motion seconded by G. Wells. The Liquor Control Board unanimously approved the motion.

Motion by R. Wilcox to reconvene the Selectboard meeting at 5:43 PM. Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

The Town Plan Public Hearing and adoption was warned for 6:00 PM. The Selectboard took a brief recess before starting the Public Hearing at 6:00 PM.

Town Plan Public Hearing and Adoption S. Tully recapped the 4 changes the Selectboard made to the proposed Town Plan as adopted by the Planning Commission and submitted to the Selectboard for Public Hearing and adoption. The changes include:

1. On page 6 in the 1st paragraph the Selectboard deleted the sentence " Zoning regulations should be developed that give consideration to the design and appearance of proposed commercial and professional structures, including signage and sign lighting, so as to enhance the aesthetics and rural character of Mendon, while encouraging economic development and vitality."
2. On page 31 in future land use section 1st paragraph- commercial and village districts the Selectboard deleted "The character and aesthetics of the town should be preserved."
3. On page 21, the Selectboard added the following paragraph in the Transportation Section "Rutland Bypass: The Town of Mendon opposes the construction of a highway bypass around Rutland City. Mendon's position regarding the construction of a bypass around Rutland may be stated as follows: The construction of a bypass is not necessary given current and future traffic volumes. The Agency of Transportation should pursue a limited upgrade of US 7 and US 4. A bypass in Mendon would have a direct adverse impact on Mendon properties. The Town has voted on two separate occasions to oppose a bypass in Mendon. There are no current plans to construct the bypass."
4. Also in Transportation section under Actions the Selectboard added to "Oppose the construction of any major highway or bypass in the Town of Mendon"

Planning Commissioners T. Corsones, G. Sihler and J. Lindholm opposed removing sentences that refer to the aesthetics of the town in changes 1 & 2 made by the Selectboard. T. Corsones

discussed the importance of highlighting that the town values aesthetics and is a key term in establishing the town's position in cases like the AT&T tower currently before the Public Utility Commission.

R. Wilcox stated that word aesthetics was undefined and reference to aesthetics was removed multiple times in various sections of the Town Plan prior to the Planning Commission adopting their proposed version. The two references to aesthetics the Selectboard removed were the remaining references to aesthetics. R. Wilcox opposes the town having the ability to impose individual personal opinions on aesthetics especially on commercial businesses located in the commercial zoning district.

J. Lindolm stated as a former business owner in Rutland City, that a community that values aesthetics actually attracts business rather than deters business. Mendon should be attracting tourism and preserving Vermont's character like the towns of Manchester and Woodstock rather than South Burlington.

R. Wilcox responded with support of economic development along Route 4 and referred to the State already imposing multiple roadblocks to attracting business in Vermont and he did not support additional roadblocks on a local level.

After lengthy discussion, the group decided to remove the word "aesthetics" and replace with highlighting "rural character".

Motion by R. Wilcox to make the following changes to the Proposed Town Plan and to adopt the plan as its final version with these two changes not being significant changes:

1. On page 6 in the 1st paragraph insert the sentence " Zoning regulations should be developed that give consideration to the design and appearance of proposed commercial and professional structures, including signage and sign lighting, so as to enhance the rural character of Mendon, while encouraging economic development and vitality."
2. On page 31 in future land use section 1st paragraph- commercial and village districts insert the sentence "The rural character of the town should be preserved."

Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

S. Tully was directed to confer with the Rutland Regional Planning Commission to confirm the actions taken above comply with statutes regulating the adoption of the Town Plan.

AT&T The Selectboard discussed the presentation presented to the Planning Commission, Zoning Board of Adjustment and Selectboard on August 19, 2020 outlining an amended project filed with the Public Utility Commission. The Planning Commission recommended the town support the considerations offered by AT&T. These include:

1. Antenna socks
2. Additional balloon test (was offered August 23rd and the Town accepted this offer previously)
3. 250' radius of vegetation
4. A bond provided to the town to ensure the removal of the tower when no longer in use.

In addition, R. Wilcox wanted clarification of the bond requirement to include compliance with the requirement set forth in the Telecommunication Bylaws that an annual report that the tower is still in use and functioning to be submitted to the town.

J. Lindholm requested further protection of the deer yard. There is a 300' buffer around a deer yard for its protection against domestic dogs and coyotes. It regulates restriction against roads and trails that would be snow groomed, plowed or packed down in the winter that would enable predators to easily access the deer yard. J. Lindholm suggests installing fencing far enough down the road to protect the deer yard.

The Selectboard agreed to present all of the above referenced requests to AT&T.

Motion by R. Wilcox to extend the hours for legal counsel on behalf of the town. Motion seconded by S. Bradley. The Selectboard unanimously approved the motion.

There being no further business, R. Wilcox moved to adjourn at 6:50 PM. Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

Date Approved _____

Richard Wilcox

Sara Tully - Clerk of the Board

Geoff Wells

Scott Bradley