

Town of Mendon

Selectboard

January 23, 2021

Members of Selectboard present: Richard Wilcox, Geoff Wells, Larry Courcelle

Town Officers and employees present: Sara Tully, Town Administrator & Health Officer, Nancy Gondella, Town Clerk & Treasurer, Bill Ellis, Road Commissioner, Phil Douglas, Constable

Visitors present: Val Taylor, Justin Lindholm, Gordan Stake, Imants Smildzins, Brett Yates, Claudine Safar

The Selectboard Meeting was called to order at 8:30 AM 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**.

- 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.

Selectboard Meeting

Tue, Feb 23, 2021 8:30 AM - 10:30 AM (EST)

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

<https://global.gotomeeting.com/join/165427797>

You can also dial in using your phone.

United States: +1 (571) 317-3112

Access Code: 165-427-797

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/165427797>

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, Larry Courcelle

Agenda: R. Wilcox moved to approve the agenda with the addition of 2/20/21 payroll and Compensatory Time Off. Motion seconded by L. Courcelle. The Selectboard unanimously approved the motion.

Announcement

The Town of Mendon is accepting applications for an Assistant Road Commissioner and a Highway Maintenance/Equipment Operator and Building/Grounds Maintenance. Full time employment with competitive benefit package is available. 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 payroll in the amount of \$7,890.63 for the period ending February 8, 2021 and \$9,784.25 for the period ending February 20, 2021 and to approve pay orders for February 23, 2021 for \$17,380.57. Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

Minutes of Previous Meeting: R. Wilcox moved to approve the minutes of 2/8/21. Motion seconded by G. Wells. The Selectboard unanimously approved the motion.

Business

Firearm Discharge Ordinance R. Wilcox reported the draft ordinance has preliminarily been legally reviewed by Claudine Safar, Monaghan Safar Ducham, PLC and minor changes have been suggested. Mr. Smildins and Mr. Stakes spoke in support of the Firearm Discharge Ordinance. J. Lindolm explained his background and training in several shooting site safety courses and his experience of the Fish and Wildlife Board. He brought up several points of discussion to the Selectboard that included setbacks for shooting sites for practice purposes for noise abatement, setbacks for hunting purposes, time prohibitions for target shooting suggesting 9 PM to 8 AM or dusk to dawn whichever is earlier, a warning not to enact laws that entrap a person, add that a shooter must shoot away from the direction of the road and a reminder that all National Forest is open for shooting practice. C. Safar recommended defining trails, clarifying time restrictions, assigning authorization to a Town Official for issuing a violation in addition to law enforcement, include the ability to file injunction relief. A graduated penalty structure was discussed from a warning, 1st violation \$200, 2nd violation \$400, 3rd violation \$600, and all additional violations \$800. The definition of incident and violations was discussed at length to decided a shooting event would not be per shot rather a period of time of one hour would

constitute an incident and a violation issued per incident. S. Tully discussed previous complaints over the years included not using appropriate backstops for practice shooting. S. Tully provided an overview of the ordinance adoption process which begins with adoption of the ordinance at a warned Selectboard Meeting. The ordinance will be publicly noticed per Vermont law. The ordinance will go into effect in 60 days unless a petition is filed signed by 5% of the voters within 44 days of its adoption. R. Wilcox discussed it is the goal of the Selectboard to update the current draft by the end of the week and publish the proposed ordinance on the towns website. The Selectboard will move forward with warning its adoption. The Selectboard authorized L. Courcelle and P. Douglas to incorporate these changes with C. Safar for final legal review.

Town Meeting 2021 & Voting -Presentation for Informational Meeting 3/1/21 N. Gondella reported that the Town meeting Practice Session does not need to be warned as a Selectboard Meeting according to VLCT. The Selectboard decided to remove the agenda from the website. The practice session will take place on Thursday 2/25/21 with the Moderator, Selectboard, Town Clerk, Assistant Clerk and Town Administrator. N. Gondella reported that no member of the public attended the technical assistance session that occurred on February 18th to assist anyone to access the remote meeting. N. Gondella reported 160 ballots have been mailed upon voter request. She expects to have approximately 300 voters total.

COVID-19 Response & Town Government Operations -S. Tully provided an update on the Highway Continuity of Operations Plan. The US Department of Labor issued stronger workplace guidance on coronavirus: New OSHA guidance seeks to mitigate, prevent viral spread in the workplace. S. Tully reported the wellness survey update has been implemented based on the VT Critical Infrastructure Worker Inclusion Guidance.

Community Visit – Mendon on the Move There is a Steering Committee meeting on Wednesday evening to determine talking points for discussion at the Community Visit as well as a discussion for outreach strategies. A date for the Community Visit will be determined.

Otter Creek Communications District L. Courcelle reported the Rutland Regional Planning Commission reached out to Mendon encouraging participating in the Otter Creek Communication District to expand broadband in underserved areas. Last September the Selectboard tabled participating at that time. Amanda O'Connor, RRPC Regional Planner is willing to attend a meeting to discuss the program with the Selectboard. The Board agreed and will schedule Ms. O'Connor to attend an upcoming meeting. The RRPC encourages the town appoint representation to serve on a committee for the Otter Creek Communications District.

Compensatory Time Off R. Wilcox made recommendations to the Selectboard to eliminate the accumulated Compensatory Time Off that continues to be a liability to the town. The proposal included a payout of comp time that is unused by the end of March, accumulation of comp time going forward to be approved by the Chair of Selectboard, status of comp time will be reviewed monthly, the Selectboard will determine a plan of assigned work duties and assignment modifications. The staff is encouraged to meet and make recommendations to the Selectboard.

Access Permit B. Ellis discussed the status of a driveway being upgraded on the Fall Road. The town has received multiple complaints regarding the location of this driveway on a sharp blind corner. The driveway previously existed, but was rarely used by the previous owners. New owners of the property intend to build a camp on the property and use this driveway as its access. B. Ellis has discussed the need for an Access Permit with the contractor. To date the town has not received the permit. S. Tully will follow up with a letter to the new owners informing them

of the towns regulations; Access Permit, Seasonal Weight Restrictions of the Road and Building Permit.

Personnel Issue Motion by R. Wilcox to enter Executive Session at 10:15 AM to discuss personnel with the Selectboard and S. Tully present. The motion was seconded by G. Wells. The Selectboard unanimously approved the motion. The Chair declared the Board out of executive session at 10:30 AM.

There being no further business, R. Wilcox moved to adjourn at 10:30 AM. Motion seconded by G. Wells. The Selectboard approved the motion.

Date Approved _____

Richard Wilcox

Sara Tully - Clerk of the Board

Geoff Wells

Larry Courcelle