

Town of Mendon

Selectboard

May 10, 2021

Members of Selectboard present: Richard Wilcox, Larry Courcelle, Val Taylor

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: H. Rosenzweig, B. Limpert, B. Yates, G. Stake, C. Gates, D. Charles, E. Swett, B. Harnish, N. Swift, J. Lindholm, "Jack"

The Selectboard Meeting was called to order at 5:00 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.**

- 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

Mon, May 10, 2021 5:00 PM - 7:00 PM (EDT)

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

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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, Larry Courcelle, Val Taylor

Agenda: R. Wilcox moved to approve the agenda with the addition of the 2008 Chevrolet Silverado, Billing of False Alarm calls, Reappraisal to the agenda. Motion seconded by L. Courcelle. The Selectboard unanimously approved the motion.

Announcement

Dog Licensing N. Gondella reported a reminder post card was sent for residents to register their dogs which is the third communication from the town. N. Gondella suggested the Selectboard consider issuing violations of the Animal Control Ordinance if dogs are not registered.

Administrative Matters

Selectmen's Orders were reviewed.

Motion by R. Wilcox to approve pay orders for 5/10/21 for \$533.93 and \$160,300.13. Motion seconded by L. Courcelle. The Selectboard unanimously approved the motion. Motion by R. Wilcox to approve payroll in the amount of \$17641.83 for the period ending 05/1/21. Motion seconded by V.

Taylor. R. Wilcox clarified that this payroll includes a payout of accumulated Comp Time to date. The Selectboard directed staff to obtain prior approval from a Selectboard member prior to accumulating Comp Time in the future. The Selectboard will review Comp Time monthly. The Selectboard unanimously approved the motion.

2021-2022 Goals and Objectives At the last meeting S. Tully presented the 2021-2022 Goals and Objectives to the Selectboard with tasks and projects to be prioritized highlighted. S. Tully provided an overview of each task or project, its history, importance and timeline. Prioritizing the 2021-2022 Goals and Objectives provides direction to staff regarding which projects to tackle next as time allows. The issue was tabled for further consideration.

Minutes of Previous Meeting: R. Wilcox moved to approve the minutes of 4/26/21. Motion seconded by V. Taylor. The Selectboard unanimously approved the motion.

Public Comment J. Lindholm supported a Firearm Discharge Ordinance and forming a committee of non-emotional people to write an ordinance that is not too complex or complicated. The ordinance can have law enforcement respond or just a legal action only. G. Stake agreed with J. Lindholm's comments.

Business

Declaration of Inclusion S. Tully provided an overview of the minutes of the VLCT Equity Committee from 4/19/21. The Selectboard is monitoring the developments of their guidance and training programs for municipalities closely. The section of the Declaration of Inclusion that reads "protect these classes to the fullest extent of the law" was questioned. What does this mean for the Town of Mendon? Who is responsible for that? How does the Town accomplish this? It was further discussed that in general the Selectboard supports the Declaration of Inclusion, but they are merely the legislative body. It seems there is an educational piece to the Declaration of Inclusion. How does the town get it out to the community for information/discussion/support? The Selectboard is looking for feedback from the creators of the document.

The town of Mendon Selectboard generally agrees with the Declaration of Inclusion presented at the last meeting. We are anticipating guidance from the Vermont League of Cities and Towns on the subject, as they have created an Equity Committee and are hiring a professional consultant to develop a diversity, equity and inclusion policy statement and trainings. If this guidance is significantly delayed we will reconsider acting on the Declaration of Inclusion at a future meeting.

In addition, the recognized the Governor's Proclamation of Inclusion dated May 7, 2021 and declaration of Inclusion Week May 9-15th, 2021.

Rutland County Public Works Mutual Aid Agreement Motion by D, Wilcox to approve the Rutland County Public Works Mutual Aid Agreement with delegating Bill Ellis as the primary contact and Phil Douglas the alternate contact for the town. Motion seconded by V. Taylor. The Selectboard unanimously approved the motion.

Firearms Discharge Ordinance Action steps from the last meeting was to find out what towns have Firearm Discharge Ordinances, how they are enforced and what experience municipalities have had regarding enforcement of the ordinance. Constable P. Douglas provided information that he attempted to contact 83 towns since the last meeting to inquire about whether they have a Firearm Discharge Ordinance and how it had been enforced. 5 towns responded they have an ordinance, 44 towns do not. P. Douglas has left messages with the remaining 33 towns. He stated there are 250 towns in Vermont and he has many more to contact. He would like the town to complete this research and assemble a report. R. Wilcox offered to assist. L. Courcelle reported that he researched the 28 towns in Rutland County. 4 towns have ordinances – Proctor, Killington, Rutland City and Wallingford, 24 towns do not. Julie Sharon, Wallingford Town Clerk reported to L. Courcelle that the ordinance has existed in the village since 1974 and she doesn't recall any issues and therefore had no comments on enforcement. Robert Montgomery, Killington described to L. Courcelle issues with shooting near the recreation area and library in Killington. The town received some push back on the adoption of an ordinance, but recommended the ordinance needed to be specific to an area and mapped out. Rutland County Sheriff Fox stated that if the RCS was on duty in Mendon when a complaint is received about a violation of the Firearm Discharge Ordinance they would respond. All other times it would be the Constable that enforces the ordinance. Sheriff Fox recalled they had one response in Proctor. An additional action step from the last meeting was to clarify a comment from the State Police that a Firearm Discharge Ordinance would be another "tool in the toolbox". The town would like to know what is meant by this statement and what organization is going to use this tool the State Police or local law enforcement? L. Courcelle reported he reached out again to Doug Norton, State Police and the answer was local law enforcement. Mr. Norton stated there was no recollection of enforcement of a Firearm Discharge Ordinance by the State Police. There are many challenges that remain. It will be difficult to get a committee together, why have an ordinance if you can't enforce it, but should anyone be able to shoot in a cluster development. L. Courcelle described that a committee would need to take a map of Mendon and map out the cluster development and create a description street by street. Each neighborhood should be surveyed as some may want an ordinance and some may not. There should be a representative sample of shooters versus non-shooters to come up with a census of what will work. L. Courcelle asked is the Proposed Firearm Discharge Ordinance should remain on the website or state

that it will be rewritten and continued to inquire of the Selectboard what direction are we going in. P. Doulas stated the current draft is too restrictive and quoted 500' from a habitable residence and said there was not an extensive list of enforcement. So far in his research, no one could recall any enforcement. There have also been limited incidents in Mendon, P. Douglas recalled one in Wheelerville and one on the Notch Road. He further noted that the property owner that called about the Notch Road incident where a stray bullet hit his barn also expressed opposition to a Firearm Discharge Ordinance. R. Wilcox summarized again that the VT State Police and the RCS would not respond to a violation of the Firearm Discharge Ordinance and that it would need to be handled by the Constable. P. Douglas clarified that the State Police will respond if the action is a criminal offense. R. Wilcox stated that our ordinance would not attack the issue by itself. Action steps from the discussion is P. Douglas and R. Wilcox will continue to contact municipalities to determine which have adopted a Firearm Discharge Ordinance and have they had any experience enforcing them.

Lawnmower Replacement S. Tully recapped three bids that were submitted to B. Ellis for the riding lawnmower replacement. Inventory is potentially a real issue and a decision must be made to assure we can purchase a lawnmower. Some distributors won't receive inventory until July or August. The Selectboard discussed the bids. Motion by R. Wilcox to purchase a John Deere X570 with a 54" deck for \$6,099 to be paid out of the Equipment replacement Fund. V. Taylor seconded the motion. The motion passed unanimously.

AOT Annual Financial Plan The AOT Annual Financial Plan was submitted and signed by the Selectboard. Motion by R. Wilcox to approve the AOT Annual Financial Plan. L. Courcelle seconded the motion. The motion passed unanimously.

Irene Celebration Committee L. Courcelle will call a meeting of the Irene Celebration Committee and finalize some details about a date and location for the celebration. The 10th Anniversary of Tropical Storm Irene leaving devastating damage in Vermont is August 28th.

Comp Time Plan R. Wilcox reported the residual Comp Time has been paid and clarified it should be paid from the Contingency Fund. N. Gondella asked if we should wait to determine if there is a surplus at year end to avoid taking the expense from the Contingency Fund. The Selectboard agreed. Going forward any Comp Time needs to be approved by the Selectboard member in advance. S. Tully asked who the employee needed to contact for approval and it was clarified any Selectboard member could approve the Comp hours. The Comp hours will be reviewed monthly by the Selectboard.

Highway Employment A full time Assist Road Commissioner/Equipment Operator position remains vacant. In addition the Selectboard discussed hiring a seasonal employee for the summer with job responsibilities that would include mowing, road maintenance, building cleansing and maintenance. S.

Tully will advertise the positions and the positions will be posted on the website at www.mendonvt.org. Any interested candidates can contact Sara Tully at mendonadmin@comcast.net.

False Alarm Calls P. Douglas provided an overview of fire calls through the end of December 2020 resulting in an additional billing of \$3750 in false alarm fines.

Reappraisal N. Gondella reported the informational booklets of the reassessed property values will be mailed by next week. Spencer Potter, Vermont Municipal Assessor, will be conducting individual phone conferences May 27-29th to answer questions property owners have about their assessments. In June the formal Change of Appraisal Notices will be sent. Grievance hearings will be conducted mid to late June with appeals being conducted in July or early August.

2008 Chevrolet Silverado The Town of Mendon advertised the 2008 Chevrolet Silverado for sale for \$16,000 or best reasonable offer. The Town accepted offers until May 6th at Noon. S. Tully provided the offers to the Selectboard. Motion by R. Wilcox to rejected all offers and extend the period to submit offers until May 20th at Noon. Motion seconded by L. Courcelle. The motion passed unanimously. Details of the truck listing can be found on the town website www.mendonvt.org or at the Town Office.

There being no further business, R. Wilcox moved to adjourn at 6:31 PM. Motion seconded by V. Taylor. The Selectboard approved the motion.

Date Approved _____

Richard Wilcox

Sara Tully - Clerk of the Board

Larry Courcelle

Val Taylor