

SELECTBOARD MEETING

May 23, 2006 – 5:30 p.m.

Dick Roger's Residence

Treas/AA Office

Attendance:

Dick Rogers

Howard Garrow

Jill Pomerantz

Andy Pomerantz

Alan Ackerman

Phillip Mulligan

Carol Olsen

Beth Ann Finlay

Stan Brinkman

Jane Cushman

John Parker

Rhoda Ackerman

1. Roadside Bank – The Board met at Dick Roger's and walked to view Howard Garrow's bank along the East Randolph Road. There have been concerns that the road was sliding after the bank was cut away. After moving to the Treas/AA office, Dick moved and Andy seconded the motion to accept Howard Garrow's offer to start building a concrete retaining wall, at his expense, this summer and to complete the project within 2 years.
2. Minutes – Dick moved and Carol seconded the motion to accept the minutes to the May 2, 2006 meeting as written. So moved.
3. Adjustments to Agenda
  - a. Roadside Mowing – to Roads
  - b. Revolving Loan Item – to Old Business
  - c. Playground (Tennis Court) Grant Report – to Old Business
  - d. Culvert Grant Signing – to Roads
  - e. Custodian – to New Business
4. Public Comments
  - a. Howard Garrow was inquiring about a trash issue. The Board advised him that this issue is in the Town Agent's hands.
  - b. Howard Garrow inquired about potential brownsfield issues at the Creamery Property. This will be investigated thoroughly if the town is interested in buying the property.
5. Water/Sewer
  - a. Amendment to engineering Services Agreement #2 – Dick moved and Carol seconded the motion to sign Amendment #2 to the Otter Creek Engineering, Inc. contract. This adds \$2,000 additional engineering services to assist in the preparation of documentation for grant/loan applications related to the sewer plant upgrade. So moved.
6. Roads

- a. Personnel Issue (Executive Session) - Dick moved and Carol seconded the motion to table until June 6, 2006. So moved.
  - b. Paving Grant – The State of Vermont did not approve Chelsea’s application.
  - c. Road Signs – Carol moved and Dick seconded the motion to place “Children at Play” signs on Brook Road near the former Moulton/LaFrancis property. So moved.
  - d. Culvert Grant – Dick moved and Carol seconded the motion to sign the 2004 State of Vermont Structures Grant payment request form. So moved.
  - e. Roadside Mowing – The town has 1 roadside mowing bid. Lad Lyon will be given an opportunity to bid. Bids will be awarded on June 6, 2006.
7. Old Business
- a. Trash in river on Upper Village Rd. – Dick checked the site that had been reported. He found a small amount of trash that probably was blown there and 4 tires. The tires appeared to have come from Hillside Homes. Jane will contact Mary Norman to ask that someone from Hillside Homes pick up the tires.
  - b. Dogs – The ongoing issue of dogs running at large within the town was discussed. Bill Boynak, Orange Co. Sheriff’s Dept, will be invited to the June 6, 2006 meeting to discuss enforcement of this issue.
  - c. Kennedy Property – Dick moved and Carol seconded the motion to enter executive session at 7:25 p.m. So moved. Exited at 7:30 p.m. Carol moved and Dick seconded the motion to honor our contract with the Kennedy’s and pay the \$500 fee. So moved.
  - d. Closed Landfill – Carol had been asked if horses could be grazed on the closed landfill. As stated in the Chelsea Landfill Closure Engineering and Operations Plan, the closed landfill should not be used for any activity which would disrupt the cover or destroy the vegetation. Since the grazing of horses could disrupt the cover, Carol will notify the party asking to use the site that this will not be permitted.
  - e. Tire Collection – Bob King advise that he can collect 1,000 tires from the town but that he would not accept them from those in competition with his business. Since the town doesn’t know how to enforce this tire collection, no action was taken.
  - f. King Salvage – At a hearing on March 28, 2006 the Selectboard voted to sign the certificate of approval for location of a junkyard for Mr. King pending the outcome of a water sample of an abutting landowner. The Health Officer advised that he could only sample water for renters. The Agency of Transportation

and the Agency of Natural Resources were consulted as to who is liable for the water sample. There are no clear statutes. The Selectboard agreed that it is the landowner's burden to prove that the water is contaminated. Since there is no proof at this time, the certificate of approval was signed.

- g. Revolving Loan Issue – Donnie Wilcox, owner of Phoenix Health & Fitness, has offered the town his fitness equipment in lieu of payment of his loan. If the town isn't interested in the equipment, he will auction it off and pay his loan in full. The Board feels it's important to have the equipment available but feels the town would benefit more with the loan repaid.
- h. Playground (Tennis Court) Grant – John Parker advised the Selectboard that Chelsea's grant request, to be used to rehabilitate the playground, was denied mainly because having an ice skating rink on top of a basketball court creates maintenance issues. The grant administrator is willing to visit the town to explore other avenues to get the rehabilitation of the area done. She will be invited to a Selectboard meeting.
- i. Facilities – The Creamery property is now legally deed to the Ryan estate and will be ready to sell in 30 to 60 days. The facilities committee has been working on a concise primary use for the property. It was reported that although all town facilities are being considered, the garage overshadows the other facilities. The committee is still struggling with a location for the garage. Soon there will be a meeting with the architect that was contracted to design, etc a garage. This will enable the committee to explore both the Creamery property and the Heath Field as possible sites for the garage. There is 100% grant funding for the brownsfield studies if the town has an option to buy the Creamery property. Stan reviewed the discussions he's had with the Ryan estate attorney. The Board was asked to consider authorizing 2 – 10% of the new appraised value of the property to hold an option to buy for 6 months. This would enable the brownsfield study to begin. The facilities committee was asked to wait until the June 6, 2006 meeting when the new appraisals are available but to continue to negotiate for the option to buy the property. The Board will try to work out a meeting with the facilities committee, the school board and the selectboard to discuss possible uses for the property.

## 8. New Business

- a. Forest Fire Warden Appointment – Dick moved and Carol seconded the motion to appoint John Upham as Forest Fire Warden for a 5-year term to expire on June 30, 2011. So moved.

- b. Rapid Response Plan – The State has a new format for the RRP. Jane will continue to work on filling out the form.
  - c. Old Voting Booths – The Selectboard authorized Diane Mattoon to dispose of the old voting booths at no cost to the town.
  - d. Custodian – Jane will work out details to cover the maintenance of the Town Hall while Bill Blondin is recovering from a recent hospital stay.
9. Correspondence
- a. Flea Market – A letter from Elaine Braman requesting that the Selectboard set aside the date of July 7, 2007 for the use of both North & South Commons for the annual Chelsea Flea Market. She advised that an official request will be coming from a representative of a soon to be formed organization. An attached letter with more details was to be enclosed. The letter was omitted. Jane will contact Elaine for the omitted letter. The Board will set aside the date but would like to see the letter.
  - b. VT Dept of Housing and Community Affairs – Letter inviting 2 – 3 representatives to a retreat on June 19 and 20, 2006 at the Grand Isle Lake House. Andy & Carol will consider attending.
  - c. ANR – Project review sheet for Joan & Arthur Goodrich for the conversion of an existing commercial building to a 40 seat restaurant.
  - d. ANR – Draft NPDES General Permit 3-9020 for discharges of stormwater runoff associated with construction activities.
  - e. Dept. of Environmental Conservation – Notice of application to construct or alter a dam by Keyser Limited Partnership.
  - f. VLCT – Involvement in 2007 Legislative consideration of education funding reform.
  - g. Otterman and Allen, P.C. – Update on WEC lawsuit
  - h. Otter Creek Engineering, Inc – Bid Opening Meeting Minutes
  - i. Two Rivers-Ottawaquechee Regional Planning Commission – Minutes to April 26, 2006 meeting.
10. June 6, 2006 Agenda Items
- a. Personnel Issue (Executive session) – 6:00 p.m.
  - b. Orange County Sheriff Dept. – Dogs – 6:30 p.m.
  - c. Roadside Mowing Bid Opening
  - d. Flea Market – Review of letter
  - e. Facilities – 7:30 p.m.
  - f. Kennedy Property
11. Adjournment – Dick moved and Andy seconded the motion to adjourn at 7:45 p.m. So moved.
12. Action Items

- a. Trash – Jane will contact Mary Norman re: tires
- b. Dogs – Jane will invite Bill Boynak to 6/6/06 meeting
- c. Close Landfill – Carol will notify interested party that horse may not be grazed on the closed landfill
- d. Kennedy Property – Dick will talk to the Kennedy's re: town payment of \$500
- e. Flea Market – Jane will get a copy of the letter that was omitted from letter
- f. Custodian – Jane will talk to the Blondins re: temporary help
- g.