

**Town of Plainfield, Vermont
Select Board Meeting
June 15, 2021
Approved Minutes**

The Select Board Rules of Procedure are available at https://www.plainfieldvt.us/uploads/8/1/0/6/81063668/2021-04-26_plainfield_selectboard_rules_of_procedure_adopted_2021-04-26.pdf

PRESENT

Jim Volz, Select Board Chair
Sasha Thayer, Select Board Member
Tammy Farnham, Select Board Member
Keith Swann, Friends of the Plainfield Town Hall and Opera House Representative

Jim Volz called the meeting to order at 6:00PM.

FRIENDS OF THE TOWN HALL AND OPERA HOUSE AGREEMENT PROPOSAL & POSSIBLE APPROVAL

Swann discussed a document that was sent to all SB members, which included two proposals. The SB was asked to choose one of the two options. A copy of the document can be found at page 9 of these minutes.

Volz and Thayer spoke in favor of Option 1, and supported the creation of a committee.

Farnham was opposed to Option 1 because it is a community building. A lease agreement with Friends of the Plainfield Town Hall and Opera House (FTHOH) could take control from the community and favor one group.

Swann clarified that people still have to book it whether they're from the town or not. Booking used to be run through Linda Wells with Swann as the primary contact. FTHOH would offer to book it on a first come–first served basis. Would not want to bump a non-resident for the use of a town group and thinks this should be codified. FTHOH has a website and booking can be arranged via the website or phone.

Thayer noted that Plainfield could be a more vibrant arts community if FTHOH tied their offerings in with local businesses. This could significantly benefit the businesses in town.

Volz noted that the choice of Option 1 doesn't mean that Option 1 starts right away. He suggested that we try Option 1 first, then move to Option 2 if it doesn't work.

Farnham requested that the two proposals (Option 1 and Option 2) be posted on the town website so community members can see them.

Volz suggested having a public hearing and Swann agreed. Volz and Swann will work together to create an agenda for the meeting.

Swann spoke as representative of FTHOH and said that they do not wish to continue in the manner they are currently managing it. They would like the town to shift to Option 1 or 2 and they would like to put their energy into building an arts community around the use of the space.

Thayer noted that bringing more shows to town would bring more business to town. Having more going on at Town Hall and Opera House is good for town's economy, yet noted that the town employees cannot be asked to do management, booking or promotion – the town does not have the resources to put the management of the building and events on the town staff.

FTHOH is meeting in the coming week and Keith will bring this discussion to the table.

Farnham suggested that they consider setting aside a certain amount of money that they have to meet to cover expenses per year and then contribute a percentage of proceeds from each event to the town.

Decision: Keith will modify the options and talk to the FTHOH on Monday, June 21 and then send the new proposal to Thayer, who will post them on the town's website.

Thayer noted that the FTHOH parking area is going to be used to set up the staging for the construction of the pedestrian bridge. The lot won't be available for events during that time.

The Select Board (SB) went into **EXECUTIVE SESSION REGARDING A PERSONNEL MATTER** from 7:00PM until 7:20PM.

PRESENT:

Josh Pitts, Water and Wastewater Commission Member
Mary Lane, Water and Wastewater Commission Chair
Sasha Thayer, Select Board Member
Tammy Farnham, Select Board Member
Jim Volz, Select Board Chair
Linda Wells, Town Clerk and Treasurer

The regular Select Board meeting resumed at 7:20PM

PRESENT:

Sasha Thayer, Select Board Member
Tammy Farnham, Select Board Member
Jim Volz, Select Board Chair
Keith Swann, Friends of the Plainfield Town Hall and Opera House
Jesse Cooper, Planning Commission Member
Ryan Christiansen
George Cushing
Linda Wells, Town Clerk and Treasurer
Melinda Vieux
Chris Ditmeyer
Charlie Cogbill
Karl Bissex

Mary Trerice
Betsy Ziegler
Susan Grimaldi
Adam Hochschild
Paula Emery, Select Board Administrative Assistant

RECOGNITION OF LINDA WELLS and CAROL SMITH

Thayer motion to authorize a bonus for the Town Clerk and Assistant Town Clerk in recognition of the extra and difficult work that they did during the pandemic. **The motion was approved unanimously.**

APPROVAL OF/CHANGES TO AGENDA

- ♦ There were no changes to the agenda.
- ♦ The next SB meeting will be at the Town Municipal Building as well as on Zoom, per the Governor's lifting of the (coronavirus) Emergency Order.

ANNOUNCEMENTS

- ♦ Thayer commended the local elections officials for running consistently free and fair elections and thanked town employees for their efforts during the pandemic.
- ♦ Buildings throughout the state are opening per the governor's order. People have expressed appreciation for Zoom making meetings open to all, so SB is taking that into account, moving forward with a hybrid meeting model.
- ♦ Jesse Cooper announced the Montpelier Housing Trust's matching grant program for small additions creation of accessory dwellings to increase affordable housing in the city. They grant up to \$15,000 to homeowners to use to partition homes to create small apartments. The Plainfield Town Plan covers housing but the cost of building has increased dramatically in the past year. The Town Plan encourages density in the village. Jesse requested that the town consider using federal covid relief funds for something like this.
- ♦ Emery (who serves as Plainfield's representative to the Central Vermont Regional Planning Commission) noted that Bonnie Waninger from Central Vermont Regional Planning Commission (CVRPC) sent an email to towns offering to attend SB meetings to share information about COVID funds.
- ♦ Emery shared information from CVRPC meeting about the successful use of the "Owl" 360 degree camera, which is compatible with Zoom for hybrid meetings.

PUBLIC COMMENT

There was no public comment offered at this point.

TOWN CLERK/TOWN TREASURER REPORT (LINDA WELLS) INCLUDING:

- ♦ Re-roofing municipal building update: Ken Randall will send a contract for the roofs, and plans to do it in July.
- ♦ Health officer form needs to go into the Dept of Health. Jim needs to sign the form and then Linda will get Baylen Sky's signature.
- ♦ Approval of overweight permit for R&A Kennedy Trucking, Williamstown, VT
This permit will be for one year. **Sasha moved to approve. Approved unanimously.**

- ♦ Consideration Of/Approval Of Special Events Permit For Lawson's Finest Liquids, LLC For Event At Barre Country Club On June 18, 2021: Permit request went to Barre Town Clerk and as a consequence the permit was submitted late. **Sasha moved to approve. Approved unanimously.**
- ♦ Approval Of Contract With Washington County Sheriff's Department: Same as previous contracts, but hourly wage went up so town will get fewer hours because the funds are already budgeted for this year. **Farnham moved to approve. Approved unanimously.**
- ♦ Approval of warrants: Payroll from June 4, June 11. Accounts payable for June 8. **Farnham moved to approve. Approved unanimously.**

APPROVAL OF MINUTES

- ♦ January 5 minutes are still outstanding. June 2 minutes are outstanding. Approval of minutes is on the July 6 agenda. This item was moved to July 6.
- ♦ Chris Ditmeyer noted that minutes have to be posted within 5 days and asked whether there was a waiver. Sasha explained the Covid 10-day extension and that the town went without a note taker for several months.

ROUTE 2 INTERSECTION UPDATE INCLUDING REVIEW OF AGREEMENT BETWEEN TOWN AND STATE

Farnham is meeting with the state on June 16, she will provide an update at the July 6 meeting.

PEDESTRIAN BRIDGE UPDATE (note that this item was moved up in the agenda)

Farnham reported the following: There was a meeting about traffic control on June 8 that went well. vhb Engineering went back to the contractor with the town's concerns, including the inclusion of a parking spot. SB reviewed the project blueprint [available on town website] and some changes are being suggested. VTRANS will then get the plans and will give feedback, and then the blueprint will come back to the town. The process is that the plans will move back and forth until it is finalized.

Regarding the issue of getting information out to the town about the timing of the work, Linda gave Farnham a list of village residents' contact information, as she would like to send a postcard to warn about the impact of the work on noise and traffic, but in reality, everyone in town needs to know.

Discussion moved to using signage to inform motorists about the project. Sasha suggested using detour signs get commuters to avoid the intersection during construction. Linda said that signage around the village could be enough and offered to put the sign in front of Town Hall and Town Offices.

Farnham requested information about lawn signs to make sure that people know where to get information, and **moved to budget \$150 for lawn signs for the pedestrian bridge project. The motion approved unanimously.**

George Cushing requested a copy of the pedestrian bridge contract. SB have copies and **one will be sent to George.**

REPORT FROM ROAD FOREMAN, Mike Nolan

A catch basin on Mill Street near the bridge went bad, has gotten 3 quotes to fix it. Linda sent quotes to SB via email. There was discussion of the three bids, with Nolan in favor of Burrell. Nolan noted that he is concerned that the repair will have to include work on the sidewalk.

The Road Crew crushed stone into the hole to hold it over until repair. **Tammy moved to do the catch basin work with Burrell Properties for \$9875.00. The motion was approved unanimously.**

Nolan: wondering what to do with blacktop in Martin Meadows, and Main Street near the Fire Station has to get done too. Road Crew is considering doing some of the work themselves to save money.

Farnham clarified that the budget is for the Martin Meadows job, and not for Main Street and suggested that the town can get funding for Main Street repaving from Fire Station to Park and Ride from the state as a paving grant. Nolan noted that the Brook Road, Barre Hill and Main Street all qualify for paving grants from the state but the rest are the town's responsibility.

Volz asked Nolan if anything can be done to get these areas through another year. Nolan is going to try to call smaller contractors to see if they can do smaller spots with town help. Nolan stated that his requests for quotes have not been answered.

Tammy moved to accept the bid for \$48,880.00 from Pike Industries to pave Martin Meadows and Walker Lane. The motion was approved unanimously.

Nolan reported that Bowen Excavating is going to replace a water line on Main Street during the second week of July and has said that it will take the entire week. Bowen wants to close the whole street for a week. There was discussion about preventing the closure of Main Street for this job while the pedestrian bridge project is underway. The two cannot happen at once. Sasha asked if Bowen can do the job before end of June. Nolan said that he will ask.

Paula Emery gave a brief overview of the issue with the sewer line on Main Street and urged that the residents be contacted before any changes are made to the schedule.

Farnham noted that the electrician told her that the Road Crew were great to work with.

Nolan explained that the state has issued new requirements for erosion of gullies, ditches and washes. Letter of intent has to go in on June 25. Linda said that the letter of intent is already completed and all is needs are signatures. **Sasha moved to authorize Volz to sign the letter of intent and submit it. The motion approved unanimously.**

Nolan asked what the SB thinks about the 10 hour day/4 day week. SB referred him to the decision from last meeting.

APPROVAL OF PROCESS FOR ENFORCING ZONING VIOLATION FINES RELATED TO DRB DECISION

Thayer reported that her research indicated that there are two ways to enforce fines: one is to go through the Judicial Bureau and the other is to go through Environmental Court. The

Judicial Bureau is preferable, but there is an \$800.00 cap on the fine. Higher amounts go through the Environmental Court, which requires hiring a lawyer at a cost of roughly \$5,000.00. In either case, the town needs evidence that the trailer was actually occupied. The 2020 budget has \$2000.00 set aside for legal fees, but those funds were used in the Connecticut title insurance lawyers' lawsuit against the Town of Plainfield and nine other municipalities.

Thayer suggested that it might be less costly to work with the landowner to help them to become legal.

REPORT FROM TOWN HEALTH OFFICER on HEALTH CONCERNS at 79 BEAN ROAD

Volz reported that he requested the Health Officer check the property and report back. The Health Officer was not present for the meeting.

Ryan Christiansen reported that the chickens are still there and locked in a cage and stated that the Town Health Officer should have gone there by now.

There was discussion over whether the town has the authority to prevent people from parking RVs on their land. Neighbors reported that the evidence suggests that the property and RV are occupied.

Discussion turned to a review of the enforcement efforts to date and whether Development Review Board decisions are enforceable. The town Zoning Officer was not present to answer questions or report. Residents noted that the town is setting a precedent of not enforcing ordinances and reminded the SB that a previous SB spent thousands of dollars cleaning up the property several years ago.

Farnham spoke with Zoning Administrator from Norwich and was told that in most cases the rules are meant to be a deterrent. **Farnham offered to reach out to the property owner to find out what her goals are – requested contact information.**

Thayer contacted Vermont League of Cities and Towns and found that it isn't possible to put a lien on the property without a court order. She followed up on the VLCT's suggestion to contact Brian Monaghan, who stated that going to the Environmental Court will cost at least \$5,000.00. Monaghan could be hired to represent the town at \$175.00 per hour but the town does not have funds for legal matters in this fiscal year. The new fiscal year begins July 1, with \$2,000.00 budgeted for legal fees.

Adam Hochschild stated that the evidence is that the property is occupied. He would like the SB to say what it is that they will do and suggested that they: 1) visit the property; 2) contact the landowner, 3) hire a lawyer to consult about what to do, and 4) request that Karen Storey attend a Select Board meeting.

Farnham offered to meet with Ryan to see the property before talking to Melanie and Ryan agreed to meet with her.

Thayer suggested that the neighbors could engage in an enforcement action with the Environmental Court.

Farnham and Ryan Christiansen agreed to meet at the site, then Tammy will reach out to Melanie, then they will discuss it again at the next meeting.

UPDATE ON OLD FIREHOUSE ALTERNATIVES, including POTENTIAL SALE or LEASE

Farnham provided an update on proposals; the town received one proposal to purchase and one recommendation for what to do.

Betsy Ziegler sent a letter recommending that the town pay to restore the roof and back wall, and remediate the asbestos. They got an estimate for the roof for \$5,500 and the builder put up scaffolding in the river to look at the roof and said that it's do-able. There's an offer for 60% matching funds. There have been people offering to volunteer. The total cost would be approximately \$12-13,000 includes asbestos removal and matching funds.

Volz expressed interest in options that allow for the stabilization of the building until it can be discussed at Town Meeting.

Zeigler noted that the roofing estimate was given within the last week and that the structure beneath the roof needs to be strengthened before the roof can be done.

Volz asked SB what they think about allocating \$13,000 -- \$15,000 to fix it.

Thayer responded that she doesn't think the town has the funds.

Farnham noted that Jay Southgate submitted a proposal. Volz said that Southgate's proposal is to tear it down and build something new, quoting from Southgate's letter. Volz advised Southgate that as it is a historic building, it has to be restored. Southgate declined and wished us luck.

Betsy Zeigler explained that one of the proposals was to move the building and work on it in a new space. But if it is moved it wouldn't be eligible for historic grants. David Strong said that the person from Preservation Trust recommended moving the building. Right now we just need to keep it from falling into the river. Suggests using the Buildings Reserve Fund, which has \$11,000 in it.

Thayer said that the building was approved for some asbestos grant monies and that the town is currently repairing the roof on the municipal building and working on the fire house. She expressed concern that people feel it's urgent to fix up the old fire house, but the town doesn't have the funds to do so.

Volz offered to contact Nathan Phillips to discuss how to proceed and requested his contact information from Zeigler.

Zeigler urged the SB to look into using reserve funds – anything will help to remediate the problem. It is historic and is the town's responsibility to do something about it.

Farnham offered to reach out to Jay Southgate to talk about incorporating new with old to preserve the Old Firehouse.

Thayer said that she would be happy to sell it for a dollar to someone who is willing to restore or do something beautiful with it, noting that we have to consider losing the building if it falls into the river.

Discussion concluded with clarification about the utilities, especially electric, water and wastewater. **Farnham will find out about the water and sewer and bring it to the next meeting.**

OTHER BUSINESS

There was no Other Business.

ADJOURN

Thayer moved to adjourn the meeting at 9:44PM. The motion was approved unanimously.

Respectfully submitted by Paula Emery.

Agenda Items for Upcoming Meetings:

Recommendation for Special Select Board Meeting re “re-opening” and SB meeting arrangements when in-person meetings are possible, including hybrid meetings

Agenda items for July 6, 2021 Select Board Meeting

- Plans for reopening municipal buildings and facilities
- Further discussion re items of focus for coming year
- Appointments
- Continuity of Operations Planning, Grace Vinson, CV Regional Planning Commission
- Brook Road Bridge Replacement Project
- Review of timeline provided by Alice Merrill
- Financial implications of going forward and how to meet them
- Review of ongoing and anticipated multi-year financial obligations inc. project not yet started
 - Implications of not going forward
- Discussion re whether there should be Town approval of the project
- Update on Pedestrian Bridge construction
- Update on Rte 2-Main Street Intersection Remediation project
- American Rescue Plan Act funds to Town (\$120,000) – Sasha Thayer
- possible use of/priorities for funds
- process for receiving/requesting funds
- Approval of minutes inc. January 5, June 2, 8 and 15

Agenda items for August 17 Select Board Meeting

- Continuity of Operations Planning, Grace Vinson, CV Regional Planning Commission

Planning for the Future of the Friends of the Plainfield Town Hall Opera House

Memorandum to the Plainfield Select Board

I. Introduction

The purpose of this memo is to begin a conversation about the relationship between the Friends of the Plainfield Town Hall Opera House (“Friends”) and the Plainfield Select Board (“Select Board”) concerning the management of the Plainfield Town Hall Opera House (“Opera House”). The Friends are unanimously of the view that the current arrangement between the Friends and the Select Board is not working well. The Opera House is a wonderful community asset and we believe that a different arrangement would free up the Friends to function more effectively, thus enhancing the role of the Opera House in the local community and more broadly across the Vermont arts community.

This memo will begin with some background material and then move on to descriptions of two separate proposals. While we are setting out two proposals to provide some contrast and points of discussion, the Friends strongly prefer Proposal 1 – a lease arrangement. The second proposal suggests a more dramatic shift that is certainly possible, and better than our current arrangement, but not our first choice.

II. Background.

The current arrangement is not efficient or productive for anyone. We feel we have provided a valuable service to the Select Board and the community by voluntarily managing the Opera House, but we are also aware that the building impacts the town budget. As a town asset and the site for town events such as Select Board meetings and voting, the Opera House will always be an expense item on the town budget, but we understand the need to minimize costs.

The need to enter into yearly negotiations creates additional work for everyone, including the Select Board, and makes it very difficult for us to plan programs and conduct fundraising for facility improvements. Regular turn-over on the Select Board means that questions about the scope of work the Friends undertakes needs to be continually explained and justified, despite the fact that the Friends’ fee is sharply discounted, and the sole purpose of the Friends is to boost the Town Hall Opera House.

The inefficiencies of negotiating a contract every year are compounded by constant delays. Specifically, despite the fact that we submitted a proposed contract for FY 18/19 in May of 2018, it wasn’t approved until six months into the contract year. The same thing happened the next year, with the only change being that our proposal to make the duration of the contract two years was denied. This delay problem was repeated again this year when the Select Board decided to break the contract into two six-month

segments, after waiting six months into the contract period to approve the first segment.

This uncertainty not only makes it very difficult for us to plan ahead and to successfully fundraise, it has a marked demoralizing effect. Given the freedom to work more independently and beyond the limitations of a single budgetary year, we believe we could develop a more robust schedule of creative cultural and community events and engage in more marketing and fundraising.

In short, the goal of any new arrangement would be to free up the Friends to pursue a more robust schedule of events, more fundraising, and greater control over our own operations and scheduling so we can plan for the future. This would also free up the Select Board to focus on other matters and further the social, economic, and cultural goals of the town with respect to the Opera House.

III. **Proposal One: A Lease Arrangement**

The essence of this arrangement is the Friends would enter into a multi-year lease with the Select Board for a nominal \$1.00 per year. Our relationship would be similar to a standard landlord/tenant relationship in that the Friends, as a tenant, would have full control over possession and be responsible for facility operating costs, while the town would be responsible for maintenance and repairs. It is important to note this is a greater risk for the Friends than it is for the town. While the town would lose the rental income from the Opera House, it would no longer be paying operational and management costs, and it would thereby achieve a net savings (see the attached multi-year spreadsheet on past, present, and proposed town budgets for the Opera House) The Friends would be assuming a greater financial burden, but we believe that with greater independence we can make that up with fundraising and increased bookings. Here are a few other details or highlights of this arrangement.

Management: We would continue to manage the Opera House as we do, including scheduling town meetings and rentals for private and community events, and seeing that the facility is kept clean and in good order. This would be done at no cost to the town: the \$4,000 budgeted for management services in FY21/22 would disappear from the books.

User fees: All rental fees would be payable to the Friends.

Cost allocation: We would assume the yearly facility operating costs. These are the costs in the Select Board's Town Hall Opera House budget exclusive of maintenance/repair (\$3,800 projected for FY21/22). The town would continue to bear those costs, which are detailed in the attachment. Since the payment to the Friends would no longer be relevant this would result in a net annual savings to the town.

Lease Term: The initial lease would be two years to provide the Friends with the time necessary to plan. We are excited to get started but would like to think beyond the one-year contract situation we have been locked into over the past few years. Ultimately, if the lease arrangement turns out to be mutually beneficial, we would like to enter into a longer-term lease arrangement.

Insurance: The Friends will continue to pay necessary liability insurance. The town would continue to cover building loss insurance.

Improvement Projects: The Friends will continue to invest time and money in capital improvement projects for the Opera House, in consultation with the Select Board. During the proposed two-year lease period, the Friends plans to finalize construction plans and to begin raising funds to build the two-story addition on the back of the Opera House, which has been permitted and for which a foundation has already been poured. Based on preliminary plans that have been prepared for this addition, we estimate it will cost roughly \$100,000 and, when it's completed, will vastly improve the suitability and functionality of the building for theatrical productions.

IV. **Proposal Two: The Friends as an Independent Arts Organization**

The Friends are deeply committed to supporting the Opera House as a cultural and communal gathering place for the region. This, we believe, is the best use of the space and the most productive role of the building in the immediate and broader community. Because we are so committed to the building and its central place in our town, we are not eager to give up our management role. Having said that, if the lease option is rejected, we do feel that we can better serve the community if we discontinue our role as facility manager and simply become an independent arts organization, renting the space on an as needed basis for cultural events, as any other organization would.

Under this approach the Select Board would resume management of the Opera House, including bookings, liability insurance, website oversight, all maintenance, advertising, public relations, cleaning routines, minor maintenance, arranging access, rental orientation and pre and post event inspections. This was the arrangement when the newly refurbished Opera House first opened. The annual cost of a manager at that time was \$6000. The Friends would focus on developing multiple artistic series – theater, music, visual arts – working closely with local and regional arts organizations.

Given that the Friends own the parking lot across the street, we would use that for any events we hold in the Opera House and we would be willing to rent the parking lot to the Select Board for any events or gatherings not booked or organized by the Friends. The piano is also owned by the Friends. That too would have to be rented by the town for any events not booked by the Friends.

