

Town of Plainfield Select Board Meeting
August 7, 2023
149 Main St. Plainfield, VT 2nd Floor and via Zoom
Minutes - Approved

Agenda:

- Changes to Agenda
- Announcements
- Public Comment
- Town Clerk's Report (Robin Miller)
 - Office News
 - Building Maintenance and Improvements
 - Budget Options for Old Home Days Sheriff Deputies
- Road Foreman Report (Michael Bingham)
 - Equipment problem - F550 truck
- Update on roadside pick-up of flood debris
- Approve signature of Town Hall Preservation Trust Report (Keith Swann)
- Health Officer Update: 268 High St. and 1246 Brook Rd. (Jodi Vilardi)
- Municipal Technical Assistance Program Report from CVRPC
- Appointment of Hazard Mitigation Committee members (Michael Billingsley)
- Green Mountain Power response to dam letter
- Approval of warrants:
 - Accounts Payable: 7/7/23, 7/12/23, 7/21/23
 - Payroll: 7/17/23, 7/27/23, 8/3/23
- Approval of draft minutes: 7/17/23, 7/28/23
- Executive Session regarding pending litigation pursuant 1 V.S.A. § 313
- Return from Executive Session/Decisions (if any) in public
- Adjourn

Present: Select Board members Riley Carlson (Chair), Bram Towbin, and Jim Volz. Also present were Road Foreman Michael Bingham, Emergency Management Director Michael Billingsley, Chris Ditmeyer, Adam Hochschild, Ryan Christiansen, Kim Nolan, Town Clerk/Treasurer Robin Miller, Keith Swann of Plainfield Arts, Town Health Officer Jodi Vilardi, Secretary of the Plainfield Co-op Board of Directors Rose Paul, and Gary Graves of Plainfield Fire and Rescue.

Chair Carlson called the meeting to order at 6:01 pm.

Changes to Agenda:

At the request of Michael Billingsley, Carlson suggested adding, after the appointment of the Hazard Mitigation committee members, a discussion of the Emergency Management budget as well as a Delegation of Authority document provided to the Select Board by Billingsley prior to this meeting. At the request of Town Clerk/Treasurer Robin Miller, Carlson suggested the addition of extra time for public comment, changing the allotted time to 20 minutes.

Towbin requested to add a topic to the warned Executive Session.

Select Board members agreed to these changes to the agenda.

Announcements:

Billingsley stated that a meeting is scheduled for homeowners, business people, and farmers to meet with FEMA, the Small Business Administration (SBA), and the Agricultural Department at the Plainfield Town Hall and Opera House on Thursday, August 10, 2023 from 7-9 pm.

Towbin thanked Douglas Farnham, Vermont Chief Recovery Officer, for his prompt response to the Town's questions regarding disposal of flood debris.

Public Comment:

Chair Carlson opened the floor to public comment.

Carlson recognized Chris Ditmeyer and Adam Hochschild who joined the meeting via Zoom. As a concerned citizen and neighbor of the property at 79 Bean Rd. Plainfield, Hochschild voiced his support of the Select Board taking action to address the public health and safety concerns regarding the happenings at that property and encouraged the Select Board to make a direct connection with the residents there in an effort to enforce zoning regulations.

Carlson recognized Ryan Christiansen, neighbor of the property at 79 Bean Rd. Christiansen expressed his concern regarding environmental and safety issues at the property and provided historical context to the current zoning violations. He encouraged the Select Board to enforce the zoning regulations to protect neighbors of the property. Volz added that the inaction on the issue of the previous Select Board was impacted by a conflict of interest of the Town's attorney and the subsequent cost barrier to hiring another attorney.

Carlson recognized Kim Nolan, neighbor of the property at 79 Bean Rd. Nolan reported that the dog living at the neighboring property is not restrained and is aggressive toward neighbors. She expressed her fear the dog will injure her grandson who plays outside at her home. Towbin responded that the Washington County Sheriff's Office is in contact with the Plainfield Animal Control Officer to address this issue. He advised Nolan to exercise caution around the dog as the

situation is in the process of being addressed. Nolan requested information regarding her right to defend herself against the dog on her property. Towbin stated that he will bring her question to Washington County Sheriff Brett Meyer.

Carlson recognized Town Clerk/Treasurer Robin Miller. Miller shared that there is a folder at the Town Office containing historical information regarding the property at 79 Bean Rd.

Carlson again recognized Hochschild who expressed his disagreement with Volz's characterization of past events regarding Town handling of the issues at 79 Bean Rd.

Carlson thanked Hochschild, Christiansen, and Nolan for voicing their concerns to the Select Board.

Town Clerk's Report (Robin Miller):

Office News – Miller stated that tax bills have been mailed and tax payments are due by August 21, 2023 or postmarked by that date. She shared that Wastewater bills have also been mailed and will be due in September.

Building Maintenance and Improvements – Miller shared that she has heard complaints that the exterior of the Municipal Building is in disrepair. She reported that she has contacted Hodgkins Painting with no response. She has received a quote for replacement of the downstairs windows of the building and has not heard back from another contractor she contacted. She reported she was told by the contractor that two of the old downstairs windows can be re-used to replace the broken third floor windows. She requested recommendation from the Select Board for a third contractor to contact for a quote. Towbin suggested that the window issues may be related to the settling of the building. Miller shared that the windows are painted shut and do not open. Miller will contact Karen Storey to inquire about considerations for building repair related to the building's historical nature. She shared that a rotted part of the front ramp will be replaced in the upcoming week.

Budget Options for Old Home Days Sheriff Deputies – Miller shared that this expense has historically come out of the Town's law enforcement budget. **Volz moved to approve payment of sheriff deputies for Old Home Days out of the law enforcement budget. The motion carried unanimously.**

Road Foreman Report (Michael Bingham):

Equipment problem - F550 truck – Bingham explained that the Town Garage's 2015 F550, which is used for salting, has a bent frame. He expressed worry about the use of the damaged truck for the upcoming winter road maintenance. He shared that he has received a proposal from Allegiance Trucks in Jericho, VT for an International CV515 at \$171, 618. He stated this is the

only truck in the area currently available for purchase prior to this winter. Towbin added that this price is reasonable for this type of vehicle but noted that this amount is not in the budget. Miller stated that a deposit for the truck could be taken from the Town Garage's equipment budget and then she would reach out to the bank to discuss loan terms. Bingham will look into the amount required for deposit and cost and terms of a potential extended warranty, he will communicate that information to Miller. Select Board members voiced their support for Bingham procuring the truck and will further address the issue at an upcoming Select Board meeting.

Towbin and Bingham provided an update on the road work on Lower Rd.

Update on roadside pick-up of flood debris:

Carlson shared that on Friday, August 11, 2023 residential flood debris will be removed from the right-of-way by state contractors on all Town roads. Billingsley offered a definition of "right-of-way", stating that about 25 feet from the road centerline is considered town property. He stated that debris left on private property will not be picked up. He requested that residents leave debris on the shoulder on Town rural roads and curbside in the center of Town on Thursday, August 10th. He stated that the pick-up does not include hazardous waste, vegetation, or large appliances. Towbin stated that Farnham had informed him that large appliances can be left roadside and may be picked up by local metal scrap haulers. Billingsley stated that options for metal pickup will be announced in the future, that these items should not be left out for pick up on August 11th.

Approve signature of Town Hall Preservation Trust Report (Keith Swann):

Swann stated that he had provided the 75 page Town Hall Preservation Trust Report to Select Board members prior to the meeting. He requested the Select Board to sign the document to confirm that the Town Hall Opera House is meeting the requirements of the trust. **Volz moved to approve Carlson to sign the Town Hall Preservation Trust Report on behalf of the Town. The motion carried unanimously.**

Health Officer Update: 268 High St. and 1246 Brook Rd. (Jodi Vilardi):

Vilardi announced that she is the new Town Health Officer as of July 1, 2023. She stated that she looks forward to being informed about the current hazards and concerns related to the 79 Bean Rd. property.

She offered an update regarding 268 High St., the Victorian apartment building across from the Plainfield Post Office, providing historical context for current health concerns. She shared that the State had completed an inspection of the property in January 2023 in response to tenant complaints with compliance and corrections needed by March 2023. She shared that in July 2023 the Division of Fire and Safety Chief Electrical Inspector, Dennis Blair, conducted a new round of inspections and ordered a continued vacancy of the property. She stated that she then

completed a Condemn and Destroy order based on Fire and Rescue responding to water flowing through the electrical sockets, Green Mountain Power turning off power at the pole, and tenants abandoning the structure. She stated Blair has lifted the condemn order and labeled the building No Occupancy until corrections are completed. She shared that the Town has not received the latest inspection reports but notes that some work appears to be underway at the property. She stated that the Condemn and Destroy order doesn't need to be officially rescinded because the new round of State inspections satisfies the requirements.

She offered an update regarding 1246 Brook Rd., a mobile unit surrounded by trash, stating that the property is owned by Mike Hull. She shared that the Town initiated an inspection at the end of June 2023 based on complaints of abandoned cats at the property and documented a comprehensive list of concerns and corrections for the record and started conversation with the owner. She shared that on July 20, 2023 she generated a Mail to Complaint and Inspection Report to the owner as required by the State giving until August 15, 2023 for corrections to be completed. She stated that if the owner does not comply he is in violation of the Town Ordinance from 2015 which regulates the control of solid waste. She explained that, should the owner not comply, the next step would be to submit to the owner a Notice of Intent To Seek a Health Order. She outlined the requirements for submitting that notice. Select Board members thanked Vilardi for all her great work. Towbin stated that there are two possible tracks for addressing the situation at this property: one involves the work of the Health Officer, the other is for the Select Board to send a letter to the owner regarding the Town ordinance regarding trash and the accompanying fines. He further described the property as a solid waste dump operating on the Great Brook. He shared that the Town is taking action regarding violations of septic disposal following multiple reach outs to the owner with no apparent action being taken by the owner toward resolution. **Towbin moved to approve the Select Board to mail a letter to the owner of 1248 Brook Rd. citing the Town Ordinance regulating the control of solid waste. Volz moved to authorize Towbin to draft a letter, circulated by email amongst Select Board members for approval, and unless there is objection Towbin is authorized to sign it; this motion carried unanimously.** Towbin stated that the letter would be sent by certified mail.

Municipal Technical Assistance Program Report from CVRPC:

Carlson shared that the Municipal Technical Assistance Program is an ARPA program through that state which assists towns in pursuing grants to help fund projects in the categories of water/wastewater, housing, community recovery, workforce development and business support, climate change mitigation and resilience, and other projects identified by the municipality and approved by the State. He explained that Central Vermont Regional Planning Commission (CVRPC) has compiled a report of projects that Plainfield could use assistance in funding which the Select Board would consider, identify priorities, and return to CVRPC. Carlson shared that a priority project in his view is the Rt. 2/Main St. water supply and wastewater infrastructure as the Town has already committed to the project and would benefit from grant money to help fund the

project. He further identified the bridges on the Great Brook as a high priority project. He shared that other projects on the list include housing, technical assistance for the Plainfield Co-op, offset business impacts in the village during Rt. 2 construction, storm water infrastructure, and the Town capital improvement plan. Towbin suggested adding to the list concerns about the structural integrity of the Municipal Building. Gary Graves suggested a new Firehouse should be considered for the future as the existing one is not adequate. Rose Paul provided information regarding the financial needs of the Plainfield Co-op as they consider their future potential expansion or move to a new location. She shared that there will be a vote on August 27, 2023 to determine the future of the Co-op, that ballots are available for pick-up at the Co-op.

Appointment of Hazard Mitigation Committee members (Michael Billingsley):

Billingsley stated that the Hazard Mitigation Committee started after the 2011 flood as the Flood Advisory Committee. He presented Maggie Baird, Jen Guarino, and Joanne Webb for appointment to the Hazard Mitigation Committee. He requested that a Select Board member also join the committee as has been traditional; Towbin volunteered. **Volz moved to appoint Maggie Baird, Jen Guarino, Joanne Webb, and Bram Towbin to the Hazard Mitigation Committee. The motion carried unanimously.** Billingsley shared that the first meeting will be held on August 17, 2023 at the Emergency Operations Center on the ground floor of the Town Hall Opera House.

Discussion of the Emergency Management budget:

Billingsley shared that currently the Emergency Management budget is set at \$500 and, after describing the costs involved in stocking and running the Emergency Operations Center as well as administrative costs, he requested the budget be tripled. Towbin acknowledged the need for an increased budget. Carlson shared that he has spoken with Town Treasurer Miller to discuss options for funding Emergency Management needs. Volz suggested that a contingency fund be created for unforeseen Town expenses, noting that emergencies don't arise yearly. Billingsley explained that a yearly budget of \$1,500 is a modest amount for regular non-emergency operation of the Emergency Management Department, which Towbin agreed with. Select Board members and Billingsley agreed to revisit this discussion at the next regular Select Board meeting. Gary Graves voiced that personal expenses have not been reimbursed during his many years of volunteering for Fire and Rescue. Towbin explained that Billingsley is not requesting reimbursement for personal expenses but for needs of the Emergency Management Department.

Discussion of the Delegation of Authority document provided to the Select Board by Billingsley:

Billingsley shared that he has fielded calls recently from representatives from State and Federal Government as well as the Red Cross and United Way. He stated that the State has asked that Emergency Management Directors be given a Delegation of Authority to enter into agreements and contracts related to Emergency Management needs. He shared that the last time this issue arose was in 2018 when State Training Director Emily Harris provided the Plainfield Select

Board with a draft agreement for Delegation of Authority. He presented that document to the Select Board members and asked for them to review it. Carlson stated he would like to contact Emily Harris to request any updated recommendations. Select Board members agreed to revisit this issue at the next regular Select Board meeting after learning what the State recommends

Billingsley shared that Emergency Management has held six events since the July flood to distribute items such as shop vacs, dehumidifiers, and cleaning supplies which have served approximately 40 families. He shared that residents still in need should make an appointment with him to access supplies.

Carlson recognized Gary Graves for public comment. Graves expressed concern about the past management of Fire and Rescue Department funds by Town officials. Towbin responded that when Chief Light had initially brought this concern to the Select Board he in turn brought the matter to the attention of the Town Clerk/Treasurer. He stated that if the matter had not been resolved it should be addressed. Graves shared that Chief Light will be stepping down from his position. Graves also expressed his opinion that trees fallen in the Great Book need to be addressed as he believes in a future flood event they will damage the bridge.

Green Mountain Power response to dam letter:

Carlson shared that, in response to the letter sent by the Select Board, Green Mountain Power (GMP) has offered to meet with members of the Select Board. Towbin expressed his displeasure with the GMP response. He explained that the letter had requested that GMP provide the residents of Plainfield with an emergency evacuation plan. Billingsley added that the tour of the dam that had been scheduled for Plainfield and Marshfield officials to observe the safety measures at the dam has been postponed due to the recent flood. Select Board members agreed to invite representatives from GMP to attend a regular Select Board meeting.

Approval of warrants:

Accounts Payable: 7/7/23, 7/12/23, 7/21/2, 8/4/23 –

Carlson presented for approval accounts payable warrants dated July 7, 12, and 21, 2023 and August 4, 2023. **Volz moved to approve those warrants. Towbin abstained from voting. The motion carried with Carlson and Volz voting in favor.**

Payroll: 7/17/23, 7/27/23, 8/3/23 –

Carlson presented for approval payroll warrants for July 17 and 27, 2023 and August 3, 2023. **Volz moved to approve those warrants. Towbin abstained from voting. The motion carried with Carlson and Volz voting in favor.**

Approval of draft minutes 7/17/23, 7/28/23:

Carlson presented draft minutes from July 17 and 28, 2023 for approval. **Volz moved to approve those draft minutes, the motion carried unanimously.**

Executive Session regarding pending litigation and evaluation of a public official pursuant 1 V.S.A. § 313:

Carlson moved that the Select Board enter executive session, the motion carried unanimously. The Select Board entered executive session at 7:59 pm.

Return from Executive Session/Decisions (if any) in public:

The Select Board returned from executive session. Carlson shared that he would be reaching out to the Town attorney to expedite addressing the situation at 79 Bean Rd.

Adjourn: **Towbin moved to adjourn. The motion carried.**

Minutes respectfully submitted by Kristin Brosky, Plainfield Town Administrative Assistant.