

Town of Plainfield Select Board Special Meeting
February 12, 2024
149 Main St. Plainfield, VT 2nd Floor and via Zoom
Minutes - Approved

Agenda:

- Changes to Agenda
- Announcements
- Public Comment
- Hazard Mitigation Update regarding the Batchelder Dam (Maggie Baird)
- Withdrawal of some petitions submitted by Bram Towbin (Bram Towbin)
- Discuss Upcoming Town Office Transition to new Clerk/Treasurer (Carol Smith)
- Appoint Kayle Hope as Lister
- Approval of hazard tree removal on East Hill Road ROW
- Discuss speeding on Barre Hill Road
- Discuss possible use of wheel locks for winter parking enforcement
- Discuss budget for FY 2024/2025
- Sign Acknowledgment of Programmatic Requirements for the Brook Road Replacement Bridge Project
- Approval of Warrants and Fleet Permits:
 - Accounts Payable: 1/25/24
 - Payroll: 1/25/24, 1/31/24, 2/8/24
 - Fleet Permits:
 - Chevalier Drilling of Highgate Springs, VT
 - G.W. Tatro Construction of Jeffersonville, VT
 - Weston Pulpwood Sales of Essex Junction, VT
 - Whites Heating of Northfield, VT
- Approval of Draft Minutes: 1/22/24
- Adjourn

Present: Select Board members Jim Volz (Chair), Riley Carlson, and Tim Davis. Also present were Emergency Management Director and Hazard Mitigation Committee member Michael Billingsley, Bram Towbin, Jennifer Harman, Charlie Cogbill, Town Website Administrator and Plainfield Historical Society member Bob Fancher, Mo Lynch, Eric Blaisdell of the Times Argus, Hazard Mitigation Committee Chair Maggie Baird, Hazard Mitigation Committee member Jen Guarino, Town Energy Coordinator Bob Atchinson, Steven Farnham, Town CVRPC (Central Vermont Regional Planning Commission) Representative Paula Emery, Kayle Hope, and Annie Coughlin.

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

Changes to Agenda:

Carlson stated that the agenda item “Approval of hazard tree removal on East Hill Road ROW” could be removed from the agenda as the issue had been reported to the Select Board to be resolved. Volz stated that Assistant Town Clerk Carol Smith was unable to attend the meeting this evening but that the agenda item “Discuss Upcoming Town Office Transition to new Clerk/Treasurer” would nonetheless be discussed. Carlson stated that Smith had informed the Select Board ahead of the meeting that the fleet permit for Chevalier Drilling of Highgate Springs, VT should be removed from the list of fleet permit approvals. Carlson stated that Town Clerk and Treasurer Robin Miller had not provided the Select Board with needed budget figures regarding Town Office expenses so discussion of the agenda item “Discuss budget for FY 2024/2025” would be brief. Davis expressed interest in a continued discussion of the Town budget. The Select Board members all agreed to these changes to the agenda.

Announcements:

Emergency Management Director Michael Billingsley raised the issue of the need for preparedness ahead of the April 8, 2024 total eclipse of the sun. He shared that State Emergency Management suggested preparation for a large number of visitors in town that day. He suggested the possibility of the Town hosting an organized event at the Recreation Field. He suggested the need for the Town government and emergency services to be prepared for the event.

Volz explained that Plainfield’s Town Meeting will not be held on March 5th, with the date yet to be determined. Carlson emphasized that the elections by Australian ballot will still be held on March 5, 2024. Bram Towbin asked when the in-person meeting might be held. Volz stated that the meeting would need to be held before the start of the next fiscal year on July 1, 2024. Carlson explained that the lack of a Town Auditor to approve the Town Report is holding up the scheduling of Town Meeting. He stated his hope that the person running for Town Auditor will be able to start work on March 6th. Davis stated that there is also the option of the Select Board appointing a resident as Town Auditor sooner than the election if someone were to come forward. Jennifer Harman stated she would consider seeking such an appointment.

Volz recognized Charlie Cogbill. Cogbill asked for clarification as to whether Town Meeting would be ongoing from the March 5th election until the in-person meeting, expressing his understanding that the Australian ballot is a part of Town Meeting. Carlson shared that Town Clerk Miller had reported to the Select Board that the Vermont League of Cities and Towns (VLCT) had indicated to her that holding the Australian ballot election separate from the floor meeting would be allowed. Cogbill encouraged the Select Board to make sure that it is appropriate for an auditor elected on March 5th to certify the books for the floor meeting at a later date. Towbin, who is the only person on the ballot for the Town Clerk and Treasurer positions,

asked for clarification regarding the start date for those positions should he be elected. Carlson stated that the current officers continue to serve until a successor is chosen. Volz stated that Miller had informed that Select Board that her last day will be March 5th, or possibly sooner if she finds other employment. Towbin stated his wish that the Select Board had informed him earlier of such and asked about the open Select Board seats. Volz explained that he has one more year remaining in his term and that Davis, although not on the ballot, has agreed to serve on the Select Board if elected as a write-in. Volz further explained that a one-person Select Board cannot conduct business as at least two members are required for a quorum. Volz recognized Billingsley who stated that he was aware of a town resident who would also be interested in serving on the Select Board. He encouraged the Select Board to seek a volunteer to audit the Town's books. Cogbill expressed his belief that the Town Auditor would need to hold a warned public meeting.

Volz recognized Town Website Administrator Bob Fancher. Fancher requested that the Select Board email him text to post on the Town website regarding the information just shared in this meeting about the scheduling of Town Meeting. Volz stated that once the Select Board has a clear idea of the scheduling they will provide that information to Fancher for posting. Fancher stated that the person who's running for Town Auditor had informed him that they're not prepared to begin work on March 6th. Harman stated that she would email her qualifications for the Town Auditor position to the Select Board and Town Clerk.

Volz recognized Mo Lynch. Lynch asked that a summary of the open seats and the qualifications for these positions be posted on the Town website. Carlson stated that the State website should have that information as the positions are defined by State statutes. He further explained that the only requirements are that candidates be registered voters in the Town of Plainfield and at least 18 years of age. Carlson stated that the Select Board would review the Town website to determine if information should be added. Towbin volunteered to send links to the State definitions of the open seats to Fancher for posting on the Town website.

Volz recognized Eric Blaisdell of the Times Argus. Blaisdell stated that he was not aware of the Select Board having approved the warning for the March 5th meeting although they had signed the warning on January 30, 2024. He inquired if the warning was legitimate under these circumstances. Select Board members stated that they will research whether a formal action needs to be taken. Cogbill pointed out that if the approval is required it would need to be made at least 30 days before the public meeting. He reiterated his question as to whether the March 5th meeting is considered a part of Town Meeting.

Public Comment:

See above under "Announcements".

Hazard Mitigation Update regarding the Batchelder Dam (Maggie Baird):

Hazard Mitigation Committee Chair Maggie Baird shared that the committee has been collaborating with Friends of the Winooski to initiate a dam feasibility study of the Batchelder Dam. She explained that the study would be grant funded and would look at potential benefits of removal or partial removal of the dam. She explained the Hazard Mitigation Committee is interested in this project for potential flood resiliency benefits and because the dam was built in the 1890's making it well beyond the State age standard of 80 years for a "healthy" dam. She stated that the study would investigate phosphorus levels, aquatic organism passage, and the potential consequences of dam removal. Jen Guarino added that there is no effort required of the Town as the grant funding covers all aspects of the study. She pointed out that Cabot is planning removal of a dam upriver. She also pointed out that Michelle Braun of Friends of the Winooski had informed the committee that FEMA is offering grant funding with Town 25% match for a scoping project to help the Town prioritize issues needing attention related to the July 2023 flood. She encouraged the Town to apply for the scoping grant as soon as possible as the deadline was January 31, 2024. She stated that if the Town were to be approved for the scoping grant that would open eligibility for the Town to then apply for an implementation grant with a deadline in the Fall of 2024. Baird stated that the Hazard Mitigation Committee would be willing to work with Braun to complete the application for the scoping project grant. Towbin encouraged the Hazard Mitigation Committee to seek past documents regarding the Batchelder Dam from the engineers who worked on the Main St Bridge project, from past Town resident Lori Barg who had worked on a previous dam feasibility study, and explained his belief that the Town may only own half of the dam. Baird explained that Braun had stated she had some ideas about possible sources to help the Town cover the 25% match of the scoping grant should the Town become eligible to apply for and potentially accept the grant. Select Board members expressed their support of the Hazard Mitigation Committee going forward with the feasibility study of the Batchelder Dam and application for the FEMA scoping grant.

Volz recognized Town Energy Coordinator Bob Atchinson. Atchinson shared that he's working with Lindsay Ashworth to explore the feasibility of installation of a small hydro plant at the dam. He shared that there are two penstocks at the dam. Volz encouraged Hazard Mitigation Committee members to collaborate with Atchinson. Atchinson stated that he will continue to work with the Town Clerk's office to locate documents from the past feasibility study completed on the dam. Baird and Atchinson voiced their support for collaboration.

Volz recognized Bob Fancher. Fancher shared that he is a member of the Plainfield Historical Society and stated that the group had discussed the issue of the dam at their last meeting. He stated the Historical Society is not in favor of removal of the dam. He shared that the dam has been a part of the town for over 300 years and is located in the historic district. He asked that the Plainfield Historical Society be included in the project planning. Billingsley pointed out that part

of the feasibility study will be to look at historical and aesthetic issues and would certainly require collaboration with the Historical Society.

Volz recognized Mo Lynch. Lynch commended the Hazard Mitigation Committee for looking into the issue of the dam and voiced support for removal of the dam for ecological and flood resiliency reasons.

Volz recognized Michael Billingsley who added that he had forgotten to mention earlier that Emergency Management had not received the grant funding they'd hoped for to cover the expense of installing a generator to support an emergency shelter at the Town Hall Opera House. He shared that he'll be looking in to applying for another grant, the application for which is due by March 1, 2024. He shared that Town Grant Administrator Alice Merrill has stated she's not available to assist with the grant application process.

Volz recognized Steven Farnham who asked that Select Board members pay attention to the Zoom chat. Carlson read aloud Farnham's question from the Zoom chat. In the chat Farnham asked who would make the final decision regarding the dam if the feasibility study should show removal of the dam is the best course of action yet other parties would prefer to develop the dam for hydropower. Carlson stated the conversation would wait until the feasibility study is complete and shared his belief that the Select Board would have final say. Davis added that a public meeting would likely be held. Carlson added there was the possibility the decision might go to a Town vote. Billingsley added that the Hazard Mitigation Committee is prepared to assist in planning for any future public meetings about the issue.

Withdrawal of some petitions submitted by Bram Towbin (Bram Towbin):

Towbin explained that he had submitted six different petitions. He stated he would like to keep the petition dealing with expanding the Select Board from three members to five up for vote. Regarding the other five petitions which address the issue of changing the Town Clerk and Treasurer positions from elected to appointed, he stated he had consulted with a number of attorneys prior to initially submitting these petitions. He shared that more recently Carlson had shared with him that an attorney from VLCT had indicated that the only necessary petitions are the two regarding the switch to appointment. He stated that the petitions regarding residency requirements are not necessary. He stated that he would therefore like to withdraw the residency and the charter change petitions he had previously submitted. Carlson shared his view that this should make the issue more clear to voters.

Volz recognized Paula Emery who asked when these petitions would be voted on. Carlson explained the petitions would be brought to a vote on the floor at Town Meeting. Towbin offered to hold an informational session to explain the petitions.

Volz recognized Charlie Cogbill who stated his belief that the appropriate place for the discussion of the petitions is at Town Meeting not at a prior informational meeting.

Volz recognized Eric Blaisdell who asked for a copy of the letter from VLCT and expressed his understanding that the Town charter states that Town officers have to be elected. Towbin explained his understanding of the Town Charter and the advice given by the VLCT lawyer. Carlson stated he would send the information to Blaisdell. Blaisdell asked where residents could view a copy of the petitions. Select Board members stated that the petitions are available to view on the Town website. Carlson stated that the petitions will be discussed on the floor at Town Meeting. Harman stated her interest in viewing the petitions ahead of Town Meeting. Davis stated the Select Board would ensure that the petitions are available to view on the Town website. Cogbill stated that the tradition is to include petitions in the Town Meeting warning and that discussion and voting about petitions takes place at Town Meeting. Baird confirmed that the petitions are posted on the Town website. Towbin requested that Town Website Administrator Fancher remove from the website the three petitions that Towbin is withdrawing. He stated that he will email his request to Fancher and Select Board members indicating which petitions are being withdrawn.

Volz recognized Mo Lynch who asked if absentee voting would be available for voting on the petitions. Volz explained that the petitions would not be available for absentee voting because they will be voted on the floor of Town Meeting, not by Australian ballot. Billingsley added that Zoom attendees of Town Meeting are not able to vote on issues via Zoom, floor voting is reserved for in-person attendees.

Volz recognized Steven Farnham who inquired whether Towbin had the authority to withdraw the petitions as they were signed by a number of citizens. He suggested that the withdrawal should be voted on at Town Meeting. He also suggested an alternative solution not addressed by the current petitions could be to allow a non-resident to run for the Town Clerk and Treasurer positions. Carlson stated that in his discussion with the lawyer at VLCT he was told that the person submitting the petitions acts as an agent for the signers and may unilaterally withdraw the petitions. Cogbill stated that Robert's Rules of Order also would allow the maker of a motion to withdraw a motion.

Discuss Upcoming Town Office Transition to new Clerk/Treasurer (Carol Smith):

As Smith was unable to attend tonight's meeting, Carlson suggested that Towbin (running unopposed for Town Clerk and Treasurer) and Smith (Assistant Town Clerk and Treasurer) be in contact with one another to discuss the upcoming transition.

Appoint Kayle Hope as Lister:

Carlson indicated that Kayle Hope will be on the ballot for the open Lister position on March 5th and noted that current Lister Sandy Ross had requested Hope be appointed so as to begin work right away. **Davis moved to appoint Kayle Hope as Lister. The motion carried unanimously.** Volz welcomed Hope.

Approval of hazard tree removal on East Hill Road ROW:

This agenda item was not discussed.

Discuss speeding on Barre Hill Road:

Carlson stated this issue had been brought to the Select Board's attention via email from Jennifer Harman. Harman explained that she lives on Barre Hill Road where the speed limit is 25 MPH and stated she observes drivers exceeding the speed limit regularly. She requested signage be installed indicating that the road is a major corridor for wildlife. She stated her willingness to allow the sheriff to patrol speeding from her driveway. Volz stated that the Select Board would ask for a greater police presence on Barre Hill Road. Carlson noted that the radar sign installed on Barre Hill Road had recently been repaired. Harman suggested the radar sign could be moved further up the road. She also suggested that the speed limit on Barre Hill Road could be raised from 25 MPH to 30 MPH. Carlson also suggested that residents can display yard signs requesting drivers slow down. Volz acknowledged speeding on Barre Hill Road has been an ongoing issue.

Discuss possible use of wheel locks for winter parking enforcement:

Davis stated he would like to withdraw his suggestion for this discussion, indicating he doesn't believe this would be a helpful solution to the issue of illegal winter street parking which prevents the road crew from clearing snow.

Discuss budget for FY 2024/2025:

This agenda item will be discussed at a future Select Board meeting. Carlson will request that Miller submit the completed budget document to Select Board members.

Sign Acknowledgment of Programmatic Requirements for the Brook Road Replacement Bridge Project:

Davis moved to authorize Jim Volz to sign the Acknowledgement of Programmatic Requirements for the Brook Road Replacement Bridge Project. The motion carried unanimously. Billingsley asked if a Select Board member is required to have ICS training prior to signing this document. Davis stated that he is ICS trained. Volz stated that ICS training is not a requirement for signing the document.

Approval of Warrants and Fleet Permits:

Accounts Payable: 1/25/24 – Carlson moved to approve the accounts payable warrant dated January 25, 2024. The motion carried unanimously.

Payroll: 1/25/24, 1/31/24, 2/8/24 – Carlson moved to approve the payroll warrants dated January 25 and 31, 2024 and February 8, 2024. The motion carried unanimously.

Fleet Permits:

Carlson moved to approve fleet permits for G.W. Tatro Construction of Jeffersonville, VT; Weston Pulpwood Sales of Essex Junction, VT; and Whites Heating of Northfield, VT. The motion carried unanimously.

Approval of Draft Minutes: 1/22/24:

Carlson moved to approve draft minutes dated January 22, 2024. The motion carried unanimously.

Volz recognized Bob Atchinson who stated he'd had his hand up and wanted to comment on the Barre Hill Road discussion. He shared that a pedestrian and safety study completed a number of years ago had suggested the possibility of slowing speeding with a stop sign at the bottom of Barre Hill Road for traffic headed up the hill or a small roundabout at the intersection of Brook Road and Barre Hill Road. Volz requested that Atchinson email the Select Board with these suggestions; Atchinson agreed to do so.

Volz recognized Steven Farnham who requested that more stop signs not be added. Emery stated that the stop sign at the bottom of Maple Hill Rd. has had a positive impact on decreasing speeding in the village.

Volz recognized Annie Coughlin who stated she had helped to work on the traffic study referenced by Atchinson. She stated her agreement that the stop signs at the bottom of Maple Hill Road and at the end of Brook Road have decreased speeding in the village. She suggested a speed table, or raised crosswalk, be added across Mill Street at Recreation Field Road noting that a lot of children cross there.

Volz recognized Mo Lynch who suggested that it would be a good idea to continue the conversation regarding speeding with a well-qualified working group that would take input from the Highway Department, possibly VTrans, and would reference the previous traffic study.

Farnham asked if the Town could look into installing cameras to monitor speeding. Carlson stated that a longer conversation on this topic would be better discussed at a future Select Board meeting and could include this suggestion. Farnham also suggested, in regard to a request earlier

in the meeting for the open positions in Town to be posted on the Town website, that links to the statutes governing these positions be included on the Town website. Lynch stated their belief that statute alone would not be the most helpful for job seekers, but rather that the postings should include more information about what each job entails.

Adjourn:

Davis moved to adjourn at 7:15 pm. The motion carried unanimously.

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