

TOWN OF ELMORE, VT

Monthly Select Board Meeting

Meeting Minutes – prepared by C. DeVore
Status: APPROVED

Meeting Date: September 16, 2015

Start Time: 6:28 pm **Adjourn:** 8:10 pm

Meeting Attendees: Robert Burley – ESB Chairman, Caroline DeVore – ESB, Whit Hartt – ESB, Michel Lacasse – Road Commissioner, Mike Green – Forester/Green Forest Tree Service, Jill Lindenmeyr – Eagle Ledge Abutter

A. SPECIAL TOPICS:

- 1. WATER SYSTEM (Update):** Draft ANR-WQD Permit to Operate needs modifications and updates in two critical areas: 1) Optional Chlorination and 2) Capacity upgrade to permit future additional users. State appears favorable on #1 but is using outdated data for determining #2. Negotiations and memo dance underway.

SB provided update on water system status as noted. No actions necessary.

B. NEW ITEMS:

- 1. EAGLE LEDGE LOGGING:** Mike Green, Forester for Carl Wesolowski; Seeking ESB action to secure ROW through Wolloch family lands for logging access. Wolloch family – 8 members unresponsive to Green.

Mike Green provided a comprehensive review of land ownership, logging plans and potential issues/concerns in affected area. Mr. Green also summarized VT statutes regarding the request of, and granting of, right-of-way (ROW) access to land-locked property. Notes of conversation follow along with action plan.

Regarding ROW: SB advised that ROW request initiated from Wesolowski & Wesolow to Wolloch be conducted with certified USPS mail delivery (see notes). Response by property owners to ROW request will determine next steps which may be reviewed at October SB meeting – pending outcome of Wesolowski/Wesolow requests.

Additionally, SB stipulated that, as a part of this logging operation, should any access to or use of the town's legal ROW on Eagle Ledge be required/requested, the SB will require a prior review of the current Wesolowski/Wesolow logging contract to ensure that there are provisions for:

- a. Restoration of ROW
- b. Watershed Protection
- c. Security Bond
- d. Compliance with ANR/AMPs and Watershed regulations

SB may also require a Bond adequate to ensure that ANR/AMPs are followed and Eagle Ledge asset is protected. See additional notes for details.

Notes:

ISSUE presented to SB:

1. Wesolow, Wesolowski properties are land-locked by Wolloch property. Wesolow/Wesolowski plan to log property. Logging will also comply with Forest Plan/VT Use Value Program.
2. Access to Wolloch & Wesolow/Wesolowski properties may require access by Eagle Ledge Trail, recently restored by VYCC, Lindenmeyr and town.
4. Concern for destruction of trail and watershed damage due to heavy equipment and trucks.

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5. Logging and product removal may begin before ground is frozen, increasing amount of damage.

9/16/15 ESB Meeting Action Plan:

1. Mike Green to resend CERTIFIED letters to 2 Wolloch addresses on record.
2. Mike Green to review AND provide copy of current Wesolow/Wesolowski logging contract to determine any provisions for:
 - a. restoration of ROW
 - b. Watershed Protection
 - c. Security Bond
 - d. Compliance with ANR/AMPs and Watershed regulations
3. ESB must ensure that ANR/AMPs and Bond are adequate to protect Eagle Ledge asset.
4. ESB to be prepared for fast response if landowners and contract do not meet requirements for protection of watershed/ROW.
5. ESB to be prepared for fast response to grant "way of necessity" if Wolloch refuses or fails to respond.

2. **ROAD PERMITS: Planned legislation in 2016 to have state provide administration and fee collection for overweight, oversize and seasonal permits. VLCT request for comments.**

Concerned about fee extraction, cost increases and administrative delays. Michel to gather additional information.

3. **TOWN HALL RENTAL: Brent Miller & Warren Miller request for clarification of rental fee structure and administration.**

SB had an extended discussion about the fee structure established by the SB in March 2015. Fee structure established to off-set town's operational costs associated with use of any Town facilities. Fee structure and usage guidelines are reflective of similar fee structures/guidelines established by adjoining towns (i.e., Stowe, Morrisville, Wolcott). Guidelines note that any party requesting use of Town property may request a fee waiver. Waiver requests are reviewed by the SB which can, at its discretion, adjust fee for use.

Regarding Miller & Miller request for clarification, Mr. Burley will meet with Brent Miller and Warren Miller to explain the guidelines and address concerns.

Regarding historical use of Town facilities and coverage of operational costs, no official records were kept, but previous private users have typically given the Town donations to offset operational expenses.

4. **TOWN HALL RENTAL: Steve Ames request to rent 9/29.**

Request was withdrawn prior to meeting.

5. **VT AOT Grants available for Salt/Sand Sheds adjacent to water. DISCUSSION: Shall Elmore Pursue at this time?**

VTRANS TAP (Trans Alternative Program).

Grant program is water quality related – primarily to address erosion and storm water runoff. Application would be for construction of a building/shed to cover Town's sand pile. Grant requires that structure address salt/sand stored within 50 feet of water. Application must be submitted by 10/16/15. Public meeting to discuss this program held 9/16/15. Letter to indicate how this fits into regional plan will be created for application. Grant makes funds up to \$300k available. Michel to gather information for submission including building plan, permitting, design, etc.

Michel will continue to pursue and advise the SB at October meeting.

C. CONTINUING ACTIVE ITEMS:

1. **Road Commissioner Update – LaCasse**

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- a. **AOT management change: Elmore move from District 6 to 8, located in St. Albans. Tom Anderson, District 6 is retiring. Planned State attrition to achieve cost reductions.**

2. Summary of local work:

Work Completed:

- a. Sand pile stored for winter (3,000 yards); 3,000 used last winter – some area towns ran out last year.
- b. Roadsides mowed.
- c. Most roads graded and chloride applied.
- d. Cleaned out culvert ends and sediment pool on Brown Hill.

Equipment status:

- e. Truck #1 out of service since June 22.
- f. Engine on Chloride spray system down for a few days. Working now.

Employee Status:

- a. All is well.

Upcoming:

- a. East Elmore Brook rip-rap project needs to be completed. Did not qualify for Better Back Roads Grant (151 applications, 51 grants issued).
- b. Prices on grader rebuild reviewed.
- c. Beach Road options reviewed. Paved section proposals ready for Town Meeting.

- 3. **UPDATE: EAGLE LEDGE: Eagle Ledge stabilization along northern terminus to first bridge essentially complete. Town provided stone, Jill Lindenmeyr provided tractor. Crew of up to 12 worked 2 weeks. VYCC highly interested in returning to continue project to East Elmore in future years.**
- 4. **UPDATE: Elmore Planning Commission – Hartt**
No meeting in August - EPC will meet next week. Didn't apply for State Grant for Regional Planning Commission's help with subdivision planning. Advised by LCPC that grant would likely not be offered.
- 5. **UPDATE: Elmore Grammar School Security – Burley**
No Trespass order completed and given to school committee.
- 6. **RESTART REVIEW: School physical security – DeVore**
Caroline has reached out to LSSU Superintendent.

D. COMPLETED/INACTIVE ITEMS:

- 1. Open Action Item List reviewed by SB.

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