

**TOWN OF STAMFORD
SELECTBOARD MEETING
September 7, 2023
(UNAPPROVED)**

Present: Selectboard: Nancy L. Bushika, Chair, Pamela Tworig, Kurt Gamari, Marie Kelly-Whitney, and Michael G. Denault.

Visitors: Debra Burchard, Christopher Derby-Kilfoyle, Eleanor Derby Kilfoyle, Tammy Elias, David Fierro, Jr., Jedidiah Gramlin, Lisa Gramlin, Peter Greenbush, Luke McKay, Sheila Pecor, Deborah Righi, James Righi, Richard Silc, and Natalie Yorke.
Sheriff James Gulley, Lieutenant Roscoe Harrington, and Director Peter Urbanowicz from the Bennington County Sheriff's Department.
David R. Tatro, Road Commissioner.
William Levine, Emergency Management Director.
Lori Shepard, Selectboard Secretary.

Nancy Bushika called the meeting to order at 6:00 p.m., opened with the Pledge of Allegiance, welcomed everyone, and read a statement with procedural rules for the meeting. Additional correspondence, a matter under New Business and an Executive Session were added to the agenda.

BENNINGTON COUNTY SHERIFF'S DEPARTMENT

Sheriff Gulley stated that he would like to develop a collaborative relationship with the Town of Stamford. He explained that his deputies were involved in taking down a large narcotic ring and helped someone in a mental health crisis get treatment. He acknowledged that having a police presence won't prevent crimes, but he would like to be the town's liaison to the problems in our community. He has not taken any of the 5%, he has invested it in the department. They are expanding and have several Level 2 and Level 3 officers. His department receives tax funds from the county and state, but that does not entitle the town to any patrol services without a contract. He is willing to entertain a six month contract and will discuss giving a certain percentage of hours to evening and weekend times. Mike Denault reached out to the Readsboro Selectboard about combining patrol time but they never responded. Several people were in favor of hiring the sheriff while others felt the money could be better spent in other areas. Dave Tatro noted that \$40,000.00 would help to replace a piece of our aging highway equipment. Kurt Gamari felt that after paying for travel time both ways, the estimated 7 1/2 hours of patrol time for \$40,000.00 won't deter crime or speeding and isn't worth it. Mike Denault will reach out to the Readsboro Selectboard and the board will discuss the sheriff again. Nancy Bushika thanked them for coming. The board agreed that the warrant should be clear at budget time so that people can understand what they are voting on.

MINUTES

MOTION by Mike Denault to accept the emergency meeting minutes of August 10, 2023 as written.

SECONDED by Marie Kelly-Whitney. All in favor. Motion APPROVED.

MOTION by Mike Denault to accept the dog hearing minutes of August 14, 2023 as written. SECONDED by Kurt Gamari. All in favor. Motion APPROVED.

MOTION by Pam Tworig to accept the regular meeting minutes of August 17, 2023 as written.

SECONDED by Marie Kelly-Whitney. All in favor. Motion APPROVED.

SELECTBOARD ORDERS

The Selectboard reviewed and approved the following orders:

- WARRANT #33 \$ 8,305.92 payroll
- WARRANT #34 \$99,626.18 accounts payable
- WARRANT #35 \$ 7,943.42 payroll
- WARRANT #36 \$47,963.84 accounts payable

FINANCIALS

The Selectboard reviewed and confirmed financial statements for the month of July.

ROAD CONDITIONS

1. The flood damage repair is complete except for the replacement of the guardrails. The flood damage was estimated at \$160,000.00 including town labor and equipment and contractor costs.
2. The road crew has completed the Grants-in-aid grant project on Jepson Road and Boulger Road.
3. Dave Tatro has jury duty and may be out if he is picked for a trial.
4. The big truck is at Freightliner. They are unable to diagnose the problem. Dave Tatro expects a large bill.
5. The roadside mowing may not be completed this year due to the extensive flood work.
6. Dave Tatro may purchase cut and split firewood this year to heat the town garage.
7. Mike Denault commended the highway crew for their exceptional work during the flood.

RECYCLING

Dave Tatro received a quote from Casella to rent a compactor. It will be \$800.00 to rent a new compactor and \$500.00 to rent their refurbished one. Dave Tatro said our compactor is about forty years old and is in rough shape. Bill Levine felt it was unsafe to operate. Dave Tatro thinks it will be more cost effective for the town to purchase the refurbished compactor from Casella than to rent it. He will consult with Casella about a price.

EMERGENCY MANAGEMENT

1. Nancy Bushika spoke with the VTAlert representative. Although the town can create an account and have a representative trained to use the system, most towns just appoint a few people with the authority to contact VTAlert with a public message and VTAlert will put the message out. They discussed giving Bill Levine, Lori Shepard, Dave Tatro and the Selectboard authority to convey a message to VTAlert in the event of an emergency.
2. Bill Levine felt it is important that residents sign up to receive the alerts. You can sign up at vtalert.gov to receive notifications. He asked to have the information put on the website and in the town report.
3. Bill Levine provided a copy of the town's Local Emergency Management Plan and conveyed that when the Selectboard sign the plan, they are certifying that they have taken the ICS402 or ICS100/IS-100 training. He provided information on where to sign up to take the course.
4. Pam Tworig was contacted by a resident about debris in the river and the potential for it to build up and cause the river to overflow. The state will not allow trees, limbs or other debris to be removed from the river.

DIGITAL SPEED RADAR SIGN

The Agency of Transportation will allow the town to place a radar feedback sign on the Main Road. The form is unclear as to whether a permit fee is required. The unit costs between \$1,800.00 - \$3,000.00 depending on the options available. The board will put off discussion until more is known about the sheriff contract.

MUNICIPAL EXCESS WEIGHT PERMITS

Pam Tworig summarized the dilemma: should the town require and enforce all overweight trucks to get a permit, or just not require permits at all. At this time the town accepts the money and signs permits for those companies that apply but does not pursue the companies that don't send in a permit. It's not worth chasing people for the \$10.00 fee but it's not fair that not all companies file.

MOTION by Mike Denault to get rid of the requirement to file Municipal Excess Weight Permits with the town. SECONDED by Kurt Gamari. 4 in favor, 1 opposed (Marie Kelly-Whitney). Motion APPROVED.

VMERS AUDIT

The treasurer has contacted the auditing firm to dispute several terms in the engagement letter that would negatively affect the town. The auditing firm said it was a boilerplate letter and understood the concerns. The treasurer has forwarded all the necessary documentation and the auditing firm will consider waiving the need for a signed engagement letter.

STREETLIGHTS

Nancy Bushika provided a list of the streetlights paid for by the town. Green Mountain Power does not take regular inventories of the lights. Nancy Bushika and Pam Tworig will go around to make sure the lights the town is paying for are in good working order.

RESIGNATION

MOTION by Kurt Gamari to accept the resignation of Peter Grudin from the Zoning Board of Adjustment with regret. SECONDED by Pam Tworig. All in favor. Motion APPROVED. A letter accepting the resignation will be sent. Anyone interested in serving on the Zoning Board of Adjustment until the March 2024 reappointments should send a letter of interest to the town office or the Selectboard by September 21, 2023.

STAMFORD MAIN RENEWABLES WIND TURBINE PROJECT

Jim Porter is the director of the Public Advocacy Division and works with residents to answer questions about windmill projects. Nancy Bushika asked if the Selectboard wanted to invite him to an upcoming meeting. Richard Silc suggested the town get in touch with Annette Smith, Executive Director of Vermonters for a Clean Environment. She has spoken to several residents in town and can provide answers to the town's questions on an independent basis. At this point, the town has only received answers from the developer who wants to move forward with the project. Deb Burchard said the Bennington County Regional Commission does not normally get involved until after the petition is filed with the Public Utilities Commission. Many felt the parameters outlined in the Town Plan are not being met and that should be deal breaker. Pam Tworig hopes the Selectboard will vote on this project and take a stand either for or against it. Pam Tworig asked to have the windmill topic on the agenda until a decision is made. The board will schedule an informational session with Annette Smith similar to the board attending a webinar.

STAMFORD SIGN

Mike Denault asked where things stood. The Selectboard asked for the Zoning Board of Adjustment's opinion. At Monday night's meeting the Zoning Board voted to recommend that the Selectboard apply for a permit.

MOTION by Mike Denault to file for a permit. SECONDED by Nancy Bushika. 2 in favor, 2 opposed (Kurt Gamari and Marie Kelly-Whitney), Pam Tworig abstained. Motion FAILS.

Deb Burchard, the current Zoning Administrator, previously advised the town to file for a permit. She also consulted with the Vermont League of Cities & Towns and the Bennington County Regional

Commission who stated that the town should have filed for a permit. Deb Burchard said she, VLCT and the BCRC also recommended that the board consult with the town attorney. Kurt Gamari referred to section 9.3.a which says you have 14 days from the Zoning Administrator's act or decision to appeal. He feels the Zoning Administrator made a verbal decision and 14 day have passed. He questioned whether a permit should still be filed at this point. Mike Denault felt word of mouth does not count; there is nothing in writing with his decision. Kurt Gamari feels it is worth a call to the attorney to see if the town needs to file a permit. Mike Denault felt the town has rules and the rules say that the town should have filed for a permit and there is no reason not to follow through. It's been 1 1/2 months since the grievance came in and we should just file for the permit and let the system play out. Marie Kelly-Whitney expressed concern that the Zoning Board might not grant a variance and Pam Tworig noted the sense she got at Monday's ZBA meeting. Mike Denault said worrying about the outcome shouldn't be the reason for deciding whether or not to do the right thing.

MOTION by Marie Kelly-Whitney to contact the town attorney. SECONDED by Kurt Gamari. 3 in favor, 1 opposed (Nancy Bushika), Pam Tworig abstained. Motion APPROVED. Mike Denault was reluctant but did not want to see another meeting where nothing happens.

Nancy Bushika and Deb Burchard will contact the attorney. Dave Tatro noted that the town is undergoing a reappraisal. The assessor should be noticing any new buildings that are not in the records and having the Zoning Administrator follow up to get the permit. The board agreed that all decisions should be in writing.

PERMIT APPLICATIONS

Deb Burchard gave the board several samples of permits from other towns for review.

ZONING BOARD OF ADJUSTMENT VACANCY

Bill Levine decided he would like to serve on the board and wrote up a letter of interest. Sheila Pecor had also submitted a letter of interest to the town clerk prior to the meeting. The board will take them under advisement.

SCHOOL USE

Nancy Bushika submitted a request to use the community room on the first and third Thursdays of each month from September 2023 through September 2024 just in case they need it.

BUILDING DAMAGE

The town clerk advised that a delivery truck hit the back corner of the town office roof when backing up today. Pictures were taken and the principal's office was notified.

EXECUTIVE SESSION

MOTION by Nancy Bushika to find that premature public discussion of two personnel matters would place the town at a substantial disadvantage. SECONDED by Marie Kelly-Whitney. All in favor. Motion APPROVED.

MOTION by Nancy Bushika to enter executive session for two personnel matters pursuant to 1 V.S.A. § 313(5) and 1 V.S.A. § 313(a)(3). SECONDED by Marie Kelly-Whitney. All in favor. Motion APPROVED. The Selectboard entered executive session at 9:04 p.m. Luke McKay, Dave Tatro, and Lori Shepard were each invited to participate.

MOTION by Mike Denault to exit executive session. SECONDED by Marie Kelly-Whitney. All in favor. Motion APPROVED. The board exited executive session at 10:22 p.m. Kurt Gamari will talk to the School Board concerning custodial duties.

MOTION by Mike Denault to adjourn. SECONDED by Kurt Gamari. All in favor. Motion APPROVED. The meeting ended at 10:23 p.m.

Marie Kelly-Whitney
Clerk

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REMINDERS

1. Anyone interested in serving on the Zoning Board of Adjustment until the March 2024 reappointments should send a letter of interest to the town office or the Selectboard by September 21, 2023.
2. Individuals who sustained damages during the July flooding event should report their damage to vermont211.org or call Vermont 2-1-1 at 866-652-4636 or 802-652-4636.
3. Townspeople should sign up with the state's free communications network, VT-Alert. You can sign up at vtalert.gov to receive notifications. You can choose how you would like to be alerted (phone call, text or email) and can choose what type of alerts you would like to receive, i.e. weather, road closures, public health, etc.
4. Residents who sustained flood damage are encouraged to apply for FEMA funds at disasterassistance.org. Information is also available at vem.vermont.gov/flood.
5. All dogs 6 months and older must be licensed by April 1st of each year. State law requires a valid rabies vaccination certificate to be filed with the Town Clerk's office. Licensing your dog is very easy. Rabies certificates can be faxed to the town office at 802-694-1636 or emailed to the town office at townclerk@stamfordvt.net. Once the current rabies certificate is on file, license renewals can be handled in person, by mailing a check, by utilizing the mail slot in the back wall of the town office or by telephone with a credit card. License fees are \$9.00 for each spayed/neutered dog or \$13.00 for each intact dog. Checks should be made payable to the Town of Stamford.
6. The town office is open Tuesdays, Wednesdays and Fridays from 8 a.m. to 12 p.m. and on Thursdays from 1 p.m. to 7 p.m. Closed Mondays.