

**Town of Tinnmouth
Select Board
June 8, 2017
Minutes**

Members present: Matt Patry, Frank Sears, and Cathy Reynolds

Others present: Sherry Johnson, Kim Harbaugh, Lt. David Fox from the Rutland County Sheriff's Department, Eric Buffum – Road Commissioner, Hollis Squier, Doug Fontein, Jan & Ken Krantz, and Gail Fallar- Board Assistant.

Frank called the meeting to order at 7:06 PM. Board reviewed agenda and added a number of items – Yoder driveway permit, Better Roads Pilot grant, PACIF grant, caution signs near Snack Bar, bake oven site, penalty waiver for late filed homestead declaration.

Board approved minutes of 5/10/17 as written, moved by Cathy, 2nded by Matt, all voted in favor.

David was present at the request of the Select Board. The Sheriff's Department had been asked last year to enforce state statute about use of the town's right of way – permission is needed – in regards to Howard Regimbald on East Road. Howard and Marie had been contacted about the meeting, but were unable to attend due to the illness of her mother. They advised they will attend the Select Board meeting in July.

David advised that the Sheriff's Department can't issue fines for civil matters, his read of one the statutes dealt with ditching and construction. Concern was raised with safety for drivers, for Howard and Cindy (his daughter who works with him), and for pedestrians. David advised he would need written statements from witnesses and photos if possible of work being done in the road before he could act; date, time of day, weather, length of time it occurred, etc. It was noted that sometimes it is someone who stops to talk and doesn't get out of the vehicle, but that blocks visibility for oncoming cars.

David suggested that the Town should initiate action; it was noted that the Vermont League of Cities and Towns had suggested using existing statutes regarding highway rights of way and that was why the Sheriff's Department was contacted.

Further discussion included junk yards; the Agency of Natural Resources visited a couple of years back giving Howard 30 days to clean it up, yet no further action was taken by them. David advised that he will speak with Howard to advise him that tickets are a possibility and that enforcement is coming.

Jan asked that the Board approve the final site of the community bake oven, Board and all took a brief visit outside – it is to be located five feet back from the west face of the old creamery, and be ten feet away from the north side of the building. Cathy noted that Michael Fallar had called with concerns, asking that it be located further back. After brief discussion and looking at the stakes in the ground, Matt moved and Cathy 2nded to approve the lay out as staked out – little shed for the oven will be at least five feet back and ten feet from the old creamery. All voted in favor.

Board opened bids for the RFP for a Master Plan for the town garage/transfer station property. There were bids from Otter Creek Engineering - \$6,650; Marble Valley Engineering - \$10,545; and DuBois & King - \$7,800. Members reviewed each proposal, including items 1-7, after discussion, Cathy moved to accept Otter Creek's proposal, Matt 2nded, all voted in favor. Board then chose two potential meeting dates to meet with them to get started.

Eric advised that the grader has a leaky wheel, he's working on trying to repair it, couldn't find a replacement anywhere. He requested the Board approve crack sealing on Route 140, he obtained a quote from NICOM, the company that does it. NICOM felt that using it on Mountain View Road may not be as beneficial. After discussion, Matt moved and Cathy 2nded to approve crack sealing on Route 140. All voted in favor.

Matt moved and Frank seconded to hire Hollis Squier, as a subcontractor, to mow the roadsides, all voted in favor.

Cathy moved and Matt 2nded to ratify the annual highway plan for the state that the Board previously had signed individually, all voted in favor.

Board reviewed risk assessment, Eric reported on progress being made, all vehicles have safety triangles, the stairs in the bushes have been re-purposed for the storage trailer (they still need a rail), and the eye wash station has been updated.

Gail advised that there had been a complaint about 4-wheelers riding on town roads, tearing up the old roads once they get to them. 4-wheelers are illegal on town roads, and need written landowner permission to ride on someone else's property. Eric inquired whether the town would allow them on certain town roads, Board advised that someone would have to come to talk to the Board about that. He noted that some folks now ride on town roads and trails to get up over the mountain to connect with a VASA (an ATV association similar to VAST-snowmobilers) trail that goes to Dutch Hill. Board asked that the Sheriff's Dept. be made aware of the complaints.

Gail advised that Marcell Oil submitted a proposal to provide diesel fuel and fuel oil cheaper than what Irving is currently charging. Board asked that it go out to bid, Cathy volunteered to work on it.

Board signed letter of intent to participate in a Better Roads grants-in-aid pilot project that encourages towns to use best management practices for erosion control and flood resilience.

Gail reported the PACIF Safety Grant for portable traffic control signs had been approved. It was a joint application with the town of Danby. The device will be stored in Tinmouth.

Board discussed request for caution signs on Route 140 near the Snack Bar – backing into the road is illegal, and there have been a few close calls. Board felt it might give folks the wrong impression and make them over confident, better to have a sign on the building urging care when backing into the road. Board took the matter under advisement.

Board signed a driveway permit for Ramsey Yoder on North End Road – for the run-in shed.

Gail reported the trash problem at Ron Hill's on Mountain View Road had been cleared up, only to find out that they had started a new pile.

Cathy reported that she had contacted Ryan Deppert about plowing the school and church yard – he is willing to do clean up if the town road crew can make a sweep through first. The facilities manager for the school district seems to be on board, trash disposal and mowing of the ball field can be addressed in the next budget year, keep on next month's agenda.

Cathy moved and Matt 2nded to ratify Matt's signing of the LEOP, and to approve the 2017 LEOP as developed by Michael Fannin, Emergency Management Coordinator. All voted in favor. LEOP = Local Emergency Operations Plan.

Gail, as treasurer, inquired how the Board would like to invest the \$445,000 in the town's Capital Building and Repair Fund. Board decided on a 9 month CD for \$400,000 as some will be needed for engineering and studying the current town garage situation.

Gail asked that the Board once again approve the waiver of the penalty for late filed homestead declarations. Cathy moved, Matt 2nded, all voted in favor.

There was a brief discussion regarding use of personal emails for town business, does it mean that all of one's email is open for public inspection? It's possible, more research is needed.

Meeting adjourned at 9:35 pm.

Respectfully submitted,

Gail Fallar Board Assistant