

TOWN OF STAMFORD
SELECTBOARD MEETING
May 19, 2022
(UNAPPROVED)

Present: Selectboard: Nancy L. Bushika, Chair, Carol A. Fachini, Michael G. Denault, Brandon Field and Pamela Tworig.

Visitors: Anthony Bianco, Laurie Bianco, Scott Boettle, Robert Bouchard, Carolyn Brooks, Debra Burchard, Laura Champagne, Rich Cristofolini, Alex Dargie, Theresa Denault, Diane Dupuis, Paul Dupuis, Joseph Fachini, Susan Flash, Kurt Gamari, Timothy Giglotti, Jr., Maura Hawkins, Victoria Jefferies, Margaret Koosa, Amal Lebbos, Tracy Markland, Marta Miller, Steven Mullett, Alan Mutart, Thomas Nazzewski, Sean O'Donovan, Darryl Pecor, Jody Pecor, Taylor Pecor, Beth Phelps, Daniel Potvin, John Paul Potvin, Bruce Richardson, Debra Righi, James Righi, David Senecal, James Senecal, Michael Senecal, Pamela Senecal, Emma Strohmaier, E-Jay Tatro, Jessica Tatro, Trevor Tatro, Samuel Torres, Candice Voghel, Allen Whitney, Jr., James Williams, Jamie Williams, Damian Wimpenny, Jessica Winship, Patricia Winship, and Natalie Yorke.
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 was added to the agenda. There were no changes to its order.

EXECUTIVE SESSION

MOTION by Nancy Bushika to find that premature public discussion of employee matters and real estate negotiations would place the town at a substantial disadvantage. SECONDED by Mike Denault. All in favor. Motion APPROVED.

MOTION by Nancy Bushika to enter executive session to discuss employee matters pursuant to 1 V.S.A. § 313(a)(3) and real estate negotiations pursuant to 1 V.S.A. § 313(a)(2). SECONDED by Mike Denault. All in favor. Motion APPROVED. The Selectboard entered executive session at 6:03 p.m. Lori Shepard and Ryan Rush-Booth were invited to participate, then Sally Bohl and Lori Shepard were each invited to participate individually.

MOTION by Nancy Bushika to exit executive session. SECONDED by Pam Tworig. All in favor. Motion APPROVED. The board exited executive session at 6:40 p.m. Results of executive session: The Selectboard will review the Zoning Bylaws. The tax sale will be held on June 8, 2022 and a Selectboard representative will be present. The ticket issued to the unregistered hauler was resolved.

HEARING OF VISITORS

1. Dan Potvin provided handouts with a copy of his letter explaining how to survive a nuclear fallout and having supplies to be able to stay in your basement for two weeks if you are in the radiation zone. He also included a copy of his letter from February 2020 urging everyone to plant gardens and store food supplies. Russia and Ukraine provide one-third of the world's grain and 40% of the world's fertilizer and they are predicting large food shortfalls. India is hoarding food and is no longer exporting their wheat. Dan Potvin said this can be overwhelming for people but having a plan helps to lessen fear. He suggests organizing groups to work together now and not wait until the crisis hits.
2. Deb Burchard asked to be on the next Selectboard agenda to discuss the village district center that the Planning Commission is working on.

MINUTES

MOTION by Mike Denault to accept the regular meeting minutes of May 5, 2022 as written. SECONDED by Brandon Field. All in favor. Motion APPROVED.

SELECTBOARD ORDERS

The Selectboard reviewed and approved the following orders:

WARRANT #19 \$7,591.35 payroll

WARRANT #20 \$17,850.26 accounts payable

ROAD CONDITIONS

1. The Lincoln Road bridge contractor requested clarification on the town's insurance requirements. Our prior policy mandated \$1,000,000 in coverage. The newly adopted policy requires \$1,000,000 in coverage per occurrence and \$2,000,000 aggregate coverage. The bid package required \$3,000,000 insurance. The contractor has \$2,000,000 coverage per occurrence with a \$10,000,000 liability umbrella policy.

MOTION by Mike Denault to accept the contractor's insurance coverage. SECONDED by Brandon Field. All in favor. Motion APPROVED.

2. The board reviewed the contract provided by Cold River Bridges for the Lincoln Road project. MOTION by Mike Denault to accept and sign the contract. SECONDED by Carol Fachini. All in favor. Motion APPROVED.

3. Lori Shepard discussed borrowing money in anticipation of taxes as well as the amount needed to complete the Lincoln Road bridge project.

MOTION by Mike Denault to approve the borrowing of money in anticipation of taxes and the Lincoln Road project in an amount of \$400,000.00. SECONDED by Pam Tworig. All in favor. Motion APPROVED.

RECYCLING

Jess Tatro stated that the Stamford Ridge Riders participated in Green Up Day and picked up a truck load of trash. There were several large items like mattresses, TVs and tires on the back roads that they could not pick up. Susan Flash, the Green Up Day Coordinator, said there were over 71 participants and over 80 bags collected and every road was cleaned. Mike Denault suggested the headquarters should be moved to the transfer station since all the bags need to end up there anyway. There were several large items left on the ground that had to be lifted into the truck by the highway crew and then the truck needs to be unloaded at the transfer station. Some felt the visibility of being in the center of town was important.

ATV USE

Carol Fachini would like to make a motion to allow ATV use on the Risky Ranch Road, Klondike Road, County Road loop like it used to be, but would like to hear discussion first. Mike Denault stated that he wants to do what is right for the town, the landowners, the roads and the highway department. He thought the entire loop was owned by the Town of Stamford but realizes now that the northwesterly section is located in Pownal and is owned by National Forest. He asked how the town could vote on a loop that we don't own. He asked if the town can vote to allow riding without VASA with the new law that says you must be a member of VASA to ride on a Class 4 road. He also asked about residents riding on the one-quarter mile of County Road. Jess Tatro answered that Pownal doesn't own that section of Risky Ranch Road and the land is now owned by National Forest. The town has no control over that section. She explained that the board could vote to allow riding without the trail being a VASA trail, but riders will still need to be registered with the state, insured, and have a TAD decal purchased through VASA. Jess Tatro said if the board approved use on the quarter mile, it would become a trail access

because it would connect the two trails. Maura Hawkins is very frustrated and feels we should not be bullied by VASA or the legislature and does not want to be part of the VASA network or provide support to VASA in any way. Natalie Yorke recommended we contact our legislators to support a new bill being introduced saying it is unfair to make everyone in the state buy a VASA sticker to do something we have always been allowed to do. Dan Potvin felt bad that he was on the board when it voted to shut down the loop and feels the Selectboard should do an ordinance, sell stickers and push back against the state. The letter from Martina Barnes, National Forest District Ranger, was read indicating that the National Forest shut down trail #301 and #302 to all motorized vehicles. Nancy Bushika also noted that the National Forest said it would take three to five years for them to complete the trail repair necessary before they will consider reopening the trails. It is important to Jess Tatro to be able to legally ride on the trails since it is a family recreational activity. Jess Tatro feels if the town allows riding on the connector section, then National Forest will be open to further discussions. Mike Denault would rather see a policy to allow ATV use instead of an ordinance since it is quicker to create and quicker to take away. He would like to see camp and landowners be able to access their camps. If the town does not make it a VASA trail, then the town will be responsible for enforcing it. Brandon Field stated that an ordinance would open the loop without turning it into a VASA trail. An ordinance would carry greater enforceability. Pam Tworig suggested giving written permission to camp owners. Mike Denault would like to see a policy that allows ATV riding on all Class 4 roads which would include Klondike, Risky Ranch Road, and portions of County Road and Brown Brook Road. Alan Mutart has ridden up there for over 25 years as a friend of a camp owner. Mike Denault suggested allowing camp owners and their guests to ride. Others felt this was discriminatory to prohibit town residents and taxpayers from riding. Kurt Gamari felt the best solution is silence. Natalie Yorke suggested having them sign a waiver. Darryl Pecor asked the board to take the initial step and get people riding, which was supported by many in the room. Mike Denault was willing to wait if the board wanted to draw up a policy.

MOTION by Carol Fachini to go back to the old resolution from 2008. SECONDED by Brandon Field. The board went back and forth on what roads should be opened to ATV use and who would be given permission and several amendments to the motion were suggested. Pam Tworig felt this was a desperate attempt to shove this through and wanted to wait until the board could create a policy with clear terms. Mike Denault felt giving temporary permission in anticipation of a policy was a good idea. Nancy Bushika was concerned that if for some reason the board had to withdraw the temporary two week permission at the next meeting, it would add more confusion as to when people could ride. Carol Fachini withdrew her motion and Brandon Field withdrew his second.

MOTION by Brandon Field to allow legal ATV riding on all Stamford Class 4 roads, including the Class 3 section of road from Risky Ranch to the Class 4 junction of Klondike Road, for all Stamford residents, property owners and their guests, for two weeks beginning May 19, 2022 through June 2, 2022. SECONDED by Carol Fachini. 4 in favor. 1 opposed (Nancy Bushika). Motion APPROVED. Lori Shepard was directed to let the game wardens and Bennington Sheriff know about the board's decision to allow temporary ATV use. Rob Bouchard will coordinate with Dave Tatro for signage.

COPY POLICY FOR RECORDED DOCUMENTS

Natalie Yorke felt there should be a provision for people who can't afford the \$1.00 per page charge.

MOTION by Nancy Bushika to reaffirm the Copy Policy for Recorded Documents as written. SECONDED by Carol Fachini. All in favor. Motion APPROVED.

KEY POLICY

MOTION by Mike Denault to reaffirm the Key Policy as written. SECONDED by Carol Fachini. All in favor. Motion APPROVED.

EMERGENCY MANAGEMENT

1. Bill Levine was asked to check on the gas pumps at Bilmonts. He reported that the pumps are not left on when the store is closed.
2. Bill Levine attended the Regional Emergency Planning Commission meeting in North Adams. They have a surplus of hand sanitizer and wipes if the town is interested.

CORRESPONDENCE

The Selectboard received an invitation from the Bennington Order of Elks No. 567 to attend their annual Flag Day Ceremony on Saturday, June 12, 2022 at 1 p.m. The board members will consider attending.

DEAD TREES

Bruce Richardson is in the process of reviewing the trees along the roadway and will report to the board which trees should be removed.

NEW BUSINESS

Pam Tworig asked about the robbery on Klondike Road. Mike Denault did not have any information to share but said he would look into it.

MOTION by Mike Denault to adjourn. SECONDED by Brandon Field. All in favor. Motion APPROVED. The meeting adjourned at 10:25 p.m.

Carol A. Fachini, Clerk

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REMINDERS

1. Please visit the town's new official website: www.stamfordvt.net for town information and updates.
2. The summer hours at the transfer station began on April 28, 2021, the last Wednesday of April, from 3 p.m. to 6 p.m.