

**Sharon Selectboard  
Special Meeting Minutes  
September 18<sup>th</sup>, 2023 FINAL**

Participants attending In Person: Kevin Gish, Selectboard Chair; Tim Jones, GMP Representative; Nicola Shipman, Selectboard Assistant

Participants attending via Zoom: Lucy Pierpont, Finance Manager; Cathy Sartor, Town Clerk; Mary Gavin, Selectboard Vice Chair; Sarah Pfeiffer, Selectboard Clerk; Galen Mudgett, Head Lister; Deb Jones, Treasurer

Participating via Phone: Frank Rogers, Foreman

**Call to Order:**

Kevin Gish called the meeting to order at 6:30PM

1. **Review/Approve Agenda:**

**Mary Gavin made a motion to accept the agenda as presented. Sarah Pfeiffer seconded. Motion approved unanimously.**

2. **Public Comments:**

None

3. **Selectboard Member Reports**

Mary Gavin that South Royalton Rescue has raised over \$350,000 for crew quarters and is continuing to fundraise, but the congressional funding is unlikely to materialize. Mary anticipates that if the organization raises another \$300,000, they would be able to afford a bank loan for the project.

Kevin Gish provided update from the VTrans regarding the Park and Ride 502 Hearing. Sarah Pfeiffer asked if the proposed project would affect the horseshoe pit area. Kevin Gish confirmed the proposal would not affect the horseshoe pit area.

Kevin Gish reported that the Sprouty turnout was good. Kevin, who also serves as the race director, thanked the Town of Sharon for the \$700 contribution to the Sprouty, and he said the Windsor Country Sheriff's Department provided traffic control, and an ambulance was on site, and he thanked Road Foreman Frank for providing traffic cones for safety of the participants.

Kevin Gish said he attended the Elementary School Building Task Force public forum.

Kevin noted the school was built for sixty-eight students, but enrollment is currently at 135 students with PreK included, so there is a clear capacity concern.

The District estimates expansion costs to cost between \$6 million – \$10 million range, exploring a 20-year bond.

Kevin heard participants ask questions as to how this would affect the tax rate.

Kevin noted there are some misconceptions on the part of participants that the Town owns the land as well as the Sharon Elementary School building, but in fact the land and the building is owned by the Sharon School District.

Kevin explained that the cost of funding the expansion would affect the educational tax rate as it would be a part of the school budget, not the municipal budget.

Mary Gavin asked about projected population growth in the 0 - 25-year-old age range. Kevin noted the School District referred to the Town Plan for population projections.

#### 4. **Finance Manager Reports**

Lucy Pierpont mentioned that she received another application for the Road Crew position. Lucy said she has posted the opening again on other listservs and on VLCT.

The Town has collected just over \$2 million for the first payment of taxes due and \$386,000 of the second tax payment due. This is equivalent to about 4% of uncollected payments for the first payment due to the Town, and this is equivalent to taxes collected this time last year

Lucy provided budget-to-actual reporting for the year to date and month to date.

#### 5. **Road Foreman Reports**

Frank reported that ditching work was delayed due to the rain, but it will start this week. Frank also reported that Culvert #41 on Downer Road will be installed next week.

Frank will work with Nicola Shipman to make sure road closures are posted for residents and travelers.

Chase Site Services also started hauling sand for the sand pile.

#### 6. **Selectboard Assistant Reports**

Nicola Shipman reported that the MERP Level 2 Building Assessments were approved for both the Town Garage and the Town Offices. We are waiting to be notified of the scheduled date and time.

Nicola communicated that the replacement basement windows would cost \$900 – 1100 each with labor included and requested that the two windows facing Route 132 be scheduled for replacement and that we use the building reserve fund to pay for the project. The Board agreed this would be appropriate.

Nicola also said she received a complaint regarding a towing business located on Route 14 that has several vehicles parked on municipal property. Nicola Shipman was instructed to draft a letter with a copy of the property survey and with a request that the business owner remove the vehicles from municipal property.

Cathy Sartor thought maybe the vehicles were not on the Town Property. Nicola will confirm with Galen Mudgett prior to sending a letter.

Nicola and Frank Rogers met with FEMA on Friday for a follow up meeting and were able to meet with a Mitigation representative.

Nicola also reported that Cathy Sartor wanted the Board to know that the Town is currently without a Town Moderator. The elected officer has not taken an oath of office as required by statute. However, statute also requires the municipality to warn a regular meeting to for the purpose of swearing in and “afford the municipal officer the opportunity to take the oath of office at the meeting.” Only after that opportunity has been afforded but the oath not fulfilled can the office be declared vacant. Should the office be declared vacant, the Town will need to make the vacancy public and appoint a moderator in advance of Town Meeting 2024. The opportunity to take the Oath of Office will be warned as an item on the agenda for the October 2<sup>nd</sup> meeting to afford the elected official an opportunity to be sworn in on that date.

Finally, Nicola communicated that Mary Stoddard wanted to make sure the Selectboard knew that The Ranger event organizers made a generous donation to the Food Shelf as a thank you for allowing participants to ride through Sharon.

7. **Minutes**

**Kevin Gish made a motion to approve the September 6th minutes as presented. Sarah Pfeiffer seconded. Motion approved unanimously.**

8. **Approve Warrants**

**Sarah Pfeiffer made a motion to approve AP Warrant 1528 with the amended to the amount of \$69,502.08 with payments to Aubuchon Hardware \$32.50, Avery Excavation \$66,312.90, Casella Waste Systems \$104.65, CED Twin State Electric \$1545.00, Compucount \$472.66, Central Vermont Council on Aging \$750.00, De Lage Landen Financial \$94.53, Business Tech Management \$189.84. Mary Gavin seconded. Motion approved unanimously.**

**Mary Gavin made a motion to approve AP Warrant 1529 in the amount of \$3,778.30 with payments to EC Fiber \$151.00, Evans Motor Fuels \$2,119.20, Eye Med Vision \$51.66, Fastenal Company \$161.09, Foley Services \$102.02, Greater Upper Valley Solid Waste \$540.00, Green Mountain Mowing \$503.33, Jack Jones Construction \$150.00. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Kevin Gish made a motion to approve AP Warrant 1530 in the amount of \$20,260.40 with payments to Lacaillades Professional Painting \$6,055.00, Magee Office Products \$40.21, New England Truck Tire \$2,961.27, Pike Industries \$3,937.56, Royalton Area Senior Center \$3,500.00, Tarrant, Gillies, & Shems \$45.00, Texas Refinery Corp. \$482.50, The Hearld of Randolph \$188.86, Theodore Jeremenko \$3,050.00 (paid taxes before state payment was received, has requested a refund for over payment). Mary Gavin seconded. Motion approved unanimously.**

**Mary Gavin made a motion to approve AP Warrant 1531 in the amount of \$11,395.23 with payments to Treasury Operations Division \$205.00, Twin State Sand & Gravel \$211.05, U.S.P.S. \$318.00, Valley News \$316.80, Viking-Cives \$74.53, VLCT Employment Resources \$121.00, VLCT PACIF \$10,148.85. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Sarah Pfeiffer made a motion to approve AP Warrant 1532 in the amount of \$6,834.60 Windsor County Sheriffs \$5,373.00, Winter Equipment Company \$1,461.60. Mary Gavin seconded. Motion approved unanimously.**

**Mary Gavin made a motion to approve AP Warrant 1533 in the amount of \$1,214,185.49 with payment to the Sharon School District \$1,214,185.49. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Sarah Pfeiffer made a motion to approve AP Warrant 1534 from the Recreation Fund in the amount of \$139.53 with payment to Tiffany Clark \$139.53. Mary Gavin seconded. Motion approved unanimously.**

**Mary Gavin made a motion to approve AP Warrant 1535 from the Old School House Fund in the amount of \$3,398.40 with payments to Jack Jones Construction \$2,150.00, VLCT PACIF \$1,248.40. Sarah Pfeiffer seconded. Motion approved unanimously.**

**Sarah Pfeiffer made a motion to ratify the August HRA reimbursement for the period 8/1/23-8/31/23 for a total of \$506.60. Mary Gavin seconded. Motion approved unanimously.**

**Sarah Pfeiffer made a motion to ratify Payroll for the period 8/27/23-9/9/23 with a cash draw of \$14,064.51. Mary Gavin seconded. Motion approved unanimously.**

9. **GMP Petition for Project # 171071; Pole Removal on Route 132**

Chair Kevin Gish recognized Tim Jones, and he was invited to bring forward GMP's petition.

Tim explained that Project 171071 represents a traditional overhead electricity rebuild on River Road with the bulk of the work taking place in Royalton but includes upgrading infrastructure to improve grid resilience in this area.

The work would be roadside with line crews and bucket trucks. GMP will provide traffic control and GMP has connected with Frank Rogers to explain the scope of the project and its impact on the Town Highway right of way.

GMP would like to commence as early as late October. Once work is complete, telecommunications will be able to transfer to the new, taller poles.

Mary Gavin has concerns regarding the failure of telecommunications to transfer their wires from existing poles as evident from previous GMP improvement projects over the years. Mary wondered how GMP will encourage its partners to transfer at a reasonable pace once the new poles are in place. Mary noted there are a number of poles with telecommunications wires that are still standing after GMP upgrade projects, and the Town cannot seem to get any movement.

Tim Jones stated GMP is aware of this concern, and it something many Towns are experiencing. Tim noted that GMP is working to facilitate a more expeditious transfer and to bring the telecommunications transfer in line with expectations. GMP is promising that once GMP upgrade projects are complete there will be a true retirement of old poles within a 36-month time limit. Tim noted that about twenty poles on Route 132 will be removed by the end of October per an agreement with Consolidated Communications.

Kevin Gish asked what the incentive is for telecommunications to move their infrastructure?

Mary Gavin suggested there should be some kind of legislation to force communications to relocate their lines in the agreed upon timeline.

Sarah Pfeiffer asked if Frank Rogers had any concerns with the project timeline. Frank did not have any concerns.

**Kevin Gish made a motion to sign the petition with GMP to approve project Number 17101 on River Road in Sharon in accordance with project plans provided as it pertains to Maps 14-19. Sarah Pfeiffer seconded. Motion approved unanimously.**

11. **Private Road Name Request**

**Mary Gavin made a motion to approve a request to name a private road Woody's Place which would be the first road South of the Village. Kevin Gish seconded. Motion approved unanimously.**

12. **Fuss & O'Neill Scoping Study Contract**

**Sarah Pfeiffer made a motion to authorize signature of the Agreement for Consultant Engineering Services between the Town of Sharon and Fuss & O'Neill, Inc. with the maximum limiting amount defined as \$48,411.00, \$38,728.80 of which shall be reimbursable through the TAP Scoping Study Grant Funding and \$9,682.20 shall be paid from the Town's ARPA funding. Mary Gavin seconded. Motion approved unanimously.**

13. **Sharon 4720DR\_02 Bid Award for Repairs to Quimby Mountain Road**

The Board received the three bids for Sharon\_4720DR\_02, and Nicola Shipman noted a significant variance between the lowest and highest bidder.

Nicola Shipman contacted contractors to identify which source they intended to use for their stone. Montgomery intended to use McCullough, Green Mountain Mowing LLC specified either McCullough or Twin State, Blue Mountain specified RA Tucker. Frank does not prefer McCullough as the sizing on their material is variable and may or not be in compliance with State specifications.

Frank Rogers said that Twin State would be the preferred supplier for meeting state specifications, which is a requirement of the contract.

There was discussion about the contract award. The Board was concerned that Montgomery is an unknown contractor with no history and a bid that was surprisingly low compared to other known bidders and was sourcing with a stone supplier that is unlikely to meet State specifications. As the Town is under no obligation to accept the lowest bid, the Selectboard decided to award the contract to the most responsive and most responsible bidder based on projected costs, materials sourcing, quality of the bid proposal as well as satisfactory previous performance with the Town

**Kevin Gish made a motion to award the contract for Sharon\_4720DR\_02 Quimby Mountain Road Repairs to Green Mountain Mowing LLC with the amount not to exceed \$27,570.00. Sarah Pfeiffer seconded. Motion approved unanimously.**

14. **Salt Contract**

Frank Rogers said the price is for salt about \$0.50 more per ton than last year, but the contract is as straightforward as usual.

**Mary Gavin made a motion to authorize the Road Foreman to sign a salt contract with Cargill for the period August 30<sup>th</sup>, 2023 – May 1<sup>st</sup>, 2024 with Cargill the price set at \$86.50 per ton. Sarah Pfeiffer seconded. Motion approved unanimously.**

15. **Paving Bids for Route 132 Paving Repairs:**

No paving bids received. Nicola Shipman is awaiting guidance from VTrans for best next steps.

16. **Executive Session for the Purposes of Receiving Legal Counsel**

**Kevin Gish made a motion that 1) discussion of the legal strategy as it relates to ongoing litigation would constitute premature public knowledge would place the municipality at a substantial disadvantage therefore 2) it would be appropriate to enter executive session per 1 V.S.A. § 313(a)(1) for the purposes of receiving confidential attorney-client communications made for the purpose of providing professional legal services to the body with participants to include Kevin Gish, Sarah Pfeiffer, Mary Gavin and Nicola Shipman. Mary Gavin seconded. Motion approved unanimously.**

**Mary Gavin made a motion to exit the executive session at 7:52PM. Sarah Pfeiffer seconded. Motion approved unanimously.**

The Selectboard instructed Nicola Shipman, Selectboard Assistant to follow up with the Town's attorney.

17. **ARPA Funding**

No ARPA business.

18. **Other business**

No other business.

19. **Adjourn**

**Mary Gavin made a motion to adjourn at 7:54PM. Sarah Pfeiffer seconded. Motion approved unanimously.**

Respectfully submitted by Nicola Shipman