

District 3, 4

Certcode 1104-0

CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2024

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2024 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

We, the members of the legislative body of CHITTENDEN in RUTLAND County on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305, added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Table with 6 columns: Town Highways, Previous Mileage, Added Mileage, Subtracted Mileage, Total, Scenic Highways. Rows include Class 1, Class 2, Class 3, State Highway, Total, Class 1 Lane, Class 4, and Legal Trail.

\* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

Unchanged Mileage totals and Part II note by K.Alley (VTrans) 3/28/2024

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

Altered location of the Bisbee Rd T.H.40 (no net mileage change)

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below.

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees:

Handwritten signatures of selectmen/aldermen/trustees.

Handwritten signature of the T/C/V Clerk.

Signature of T/C/V Clerk: Alyssa Reynolds

Date Filed: 1/30/24

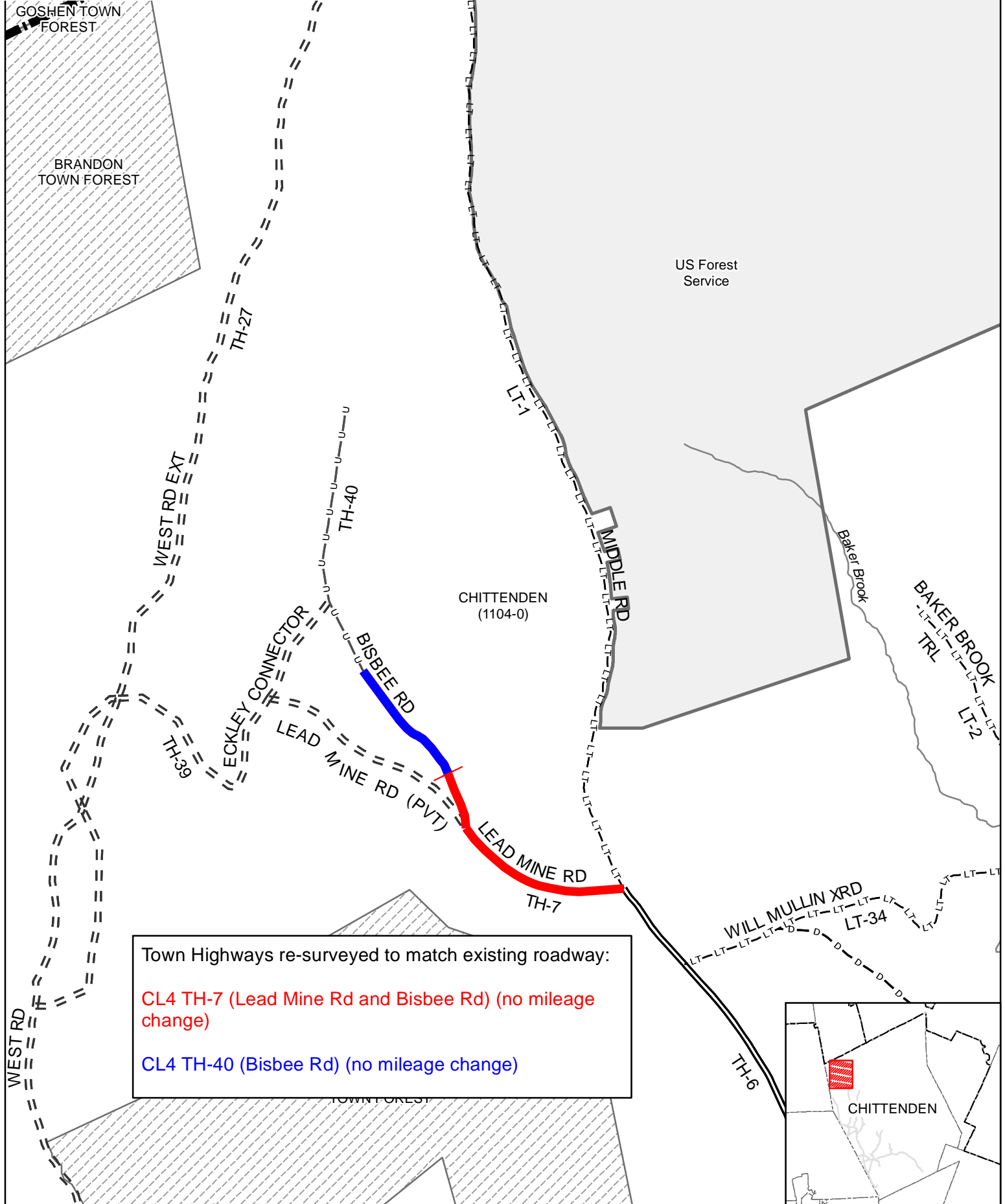
Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED

DocuSigned by: Jonathan Croft, Representative, Agency of Transportation

DATE: 4/22/2024



Town Highways re-surveyed to match existing roadway:

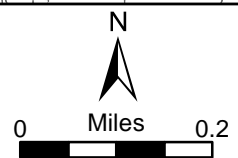
**CL4 TH-7 (Lead Mine Rd and Bisbee Rd) (no mileage change)**

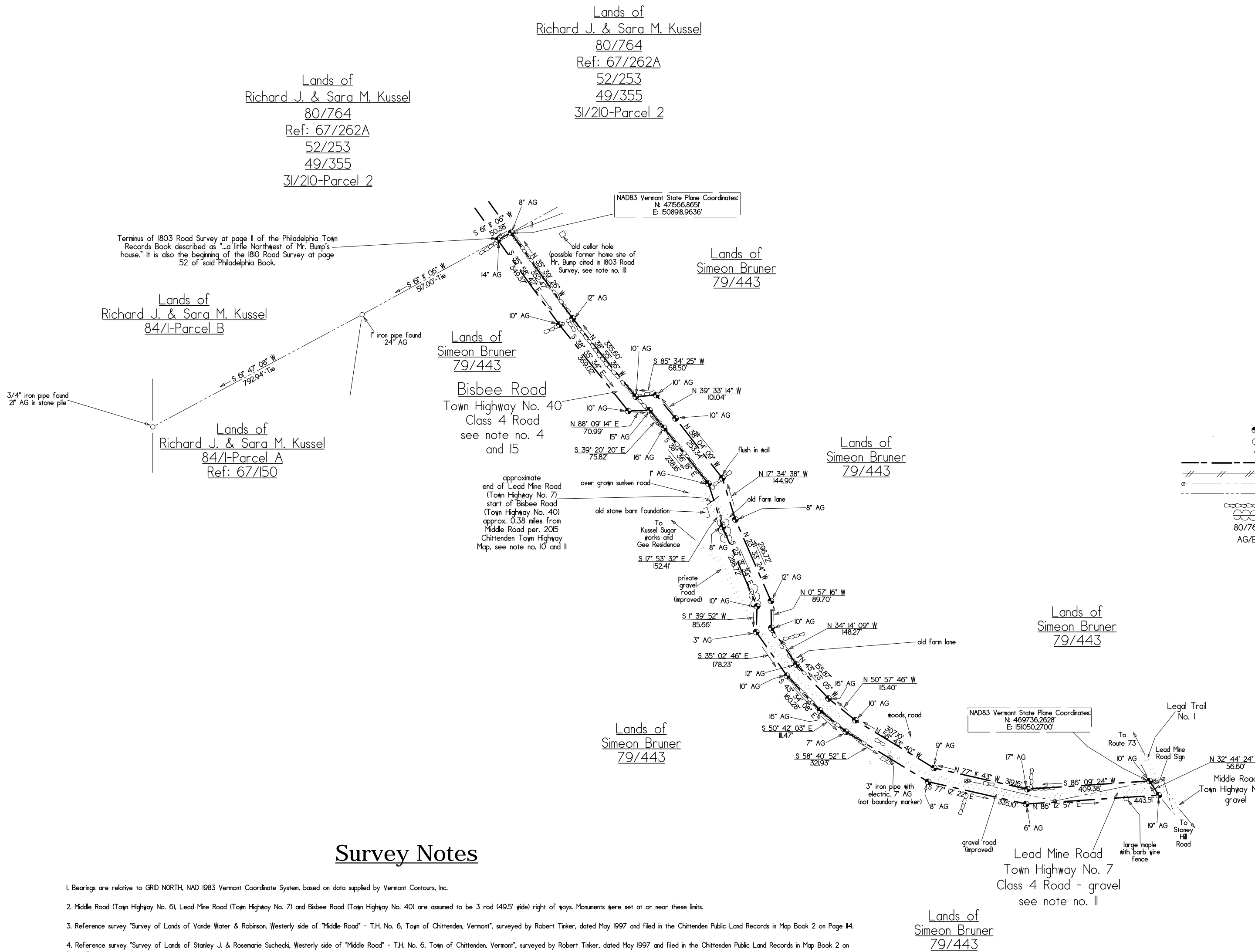
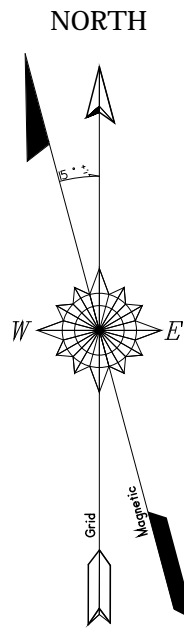
**CL4 TH-40 (Bisbee Rd) (no mileage change)**

### Mileage Certificate Changes 2024

#### CHITTENDEN

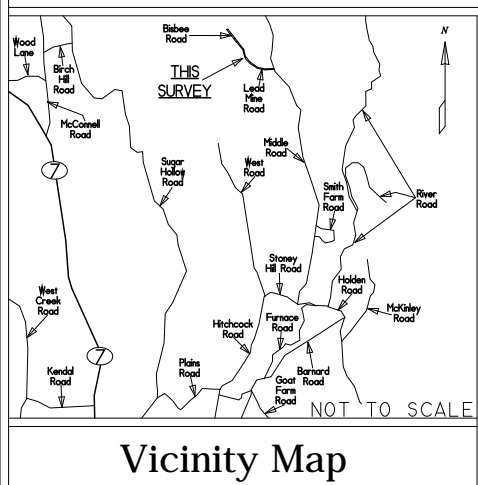
(CTUA:1104-0)  
(CERTCODE:1104-0)





### Survey Notes

- Bearings are relative to GRID NORTH, NAD 1983 Vermont Coordinate System, based on data supplied by Vermont Contours, Inc.
- Middle Road (Town Highway No. 6), Lead Mine Road (Town Highway No. 7) and Bisbee Road (Town Highway No. 40) are assumed to be 3 rod (49.5' wide) right of ways. Monuments were set at or near these limits.
- Reference survey "Survey of Lands of Vande Water & Robinson, Westerly side of "Middle Road" - T.H. No. 6, Town of Chittenden, Vermont", surveyed by Robert Tricker, dated May 1997 and filed in the Chittenden Public Land Records in Map Book 2 on Page 14.
- Reference survey "Survey of Lands of Stanley J. & Rosemarie Suchecki, Westerly side of "Middle Road" - T.H. No. 6, Town of Chittenden, Vermont", surveyed by Robert Tricker, dated May 1997 and filed in the Chittenden Public Land Records in Map Book 2 on Page 15.
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- Reference survey "Survey of Lands of Stanley J. & Rosemarie Suchecki, Westerly side of "Middle Road" - T.H. No. 6, Town of Chittenden, Vermont", surveyed by Robert Tricker, dated May 1997 and filed in the Chittenden Public Land Records in Map Book 2 on Page 156.
- Reference plan "Road Locations Through Lands of Simeon Bruner, Westerly from "Middle Road" T.H. No. 6, Town of Chittenden, Vermont", prepared by Robert Tricker, not dated and not of record.
- Reference survey "Survey of a Portion of Lands of Foundation For A Sustainable Future, Northeasterly from "Middle Road" T.H. No. 6, Town of Chittenden, Vermont", surveyed by Robert Tricker, dated Jan. 2011 and filed in the Chittenden Public Land Records in Map Book 3 on Page 14.
- Reference survey "Lands Owned By Tucker & Lobkowitz, Chittenden, Vermont", surveyed by Young & Hemenway Engineers, dated Jan. 1971 and not of record.
- Reference map "Vermont General Highway Map, Town of Chittenden, Rutland County, Transportation District #3", prepared by Vermont Agency of Transportation, dated June 18, 2015 and located on the Vermont Agency of Transportation website.
- Reference Highway Surveys for Town Highways 7 & 40 recorded in "Town Records - Vol. I, Chittenden" (known as the Philadelphia Town Records Book) at Page 1, surveyed March 31, 1803 and recorded October 24, 1805 and also at Page 52, surveyed April 2, 1810 and recorded May 31, 1810.
- Philadelphia was an early town in Vermont that was absorbed by Chittenden and Goshen early in the 19th century.
- Town road side lines shown hereon are based upon the highway surveys noted in note no. 11, physical evidence found and early aerial photography.
- This area of Chittenden is known for lead mines and also iron mines. Iron deposits are well known for causing magnetic compasses to read erratically. This may account for variances in old road layouts matching the physical evidence (road walls, wheel tracks, grading improvements). Reference "Chittenden, Vermont, A Town History" by Chittenden Historical Society Inc., page 43.
- The Bisbee Road portion of this survey is based in part on an agreement arrived at a meeting of Simeon Bruner, Richard Kussel and members of the Chittenden Select Board on November 9, 2020.



Vicinity Map

### Town Clerk's Certificate

Office of the Town Clerk, I hereby certify that this instrument was filed in this office for record at \_\_\_ \_\_ A.M./P.M. on the \_\_\_ day of \_\_\_ 20\_\_ in Plat Book \_\_\_ Page \_\_\_ of the Town's Land Records.

Signature of \_\_\_\_\_ title \_\_\_\_\_

### Legend

- 5/8" IRON PIN SET WITH RED PLASTIC SURVEY CAP AS LABELLED
- IRON PIPE FOUND AS LABELLED
- POINT NOT MONUMENTED
- TOWN ROAD RIGHT-OF-WAY LINE
- BLAZED LINE FOUND
- UTILITY POLE AND OVERHEAD WIRES
- PROPERTY LINE
- STONE WALL/REMAINS OF STONE WALL
- HEDGEROW
- 80/764 - CHITTENDEN LAND RECORDS, VOLUME AND PAGE
- AG/BG - ABOVE GRADE/BELOW GRADE (MONUMENTS)

### Surveyor's Certificate

This survey is based on recorded deeds, previous surveys and field evidence as noted hereon. See note no. 13.

TIMOTHY L. SHORT  
VERMONT LICENSED LAND SURVEYOR No.651

SHORT SURVEYING, INC.

135 SOUTH PLEASANT STREET  
MIDDLEBURY, VERMONT 05753  
TEL: (802) 388-3511

### SURVEY PLAT

Survey of "Lead Mine" Road  
(Town Highway No. 7)  
and "Bisbee" Road  
(Town Highway No. 40)

Westerly of Middle Road,  
Chittenden, Rutland County, Vermont

Scale: 1" = 200'  
January 25, 2021

**TOWN OF CHITTENDEN  
REPORT OF FINDINGS, ORDER AND RETURN  
REGARDING ALTERATIONS OF PORTIONS OF  
TOWN HIGHWAY NOS. 7 AND 40**

The undersigned Selectboard of the Town of Chittenden hereby issues their written Report of Findings, Order and Return pursuant to 19 V.S.A. §711 as follows:

1. The Selectboard, pursuant to 24 V.S.A. §708(a), initiated proceedings on their own Motion to Alter Portions of Town Highway Nos. 7 and 40 described as follows:

Alteration of portions of Town Highway #40 and Town Highway #7 within the boundaries of lands owned by Simeon Bruner in Chittenden, Vermont. The easterly portion of the proposed alterations commences on Town Highway #7 and is marked by two 5/8ths iron pin sets located on both sides of the 3 rod right-of-way with plastic survey caps noted as "3AG" and "10AG." Then proceeding along Lead Mine and Bisbee Roads in a northwesterly direction to the common boundary of lands owned by Simeon Bruner (Book 79, Page 433) on the south and lands owned by Richard J. and Sarah M. Kussel (Book 80, Page 764) on the north which is marked by two 5/8ths iron pin sets located on both sides of the 3 rod right-of-way with plastic survey caps noted as "14AG" and "8AG".

The proposed alteration is fully described and depicted on a survey by Timothy Short dated January 7, 2021 and entitled "Survey of 'Lead Mine' Road (Town Highway No. 7) and 'Bisbee' Road (Town Highway No. 40) Westerly of Middle Road, Chittenden, Rutland County, Vermont", a copy of which is available for inspection at the Chittenden Town Offices.

2. On the 22nd day of January, 2021, at least 30 days prior to examination and Hearing, the Notice of Alteration, a copy of which is attached hereto, incorporated herein and marked as Exhibit 1, was sent by certified mail, return receipt requested, to the following interested parties:

**Abutting Landowners and Landowners  
Through Whose Property the Roads Pass**

- a. David & Michelle Parker, 121 West Road, North Chittenden, VT 05763
- b. Town of Pittsford, P.O. Box 10, 426 Plains Road, Pittsford, VT 05763
- c. Bradford Gee, 128 Lead Mine Road, North Chittenden, VT 05763
- d. Richard and Sara Kussel, 1911 North Grove St., Rutland, VT 05701-9754
- e. Richard Robbins & Katherine Pope, 978 N. Norman Place, Los Angeles, CA 90049
- f. John Robbins & Eve Herzog Robbins, 166 Duane St., 8A, New York, NY 10013
- g. Simeon Bruner, 165 Brattle St., Cambridge, MA 02138

3. On January 22, 2021, at least 10 days prior to examination and Hearing, the aforesaid Notice of Alteration (Exhibit 1) was posted at the Town Clerk's office and on the Town of Chittenden's official website.

4. On the 22<sup>nd</sup> day of February, 2021, the Selectboard examined the premises and held a hearing pursuant to the Notice of Alteration.

5. Present during the proceedings on the 22<sup>nd</sup> of February, 2021 were the following Selectboard members: Kathie Pratt, Chair; Bob Baird; Julie Fredette; Andrew Quint; and Gina Ottoboni. Also present were Bob Case, Jan Sotirakis, Alyssa Reynolds, Joseph Casella, Kellie Becker, Richard Kussel, Jenna Baird, Jacob Powsner, Kim Kinville, Elmer Wheeler, Natalie Gilliard, Jonathan Yacko, James Carroll, Morgan Yucel, Sue and Dave, Simeon Bruner, John Haverstock, and Richard Love.

6. At the Hearing, the Selectboard heard the comments of interested parties, confirmed their inspection of the premises and considered exhibits concerning the proposed alterations as follows:

EXHIBIT 1 – Notice of Alteration Proceeding (attached).

EXHIBIT 2 - Settlement Agreement and Release signed by Simeon Bruner, Richard Kussel, Sara Kussel and the Town of Chittenden dated December 1, 2020.

EXHIBIT 3 - Survey of Lead Mine Road (Town Highway No. 7) and Bisbee Road (Town Highway No. 40) Westerly of Middle Road, Chittenden, Rutland County, Vermont dated January 25, 2021.

It was noted that the proposed alteration to Highway Nos. 7 and 40 had been clearly identified and marked by Surveyor Timothy Short as referenced in Exhibit 3.

7. Based upon the information and comments presented at the hearing and the provisions of a certain Settlement Agreement and Release by and between Simeon Bruner, Richard and Sara Kussel and the Town of Chittenden in the matter of *Bruner v. Gee, et al.*, Docket No. 435-8-16 Rdcv (Exhibit 2), the Chittenden Selectboard hereby finds and concludes that the public good, necessity and convenience of the inhabitants of the Town of Chittenden require that the portions of Town Highway Nos. 7 and 40 described above be altered for the following reasons:

- (a) The portions of Town Highway Nos. 7 and 40 which are being altered lie entirely within the property of Simeon Bruner.
- (b) It is noted by the Selectboard that the Survey of Timothy Short dated January 7, 2021 and entitled "Survey of Lead Mine Road (Town Highway No. 7) and Bisbee Road (Town Highway No. 40) Westerly of Middle Road, Chittenden, Rutland County, Vermont" as referenced in the Notice (Exhibit 1), is identical in all

material respects to the final Survey of the same name and dated January 25, 2021 referenced above as Exhibit 3.

- (c) The portions of Town Highway Nos. 7 and 40 which are being altered commence on Lead Mine Road (TH #7) at a point within the existing right-of-way marked by two 5/8ths iron pin sets located on both sides of the 3 rod right-of-way with plastic survey caps noted as "3AG" and "10AG." Then proceeding along Lead Mine and Bisbee Roads in a northwesterly direction to the common boundary of lands owned by Simeon Bruner (Book 79, Page 433) on the south and lands owned by Richard J. and Sarah M. Kussel (Book 80, Page 764) on the north which is marked by two 5/8ths iron pin sets located on both sides of the 3 rod right-of-way with plastic survey caps noted as "14AG" and "8AG".
- (d) The portions of Town Highway Nos. 7 and 40 which are being altered provide public access to and from property owned by Richard and Sara Kussel.
- (e) The Settlement Agreement and Release provides that this portion of Town Highway Nos. 7 and 40 be altered subject to certain conditions as are specifically stated in the Agreement, including the approval of the alterations as proposed in the Short Survey and agreed to by the parties.
- (f) The alterations, as proposed and agreed to by the interested landowners, provides certainty to the historic locations of these roads as altered and provides a workable location for the proposed improvements for the highways as an access to the lands of property owned by Richard and Sara Kussel in a manner that is satisfactory to the interested parties consistent with the Stipulation and Release identified as Exhibit 2.
- (g) Town Highway Nos. 7 and 40 shall remain 3 rods in width and Class 4 Town Highways.

9. **ORDER.** Based upon the findings and conclusions, as set forth above, the exhibits attached hereto, the testimony of the interested persons and the terms of the Settlement Agreement and Release, it is hereby ORDERED that the portions of Chittenden Town Highway Nos. 7 and 40, otherwise known as Lead Mine Road and Bisbee Road, are hereby altered as referenced in the Survey by Timothy Short dated January 25, 2021 and entitled "Survey of Lead Mine Road (Town Highway No. 7) and Bisbee Road (Town Highway No. 40) Westerly of

Middle Road, Chittenden, Rutland County, Vermont", hereinabove referenced as Exhibit 3, a mylar of which has been recorded in the Chittenden Land Records on March 15, 2021 at TOC-63.

TOWN OF CHITTENDEN, VERMONT

March 24, 2021  
Date

Kathleen Pratt  
Kathleen Pratt, Selectboard Chair

March 23, 2021  
Date

Robert A Baird  
Bob Baird

March 25, 2021  
Date

Julie K. Fredette  
Julie Fredette

March 22, 2021  
Date

Andrew Quint  
Andrew Quint

3/27/2021  
Date

Joseph Casella\*  
Joseph Casella\*

\*Joseph Casella became a Chittenden Selectboard member on March 8, 2021. Joseph Casella was present during the proceedings on February 22, 2021, has examined the premises and reviewed the exhibits and is signing this Report of Findings, Order and Return to indicate his consent and ratification of its contents.

**CERTIFICATE OF TOWN CLERK**

I hereby certify that on the 29 day of March, 2021, I recorded the foregoing Report of Findings, Order and Return regarding Town Highways Nos. 7 and 40.

Dated: March 29, 2021 Patricia Perley  
Asst. Town Clerk

TOWN OF CHITTENDEN, VT  
Received for record March 29 2021  
at 2:00 o'clock P M. and recorded in  
Chittenden Land Records, Vol. 93 Page 475  
Patricia Perley  
Asst. Town Clerk

TOWN OF CHITTENDEN, VT  
 Received for record March 15 2021  
 at 2:00 o'clock P M. and recorded in  
 Chittenden Land Records, Vol. 93 Page 434  
Patricia Peckay  
 Asst. Town Clerk

### AMENDMENT TO GRANT OF EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **SIMEON BRUNER** of the Town of Cambridge, County of Middlesex, and Commonwealth of Massachusetts (“**Bruner**”) (the “**Grantor**”) in consideration of the sum of Ten and More Dollars, paid to their full satisfaction by **RICHARD J. KUSSEL and SARA M. KUSSEL** of the Town/City of Rutland, County of Rutland and State of Vermont (together, the “**Grantee**”), by these presents, does freely GIVE, GRANT, SELL, CONVEY and CONFIRM unto the said Grantee, **RICHARD J. KUSSEL and SARA M. KUSSEL**, husband and wife, as tenants by the entirety, and the Grantee's heirs, successors and assigns, a non-exclusive easement to be used in common with the Grantor, and others entitled thereto, for access over certain lands in the Town of Chittenden, County of Rutland and State of Vermont (the “**Access Easement**”) described as follows, viz:

Being an easement and right-of-way, three (3) rods wide, for ingress and egress for such purposes of pedestrian and vehicular access (including by motorized and mechanized vehicles, snowmobiles, ATV's and other heavy equipment) of any kind.

The Access Easement shall extend over the Class IV Town highways currently known as Lead Mine Road (Town Highway No. 7) and Bisbee Road (Town Highway No. 40) in the Town of Chittenden, as the same are depicted on the plan entitled “Survey of ‘Lead Mine’ Road (Town Highway No. 7) and ‘Bisbee’ Road (Town Highway No. 40), Westerly of Middle Road, Chittenden, Rutland County, Vermont” prepared by Short Surveying, Inc., dated 1/25/21 (a reduced copy of which is attached hereto) and to be recorded simultaneously herewith in the Town of Chittenden land records (the “**Land Records**”).

Also including the right to construct and maintain a private driveway to the Grantee Lands (as defined herein) along the Access Easement from the point where the Access Easement diverges from Lead Mine Road, over Bisbee Road, to the Grantee Lands (the “**Bisbee Segment**”), at the Grantee's sole cost and expense. The Grantor shall have no obligation to maintain or contribute to the costs of maintaining the Bisbee Segment, absent use of the driveway. In the event that the Town of Chittenden shall discontinue or reclassify Lead Mine Road, the Grantee and their heirs, successors and assigns, shall have the right to construct and maintain a private driveway along the portion of the Access Easement that leads from Middle Road to the Bisbee Segment.

This Access Easement is intended to modify and confirm the location of the existing right of way and easement benefitting the lands of the Grantee referenced as the “Sugaring

{B2208235.2 14862-0003}



Property” in that certain Settlement Agreement and Release between the Grantor and Grantee dated on or about of even date herewith and as more particularly described in the Warranty Deeds to the Grantee December 20, 2012 and recorded in Volume 80, Pages 764, 767, 770 and 774 of the Land Records (the “**Grantee Lands**”).

This Access Easement shall burden the lands of Bruner described in the Warranty Deed dated March 29, 2012 and recorded in Volume 79, Page 443 of the Land Records (the “**Grantor Lands**”) and Lead Mine Road (Town Highway No. 7) and Bisbee Road (Town Highway No. 40), as surveyed and laid out by the selectmen of the Town of Chittenden. This Access Easement shall not limit, reduce, or interfere with the rights of the public or of any of the parties to use of Lead Mine Road and Bisbee Road.

The Access Easement is conveyed **subject to**: (a) the provisions of municipal ordinances, public laws, and special acts; and (b) all covenants, restrictions, easements and rights of way of record, not meaning to reinstate any claims barred by operation of the Vermont Marketable Record Title Act, 27 V.S.A. §601-611, both inclusive.

Reference is hereby made to the above-mentioned instruments, the records thereof and the references therein contained in further aid of this description.

**TO HAVE AND TO HOLD** the said granted Access Easement, with all the privileges and appurtenances thereto, to the Grantee, **RICHARD J. KUSSEL and SARA M. KUSSEL**, husband and wife, as tenants by the entirety, and their heirs, successors and assigns, to their own use and behoof forever.

The Grantor, **SIMEON BRUNER**, for himself and his heirs, successors and assigns, does covenant with the Grantee, and their heirs, successors and assigns, that until the ensealing of these presents, Grantor is the sole owner of the Access Easement, and has good right and title to convey the Access Easement in the manner aforesaid, and that the Access Easement is **FREE FROM EVERY ENCUMBRANCE**, except as stated in this Amendment to Grant of Easement Deed; and the Grantor hereby engages to **WARRANT AND DEFEND** the same against all lawful claims whatever, except as stated in this Deed.

*[SIGNATURE PAGES FOLLOW]*

IN WITNESS WHEREOF, the undersigned have executed this instrument this 20 day of November, 2020.

Grantor:

[Signature]  
Simeon Bruner

STATE OF MASS  
COUNTY OF Middlesex, SS.

On this 20<sup>th</sup> day of Nov., 2020, personally appeared **Simeon Bruner**, to me known to be the person who executed the foregoing instrument, and he acknowledged this instrument, by him signed, to be his free act and deed.



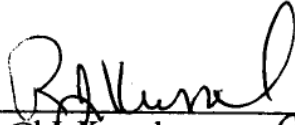
JAYDEN DAHIR  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
May 16, 2025

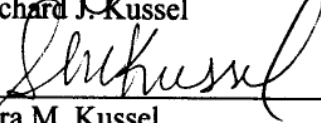
Before me:

[Signature]  
Notary Public

Printed Name: Jayden Dahir  
My Commission Expires: MAY 16 2025  
Commission No.: \_\_\_\_\_

**Grantee:**

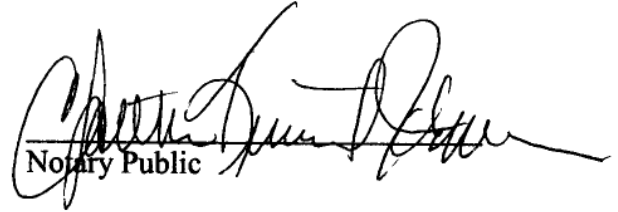
  
 \_\_\_\_\_  
 Richard J. Kussel

  
 \_\_\_\_\_  
 Sara M. Kussel

STATE OF VERMONT  
COUNTY OF RUTLAND, SS.

On this 23<sup>rd</sup> day of November, 2020, personally appeared **Richard J. Kussel and Sara M. Kussel**, to me known to be the persons who executed the foregoing instrument, and they acknowledged this instrument, by them signed, to be their free act and deed.

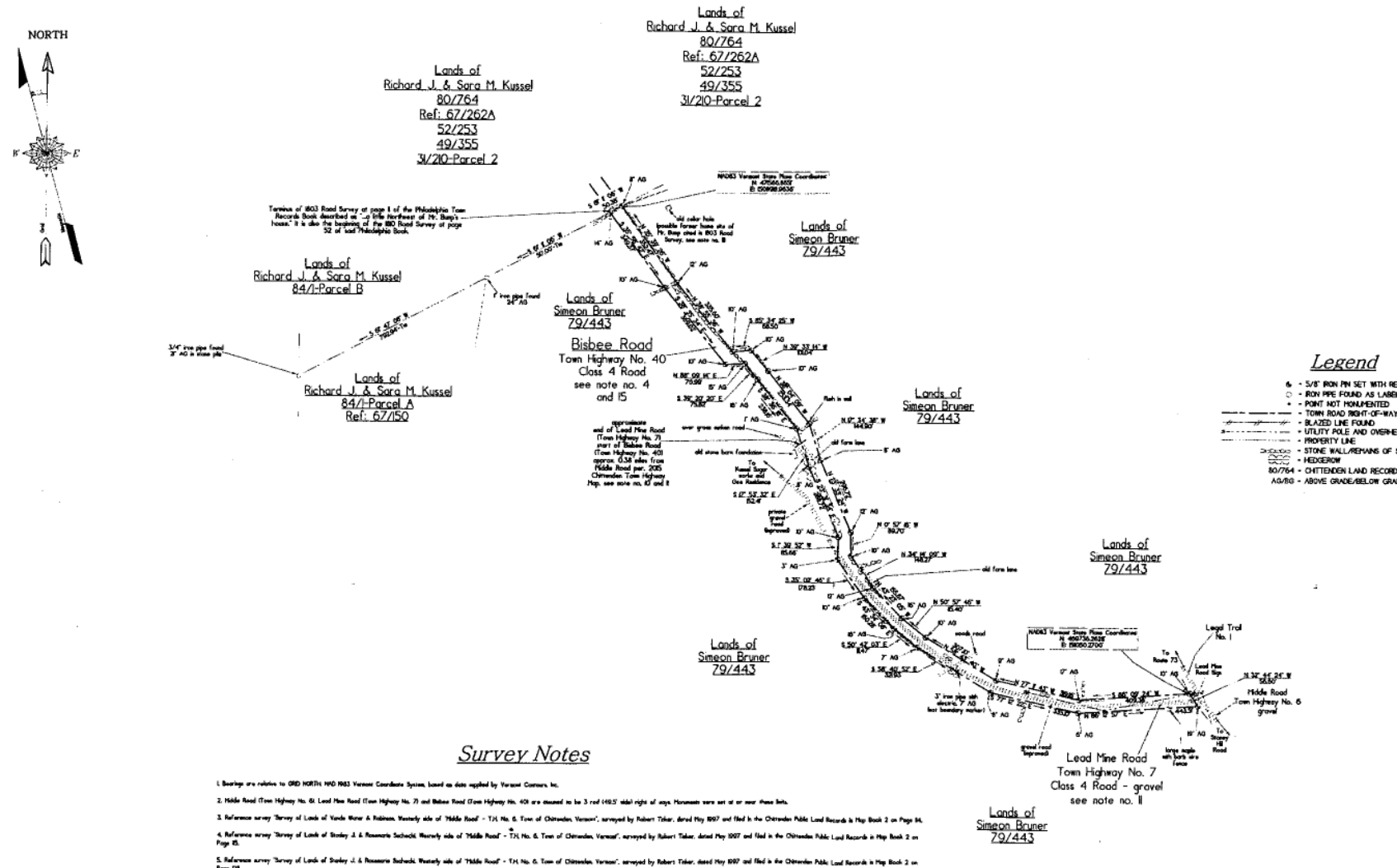
Before me:

  
 \_\_\_\_\_  
 Notary Public

**Elizabeth Keirstead Johnson**  
 Notary Public of the State of Vermont  
 My Commission # 157.0003768  
 My Commission Expires: 1/31/21

Printed Name: Elizabeth Keirstead Johnson  
 My Commission Expires: 1/31/2021  
 Commission No.: 157,000,3768

Exhibit A - Easement Plan



Town Clerk's Certificate

Office of the Town Clerk, hereby certifies that the  
 instrument filed in the office for record on \_\_\_\_\_ A.M./P.M.  
 of the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
 in Plat Book \_\_\_\_\_ Page \_\_\_\_\_ of the Town's Land Records.  
 Signature of \_\_\_\_\_

Legend

- - 5/8" IRON PIN SET WITH RED PLASTIC SURVEY CAP AS LABELLED
- - IRON PIPE FOUND AS LABELLED
- - POINT NOT IMPLEMENTED
- - TOWN ROAD RIGHT-OF-WAY LINE
- - BLAZED LINE FOUND
- - UTILITY POLE AND OVERHEAD WIRES
- - PROPERTY LINE
- - STONE WALL/REMAINS OF STONE WALL
- - HEDGEROW
- - CHITTENDEN LAND RECORDS, VOLUME AND PAGE
- AG/BO - ABOVE GRADE/BELOW GRADE MONUMENTS

Survey Notes

1. Bearings are relative to GRID NORTH NAD 83 Vermont Coordinate System, based on data supplied by Vermont CORSnet, Inc.
2. Middle Road (Town Highway No. 40), Lead Mine Road (Town Highway No. 7) and Bisbee Road (Town Highway No. 40) are assumed to be 3' red 1403' wide right of ways. Monuments were set at or near these lines.
3. Reference survey "Survey of Lands of Vanda Winer & Robinson, Westerly side of 'Middle Road' - T4, N6 & Town of Chittenden, Vermont", surveyed by Robert Tabor, dated May 1997 and filed in the Chittenden Public Land Records in Map Book 2 on Page 14.
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7. Reference plan "Road Location Through Lands of Simeon Bruner, Westerly side of 'Middle Road' T4, N6 & Town of Chittenden, Vermont", prepared by Robert Tabor, not dated and not of record.
8. Reference survey "Survey of a Portion of Lands of Foundation For a Sustainable Future, Northwesterly side of 'Middle Road' T4, N6 & Town of Chittenden, Vermont", surveyed by Robert Tabor, dated Jan. 201 and filed in the Chittenden Public Land Records in Map Book 2 on Page 14.
9. Reference survey "Look Created by Tabor & Libkin, Chittenden, Vermont", surveyed by Young & Haseyway Engineers, dated Jan. 1971 and not of record.
10. Reference map "Vermont General Highway Map, Town of Chittenden Rutland County, Transportation District #3", prepared by Vermont Agency of Transportation, dated June 18, 2005 and located on the Vermont Agency of Transportation website.
11. Reference Highway Survey for Town Highways 7 & 40 recorded in "Town Records - Vol 1, Chittenden" Series on the Philadelphia Town Records Book in Page 6 surveyed March 3, 1803 and recorded October 24, 1805 and also in Page 52, surveyed April 2, 1800 and recorded May 31, 1802.
12. Philadelphia was an early town in Vermont that was described by Chittenden and Gates early in the 18th century.
13. Town road side lines shown hereon are based upon the highway surveys noted in note 11. Physical evidence found and aerial photography.
14. The area of Chittenden is known for lead mines and also iron mines. This deposit are not known for causing magnetic compasses to read incorrectly. This may occur for various reasons in old road layouts including the physical evidence found with steel tracks, grading impressions, Reference Chittenden, Vermont A Time History, by Chittenden Historical Society Inc, page 43.
15. The Bisbee Road portion of this survey is based in part on an agreement arrived at a meeting of Simeon Bruner, Richard Kussel and members of the Chittenden Select Board on November 9, 2020.

Surveyor's Certificate

This survey is based on registered deeds, previous surveys and field observations as detailed hereon. See page no. 11.

TIMOTHY L. SHORT  
 VERMONT LICENSED LAND SURVEYOR No. 651

SHORT SURVEYING, INC.

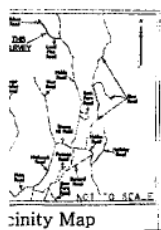
135 SOUTH PLEASANT STREET  
 MIDDLEBURY, VERMONT 05753  
 TEL: (802) 388-3511



SURVEY PLAT

Survey of "Lead Mine" Road  
 (Town Highway No. 7)  
 and "Bisbee" Road  
 (Town Highway No. 40)

Westerly of Middle Road,  
 Chittenden, Rutland County, Vermont



TOWN OF CHITTENDEN, VT  
 Received for record February 12 2024  
 at 2:00 o'clock P. M and recorded in  
 Chittenden Land Records, Vol. 96 Page 633  
Talman Peeler  
 Asst. Town Clerk

TOWN OF CHITTENDEN, VERMONT  
 NOTICE OF AN ALTERATION PROCEEDING OF  
 PORTIONS OF CHITTENDEN TOWN HIGHWAY #40 (A/K/A "BISBEE ROAD")  
 AND TOWN HIGHWAY #7 (A/K/A "LEAD MINE ROAD")

Notice is hereby given pursuant to 27 V.S.A. §709 that the Selectboard of the Town of Chittenden, on their own motion, will conduct an examination and hold a hearing on the alteration of portions of Chittenden Town Highway #40 (a/k/a "Bisbee Road") and Chittenden Town Highway # 7 (a/k/a "Lead Mine Road") described as follows:

Alteration of portions of Town Highway #40 and Town Highway #7 within the boundaries of lands owned by Simeon Bruner in Chittenden, Vermont. The easterly portion of the proposed alterations commences on Town Highway #7 and is marked by two 5/8ths iron pin sets located on both sides of the 3 rod right-of-way with plastic survey caps noted as "3AG" and "10AG." Then proceeding along Lead Mine and Bisbee Roads in a northwesterly direction to the common boundary of lands owned by Simeon Bruner (Book 79, Page 433) on the south and lands owned by Richard J. and Sarah M. Kussel (Book 80, Page 764) on the north which is marked by two 5/8ths iron pin sets located on both sides of the 3 rod right-of-way with plastic survey caps noted as "14AG" and "8AG".

The proposed alteration is fully described and depicted on a survey by Timothy Short dated January 7, 2021 and entitled "Survey of 'Lead Mine' Road (Town Highway No. 7) and 'Bisbee' Road (Town Highway No. 40) Westerly of Middle Road, Chittenden, Rutland County, Vermont", a copy of which is available for inspection at the Chittenden Town Offices.

The Selectboard will conduct the public hearing by remote electronic means using Zoom on February 22, 2021 starting at 7pm at which time they will hear testimony from interested persons and take evidence concerning the proposed alterations. Notice is hereby given that the locations of the proposed alterations are marked on the ground and that, due to COVID-19, the Selectboard will inspect the premises individually and on their own prior to the commencement of the public hearing. Interested parties are invited to inspect the premises on their own and to raise or submit any questions before or at the hearing. Interested parties are also encouraged to submit any documentation or written evidence they wish to present at the Chittenden Town Offices prior to the hearing so that the information may be distributed before the public hearing commences at 7 pm.

Information about how to join the public hearing will be made available on February 19, 2021 on the Town of Chittenden's website located at [chittendenvt.org](http://chittendenvt.org). or may be obtained by email enquiry at [chittendenvt@comcast.net](mailto:chittendenvt@comcast.net).

DATED this 22nd day of January, 2021.

TOWN OF CHITTENDEN  
 SELECTBOARD

Kathleen Pratt  
 Kathleen Pratt, Chair

See Report of Findings Book 93, Page 475

## Alley, Kerry

---

**From:** Alley, Kerry  
**Sent:** Thursday, February 15, 2024 6:17 PM  
**To:** Clerk Chittenden Town  
**Cc:** Kathie Pratt  
**Subject:** RE: CHITTENDEN - 2024 Mileage Certificates attached  
**Attachments:** Bisbee Road Alteration.pdf

Attached:Bisbee Road Alteration.pdf

Thank you Alyssa!

I do have a few questions to ask before I am confident that I can map changes correctly, and to make sure that the other roads in this area are also mapped correctly.

Can you and Kathie confirm that I understood the documentation correctly, and that none of the highways listed on the first page of the attached document were reclassified to Legal Trails?

Historically, CL4 TH-7 and CL4 TH-40 correspond to the surveys from 1803 and all of the 1810 (surveys and image below provided to us with the 2009 Mileage Certificate), and TH-40 is specifically the portion between locations G and I in the image. It also appears from the second image below that only CL4 TH-7 (location F to G) and the portion of TH-40 within the Burner property (location G to H) have been formally altered. I would therefore like to confirm that the portion of TH-40 within the Kussel property (location H to I in green) should still reflect the 1810 Survey provided with the 2009 Mileage Certificate, as I could not find any information suggesting that it may have been discontinued. (Image below is from documentation with the 2009 Mileage Certificate)

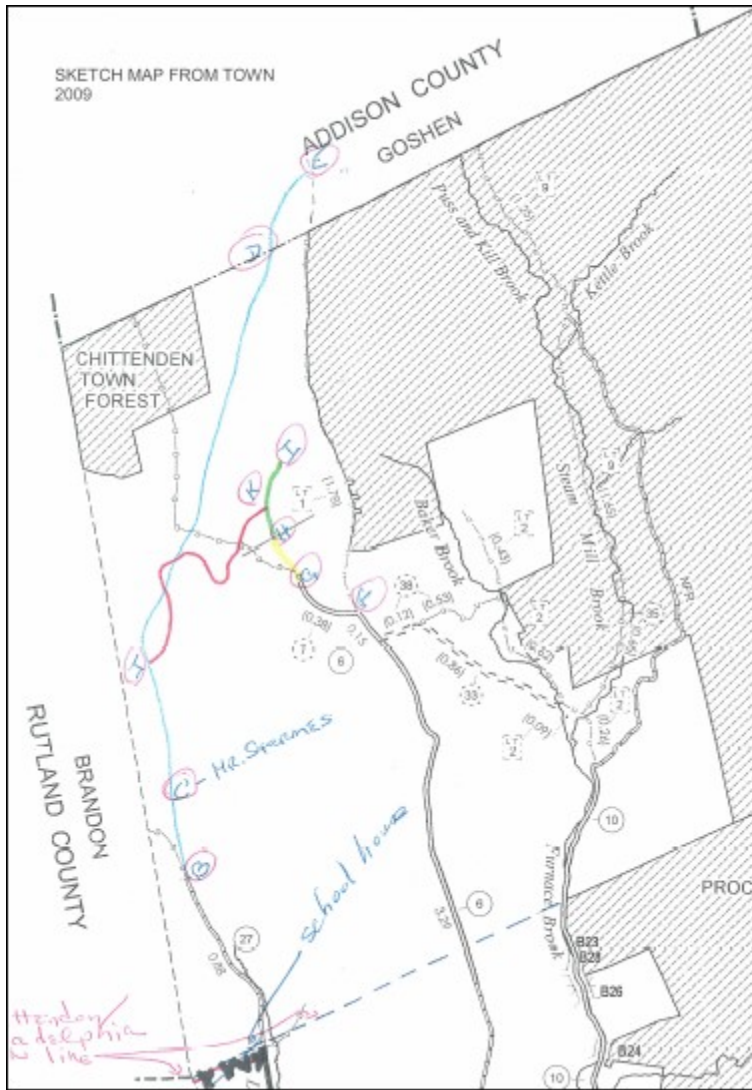
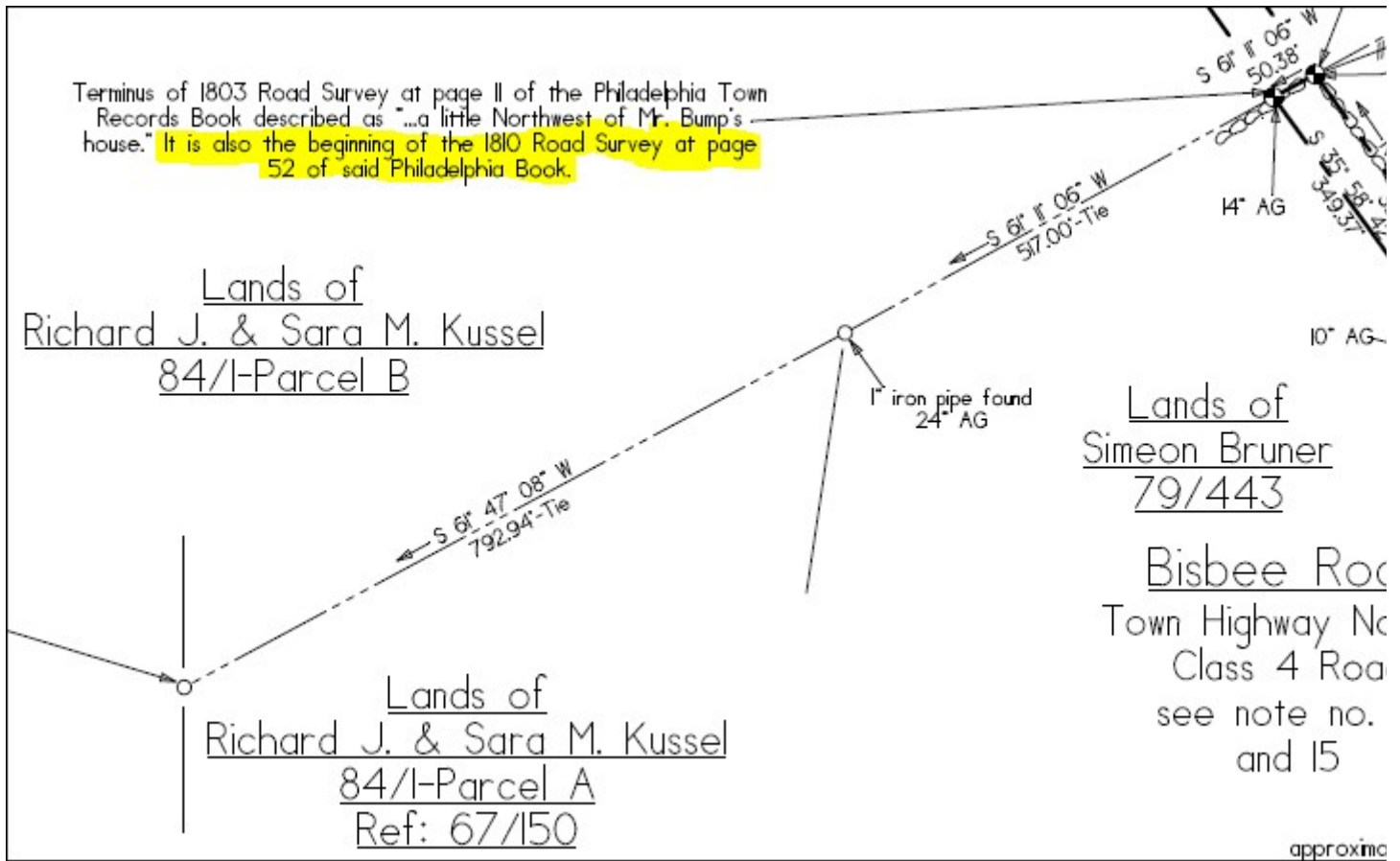


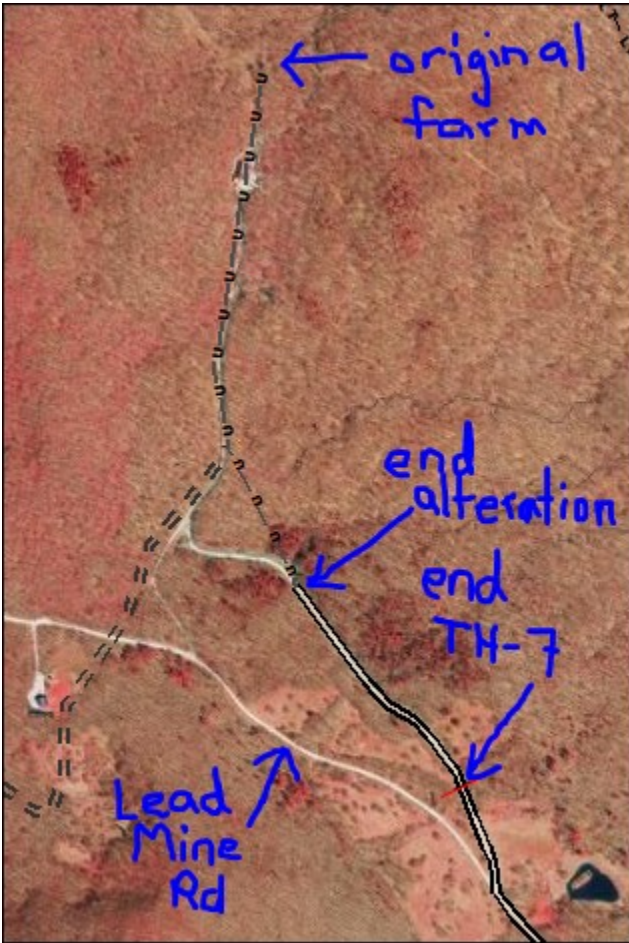
Image from the survey altering TH-6 and TH-40 indicating that the alteration extends only to the Kussel/Bruner property line:



I significantly updated our linework for TH-7 and TH-40. It is my understanding that only 0.29 mi of TH-7 coincides with Lead Mine Rd, and that the remaining 0.09 mi of TH-7 follows Bisbee Rd (See image below)

Also, as far as I can tell, the 1810 survey (TH-40 north of the end of the recent alteration) appears to coincide with Bisbee Rd pretty closely except for a significant bend in Bisbee Rd, but I think it might be best to keep that portion of TH-40 with the "untraveled" symbology as it only partially follows Bisbee Rd. Let me know if you agree. The Eckley Connector is also shown in the image below, but I haven't yet looked into whether it is mapped correctly or not.





So, to summarize my questions:

1. Is TH-40 beyond the alteration still defined by the original 1810 survey?
2. Were any roads reclassified to Legal Trails?
3. TH-7 follows what is now Bisbee Rd for a short distance (presumably an older alignment of Lead Mine Rd)
4. Should I show the portion of TH-40 within the Kussel Property as "untraveled" because it doesn't line up with the survey perfectly? (Are there plans to alter this portion as well?)

Thanks again for your help making the Town Highway map as accurate as possible!

Kerry

---

**From:** Clerk Chittenden Town <clerk@chittendenvt.org>  
**Sent:** Monday, February 12, 2024 3:08 PM  
**To:** Alley, Kerry <Kerry.Alley@vermont.gov>  
**Cc:** Kathie Pratt <kpratt.selectboard@chittendenvt.org>  
**Subject:** FW: CHITTENDEN - 2024 Mileage Certificates attached

You don't often get email from [clerk@chittendenvt.org](mailto:clerk@chittendenvt.org). [Learn why this is important](#)

**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Hi Kerry,

Attached is Exhibit 1 that is referenced in the Report of Findings.

Alyssa

---

**From:** Clerk Chittenden Town  
**Sent:** Tuesday, February 6, 2024 10:49 AM  
**To:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>; Kathie Pratt <[kpratt.selectboard@chittendenvt.org](mailto:kpratt.selectboard@chittendenvt.org)>  
**Subject:** RE: CHITTENDEN - 2024 Mileage Certificates attached

Kerry,

Attached is exhibit 2, which includes a copy of the survey referenced as exhibit 3. I have contacted the surveyor's office and requested a PDF of the survey. Once I receive this, I will forward it to you.

Alyssa

---

**From:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Sent:** Tuesday, February 6, 2024 10:24 AM  
**To:** Clerk Chittenden Town <[clerk@chittendenvt.org](mailto:clerk@chittendenvt.org)>; Kathie Pratt <[kpratt.selectboard@chittendenvt.org](mailto:kpratt.selectboard@chittendenvt.org)>  
**Subject:** RE: CHITTENDEN - 2024 Mileage Certificates attached

Thank you Alyssa!

This definitely helps. 😊 And it is indeed more complicated than simply a reclassification...and answers many of my questions. I'll have to digest it more fully before I know if I have additional questions. But, in the meantime, can you also send me copies of the three Exhibits mentioned in the Report of Findings?

Thanks again,

Kerry

---

**From:** Clerk Chittenden Town <[clerk@chittendenvt.org](mailto:clerk@chittendenvt.org)>  
**Sent:** Tuesday, February 6, 2024 9:24 AM  
**To:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>; Kathie Pratt <[kpratt.selectboard@chittendenvt.org](mailto:kpratt.selectboard@chittendenvt.org)>  
**Subject:** RE: CHITTENDEN - 2024 Mileage Certificates attached

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Hi Kerry,

I have attached the Report of Findings for the alterations to Bisbee Rd. Hopefully this will help provide more clarification.

Alyssa

**Alyssa Reynolds**  
Town Clerk

Town of Chittenden  
Phone: 802-483-6647  
Fax: (802) 483-2504  
Email: [clerk@chittendenvt.org](mailto:clerk@chittendenvt.org)  
260 Chittenden Rd.  
Chittenden, VT 05737  
[www.chittendenvt.org](http://www.chittendenvt.org)

The Office will be closing at 12 pm the day before any election

*Please note that this email message, along with any response or reply, is considered a public record, and thus, subject to disclosure under the Vermont Public Records Law (1 V.S.A. §§ 315-320).*

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**From:** Alley, Kerry <[Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)>  
**Sent:** Monday, February 5, 2024 6:06 PM  
**To:** Kathie Pratt <[kpratt.selectboard@chittendenvt.org](mailto:kpratt.selectboard@chittendenvt.org)>  
**Cc:** Clerk Chittenden Town <[clerk@chittendenvt.org](mailto:clerk@chittendenvt.org)>  
**Subject:** RE: CHITTENDEN - 2024 Mileage Certificates attached

Attached:CHITTENDEN\_MCert\_2024.pdf  
Bisbee Road Alteration.pdf

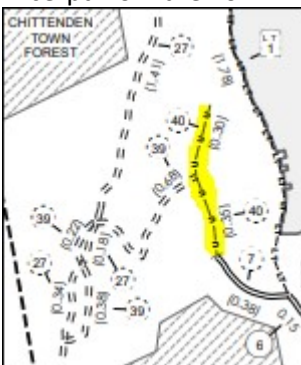
Good afternoon Kathie,

I spoke with Alyssa last week, and at her suggestion I'm sending you an email with some questions regarding Chittenden's 2024 Mileage Certificate and the Hearing Notice that were emailed to us last week (both attached).

Are there minutes from the hearing itself that will clarify which of the listed changes listed in the Notice were/weren't accepted by the Selectboard? (This is probably something Alyssa can help with)

I'd also like to double-check to make sure that we're all referring to the same legal right of way, approximately 0.65 mi long (see map excerpt below) and also that we are mapping Bisbee Rd as accurately as possible. More specifically, can you clarify whether or not Bisbee Rd is the clearly visible drive to #40 Lead Mine Rd (which also leads into the property of Richard and Sara Kussel as described in the attached Notice)? If Bisbee Rd is not shown correctly in Google Maps (relative to Google Map's satellite images) then it means that VTrans is also not mapping it correctly on the Chittenden Town Highway map.

Excerpt from the Town Highway Map:



Making sure we are mapping the roads in this area correctly might require an ongoing conversation, but knowing whether Bisbee Rd and part of the Eckley Connector should align with traveled roadways visible in aerial imagery is a good first step.

A related question: I just saw some 2015 images of the beginning of Lead Mine Rd (where it intersects Middle Rd) showing a road sign indicating that it is private starting at Middle Rd. Is this true?



Last but not least, the change description added to the Mileage Certificate itself suggests that Bisbee Rd was realigned. Is this the case? Or was Bisbee Rd only reclassified from class 4 to a Legal Trail? If so, maybe the Certificate could be updated to clarify that, and can you also “uncheck” the box at the bottom of the Certificate that is supposed to indicate that there are no changes?

If it helps, feel free to give me a call to discuss this.

Thanks,

Kerry

---

**Kerry Alley** | GIS Professional III  
Policy, Planning & Research Bureau – Mapping Section  
Policy, Planning & Intermodal Development Division  
Vermont Agency of Transportation  
219 North Main Street | Barre, VT 05641  
802-917-2621 (cell) | [Kerry.Alley@vermont.gov](mailto:Kerry.Alley@vermont.gov)  
<http://vtrans.vermont.gov/planning/maps>

---

**From:** Clerk Chittenden Town <[clerk@chittendenvt.org](mailto:clerk@chittendenvt.org)>  
**Sent:** Tuesday, January 30, 2024 12:59 PM  
**To:** AOT - Mileage Certificates <[AOT.MileageCertificates@vermont.gov](mailto:AOT.MileageCertificates@vermont.gov)>  
**Cc:** Kathie Pratt <[kpratt.selectboard@chittendenvt.org](mailto:kpratt.selectboard@chittendenvt.org)>  
**Subject:** RE: CHITTENDEN - 2024 Mileage Certificates attached

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**EXTERNAL SENDER: Do not open attachments or click on links unless you recognize and trust the sender.**

Good afternoon,

Attached please find our Certificate of Highway Mileage for year ending 2024 and supporting documentation.

Alyssa

**Alyssa Reynolds**  
Town Clerk  
Town of Chittenden  
Phone: 802-483-6647  
Fax: (802) 483-2504  
Email: [clerk@chittendenvt.org](mailto:clerk@chittendenvt.org)  
260 Chittenden Rd.  
Chittenden, VT 05737  
[www.chittendenvt.org](http://www.chittendenvt.org)

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**From:** AOT - Mileage Certificates <[AOT.MileageCertificates@vermont.gov](mailto:AOT.MileageCertificates@vermont.gov)>  
**Sent:** Thursday, January 4, 2024 12:56 PM  
**To:** Clerk Chittenden Town <[clerk@chittendenvt.org](mailto:clerk@chittendenvt.org)>  
**Subject:** CHITTENDEN - 2024 Mileage Certificates attached

Greetings from the VTrans Mapping Section,

Please find the 2024 Mileage Certificate for Chittenden attached to this email.

This Certificate must be completed in order to determine your town's share of state aid for town highways for Fiscal Year 2025, and to ensure that your Town Highway Map remains current. Please note there will be no additional opportunities to submit town highway changes before the 2024 statutory deadline for mapping all Class 1, 2, 3 and 4 Town Highways and Legal Trails, as specified in 19 V.S.A. § 305(c).

Any changes in mileage or highway classification, such as additions, alterations, or discontinuances made by your selectboard this past year, should be entered on this certificate. If there are changes that occurred before this past year that are not shown on the Town Highway Map, please let us know so we can update the maps.

In filling out the Mileage Certificate, it is important to:

- >> Enter mileage and classification changes on PART I and PART II of the Certificate.
- >> Provide supporting documentation sufficient for the Mapping Section to:
  - Map the change
  - Verify the mileage
  - Demonstrate the change was made according to State statute by providing required documentation
- >> If you have no changes, you may simply check the box in PART II of the Certificate.
- >> The Town Clerk and Selectboard MUST sign PART III of the Certificate.

A Mileage Certificate 'How To' video:

<https://youtu.be/IQSTsmSYoL4>

Additional resources, including the Cert\_Guidelines document and Cert\_DocumentationChecklist, are available from the Mileage Certificate page on our website:

<https://vtransmaps.vermont.gov/Maps/Publications/MileageCertificates>

Direct links to the current Chittenden Town Highway Map(s):

[https://maps.vtrans.vermont.gov/Maps/TownMapSeries/Rutland\\_Co/CHITTENDEN/CHITTENDEN\\_MILEAGE\\_2023.pdf](https://maps.vtrans.vermont.gov/Maps/TownMapSeries/Rutland_Co/CHITTENDEN/CHITTENDEN_MILEAGE_2023.pdf)

2016 - 2022 archived Mileage Certificates are available from the Mileage Certificate Lookup page of our website:

<https://vtrans.vermont.gov/planning/maps/mileage-certificates/lookup>

To effectively process all the mileage certificates in a timely manner and to assure the completion of the mileage summaries, it is important that towns submit the certificates on time.

\*\*\*Certificates must be postmarked on or before February 20, 2024.\*\*\*

\*\*\*Certificates that are postmarked after February 20, 2024 may not be processed.\*\*\*

After the Agency has approved and signed the certificate, we will send you a copy. Please contact us at [aot.mileagecertificates@vermont.gov](mailto:aot.mileagecertificates@vermont.gov) if have any questions.

Please feel free to reach out to the Mileage Certificate Specialists (Kerry Alley and Pam DeAndrea) if you have any questions or need printed copies of the certificate.

Sincerely,  
Kerry Alley

## Notice of Hearing

**On Reclassifying T.H. 27 (West Rd Extension), T.H. 39 (Eckley Connector) T.H.7 (Lead Mine Rd), and T.H. 40 (Bisbee Rd) to a Legal Trail;**

**ALSO On Discontinuation of the remaining portion of T.H. 33 (Wolcott Meadow Rd)  
Select Board of Chittenden, Vermont**

The Select Board of Chittenden hereby gives notice to the persons named below as owners or interested persons in lands and rights that may be affected by a decision of said select board to reclassify the following town roads:

Note: These reclassifications did not occur,  
see Minutes from 9/13/2021 below.

T.H. 27 – West Rd Extension: in its entirety from the north end of T.H. 27 (West Rd) easterly to its terminus where it meets the Goshen town line, to a Legal Town Trail.

T.H. 39 – Eckley Connector: in its entirety from the junction with easterly side of T.H. 27 (West Rd Extension) to its terminus at T.H. 40 (Bisbee Rd), to a Legal Town Trail.

T.H. 40 – Bisbee Road: in its entirety from the junction of T.H. 7 (Lead Mine Rd) northerly to its terminus in the property of Richard and Sara Kussel, to a Legal Town Trail.

T.H. 7 Lead Mine Rd: from its intersection with T.H. 6 (Middle Rd) to its intersection with T.H. 40 (Bisbee Rd)

The Select Board of Chittenden hereby gives notice to the persons named below as owners or interested persons in lands and rights that may be affected by a decision of said select board to discontinue the following town road:

T.H. 33 (Wolcott Meadow Rd): in its entirety leading from its intersection with Baker Brook Trail to the border of the property of James W. and Clare B. Langan.

The Select Board, affected landowners and any member of the public will meet at the intersection of T.H. 27 – West Rd and West Rd Extension at Noon on Sunday, September 12, 2021, for a site inspection and walk of a portion of the above highways. The Select Board will then meet by Zoom at 3:00pm (invitation will be found at [chittendenvt.org](http://chittendenvt.org)) for anyone else interested in the site inspection.

At the conclusion of the site inspections a recess will occur, interested parties will then meet at the Town Office at 260 Chittenden Road at approximately 5:30pm on Monday, September 13, 2021, to conduct a hearing on the question of the reclassifications.

As required by law, notice of this site inspection and hearing is being provided by certified mail to each of the persons owning or interested in lands through which these highways pass, listed below, as well as the Chittenden Planning Commission. A copy is to be posted in the office of the Town Clerk, and published in the *Rutland Herald*, not less than 10 days before the time set for the hearing.

If the Select Board determines that for the public good, necessity, and convenience of the inhabitants of the Town, the reclassification of these highways is required, the Board will decide that matter in deliberative session. Damages are not available for reclassification of highways.

The following persons/governments have been notified of the public hearing:

- \*Town of Goshen
- \*Town of Pittsford
- \* Parker, David and Michelle
- \* Bruner, Simeon
- \* Bruner, R Simeon and Bruner Cott
- \* Bruner, Reuben Simeon, Richard Robbins et al, and Bruner Cott
- \* Robbins, Richard et al
- \* Gee, Bradford
- \* Gee, Brad, and Leslie Gould Revocable Trust

~~RUSSELL, Richard and Sara~~  
\*Patrick Mahar

\*Mandirola, Brian R. & Pamela A.

\*Mandirola, Theresa Y. Revocable Trust

Chittenden Select Board:

Kathleen Pratt, Chair



Andrew Quint

Robert A. Baird

Julie Fredette

Joseph Casella



## NOTICE

The Chittenden Select Board meeting scheduled for Sunday, September 12<sup>th</sup>, at Noon at the end of West Road for reclassification of West Road Extension, the Eckley Connector, The Bisbee Road and Leadmine Road to Legal Town Trails, and also for discontinuation of the remaining portion of Wolcott Meadow Road has been cancelled.

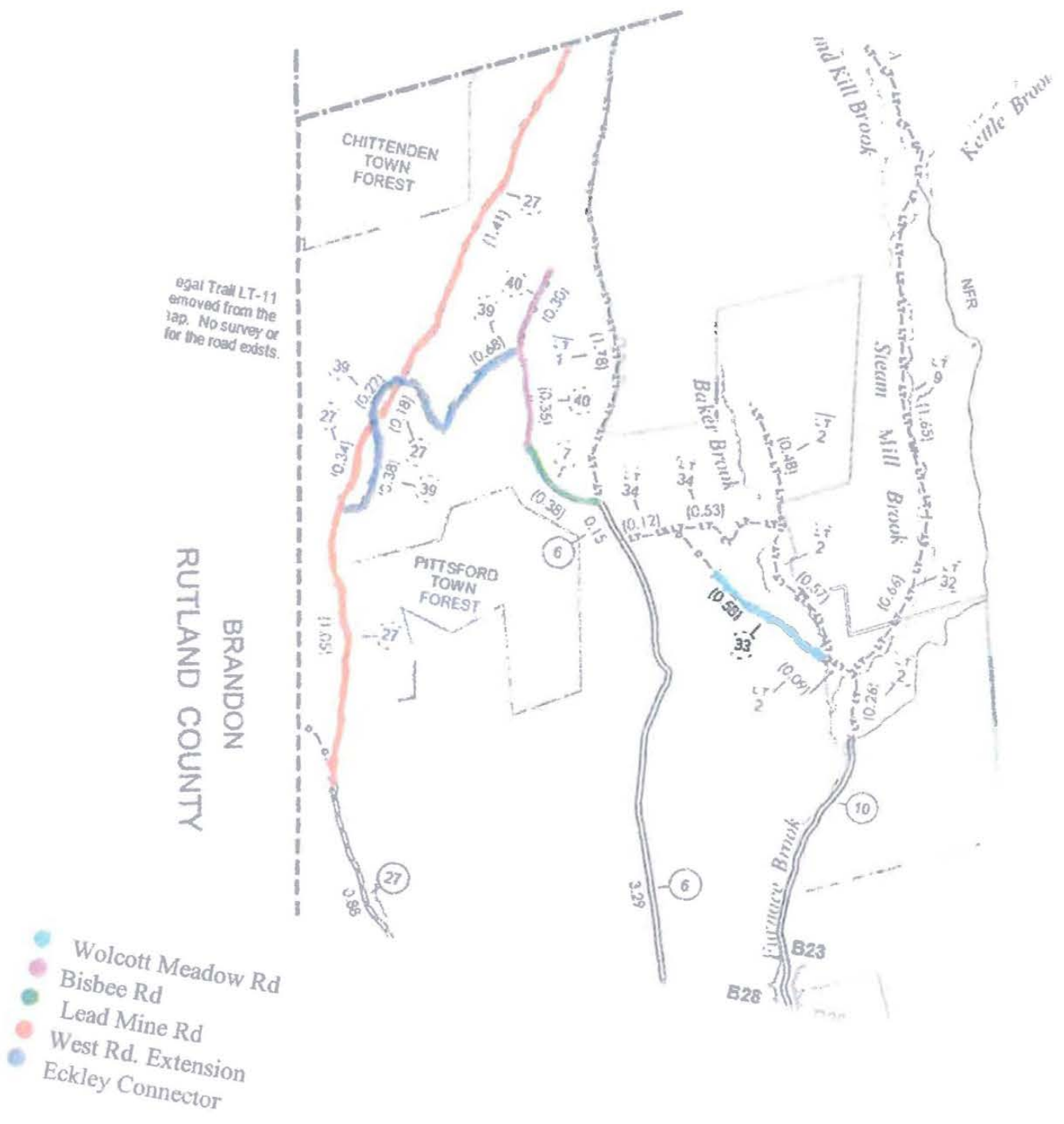
Also, cancelled:

- the 3:00 PM Zoom meeting from the Chittenden Town Offices on Sunday September 12,<sup>th</sup> and
- the 5:30 PM Select Board Special Meeting scheduled for Monday, September 13<sup>th</sup>.

The Select Board will hold their regularly scheduled meeting at 6:00 PM on Monday, September 13<sup>th</sup> at the Chittenden Town Offices.

Kathleen Pratt

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





**Chittenden Select Board Scheduled Meeting  
September 13, 2021 6:15 PM  
Approved Minutes**

NOTE Present: This meeting was held in person at the Municipal Offices. A special teleconference using Zoom was available.

Members Present: Kathie Pratt (chair), Julie Fredette, Andrew Quint, Bob Baird, and Joseph Casella.

Others Present: Elmer Wheeler, Kellie Becker, Jan Sotirakis, Bob Case, Gary Congdon, Patrick Mahar, Bernie McGee, Jane Munroe, Kim Kinville, Brett Yates, and 737-673-3875.

The meeting was called to order by Kathie Pratt at 6:15 PM.

**I. ADDITIONS TO AGENDA**

- Dog Incident
- Tax Bill Issue
- Grange Hall Kitchen Request
- VLCT PACIF Annual Meeting – Correspondence Meeting Time
- Otter Creek Communications District Update
- Highway and General Fund Budgets for FY23
- Authorization for Payroll Warrant Approval
- Right of Way Tree Cutting
- Lowering Flag to Half Mast
- Executive Session

**II. APPROVAL OF MINUTES**

The minutes of August 23, 2012 were amended as follows:

Page 2, Road Commissioner, last line: change “is” to “if”.

Page 3, Town Woodlots: should read, “Bob and Jonathan *will* meet with...”

Page 2, Emergency Management, 2<sup>nd</sup> paragraph: should read, “The town *will be* reimbursed...”

Page 2, Emergency Management, last paragraph: should read, “The Select Board will consider and pursue a storm water master plan but *would* prefer grants ...”

The minutes of August 23<sup>rd</sup> were approved as amended by motion of Andrew Quint, seconded by Joseph Casella. AIF.

**III. AUDIENCE COMMENTS (limited to 5 minutes per person)**

Kellie Becker asked if the audit done on financial records between treasurers was done. Andrew Quint replied that an audit was in progress and that results will be available to the public.

Kellie Becker asked if the town was going to weigh in on the BUUSD school choice issue limiting the choice of high schools available for students. School choice is a big draw for bringing people to town. The board does not wish to take a position.

Jane Munroe was requested at the Friends of the Grange meeting on August 25 to ask the Select Board to consider a WiFi hotspot for the Grange Hall and to install lighting for the parking lot,

*Kathie Pratt - Chair*

perhaps using ARPA funds. Kathie Pratt said the board has been asked before about both projects, but at present there is no money for them.

Patrick Mahar came for an update on the road reclassification.

#### IV. TOWN OFFICER REPORTS

Road Commissioner – Gary Congdon asked for sand trucking bids to be read.

Name	1200T sand	300T brown sand	Total
KT Hathaway	\$5/T for \$6,000	\$8/T for \$2,400	\$ 8,400
Tim Poczobut			\$ 6,400
J&D Booska Trucking	\$6.75/T for \$8,100	\$8.75/T for \$2,625	\$10,725

The low bidder is Tim Poczobut. Sand should be delivered by the end of October.

Andrew Quint made a **motion** to award the transportation of sand to Tim Poczobut for \$6,400.

Bob Baird seconded the motion. AIF.

The over-arm mower ordered in April will not be here until the end of October.

Especially since ditches for the dirt roads in town have been lined with stone, Road Foreman Keith Adamsen would like to continue the practice of blowing away the fallen leaves at the same price as the last few years (estimated to be a little over \$2,000). Andrew Quint made a **motion** for Keith to continue the practice of blowing away the leaves from ditches on the dirt roads.

Joseph Casella seconded the motion. AIF.

Paving in town may start on Thursday at the earliest. The town is ready for paving; culverts are in.

Gary attended the Chittenden Planning Commission onsite visit to review the Mountain Top/Holden Road intersection and the Holden/Chittenden/Dam Road intersection. For the Holden/Dam Road/Chittenden Road intersection, Gary recommended removing the "Circle of Stones" and constructing the intersection into a true "T" intersection. This will keep traffic in line. It will be easier to plow. The cost will be approximately two loads of asphalt for roughly \$2,000. The excess existing pavement will be painted green and taken up as the town has time for it. Gary said the ideal time is at hand with the advent of the already scheduled paving on Dam Road.

Chittenden Road would continue straight to Dam Road. Holden Road would cross the bridge and have a stop sign before entering Chittenden/Dam Road. Gary recommended changing the speed limit from the Town Offices to the foot of Beebe Hill, and part ways up Dam Road and Mountain Top Road to 25 mph.

Joseph Casella made a **motion** to make a "T" from Holden Road onto Chittenden and Dam Road, not to exceed \$2,000. AIF.

Kellie Becker questioned the work being done by the Planning Commission. Kathie Pratt will talk to Lisa Purcell, Chair of the Planning Commission. Jan Sotirakis said there are hydro segments coming off Dam Road.

Transfer Station – nothing to report.

Emergency Management/Warning Sirens/COVID-19 – Jan Sotirakis reported that Vermont

Covid numbers were up a record high yesterday, 33 hospitalized and nine in intensive care. The positivity rate is 3.3%. The Governor is leaving decisions for mitigation to towns. In Vermont, 40% of positive Covid cases are in fully vaccinated people, although with the vaccination people may not need hospitalization.

Warning Sirens are on the poles, the poles are up, and all permits have been signed. American Signal Corp. is here this week, but scheduled testing for the sirens will be few weeks away. Letters have gone out to people in potentially inundated areas, which have been expanded to allow for debris. Jan can review maps singly with folks, but not in groups. The town needs to begin discussion with lawyer Jim Carroll about transfer of ownership and any requirements. The Barstow generator repair has been scheduled for November 11<sup>th</sup> at Barstow.

The Storm Water Master Plan -- Nancy Maguire is waiting for the Lake Champlain Basin grants to become available and to see if the Town of Chittenden is eligible.

The Hazard Mitigation Plan Rewrite cost of \$7,597.83 was paid from the General Fund, so the reimbursement will go to the General Fund.

The Public Works Mutual Aid Agreement is a standard contract. When a town asks for help, charges will be paid using FEMA funding rates. 23 of 27 towns in Rutland County are participating.

Emergency Relief and Funding -- the general cost to towns for emergency repairs is 25%. The State usually will pick up 12.5%, leaving the towns with 12.5%. That can be reduced to 7.5% if the town adopts a River Corridors Ordinance.

No one has been appointed as the Special Flood Hazard officer. In case of a vacancy in that position, the Chair of the Select Board acts.

Planning Commission -- the onsite review of the intersections, headed by Infrastructure Committee Chair Abbey Elliott was mentioned above. The next step is to get property surveys to see where property lines lie. Lisa Purcell has outlined a procedure to follow for the intersection by the Civil War monument.

Health Officer -- no report.

#### V. NEW BUSINESS:

ARPA Funding -- the town received \$114,697.71 in county funding on September 3<sup>rd</sup>. That brings the total (half of what will be eventually received) to \$176,519.11. Funds must be used by 2024.

Roads to change to Legal Trails -- there are legal issues, and the change was tabled on the attorney's advice not to pursue. Assessments for hydro segments should be done by December if the roads are not reclassified.

Building Permit -- Mark -- the permit was reviewed but not signed pending more information. The new plan added a bedroom, possibly affecting the septic design, which was not included with the application.

Town Appropriations Funding Petition Process -- a request to again not require signatures for funding of appropriations kept at previous year's levels was tabled until a later date.

Finance Committee/Purchasing Policy -- Jeff Spaulding, Town Auditor, has recommended

several changes:

To rewrite the purchasing policy

Only the Road Commissioner or the Road Foreman can sign highway invoices, and only the Treasurer can sign ones for the general fund, with Alyssa added to ones who can sign. The Select Board cannot sign invoices. In the purchasing policy, there needs to be clarification regarding credit cards.

To appoint a Finance Committee comprised of two Select Board members.

Approval of work orders must be done by motion with an amount stated.

Kathie Pratt appointed Andrew to the Finance Committee Andrew Quint will look at rewriting the purchasing policy. The Select Board decided to delay appointing a full Finance Committee until getting a clearer picture of what will be involved.

## VI. OLD BUSINESS

Green Road Monumentation – Julie Fredette suggested a new person to surveyor Deb Daniels for setting the monuments. Deb prefers Dave Sargent.

Town Woodlots – Bob Baird suggested putting information he has supplied on the town website.

CW Monument Intersection – covered above.

Dog Ordinance – will be updated with the edits recommended.

Town Office Roof – Roger Louiselle of Vermont Roofing will perform a water test on the roof next Tuesday.

Transfer Station: Compactor Project/Garage Bathroom – no report.

Road Grants Update – Jan Sotirakis reported that on the Mountain Top/Mountain Spring Roads intersection project, G&N Construction put down a layer of winter rye, and the project will be closed out. The final bills for Enman/Kesselring are also in. The project continues to have issues at the Activity Center with the three stone catch basins filling with sediment. Run-off from the driveway is being diverted now. Wilk will pave in November if there is no snow.

The Culvert #162 project is still waiting for pipe.

2021 Grants in Aid – Hydro segments have been done for Stoney Hill, Stoney Field, McKinlay and German Hill Farm Roads have been done. Stephanie Bourque will inspect.

Multiple Roads in town have the same numbers. Jan, Gary Congdon and Keith Adamsen have suggested six changes.

Jan attended a webinar on bridge inspection and maintenance. A local transportation representative can walk through an inspection with the road crew to point out procedures that will prolong the life of a bridge and help control costs.

The Eco System Restoration Grant presentation given earlier was a 30% design grant. The presenters want to wait until the Select Board has collected questions before meeting to decide what next steps to take. Jan was asked what were the Green Mountain National Forest intentions/commitments? Originally Wildcat Road was in the Telephone Gap project. The GMNF did participate with in-kind service work for the Eco System Restoration Grant. Paying

for the relocation of road in Section A was a possibility, but not anymore.

Jan was asked what caused the problem. She replied that years of lack of maintenance and inadequate culverts were causing factors. There is a brook on the right side of the road that needs a culvert to bypass a small stream. For work on Section A the Army Corps of Engineers will be needed. There are now beaver dams complicating the issue. Tropical Storm Irene filled in a lot with sediment.

Tax Bill – a town resident received a non-resident tax bill through error by the State. He is asking for a removal of the \$434.42 late fee. Julie Fredette made a recommendation to waive the late fee, seconded by Bob. Kathie will ask Roberta about this.

Dog Incident – The Select Board received a letter from a resident complaining about aggressive dogs. The Select Board scheduled a hearing on the matter for 5:45 before the next Select Board meeting on September 27.

A request was received asking for use of the Grange Hall kitchen as a site to demonstrate cooking and canning classes. Little to no charges were requested. The kitchen is not set up for that.

The quote from the Royal Group for preventative alarm system maintenance for the town's five buildings for \$1,271 per year was reviewed. Andrew Quint made a **motion** to accept the Royal Group proposal for the annual maintenance for alarm systems in municipal buildings for \$1,271. Bob Baird seconded the motion. AIF

Meeting Time – Andrew Quint asked if Select Board meetings could be held earlier. Bob Baird stated a conflict with his position on the Paramount Theater Board, which meets on the 4<sup>th</sup> Mondays at 5:30. He would be late in arriving in Chittenden. After discussion, Andrew Quint made a **motion** to start Select Board meetings at 5:30 PM instead of 6:15 PM beginning October 11<sup>th</sup>, seconded by Joseph Casella. AIF

Otter Creek Communication District Update – A proposal was accepted for high-level design work for Rutland County, fully funded. This is the first tangible progress in rolling out broadband infrastructure.

Highway and General Fund Budgets – Andrew Quint asked the Select Board to start thinking about budget priorities for the next fiscal year. He would like to see a refreshment of the Highway Capital Plan anticipating the next 10 years. Also, to potential priorities for the General Fund Budget and how to make them happen.

Authorization of Payroll – Andrew Quint currently approves the payroll warrants on Mondays the Select Board does not meet. Jeff Spaulding would like specific approval of payroll warrants in the Select Board minutes. Andrew is willing to approve these through March 2022. Bob Baird made a **motion** to authorize Andrew as the primary person to approve payroll warrants with Kathie Pratt as the secondary person to approve the warrants. Joseph Casella seconded the motion. AIF.

Right of Way Tree Cutting – Bob Baird reported that he has been unable to reach the Tree Warden. He asked if a deputy warden should be appointed.

Lowering the Flag to Half Mast – Bob Baird has had some complaints about the Baird Memorial Flag not being lowered to half-mast at appropriate times. Plans to comply with lowering have not worked well. No action was taken.

VII. CORRESPONDENCE, noted. SWAC Compost Operator Training  
VLCT – PACIF Annual Meeting

VIII. APPROVAL OF WORK ORDERS

Andrew Quint made a **motion** to approve the September 13 Warrant of \$23,908.13, seconded by Bob Baird. AIF.

Andrew Quint made a **motion** to approve the payroll warrant for \$5,480.52, seconded by Bob Baird. AIF

IX. EXECUTIVE SESSION

Andrew Quint made the **motion** to go into Executive Session to discuss legal matters at 8:57 PM. Joseph Casella seconded the motion. AIF

Andrew Quint made the **motion** to come out of Executive Session at 9:23 PM. Joseph Casella seconded the motion. AIF.

No action was taken.

X. ADJOURN

Andrew Quint made the **motion** to adjourn at 9:24 PM, seconded by Bob Baird. AIF.

Respectfully submitted,  
Karen Webster





**Chittenden Select Board Scheduled Meeting**  
**March 22, 2021 6:15 PM**  
**Approved Minutes**

NOTE Present: Since COVID-19 directives advocate working remotely, special arrangements have been made for electronic participation by Zoom. This meeting was held as a teleconference using Zoom.

Members Present: Kathie Pratt (chair), Julie Fredette, Andrew Quint, and Joseph Casella.

Others Present: Bob Case, Jan Sotirakis, Gary Congdon, Alyssa Reynolds, Bernie McGee, Kellie Becker, Reggi Dubin, George Wanner, and Kim Kinville.

The meeting was opened by Kathie Pratt at 6:16 PM with the Pledge of Allegiance

**I. ADDITIONS TO AGENDA**

- Bone Builders
- Facebook page for the Grange Hall
- 1111 Permit and Bisbee Road Documents
- SWAC Solid Waste Franchise Opportunity -- Correspondence
- SWAC Annual Conference "Recycling with Results" May 10 & 11 -- Correspondence

**II. APPROVAL OF MINUTES**

Corrections to the minutes of March 8, 2021 were made as follows:

Page 2, Town Reports, Road Commissioner, last sentence: change "grades" to "grader"

Page 2, Covid, last line: vaccinations were opened to ages 65 and over, not 55.

Page 3, Health Officer: eliminate the sentence, "A crime has to be committed before it can be charged against someone." Change the next sentence to read, "Bernie said it would be to the Mathews' advantage to provide a plot plan that includes descriptions."

Page 4, Road Grants, 2<sup>nd</sup> sentence: change February 22<sup>nd</sup> to March 22<sup>nd</sup>.

Minutes of March 8, 2021 were approved as amended by motion of Andrew Quint, seconded by Julie Fredette. AIF.

**III. AUDIENCE COMMENTS (limited to 5 minutes per person)**

George Wanner proposed that Article 10 on the Town Meeting Ballot be declared null and void because the \$40,000 less donations was not a true representation of facts. The actual purchase price of the land was \$60,000, not \$40,000. The \$40,000 would not be reduced by donations. Julie Fredette responded that the wording of the article stated the cost to the taxpayer as \$40,000 less any *additional* donations. The original purchase price of \$60,000 had been reduced by donations of over \$20,000. The donated amounts were in fact pledges to pay. Payments will be made to the Town of Chittenden and held in a special account by the Town Treasurer.

George also said there had been no official appraisal.

Kathie Pratt asked for a motion to declare Article 10 null and void. No motion was made.

Kellie Becker questioned how to value the acquisition as a fixed asset. She also asked how a town accepts donations. In theory it is done, but what mechanism is used?

*Kathie Pratt - chair*

Kathie Pratt again asked for a motion to declare Article 10 null and void. Again, no motion was made.

#### IV. TOWN OFFICER REPORTS

Road Commissioner -- Gary Congdon would like for the Select Board to set an hourly rate for the new hires for the road crew.

Keith Adamsen plans to start sweeping the roads this week, weather permitting, followed by clean-up and maintenance.

Keith has scrapped the old compactor, so it cannot be used for zero sort.

The road crew will try to get cold patch into potholes this week. Keith suggested a new product, Aquaphalt, which can be mixed with water in the pothole and traffic can use it immediately. It will become a permanent fix. It is pricier at about \$50 per 5-gallon pail. He will try it first by Newton's corner so that everyone can see the patch and how it holds up. Julie Fredette suggested also the bridge by the Fish Hatchery be patched.

Andrew Quint made a motion to spend up to a couple hundred dollars for four to five, five-gallon pails for the new, improved cold patch. Joseph Casella seconded the motion. AIF. Grader panels have not been investigated yet.

Transfer Station -- no report.

Emergency Management -- Jan Sotirakis reported that the Local Emergency Management Plan (LEMP) has been updated.

For each town participating in the Rutland County Public Works Mutual Aid, if the necessary work is a FEMA declared event, work will be paid by FEMA. For update, a person to reach for an event needs to be identified. As Road Foreman, Keith Adamsen was appointed. Kathie Pratt will be the backup person.

For a warning sirens update, Jan said that John Greenan and Bill Jacobowski are working with the town to get an easement from Chittenden on the town land across from Poljaciks'. Jan said GMP wants to take over licenses. Kathie Pratt is concerned that the town will still not be covered if some event happens. Jan heard from Representative Jim Harrison that the money for installation of the sirens from the State does not have to be used by June 30, so the agreement to receive the money could be signed.

COVID-19 -- Jan Sotirakis said that vaccinations are being scheduled for under age 60 now. Rutland County is leading with the highest vaccination rate in the state.

Jan wanted to clarify donations to the town. She was told that the town could not accept donations, and that donations would not be deductible as not 501c3 exempt.

Jan has submitted \$6,525 to FEMA for reimbursement. So far, over \$85,000 has been submitted.

Everyone Eats will be supplied by Mountain Top Inn only on Thursdays at the Grange Hall.

Wednesdays will be supplied by Flannels of Mendon at Barstow School.

Jan gave some details on the proposed American Rescue Plan, which is still tentative. \$1.78 million is coming to local town governments based on a percentage of population. Funding cannot exceed 75% of the town budget. Towns will have until 2024 to spend the money and must be Covid related. Jan then outlined expected other benefits of the plan for town infrastructure and broadband.

Andrew Quint gave support for the Board and Town being able to accept gifts:

19 V.S.A. § 304 (15) allows Select Boards to accept grants and gifts from organizations and individuals.

26 U.S.C. § 170 (c)(1) allows individuals to make tax deductible gifts to municipalities as long as the gifts are for public purposes.

Health Officer -- Bernie McGee reported that the Hip Camp is still a hot issue. The property owners are now clearing brush from the trees felled last Fall.

#### V. NEW BUSINESS:

#### VI. OLD BUSINESS

No action was taken on the following agenda items:

Green Road Monumentation

Dog Ordinance

Warning Sirens -- covered earlier

CDL Policy

Transfer Station: Compactor Project/Garage Bathroom -- Bernie McGee has the estimate for the bathroom for Bob Baird broken down into seven categories: general conditions, excavation, bath access, electrical, painting, plumbing, and concrete. Bob has the pricing and estimate form. The plan should be made ready to go out to bid with plan and specification.

Hip Camp -- Since the town has no policy or ordinances, the State will determine what permits are required and the conditions to be met. The civil issues between the land owner and neighbors are outside of town government.

Tree Warden -- George Casey will be happy to be Tree Warden, but he questions if the position will prevent him from doing any work involved, since this his business. He does not want to have the appearance of a conflict-of-interest situation. George will have to approve trees to be removed regardless of whether he has the business. He can bid on projects as long as it is an open bid. The role of Tree Warden has become broader than just trees in town rights of way.

Town Office Roof -- Julie Fredette said we need rain to know more. The problem seems to be water accumulating between the underlayment and the metal roof. She placed paper in suspect places to see if water is still happening. The source of infiltration should be known before any attempt to replace windows, etc., is done. So far, she has had only one bid for \$67 per man hour. In checking around for other rates, she thinks \$40 - \$45, even \$50 is more reasonable. How long or how much work is involved is yet unknown. A method to find the leak using a high-pressure hose has been suggested.

Road Grants Update -- Jan Sotirakis said the Network Compliance, Financial Plan, and Road and Bridge Standards is still needed. The forms will circulate for electronic signatures and then be sent again.

The Rutland Regional Planning Commission municipal roads permits for hydrologically connected segments has reverted to the original data from Susan Schriebman. There is a problem with the discontinuation of Wolcott Meadow Road. Only a portion was discontinued, and a Class

IV section remains. Jan suggested reclassifying it as a legal trail this year before December, along with West Road Extension, the Eckley Connector, Lead Mine Road, and Bisbee Road. The transportation bill is expected to bring \$3,000,000 to towns for town highway aid. Highway structure grants are being funded at \$7,000,000, up from \$5,000,000, with the cap moved from \$175,000 to \$200,000 for individual projects. The paving grants have been increased from \$7,000,000 to \$8,500,000 with the cap increased to \$200,000. New funding will go towards encouraging use of electric vehicles.

Bone Builders has asked to resume use of Town Hall for an evening group and a morning group to meet. Town buildings are still closed. Whereas deep cleaning may not be necessary for buildings standing empty for so long, sanitizing will have to be done after each use. Also, there are some building repairs and maintenance that should be done before the buildings open to the public. The State has recommended having a transition plan with the goal of being open July 4<sup>th</sup>, working backward from that date. Guidance is changing. Buildings will not be open yet.

Facebook for the Grange Hall -- this would be good for the Friends of the Grange Hall to do.

Andrew Quint made a **motion** to approve the updated LEMP and for Kathie Pratt as Chair to sign the plan. Julie Fredette seconded the motion. AIF.

A letter from the BUUSD Chair in response to the Select Board answer to the request to change the town boundary to save the expense of paying tuition for a student to attend a closer school. Kathie Pratt will write to acknowledge the letter.

1111 Permit and Right of Way -- Kathie will sign the permit.

Bisbee Road finalization -- Kathie Pratt reported that through miscommunication, the notification did not go to the *Rutland Herald*, so mention of that was taken out of the Report of Findings Order and Return. Jim Carroll, town lawyer, did not think this is an issue and is moving forward. The lapse does not affect anyone as everyone involved was notified. He suggested moving forward with signing the document.

#### VII. CORRESPONDENCE

SWAC: VT Organics Recycling Summit May 3-7  
SWAC: Solid Waste Franchise Opportunity

#### VIII. APPROVAL OF WORK ORDERS

#### IX. ADJOURN

The meeting was adjourned by motion of Andrew Quint, seconded by Joseph Casella, at 8:11 PM AIF.

Respectfully submitted,  
Karen Webster



**Chittenden Select Board Scheduled Meeting**  
**February 22, 2021 6:15 PM**  
**Approved Minutes**

NOTE Present: Since COVID-19 directives advocate working remotely, special arrangements have been made for electronic participation by Zoom. This meeting was held as a teleconference using Zoom.

Members Present: Kathie Pratt (chair), Bob Baird, Julie Fredette, Andrew Quint, and Gina Ottoboni.

Others Present: Bob Case, Jan Sotirakis, Alyssa Reynolds, Joseph Casella, Kellie Becker, Richard Kussel, Jenna Baird, Jacob Powsner, Kim Kinville, Elmer Wheeler, Natalie Gilliard, Jonathan Yacko, James Carroll, Morgan Yucel, Sue and Dave, Simeon Bruner, John Haverstock, and Richard Love.

Pledge of Allegiance was led by Andrew Quint at 6:21 PM.

**I. ADDITIONS TO AGENDA**

Rutland Northeast Supervisory Union request  
Application for road crew  
Correspondence from Ford for consideration for possible purchase  
Chittenden Planning Commission  
Executive Session for compensation

**II. APPROVAL OF MINUTES**

The minutes of February 8, 2021 were corrected as follows:

Page 2, Covid-19, 3<sup>rd</sup> paragraph, 3<sup>rd</sup> line: the word "deny" should be changed to "refuse"  
Page 4, External Audit: reserve is misspelled  
Page 4, Executive Session: capitalize the "Q" in "quint"  
Page 2, Emergency Management, 3<sup>rd</sup> line: The town received paperwork..., (not the town attorney)

Page 3, Road Grants, 1<sup>st</sup> paragraph: should read, "Jan Sotirakis said the partial reimbursement for cost to date for the Mountain Top Road intersection has been submitted, and she expects FEMA to reimbursement of \$76,080.46 to date to pay for the engineer and for 60% of the contracted work. She expects the project will cost \$100,248,62 more."

Page 3, Road Grants, 3<sup>rd</sup> paragraph: Move, "The deadline for work has been moved from June 30 to October 31." to the end of the 2<sup>nd</sup> paragraph.

Page 3, Road Grants, 5<sup>th</sup> paragraph: should read, "Road and bridge standards will need to be adopted yearly now along with highway network compliance and an annual financial plan."  
Minutes were approved as amended by motion of Bob Baird and seconded by Andrew Quint.  
AIF.

**III. AUDIENCE COMMENTS -- there were none.**

**IV. TOWN OFFICER REPORTS:**

*Kathie Pratt - Chair*

Road Commissioner -- Gary Congdon reported that the town is still under budget on salt so far. Usage is looking good, and he hopes the town will stay below the budget figure. Pike Industries has said that the earlier paving is done, the less paving will cost. Gary suggested doing the culverts on Dam Road earlier rather than later, such as October.

Transfer Station -- Leaf and yard debris are required to be collected between April 15 and December 15. Julie Fredette asked if the town could use a chipper to make mulch for people to use. That would result in increased labor cost. Julie suggested chipping could be only once a month. The question of Christmas wreaths came up, as these contain wire. Elmer Wheeler reported that Pam Clapp from RCSW said the town does not have to accept brush, only leaves and twigs. Bob Baird suggested to let Elmer take care of this and if he needed help, to call Bob Baird. Elmer is sending out a load of electronics this week. Cliff Bassett will be contacted for working at the Transfer Station this weekend.

Emergency Management -- Jan Sotirakis noted that all paperwork for ANR for the State funding for installation of sirens is in and will need signatures. *The Mountain Times* is planning a section about how each town in Rutland County handles emergencies. Stephanie Bourque at the Rutland Regional Planning Commission has put together a town sheet for Chittenden. It will be free to the town, and she is doing this for other towns, too. The information will contain a map with shelters, town buildings, etc.

COVID-19 -- Jan Sotirakis reported that over 500,000 deaths have occurred from Covid in the U.S. The trends are turning downward in both numbers of cases reported and number of deaths. It has been postulated that twice as many people as those vaccinated have already had Covid, and the U.S. may be close to herd immunity.

In Vermont daily cases number in the low one-hundreds. There have been almost 15,000 cases. Positivity has dropped from 1.8% to 1.6% (5% is crisis level). There have been 198 deaths. Rutland County has seen 178 cases in the last 14 days, third highest in the state. Chittenden has had three new cases (total 26), and there are still no cases at Barstow School.

22,000 of the 32,000 people eligible have signed up for vaccinations. Rutland County has vaccinated 17.78/10,000 people, leading the state. Those 65 years of age and over will start receiving vaccines next week, and those 60 and over by mid-March. Those with compromised health issues will need a physician's certification before getting a shot. Nursing Homes may begin to congregate, visit salons and maybe receive visitors. Influenza rates are down, leaving the suspicion that some Covid cases may also be combined with the flu.

At Everyone Eats, 76% of the people taking meals provide at least one meal for someone over age 65. Those with meals going to children under 18 comprise 2%.

Vermont Food Bank is taking over the Farm to Family, and boxes will be handed out at the Spartan Arena.

The third FEMA reimbursement of \$6,525 has come in and has covered all town expenses to date.

There are \$75 million unspent Coronavirus funds which is in the appropriations committee. Jan reported that spending is anticipated on housing, pension funds and perhaps broadband. She is thinking of HVAC at the Town Office. Whatever spending is done has to be Covid related,

Health Officer -- Bernie McGee has been busy researching legality and policy for the Hip Camp.

At 7:00 PM the meeting recessed for PUBLIC HEARING:

NOTICE OF AN ALTERATION PROCEEDING OF PORTIONS OF CHITTENDEN TOWN  
HIGHWAY #40 (A/K/A "BISBEE ROAD") AND TOWN HIGHWAY #7 (A/K/A/ "LEAD  
MINE ROAD")

Attorney James Carroll introduced himself and explained the following proceeding is the result of a suit pending in the Rutland Superior Court Civil Division for at least three years concerning multiple roads, namely Lead Mine Road, Bisbee Road, West Road Extension and the Eckley Connector.

- 1) This proceeding on February 22, 2021 at 7:00 PM is about access rights, and the location and existence of Lead Mine Road (TH #7) and Bisbee Road (TH #40). This highway proceeding is a proposed alteration of the existing Bisbee and Lead Mine Roads under 19VSAs709. Although this title concerns discontinuation, alteration and reclassification of roads, this hearing will address only alteration.
- 2) Mr. Carroll read the Notice of Alteration read into the record, marked as EXHIBIT 1.
- 3) The Notice of Hearing has been sent to abutting owners by certified mail and posted and published as required by 19 VSA§709.
- 4) Persons (named above) on Zoom call were briefly introduced.
- 5) Proceedings were being recorded with Bob Case
- 6) For purposes of record, Mr. Carroll noted that the location of the alteration has been staked on the ground by Surveyor Timothy Short and that all Select Board members have, on their own, examined the location of the proposed alteration and are familiar with its location.
- 7) Record reflects that the Town of Chittenden is in receipt of documents that reflect the location of the proposed alterations and approval of the alterations by the persons whose lands Bisbee Road and Lead Mine Roads intersect or are accessed.  
Those documents are as follows:

EXHIBIT 2 - Settlement Agreement and Release signed by Simeon Bruner, Richard Kussel, Sara Kussel and the Town of Chittenden dated December 1, 2020.

EXHIBIT 3 - Survey of "Lead Mine" Road and Bisbee Road dated January 25, 2021 as agreed by the parties on November 9, 2020. Jim Carroll could represent that all parties have received and approved the alteration as depicted on this map.

8) EXHIBITS 1, 2, and 3 were admitted for the Select Board's consideration noting any objections for the record.

9) Paragraphs 1, 7, 9, and 11 of Exhibit 2 were reviewed.

10) Mr. Carroll confirmed that Lead Mine and Bisbee Roads will continue to be three-rod, Class IV roads as altered. The alteration starts with iron pins set and marked 3AG and 10AG marking a three-rod right of way to the boundary of Mr. Bruner and Mr. Kussel where iron pins marked as 14AG and 8AG are set. Mr. Carroll described in closer detail the line of the road. He said the location is within the three-rod right of way very close to the original location, accomplishes everyone's needs and there is agreement.

11) The hearing was opened to questions from persons attending the hearing or persons interested in the premises.

Julie Fredette questioned why two corners were created when the road could have proceeded in a straight line? The answer was that that was the compromise location.

Why was the town involved? The town was involved because it was brought in by the other parties, the initial landowners. As the roads are town highways, the town became an indispensable party. Any change in the road would require a proceeding. Tonight's decision would have no impact on reclassification of the road in the future.

The road now known as Lead Mine Road was the first of the surveys to be laid out in town records, followed by two subsequent surveys comprising the road now known as Bisbee Road. Both are now Class IV town highways. At the point where Bisbee Road starts, the portion of Lead Mine Road that continues as Lead Mie Road is a private road.

12) The Town was asked if the Town was in receipt of any documents submitted by interested parties or comments prior to the hearing? The answer was no.

13) As for any questions from the Select Board, Bob Baird asked about Mr. Gee -- was he involved in approval of the road alteration? The answer was that he was made aware of the proceeding, has a copy of the proceeding, he is aware of the meeting, and Mr. Carroll understands that he has no objections.

14) Bob Baird made the following **motion**, seconded by Andrew Quint, and read by Mr. Carroll:  
The Board finds that the public good, necessity, and convenience of the inhabitant of Chittenden require Town Highways #40 a/k/a Bisbee Road and #7 a/k/a Lead Mine Road be altered as depicted on the Survey of "Lead Mine" Road and "Bisbee" Road westerly of Middle Road, Chittenden, Rutland County, Vermont dated January 25, 2021 be, and hereby are, altered as depicted therein. The Town attorney is directed to prepare a report of findings, order and return consistent with the record and this motion for signature by the Board.

A roll call vote of the Select Board was taken, and the motion was unanimously approved.

The Select Board meeting continued:

V. NEW BUSINESS:



1111 Kussel Permit Request

S1111 HEARING RE: KUSSEL USE OF RIGHT OF WAY REQUEST  
FOR ELECTRIC UTILITY AND ROAD IMPROVEMENTS  
2-22-21

1) Attorney James Carroll noted the purpose of the hearing. Richard and Sara Kussel are seeking approval under 19 VSAs1111 to install electric utility and make road improvements to section of Lead Mine Road and Bisbee Road as altered. The location of the road has been moved, and there is now a clear record of the location of Lead Mine Road and Bisbee Road.

2) The Kussels, Chittenden and Mr. Bruner have reached a Settlement Agreement which has been entered of record on the Highway Alteration proceeding as EXHIBIT 2 which provides for electric utilities to be placed in the altered rights of way of lead Mine and Bisbee Road on certain conditions as stated in the Agreement at paragraph 2, which describes the two properties owned by the Kussels.

3) EXHIBIT 2 provides for underground electric utility from the last existing pole on Lead Mine to the Sugaring and Bushey Properties to be located within the altered ROW's. Other conditions apply.

4) EXHIBIT 2 also provides that Access to the Sugaring property will be via altered Lead Mine and Bisbee Roads to be constructed and maintained by the Kussels with a travelled surface of no more than 15 feet not including reasonably necessary drainage ditching to construct and maintain the road.

They are also permitted to clear and maintain the roads within the 3-rod right of way. The construction must be complete by November 25, 2021.

5) EXHIBIT 4 depicts the altered location of the roads and 3 locations where culverts are being proposed along Bisbee Road.

6) EXHIBIT 5 depicts the proposed route of the underground electric utility but now understood that it will run underground from Middle Road to the Sugaring and the Bushey Properties.

7) Questions, comments or other information to be submitted in connection with the request were answered as follows:

- Mr. Kussel explained that the Vande Water access right of way to the Sugaring Property and the Bisbee Road are the same. Bisbee road was considered a pent road at the time the Vande Water right of way was established, but has been determined to be a town road.
- Bob Baird expressed concern that the power line not interfere with ditching along the road. Green Mountain Power drew in the path of the utilities as shown in the maps. Since portions of the roads are not yet designed, some of the map is conceptual until the roads are complete.
- The three culverts as pictured apply to the Bisbee Road and were placed at the points considered best to deal with flow of water over the land contour for proper drainage, but

location may change or additional culverts may be added as necessary as the road progresses.

- It was pointed out that these roads will fall under the new Class IV policy, and a permit will be needed before any construction begins.

8) Comments or requests from the Highway Commissioner were covered above.

9) Comments from Mr. Kussel to explain the timing of the installation, how he will treat the surface and minimize sediment laden run off or other conditions that should be applied were covered above.

10) Andrew Quint made the motion, seconded by Gina Ottoboni, read by Kathie Pratt, as follows:

To approve the issuance of a permit under 19 VSA§1111 to Richard and Sara Kussel and GMP for use of the right of way along Lead Mine and Bisbee Roads as altered for the installation and laying of underground electric utility from the intersection of Middle Road to the Kussel Sugarbush and Bushey properties as depicted on Exhibits 4 and 5 conditioned on the following: a) compliance with Sections 2 and 4 of the Settlement Agreement and Release entered as Exhibit 2 in the alteration proceeding of today's date, b) the Kussels' understanding that, as class 4 roads, Chittenden will not improve or provide any maintenance to Lead Mine or Bisbee Roads, and c) such other conditions as the Highway Commissioner may require for sediment control and to avoid excess surface erosion and in compliance with the Class IV Road Policy of the Town of Chittenden.

A roll call vote was taken and the motion passe unanimously.

Mr. Carroll received thank yous for his bringing this matter to a close.

## VI. OLD BUSINESS

Green Road Monumentation -- Julie Fredette has been in contact with surveyor Deb Daniels, who wishes to work with Dave Sargent on the monumentation. Bob Baird asked about the new owners of the Fishkin tract of land. Deb Daniels will contact the new owners since she knows the details of the work involved. Sooner rather than later is preferred.

Dog Ordinance -- not yet

Warning Sirens -- Mr. Carroll explained that the ball is in the GMP camp. He will send to the lawyers the idea of reverse ownership of the siren system. He is concerned that Chittenden have no part in the telemetry at the dam. Kellie Becker noted concern about maintenance of the sirens. Mr. Carroll would like GMP to indemnify the town against liability.

Hip Camp -- Julie Fredette called ANR and spoke to Elias Irwin, who suggested a complaint be filed by the aggrieved private parties rather than the town. Then the State can come out and make a determination of violation. There have been anonymous complaints to ANR. Morgan Yucel has been in contact with Bernie McGee and Gina Ottoboni. Bernie has been in contact with the regional office of Department of Environmental Conservation about outhouses and drinking water.

Julie commented that the town has not heard from the other side. Gina Ottoboni will contact John Mathews and will work with Morgan Yucel.

Town Office Roof -- Ted Gillen has submitted his insight on the roof leak. He estimates minimally \$3,000 will be necessary to address the problem, and that does not include windows or siding. This situation is potentially dangerous to ignore. Ted is interested in the repair. It is hard to get a quote without taking apart some of the area. Ted will be happy to do small jobs for the town. Bob Baird and Julie Fredette will take a look at the bidding policy. They will try to conform to the policy and if they cannot get three bids, to move forward.

Transfer Station: Compactor Project/Garage Bathroom -- Bob Baird has talked with Bernie McGee for an alternative to the designed toilet. Bernie is willing to do an estimate and give a number. The Board needs to consider other work necessary. Without an actual tank cost, a decision cannot be made. Andrew Quint used \$12,000 as a budget estimate, including construction and utility work and possibility of ripping up the concrete floor to install piping. Bob Baird would like a more accurate estimate of pumping needs -- every two weeks, or two months. Bernie will give a line item cost estimate.  
A suggestion was made to have a big picture discussion of the overall cost of operating a transfer station as to overall cost.

CDL Policy -- everyone is reading it -- comments will be made to Kathie.

Road Grants Update-- Jan Sotirakis is submitting the same grant applications as from last year for Dam Road paving and the culvert near Wardwells' on Wildcat Road. Date of grants award is unknown at this time. For early paving, Jan suggested paving at Mountain Top and Middle Road before July.

To adopt the new road and bridge standards, which must be done every year, a motion is needed. There have been no changes since last year. Also, a certificate of compliance for highway network should be signed, as well as the annual financial plan. Jan will wait for all three to be signed at the next meeting.

Chittenden Planning Commission -- Gina Ottoboni reported that the eight members of the Planning Commission will meet on March 9 at 6:00 PM. The Zoom link will be posted. Gina is still the Select Board representative to the Rutland Regional Planning Commission where her term ends in June. Since Gina did not run for reelection, she will not be a Select Board representative. She may be interested in being a Planning Commission representative, but has not yet decided to join the Planning Commission.

## VII. CORRESPONDENCE

SWAC: VT pay as you go spreadsheet  
Letter from Ford rep regarding any future purchase  
Letter from Brenda Hummel, BUUSB Chair.

The BUUSB request to change the town boundary to avoid payment of tuition to Killington for a student was discussed briefly. Doing so is complicated. A letter of acknowledgement will be sent.

## VIII. APPROVAL OF WORK ORDERS

IX. EXECUTIVE SESSION -- Andrew Quint made a **motion to go into Executive Session** to discuss compensation at 8:43 PM. The motion was seconded by Julie Fredette. AIF. The Select Board came out of Executive Session at 8:57 PM by **motion** of Bob Baird, seconded by Andrew Quint. A **motion by Julie to give Sarah Cochrane**, who is retiring after 17 years as Assistant Town Clerk, a gift card was seconded by all.

Gina spoke about the letter from Julie Fredette and Bob Baird about land purchase and for the Select Board to expect questions. Gina requested to speak at informational meeting on March 1 about what the Select Board does.

IX. ADJOURN -- A **motion to adjourn** was made by Gina Ottoboni and seconded by Julie Fredette at 9:10 PM. AIF.

Respectfully submitted,  
Karen Webster



**Chittenden Select Board Scheduled Meeting**  
**January 25, 2021 6:15 PM**  
**Approved Minutes**

NOTE Present: Since COVID-19 directives advocate working remotely, special arrangements have been made for electronic participation by Zoom. This meeting was held as a teleconference using Zoom.

Members present: Kathie Pratt (chair), Julie Fredette, Andrew Quint, Gina Ottoboni, and Bob Baird.

Others: Jan Sotirakis, Gary Congdon, Bob Case, Bernie McGee, Kim Kinville, Alyssa Reynolds, Kellie Becker, Joe Casella, Jenna Baird, Natalie Gillard, George Wanner, Richard Love, Jonathan Yacko, and Reggi Dubin.

Kathie Pratt opened the meeting at 6:15 with **Pledge of Allegiance**.

**I. ADDITIONS TO AGENDA**

Chittenden Dammers Letter of Support  
Select Board Committees  
SWAC Electronics Collected in 2020 Report  
Executive Session to Discuss Personnel  
(late) Liquor licenses approvals  
(late) Listers' mapping software

**II. APPROVAL OF MINUTES**

The minutes of January 11, 2021, were corrected as follows:

Page 2, sentence beginning "Act 164" lacks a verb.

Page 2, Audience Comments, Kellie Becker: change "ot" to "of."

Minutes of January 11, 2021, were approved as amended by motion of Gina Ottoboni, seconded by Julie Fredette. AIF.

The minutes of the January 13, 2021 informational meeting for the Chittenden Planning Commission were approved as read by motion of Julie Fredette, seconded by Gina Ottoboni. AIF.

**III. AUDIENCE COMMENTS**

Joe Casella introduced himself to the Select Board, having filed the paperwork to run for the two-year seat on the Select Board. Kathie Pratt is running again for the three-year seat on the Select Board. Both candidates are running unopposed.

Kellie Becker suggested encouraging more town officer reports at Select Board meetings.

**IV. TOWN OFFICER REPORTS:**

ROAD COMMISSIONER -- Gary Congdon said that winter sand, mixed with salt, piles have been put at the Town Office and at the Grange Hall for public use. Sand will no longer be available at the Town Garage for insurance reasons. The piles will be replenished as sand is used.

*Kathie Pratt - Chair*

Both places were selected to avoid traffic congestion, which would be a problem near the Town Garage gate.

There is an electrical problem with one of the Western Star trucks, and Keith Adamsen is working on it.

TRANSFER STATION -- The Transfer Station employees have keys for the bathroom.

EMERGENCY MANAGEMENT -- no report.

COVID-19 -- The U.S has passed 25 million cases of COVID and 400,000 deaths. Vermont has passed the 10,000 mark for number of cases, now standing at 11,165, with 122 new cases today statewide and 17 in Rutland County. Vermont has a positivity rate of 2.3%. Chittenden has had 23 cases and has moved from blue status to green on the map.

The vaccine plan is now open to those ages 75 and older. The number is estimated to be 50,000 people, and this phase should take five weeks. The next group will be ages 70-74 (estimated 60,000 people), followed by ages 65-70 (estimated 33,000 people) and those with medical issues ages 18-64. If you cannot register online, there are call centers to help. The Chittenden Public Library will also help people register.

New strains of the virus are now in the U.S. Wearing of two masks might help avoid infection. The new J&J vaccine is expected to be approved in the UK by February 15<sup>th</sup> and in the U.S. by the end of February.

Funding for Everyone East will allow the program to start again on Wednesday at Barstow School and Thursday at the Grange Hall.

The Covid funds block grant for \$5,000 to \$200,000 is fairly involved and requires a public hearing. The deadline is February 9<sup>th</sup>. Jan hopes to use this towards the Grange Hall kitchen, but cannot do much until costs are in. She can apply again in July.

HEALTH OFFICER -- Bernie McGee said the sign off for the septic system had been in place but filed under a different name. All is well.

As for air quality at the Town Offices, Bernie was able to get a reduced quote for testing by elimination of Option 4 and reduced prices on the other three options for a total of \$2,755. Bernie said there has not been a complaint, but someone did have a question, and as Health Officer, he felt obligated to check it out. If irregularities are found, additional work may be needed.

## **V. NEW BUSINESS:**

Town Meeting and Informational Meeting -- The informational meeting will be by Zoom on Monday, March 1, at 7:00 PM. Bob Case was able to expand the number of attendees possible. Instructions to join the meeting will be in the Town Report and posted about town. Reggi Dubin is Town Moderator and will conduct the meeting. The informational meeting will be adjourned, and a voting will take place on Tuesday. After discussion, cards will be sent out to registered voters to request an absentee ballot. If a ballot is not requested, ballots can be voted at the Town Office as usual.

The ballot was reviewed. Andrew Quint made a motion, seconded by Bob Baird to amend the Highway Fund budget: "To see if the Town will adopt the proposed Highway Budget of seven hundred fifty six thousand five hundred thirty dollars (\$756,530.00), less anticipated revenues of one hundred ninety five thousand five hundred ninety four dollars (\$195,594.00), leaving a portion thereof in the amount of five hundred sixty thousand nine hundred thirty six dollars

(\$560,936.00) to be raised by taxes for the 2021-2022 Fiscal Year. The amount of such sum to be reduced by any additional receipts, state aid, grants, and other incomes.” AIF Bob Baird confirmed that the amount for paving not done in FY21 will roll over to FY22.

Burnin<sub>g</sub> Brush at the Transfer Station -- The Chittenden Volunteer Fire Chief, Gary Rowe, noted burning of brush at the Transfer Station. There is not enough space at the Transfer Station to burn brush without endangering buildings or equipment there. Also, people are putting construction debris into the brush pile so fires last longer. People will now have to take brush to the Rutland Gleason Road facility. The cost is \$5/load because people were throwing additional debris into their piles. The brush area is roped off at the Transfer Station.

The Select Board said there needs to be a conversation about the future of the Transfer Station after Town Meeting, weighing costs versus convenience.

Bisbee Road Alteration -- Surveyor Tim Short has altered slightly the position of the Bisbee Road/Leadmine Road intersection north a few feet to correspond with a break in the stone fence. The Select Board will have to have a meeting about adopting the new road. A hearing has been warned for February 22<sup>nd</sup>. Mr Kussel will also ask for the 1111 permit to install electricity. The town attorney Jim Carroll has requested that Select Board members view in person, separately, the proposed road change.

## **VI. OLD BUSINESS**

Green Road Monumentation -- Julie Fredette has been in contact with Deb Daniels for setting the survey markers on the Green Road. Deb prefers a time “after snow but before leaves.” The question is also to use labor supplied by her or to use town volunteer labor. There is money in the budget. The work may require some heavy lifting.

Review of Proposal for IT Security and Support -- The second proposal is significantly higher than the Silloway proposal for a one-year contract with renewal. Since the amount is just under the amount allowed by the purchasing policy, the Select Board felt comfortable with just two proposals. Andrew Quint made a motion to accept the IT proposal for the town to include cloud backup, Office 365 monitoring, and Outlook emails for town employees. Julie Fredette seconded the motion. AIF.

Class IV Highway Ordinance/Public Right of Way Policies (highway access) -- Andrew Quint made a motion to accept both the Class IV and Public Right-of-Way Policies. Gina Ottoboni seconded the motion AIF.

Do<sub>g</sub> Ordinance -- significant work done but not ready for update yet.

Warnin<sub>g</sub> Sirens -- no news.

Town Office Roof -- The insurance adjuster came and met with Ted Gillen -- no word yet.

Transfer Station: Compactor Project/Garage Bathroom ---Bob Baird suggested one or two people should be in charge to get the bathroom up and running. There are several things involved. He has the blueprints. Andrew Quint will work with Bob.

Plannin<sub>g</sub> Commission -- After the informational meeting, Gina Ottoboni reported that three people expressed interest with one more person potentially interested. Full membership would

number nine members, and five are needed for a quorum. Rod Munroe, Abbey Elliott, and Dave MacKenzie are current members. Additional people are Jonathan Yacko, Leo Pond, and Lisa Purcell (who may know of two others). Appointments are made by the Select Board and could be done at their next meeting on February 9<sup>th</sup>.

CDL Policy -- almost done.

Road Grants Update -- Jan Sotirakis said work is in the process of getting partial drawdown from FEMA for work done on the Mountain Spring/Mountain Top Road project.

Andrew Quint made a **motion** to approve of liquor licenses for the Wooden Barrel and for Mountain Top Inn. Julie Fredette seconded the motion. AIF.

Andrew Quint made a **motion** to renew the Listers' mapping software for the next contract year for \$2,100. Julie Fredette seconded the motion. AIF.

Bernie McGee has talked with Jason Poljacik regarding electrical outlets at Town Hall. The water did freeze again and Bernie put a tape on it to thaw the ice. One problem is that Town Hall is not being used. There is an alarm system for low temperature, but the in-pipe location is not favorable for the alarm. Shutting down Town Hall for the coldest months was suggested. Bernie also asked for a quote for the two exit lights.

Julie Fredette made a **motion** for the Select Board to sign the Chittenden Dammers' Letter of Support for a grant for a new grooming machine. Andrew Quint seconded the motion. AIF. The letter will circulate electronically for signatures.

Julie Fredette suggested it might make sense to form committees of two people per committee for different areas of concern. Then responsibility does not have to be spread to all five members at a time. That can be discussed after Town Meeting.

**VII. CORRESPONDENCE** US Census Bureau Boundary and Annexation Survey  
SWAC: Electronics Collected in 2020 Report

## **VIII. APPROVAL OF WORK ORDERS**

A **motion** to go into Executive Session to discuss a personnel matter was made by Bob Baird, seconded by Julie Fredette at 8:17 PM. AIF. A motion to come out of Executive Session was made by Andrew Quint and seconded by everyone at 8:34 PM. AIF. No Decision was made.

**IX. ADJOURN** - The **motion** to adjourn was made by Andrew Quint at 8:35 PM and seconded by all. AIF.

Respectfully submitted,  
Karen Webster





**Chittenden Select Board Scheduled Meeting  
November 23, 2020 6:15 PM  
Approved Minutes**

NOTE: Since COVID-19 directives advocate working remotely, special arrangements have been made for electronic participation by Zoom. This meeting was held as a teleconference using Zoom.

Members Online: Kathie Pratt(chair), Julie Fredette, Bob Baird, Gina Ottoboni, and Andrew Quint.

Others Present Online: Bob Case, Jan Sotirakis, Elmer Wheeler, Bernie McGee, Kim Kinville, Kellie Becker, Jenna Baird, Gary Congdon, John Blittersdorf, Rose Moody, Tom Garafano, Morgan Yucel, Natalie Gilliard, and Jamie Hamilton.

The meeting was opened with the Pledge of Allegiance at 6:15 PM.

**I. ADDITIONS TO AGENDA**

- Corner at Town Office
- Green Road marking
- Update on land purchase
- Computer for Karen
- Brookfield contracts
- Town plowing COOP
- Trees in public right of way

**II. APPROVAL OF MINUTES**

Minutes of the November 16<sup>th</sup> Budget Meeting were corrected as follows:

Page 1, Transfers to Reserve Fund, paragraph 2, line 2: should read, "since the pandemic may last until *after* June (into the next fiscal year)."

Minutes of the November 16<sup>th</sup> Budget Meeting were **approved as amended by motion** of Andrew Quint, seconded by Gina Ottoboni. AIF.

Minutes of the November 9<sup>th</sup> meeting were corrected as follows:

Page 1, Others Present: add Lertola into the open blank space.

Page 2, Audience Comments, line 2: after Otter Creek CUD, should read *which*, not *who*.  
 line 3: change *cellular* to *broadband*.  
 line 4: add *broadband and WiFi* hotspot  
 line 6: change *cell* to *broadband*

Page 3, Town Reports, line 2: change *tract* to *rubber tracks*  
 line 3: add *n* to *handle*

Page 3, Town Reports, Covid-19: *90%*, not *80%* efficacy.

Minutes of the November 9<sup>th</sup> meeting were **approved as corrected by motion** of Andrew Quint, seconded by Julie Fredette. AIF.

**III. AUDIENCE COMMENTS**

*Kathie Pratt - Chair*

Jane Munroe thanked Julie Fredette and the Select Board for having the Zoom conversation meeting with Officer Dion of the Vermont State Police. For the future, Jane requested that the Pittsford Police Department submit a **brief narrative report** along with the statistics for the FY2020 Town Report. The Auditors, not the Select Board, request the information. There is also a slight difference with the PPD since the relationship is by contract, not requesting funding as are the other organizations with narratives in the town report.

Bob Case, as Cemetery Commissioner, requested level funding of \$12,000 to go onto the March Town Meeting ballot for **support of the town cemeteries**.

#### IV. TOWN OFFICER REPORTS

Road Commissioner Elmer Wheeler said he will be putting up the **signs and two barricades to block off the right turn shortcut** from Mountain Top Road onto Holden Road by the Civil War monument. Elmer may add additional barricades if necessary later.

Transfer Station -- Ted Gillen has fixed the top broken part and shored up the **roof over the Town Garage man door** entrance.

Emergency Management -- Jan Sotirakis said the public comment period of the **Hazard Mitigation Plan** is finished. There were no comments from the public or surrounding communities. She suggested scheduling the **second public meeting** just before the next Select Board meeting on December 14<sup>th</sup>, at 5:30.

Governor Scott has announced a drought situation in several Vermont counties. Rutland County is contiguous to areas with serious drought situations. Some funding may be available to farmers.

COVID-19 -- Jan Sotirakis reported only 85 new cases of Covid were reported today, down from 146 and 148 highs of last week. In Rutland County, there have been 223 cases, 7 new today, and 84 in the last two weeks. Officially there are 7 cases in Chittenden. The Governor is continuing to keep schools open, people working, and protecting the vulnerable. Municipalities are called upon to prevent gathering.

Jan is working to develop a **Continuity of Operations Plan (COOP) for snowplowing** in town should the town employees become ill with Covid. She is making a list of former employees and private snowplowers. Roads must be kept open for emergency vehicles. The Select Board will contact private owners for interest in helping out.

All **soap, paper towels and sanitizers** have been received for \$1,382.76.

Jan needs the **cancelled check for the three laptops** to be ordered by the town by December 11 for reimbursement.

The **CARES relief amount** has been increased to \$44,880.

Health Officer -- Bernie McGee said that VOSHA is requesting **every public building to have good air quality**. Bernie would like to discuss this with the Select Board. The Select Board needs an estimate of cost and a timeframe. Steps will be first to clean ductwork, then assess air quality, and hire an engineer to achieve the proper air exchange per minute. This is required in hospitals, health care facilities and schools. Bob Baird will make calls to surrounding towns.

#### V. NEW BUSINESS

West Road Camp -- Morgan Yucel, Rose Moody and John Blittersdorf spoke about the **camp site that has opened on West road** in their neighborhood. Morgan Yucel gave a PowerPoint slide presentation depicting the problems the neighbors are seeing. Parking into a private road, loose dogs, invasion of privacy, and health issues, especially during this pandemic, are concerns. McGee as Health Officer was contacted to investigate the situation. He reported that violations are taking place. The site will need a wetland review. Outhouses are required to have a State permit. Erosion from cutting of trees may threaten water sources. Ingesting water from the pond (suggested as a water supply) is not good. The site needs attention before any further use for campers safety and health, as well.

The Select Board will send a certified letter to the property owners to state no camping is to continue until permits are in place and a building permit is in place. A time limit and letter of intent will be requested.

Class IV Highway Ordinance/Public Right of Way Ordinance (highway access) -- tabled

Dog Ordinance -- tabled.

Building Permit -- The Smiths were contacted but the permit with the Fire Chief's signature has not been received yet.

## VI. OLD BUSINESS

Budget -- Purchase of a **small excavator** was discussed with the result that for many reasons, this is not the year for purchase.

Several items that need financial clarification are the **Green Road monuments project, roof and post at the Town Office**, resolving payroll taxes numbers. These may be answered by December 7<sup>th</sup>. If another meeting is necessary, then it can be warned.

Civil War Monument Fence/Intersection -- Repair to the fence around the monument was completed on Friday. Gina was concerned that the public needs a diagram to understand the new traffic pattern.

Grange Hall Security/Communication -- Andrew Quint and either Bob Baird or Julie Fredette will meet on Monday, November 30<sup>th</sup> for training on the new security measures.

Warning Sirens -- nothing new.

Transfer Station: Repairs/Compactor Project/Garage Bathroom -- waiting for Jason Poljacik to hook up the light.

Planning Commission -- Gina Ottoboni offered a proposal to call a meeting with interested people and to invite Ed Bove from the Rutland Regional Planning Commission to outline what the Planning Commission does. The meeting does not have to be on the first Mondays. Kellie Becker said it might be helpful to consider working with the Vermont Council on Rural Development.

CDL Policy -- no report

**Class IV Roads Reclassification --** The Select Board does not plan at this time to reclassify the remaining Class IV roads. No upkeep seems imminent. This item can be removed from the agenda.

**Road Grants Update --** Jan Sotirakis reported that the **Mountain Top/Mountain Spring intersection** work has gone along slower than anticipated. Options to pave at this late date is gone. Paving will be skipped for this and an extension has been requested to extend the limit to October 2021.

**Culvert #162 on Mountain Top Road --** Jan has applied for an extension until December 31, 2021.

Barbara Pulling is working on defining **hydro segments on Stoney Hill Road and German Hill** for \$34,000 of work. Jan expects between \$18,000 and \$20,000 in grant funds will be offered, which may change the amount of work done. The last funding from Grants-in-Aid has not been received.

At the last meeting for the **EcoSystem Grant**, Enman Kesselring and FitzGerald Associates have mapped the affected section of Wildcat Road. Fifty to 100 loads of gravel will be necessary to build the road up to two-year standards. Beaver management is necessary since beavers seem to be a large part of the problem. The US Forest Service owns the surrounding land.

Jan would like to seek engineering for some projects for next year, namely **the roller-coaster issue on Dam Road, the stream bank erosion on Furnace Brook Road, and the drainage issue near Kathy Hall**. There is \$14,500 in the budget for engineering, which can be funded this year for grants for next year. The stream erosion grant is eligible for a Better Roads grant.

Andrew Quint made a **motion to hire EnmanKesselring Engineering for less than \$5,000 for the Furnace Brook stream bank erosion and to give an estimate for the two other jobs**. Bob Baird seconded the motion. AIF.

Bridge inspections need to inspect three bridges. They are not priority concerns, but repair may prevent further decay and keep in satisfactory condition. Two are on Furnace Brook and one is by the monument. Andrew Quint made a **motion for Jan to contact a bridge maintenance company to inspect the three bridges**. Bob Baird seconded the motion. AIF.

Julie Fredette met with Ted Gillen to inspect the corner at Town Office. Too much water is still coming in. Ted may be willing to take on the job next spring, but meanwhile can troubleshoot, remove the fascia board, and place a temporary support under a beam. Julie also has a meeting scheduled with Roger Loiselle for the roof. Julie Fredette made a **motion for Ted Gillen to investigate and shore up the corner** for not more that \$500. Andrew Quint seconded the motion. AIF.

Julie Fredette made a **motion, seconded by Andrew Quint, to purchase a new laptop computer** from Vermont Digital for \$600 for the Select Board Assistant since the current one has failed. The motion passed with three in favor, one against.

**Contracts for the three town generators** have been received from Brook Field Service: The Municipal Office \$440 for one visit (not including State inspection), or \$660 for two visits. The Town Garage, \$440 for one visit (not including State inspection), or \$660 for two visits. Barstow School \$932 for one visit (not including State inspection), or \$1,339 for two visits.

A 5% discount is offered for payment by December 18<sup>th</sup>, 2020. The Barstow contract amount will be split with Mendon. Andrew Quint, seconded by Julie Fredette, made a **motion to pay the amounts for one visit for all three contracts before December 18<sup>th</sup> to get the discount.** AIF.

#### VII. CORRESPONDENCE

SWAC            Signed Interlocal Contract  
                    SWIP Approval Letter

Letter: Parking on Chittenden Roadside -- Vehicles parking on Chittenden Road in front of the house owned by Paul Lawson are **blocking traffic** and creating a hazard. Kathie Pratt will write a letter to the property owner.

#### VIII. APPROVAL OF WORK ORDERS

IX. EXECUTIVE SESSION -- Andrew Quint made the **motion** to enter Executive Session to discuss legal issues at 9:06 PM. Julie Fredette seconded the motion. AIF. **Motion** was made to come out of Executive Session at 9:38 PM by Andrew Quint and seconded by Gina Ottoboni.

Bob Baird made the following **motion**, seconded by Julie Fredette:

I move that the board authorize Kathie Pratt, in her role as board chair, to sign a **purchase & sale agreement between the Town of Chittenden and Robert & Nancy Walker**, that would be contingent on voter approval and would provide an opportunity for the town to vote on March 2, 2021 on the purchase of the 2.54-acre parcel of open land adjacent to the Grange Hall. The purchase price is \$60,000 and having a signed agreement would allow for private fundraising that would reduce the cost to the taxpayers. There would be no deposit required in this agreement and there would be no cost to the town prior to the vote. There also would be no cost to the town after the vote if the purchase is not approved by the voters at Town Meeting.

The Select Board **agreed to the stipulation regarding the Bisbee/Leadmine Road** which moves the road slightly and is an agreement between Kussel and Bruner that allows Kussel a right-of-way and underground power after Kussel files a Form 1111 with the town. Kathie Pratt will sign the stipulation as Select Board Chair.

X. ADJOURN -- A **motion to end the meeting** was made by Gina Ottoboni at 9:41 PM. The motion was seconded by Andrew Quint. AIF.

Respectfully submitted,  
Karen Webster

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**Chittenden Select Board Scheduled Meeting  
October 26, 2020 6:15 PM  
Approved Minutes**

NOTE: Since COVID-19 directives advocate working remotely, special arrangements have been made for electronic participation by Zoom. This meeting was held as a teleconference using Zoom.

Members Online: Kathie Pratt(chair), Julie Fredette, Bob Baird, Gina Ottoboni, and Andrew Quint.

Others Present Online: Bob Case, Jan Sotirakis, Elmer Wheeler, Bernie McGee, Kim Kinville, Kellie Becker, Travis Romano, Tanner Romano, Natalie Gilliard, Jenna Baird, and Jacob Powsner..

The meeting was opened with the Pledge of Allegiance at 6:15 PM.

**I. Additions to Agenda**

Monthly BUUSchool “Board Corners” placement on the town Facebook page -- Jacob Powsner, School Board member, said the communication goes out monthly to let the community know about school concerns. For November the School Board wishes to let the community know about positions opening for the School Board in March. Julie Fredette made a motion to place the School Board communication on the Facebook page each month. Bob Baird seconded the motion. AIF.

- Building Permit
- Executive Session

**II. Approval of Minutes**

The minutes of the October 12<sup>th</sup> meeting were corrected as follows:

- Page 3, bottom of page: remove “+taxes&fees”
- Page 1, Road Commissioner’s report, second sentence: strike the second sentence, “The overhead on the order went back.”
- Page 1, Road Commissioner’s report, 5<sup>th</sup> line: change sal to salt.
- Page 2, under Covid: change “n Vermont” to “in Vermont”.
- Page 2, under public safety review for election: next to last sentence in paragraph: change “asked” to discussed”.
- Page 2, same paragraph, ...poll watchers...: change “is” to “in” a safe place.
- Page 3, Town Treasurer Position: “ reached out to (not too) a second candidate.

Minutes were approved as corrected by motion of Andrew Quint and seconded by Bob Baird. AIF.

**III. Audience Comments**

Kim Kinville reported that in light of concern over crowds at the Town Office on Election Day, the Pittsford Police Department will do a six-hour patrol in Chittenden. They will not be stationed at the Town Office but will be checking in to see all is well.

**IV. Town Officer Reports:**

Road Commissioner Elmer Wheeler said he was unsure of how to make the reports requested by the Select Board at last month’s meeting to record usage of salt and sand. An accurate accounting would be nearly impossible without a scale. Elmer said he uses between 30 and 35

*Kathleen Pratt - Chair*

loads of salt per year. He did not use 3,000 T of sand last year but in past years, he has used more than that. He has kept those figures in the computer. Gina will help his with a spread sheet. Elmer said that keeping count of truckloads during a storm is almost impossible. Sand is used on dirt roads. Sand and salt, and sometimes only salt, are used on paved roads. With 16-hour shifts and trying to keep up with the storm, the dumping and topping off gets too hectic for counting. Other possible ways of keeping track of usage, such as height of the sand pile, were discussed.

Transfer Station -- Elmer would like to purchase coats for Frank and Dave at the Transfer Station like those for the road crew at a cost of \$125 each. The coats are water and wind resistant and have reflective striping, which gives better visibility in the dark. The road crew has a uniform allowance, although the transfer station employees do not, they do get steel-toed boots. Coats would come out of the Safety Equipment line item in the budget. Andrew Quint made a motion to supply two attendants with high-visibility jackets at \$125 each. Gina Ottoboni seconded the motion. AIF.

Health Officer Bernie McGee is in the process of flushing water in preparation for collecting water samples on Thursday. He reported that there is no power to the receptacle in the northwest corner of the little room of Town Hall for the fan used to circulate warm air to the water pipes. Jason Poljacik will be contacted and asked to solve the problem.

At the Grange Hall, the keys to the towel dispensers in the bathrooms are missing. With the new Covid guidelines, special towels should be used that allow use without touching the dispenser. Also the two soap dispensers require pump action and they should be replaced with infrared dispensers that do not require pumping and there is no need to touch them.

Work on the well for Town Hall is going well and Bernie expects to have a report for the next meeting.

Julie Fredette made a motion to contact Jason Poljacik to address the issue at Town Hall. Gina Ottoboni seconded the motion. AIF. Bernie will call Jason.

Emergency Management -- Jan Sotirakis announced that the Hazard Mitigation Plan hearing will be on Thursday, November 5<sup>th</sup> at 5:50 PM via Zoom. Stephanie Bourque from the Rutland Regional Planning Commission will help lead discussion.

Covid-19 -- Jan Sotirakis said that nationally, Covid case numbers are up, and the same is true for Vermont which just finished its worst caseload since April, averaging 15 per day. Schools have reported 13 cases in 13 schools. There are still no reported cases in Chittenden. Vermont has moved from 1% positivity to 2%, still lower than the 10% in April. The Vermont Department of Health hopes to contain outbreaks by tracing and quarantining.

The Vermont Department of Health has issued protocols for Covid-19 vaccinations when they become available. There are 4 levels: high-risk health care and first responders, medical personnel and teachers, younger people, and then everyone else. Vaccinations will be a two-shot series, so this is a big undertaking to get everyone protected, which may last well into next summer.

FEMA has approved the grant application for \$16,030.55 and is working on a second application for funding of \$4,761. The local grant application for \$27,337.83 has been revised upwards and Jan hopes most of the expenses will be covered.

Everyone Eats has been well-received and increased now to 175 meals each on Wednesday and Thursday evenings. An average of 8 new families per week are coming.

## V. New Business

Class IV Highway Ordinance/Public Right of Way Ordinance (highway access) -- the Select Board discussed both the policy and the ordinance. Bob Baird asked if the Class IV roads listed



are the ones currently being dealt with. Jan Sotirakis added one more, Mountain Top Road between the wedding barn and Hewitt Brook. The town does not maintain Class IV roads in any season, except for deep gully erosion.

Requiring permits for work on the Class IV roads was discussed, since property owners do all the work and pay for it also. The issue is how the Class IV road work will affect town highways and the permit is designed to prevent damage to other town roads and highways. Both the policy and the ordinance require permits. The town needs to let homeowners be aware of the policy and ordinance. They will both be warned. The Select Board can pass the policy, but hearings are required for the ordinance.

Logging Road Responsibilities -- Tanner and Travis Romano, adjoining property owners of property being logged, attended the meeting with their concerns. They have spent a lot of time and expense getting the legal trail Baker Brook Trail suitable for just pickup trucks to transverse. They were upset to hear from others that as many as 150 loads of logs will now travel that road. The ACT 250 land use agreement for that land division as well as their covenant deeds have language requiring any damage to be repaired. They said several times that they are not trying to stop the project. They are concerned that there is nothing in the bid documents regarding surfacing of the road. This is important to them.

The Select Board reiterated that the town is not liable for repair of the road. The town would like for the roads to be repaired to the satisfaction of the adjoining land owners. Condition of the road should be left as good or better as before. Bob Baird suggested a letter should be written to the forester in charge of the project. Current conditions are being documented.

Also, the conditions of River Road, which must be used to get to Baker Brook Trail, was brought up. This road is used by hikers, bicyclists and residents who are concerned that the log trucks will obey speed limits and be careful of others using the road. The forester, the logger and truckers should also be aware that the town does require overweight permits for the trucks with insurance information to cover damages is also required. for this road.

## **VI. Old Business**

The Town Treasurer position will be addressed in Executive Session.

Civil War Monument Fence/Intersection -- Elmer has ordered the road closed and change in intersection signs and he is waiting for them to come in. The repair of the fence has not been finished.

Grange Hall Security/Communication will be installed tomorrow.

Warning Sirens -- The town lawyer has been in communication with GMP. Documents from GMP have been about installation of poles but has not addresses the hold harmless issue yet.

Town Office: Roof Repair is done! We still need to keep eyes on it. Replacement of the ceiling tile in the affected spot was suggested to help monitor any future leaks. Julie Fredette will exchange the ceiling tile.

Transfer Station: Repairs/Compactor Project/Garage Bathroom -- The canopy over the door at the Town Garage is still not finished and the person initially on the project does not have time to do the work. Bob Baird is trying to find someone to finish it. Ted Gillen, who is semi-retired, may have some time. Bob and Ted are going to meet on Wednesday.

Planning Commission -- Julie Fredette asked and was given permission from the Select Board to her cold-calling people to find new members. Gina Ottoboni suggested that since the Select Board is now acting as the Planning Commission, if members met with the current three members of the Planning Commission, there would be a quorum. Under the bylaws, five members are required to be present for a quorum. Kathie Pratt suggested the bylaws could be rewritten to call for a smaller quorum. Gina also suggested an open house before a Select Board meeting

CDL Policy -- no updates, but Gina Ottoboni said that the town does have a firm -- DISA -- for drug testing.

Class IV Roads Reclassification is on hold. A walk on the newly surveyed Bisbee Road is being planned for Mr. Bruner and Mr. Kussel and their attorneys.

Road Grants Update -- Jan Sotirakis said the Grants in Aid application has been submitted for reimbursement for work on Mountain Top Road and Maple Lane. For FY21, the town will use the grant to purchase a plate compactor. Three bids are required; they can be online. Bob Baird is securing the bids.

VTrans and paving -- VTrans and the Vermont Legislature plan to split the \$7,000,000 so that all towns will get a portion. The town has just received \$19,670.55 as supplemental highway aid. The funds have not been ear-marked.

The grants for Wildcat Road near Wardwells' and the Mountain Top Culvert #162 will have to wait until next year.

G&N Construction will begin work on the Mountain Top/Mountain Spring Roads intersection will start tomorrow. They will stay overnights at Mountain Top Inn in order to complete the project before November 12th or 13<sup>th</sup> so paving can be finished. If paving is not done, the project cannot be submitted to FEMA.

New grant applications have arrived for the Better Roads program.

Work on the budget for next year was scheduled for Wednesday, November 4 at 6:00 PM for one-hour. A second session was scheduled on Monday, November 16, at 6:00 PM. Budget meetings will be warned and they are open to the public. Meetings will be by Zoom.

The building permit from the Notte family was reviewed and discussed. Even though the garage has already been built and the driveway remains the same, Road Commissioner and Fire Chief signatures will still be required so not to miss anything that should not be overlooked.

**VII. Correspondence** -- there was none.

**VIII. Approval of Work Orders**

**IX. Executive Session** -- A motion to go into Executive Session to discuss personnel was made by Andrew Quint and seconded by Bob Baird at 8:03 PM. A motion to exit Executive Session was made by Bob Baird, seconded by Julie Fredette, at 8:37 PM. A decision was made to offer the Town Treasurer position.. AIF.

**X. Adjourn** -- A motion to adjourn was made by Andrew Quint and seconded by Gina Ottoboni at 8:43 PM. AIF

Respectfully submitted, Karen Webster



**Chittenden Select Board Scheduled Meeting**  
**September 14, 2020** 6:15 PM  
**Approved Minutes**

NOTE: Since COVID-19 directives advocate working remotely, special arrangements have been made for electronic participation by Zoom. This meeting was held as a teleconference using Zoom.

Members Online: Kathie Pratt(chair), Julie Fredette, Bob Baird, and Andrew Quint.

Others Present Online: Bob Case, Jan Sotirakis, Elmer Wheeler, Bernie McGee, Gary Congdon, Jeff Spaulding, and Jacob Powsner.

The meeting was opened with the Pledge of Allegiance at 6:15 PM.

**I. Additions to Agenda**

- Grange Hall Security
- New Treasurer and audit required
- Building permits not being filed for construction projects
- Minor repair at Transfer Station
- Small update on tax revenues

**II. Approval of Minutes**

Minutes were corrected as follows:

Page 3, paragraph 3: insert word "town" to read, "The project must meet a need by Covid-19 and towns can partner..."

Page 3, 3<sup>rd</sup> paragraph from the bottom: change They EOC to The EOC.

Minutes were corrected as amended by motion of Andrew Quint, seconded by Julie Fredette. AIF.

**III. Audience Comments -- Hazardous Waste Pickup, Oct. 3, Northwood Park, Rutland Town**

**IV. Town Officer Reports:**

Road Commissioner/Transfer Station -- no reports

Emergency Management/COVID-19 -- Jan Sotirakis reported that water levels at the Chittenden Reservoir headgate have been dropped for work on the gate house.

Representative Jim Harrison has gotten the \$10,000 for sirens into the House budget which has passed through the House but still needs approval from the Senate and the Governor.

Jan has asked Green Mountain Power to draft an arms-length agreement regarding the siren poles to forward to Attorney Jim Carroll for approval.

The Hazard Mitigation rewrite is working on Risk Analysis and will move to Priority Areas next. There is money still available for people who have fallen behind on utility bills: electricity, internet, water bills, landline phones. She asked if the information could be placed on Facebook.

*Kathie Pratt-Chair*

People are still looking to have an internet hook-up on Middle Road, Lower Middle Road and Wildcat Road. Several River Road residents now have priority status because they have lobbied state officials for service.

Up to \$3,000 is available for a line communication union for fiber service. Rutland Regional Planning Commission has sent a letter asking for individuals to join and to designate a representative to attend meetings. A meeting will be on Thursday from 6:00 to 7:15 for broadband for Rutland County. Barbara Gabrielson was suggested to attend the first meeting. Bob Case is working on areas without broadband availability and speed adequate for today's needs for working and schooling remotely. If the meeting is by Zoom, it might be hard for someone without broadband to attend.

Bernie McGee and Jan will meet with the Town Office staff with most recent health and safety plans.

Everybody Eats is a program through the Coronavirus Relief Fund and implementation will be no cost to the town. Barstow School has offered to be a site for distribution on Wednesday nights. Currently the school has received boxes of milk and cheese from the Abbey Group to distribute to Chittenden and Mendon residents. The drive-through distribution will begin at 4:00 PM, first come first served until the supply is gone. This is a collaboration between the Town of Chittenden Emergency Operations Center, Barstow School, RNESU, the Vermont Farm Network and the Abbey Group.

Dinners from the Wooden Barrel will soon be available at Barstow on Wednesdays, both regular and vegetarian. Dinners will cost \$10, which goes to the restaurant who must source 10% of the dinner from local sources.

On Thursday nights, dinners from Mountain Top Inn, same program, will be provided at a drive-through at the Grange Hall. This program lasts until December 18<sup>th</sup>.

The EOC will hand out masks and hand-sanitizer, provided by the town, too.

FEMA is in the process of reviewing recent submissions. Some changes effective September 15<sup>th</sup> are coming. To beat that date, Jan would like to order more PPE, more gloves, masks and hand-sanitizer. She is asking for \$676.81 to be approved to order tomorrow to submit under FEMA guidelines for reimbursement. Bob Baird made a motion to approve \$676.81 for PPE supplies.

Julie Fredette seconded the motion.

A bill totaling \$16,030.65 was submitted to FEMA for reimbursement:

Labor	\$10,901.36
Materials	\$ 3,689.29
Food Boxes	\$ 1,440.00
TOTAL	\$16,030.65

The Vermont local grant expense totals \$27,412 including supplies not covered by FEMA. This includes cleaning, the plexiglass "sneeze shields", the required work on water supplies (wells), preliminary work at the Grange Hall and work at the Transfer Station by Dave Stearns (new window). It is possible to apply for more funding because Chittenden is allowed up to \$35,000 based on population. The difference between the two numbers may be used if FEMA kicks back submitted expenses.

The land records digitization for 22 years will cost \$27,310. \$20,000 is available. The COTS system has been contacted and the work must be done by November 1<sup>st</sup>. Two other bids are required. Karen will be asked to help get the other bids. The COTS capacity is 10 - 12 towns. Those will go to the first ones with contracts.

Emergency Operations Center needs going forward -- to address needs sooner and also to limit funding, the town needs to commit the money (\$3,500) up front rather than a budgeting meeting each month with review by Bob Baird and Julie Fredette. Bob Baird asked if his understanding that funding will be 100% covered. Jan said that at this point with no changes, yes. Bob Baird said he would be glad to check in with Jan every month to see if adjustments are necessary. Bob Case is working on a spread sheet to cover expenses until the end of December.

Jan is working on how to shrink the size of the EOC. She is asking for \$3,500 per month retroactive to September 14 through December. She asked if the \$600 PPE just approved would be in this budget? Labor records so far total 151 hours. About one half of that is Jan's (89 hours) for writing grant applications: FEMA, 14; Eco System Restoration Grant, 7; and Land Records, 11. Included in the total are hours for meetings and hours to organize Everyone Eats. Time reports will be given every two weeks and the spreadsheet will be submitted every two weeks. Bob Baird made a **motion** to accept the EOC budget of \$3,500 per month to be reviewed at least once a month by a Select Board member, beginning September 14<sup>th</sup>. Julie Fredette seconded the motion.

Jan said there are community block grants available for between \$5,000 and \$25,000. For the town, thoughts are to add to the Grange Hall kitchen, making an outdoor pizza oven, picnic tables, large tent purchase. The town is to work with a non-profit. The target is for towns to provide services that increase the ability to promote social distancing while gathering. Bernie McGee has met with Engineering Services of Vermont and he has a proposal to meet with the required people to determine what can and cannot be done with the Grange Hall kitchen facilities for \$1,500. If kitchen work can be approved by the Fire Marshal of the Department of Public Safety, an additional \$2,000 will be due to design a plan and carry it to the point of construction. This would be a \$3,600 commitment but a minimum of \$1,500 for initial scoping. Bernie asked if the Select Board wanted to pursue a grant for this opportunity? Julie Fredette proposed to support a grant for \$1,500 for the Grange Hall to retain an engineer to negotiate and to research in the State Department of Health, the Fire Marshal to see what can be done. The grant proposal and study are an opening to find money to fund the project. Bob Baird seconded and the assessment for preliminary design was approved.

Julie Fredette made a **motion** for Jan to write a grant for a venting system at the Grange Hall and approving \$1,500 to begin the process. Bob Baird seconded the motion. All of the costs will be written into a grant. The motion carried with 2 for and 1 against.

Health Officer-- Bernie McGee has been working on the on-going water issues. Four samples were recently submitted to the State lab for testing. One sample at Town Hall came back positive for contamination. Bernie is not concerned about the contamination since three samples were negative, but he does have to perform a site assessment. This has to be turned in and accepted within 30 days from the lab date of testing - now 22 or 23 days to go.

#### **V. New Business:**

Logging use of Town Legal Trail -- The town has no responsibility for upkeep of these roads, but property owners do maintenance. The bridges are currently in good shape. Loggers should protect the bridges and streams under AMP standards. Karen was asked to contact the forester for him to let surrounding owners know about loggers' upcoming operations.

Building Permit for Matteson has been signed.

Class IV Highway Ordinance/Public Right of Way Ordinance (highway access) has been sent to the Select Board members for review. An ordinance will have to be warned and a public meeting held.

#### **VI. Old Business**

Town Meeting Funding of Organizations by Petition -- No word has come from the State about how these are to be handled. Honoring those from previous years by request at the same level of funding is favorable. Bo Baird will contact VLCT for guidance. Bob will also ask about petition requirements for officers for Town Meeting as well.

A job description for Road Commissioner, which will be by appointment next year, needs to be done.

Civil War Monument Fence/Intersection -- Karen Webster has presented a quote to repair the fence at the monument by Corliss Machine Co., Inc. for \$2,415.00. This company refurbished the gate there. This is the second quote and is much lower than the first by Stewart Iron Co. Andrew Quint made a **motion** for Corliss Machine Co. to repair the monument fence for up to \$2,500 and to request that Steve Welch help install the fence sections. Bob Baird seconded the motion. AIF.

Karen also proposed closing off the bypass to the northwest of the monument to improve the safety of the intersection. She met with Eric House and Jim Caulin of VTrans to discuss the change. The intersection will not meet State standards, but it does not meet them now. All agreed that this will make a safer "T" intersection. The monument will not be moved. Jersey barriers are proposed for the Mountain Top Road side and a barrier with "Road Closed" sign on the residential side. Karen was asked to get a price for Jersey barriers and bring it to the next meeting.

Warning Sirens -- discussed above.

Grange Hall Furnace installation has been completed.

Grange Hall Security -- Karen was asked to get a revised estimate from the Royal Group for the security cameras. The Select Board would like to reduce the five cameras to one that will cover the back side from the light pole across the driveway. Phone service only will be provided. Andrew Quint made a motion to accept the alarm system proposal for smoke, heat and intrusion for \$3,202.51 from the Royal Group, with monitoring at the \$299 per year. Julie Fredette seconded the motion. AIF.

Town Office: Roof Repair -- no news.

Transfer Station: Repairs/Compactor Project/Garage Bathroom -- Jesse Martin will get the work at the Town Garage including the porch roof completed before the snow flies.

A tree fell and damaged the roof of the recycling building. The Select Board asked if David Stearns could repair the damage. This would include tightening some screws to the metal roofing

and covering three holes with silicone. Andrew Quint made a motion to check with Dave Stearns to repair roof and holes for less than \$500. Bob Baird seconded the motion. AIF.

Planning Commission -- no news

CDL Policy -- The Select Board was asked what was the hang-up, since this has been on the agenda since March? The draft proposal will be sent to the Select Board members and they will discuss it at the next meeting.

Class IV Roads Reclassification -- Attorney Jim Carroll has talked with State officials about the roads in the Lead Mine area. Since nothing needs to be done to the roads, there is no rush to get reclassification done by December 31. Jan Sotirakis said that the hydrologically connected segments (every 328 feet) need to be inventoried and entered into the State database by December 31<sup>st</sup>. Julie Fredette and Bob Baird will follow up with Jan and get that done.

Road Grants Update -- Jan Sotirakis announced that \$6,000,000 for Highway Structures and Roadway grants is being transferred to State Aid road programs.

Enman Kesselring has determined that two permits will be needed for the Culvert #162 project on Mountain Top Road. \$200 will be needed for an Agency of Natural Resources permit.

Landowner permission is needed for a bypass road. Bob Baird made a motion to pay the ANR fee of \$200. It was seconded by \_\_\_\_\_.

For Grants-in-Aid projects, of the \$14,760 available, only \$5,000 has been spent. There is an invoice for \$3,500. An invoice for Florence Crushed Stone is also in, which would include all stone except for the culvert on Maple Lane. Jan asked for all the invoices to be in.

The EcoSystem Restoration Grant is in field work and wetlands stage. The US Forest Service, Enman Kesselring and Fitzgerald Hydrological are working on it.

Bernie McGee said that Enman Kesselring is giving professional engineering services for the water system at the Town Office. Jim Purdy is doing most of the work. The design is due tomorrow. The work authorization needs to be signed for the engineering.

No permits for waste water can be found for the church preceding the Town Office. If there is no increased need from use by the church to use by the Town Office, that should be grandfathered and okay. There is nothing from Dave Swift regarding church water and sewer. Bernie estimates \$3,000 - \$4,000 until more answers are found.

Gary Congdon offered to meet Bob Baird and Andrew Quint at the Town Office tomorrow to review the alarm sensors in place.

Audit -- Jeff Spaulding, as Auditor, says there is nothing in the personnel policies regarding how much insurance is paid by the town and how much is paid by the employee. Also, there is no required proof in writing in the case that insurance available is refused. Jeff is doing an audit to close out the work of the Town Treasurer before a new one comes in.

Julie Fredette has written a job description for interviews to appoint a new Treasurer upon the resignation of Roberta. She will send it to the other Select Board members. The Select Board has no control over an elected position. For salary, 33.33% of Roberta's salary is for the Treasurer.

Karen was asked to put a job listing for Treasurer on the Facebook page.

**VII. Correspondence**

SWAC

Composting Workshops  
Bear Damage Resources Links  
Zoom Meeting Oct. 8, 6:00 PM  
Outreach and Training Videos  
Canusa Pricing

**VIII. Approval of Work Orders**

**IX. Executive Session** -- Andrew Quint made the **motion to go into Executive Session** at 8:50 PM to discuss a legal matter. Julie Fredette seconded the motion. AIF.

Andrew Quint, seconded by Julie Fredette, made the **motion to come out of Executive Session** at 9:09 PM. No action was taken.

**X. Adjourn** -- The meeting was **adjourned by motion** of Andrew Quint, seconded by Bob Baird at 9:11 PM.

Respectfully submitted,

Karen Webster