State of Vermont MORRISTOWN Chartered in 1781

SELECTBOARD MEETING OF May 12, 2014

Members Present: Bob Beeman (Chair), Min Cote, Brian Kellogg, Steve Rae and Mickey Smith

Department Heads: Dan Lindley, Town Administrator; Richard Keith, Chief of Police; Denny Digregorio, Fire Chief; Mary Ann Wilson, Town Clerk/Treasurer; Tricia Follert, Community Development Coordinator; Todd Thomas, Planning Director; Charlie McArthur Lister; and Carol Bradley, Finance Director.

Guests: Rhoda Bedell, Leon Whitcomb, Steve Berry. Richard Lowe, Polly McArthur

Meeting was called to order at 5:30 PM on site (B Street) by Bob Beeman.

I. SITEWALK

Todd Thomas, Planning Director, received a Transportation Enhancement Grant from the State for a scoping study to lay out a possible future sidewalk that would extend from B Street to the Bishop Marshall school and connect to the segment of sidewalk being built in conjunction with the Truck Route’s pedestrian tunnel. The main outcome of the site-walk was to determine which side of Rt. 100 would be the best place for the sidewalk if money should become available. The Selectboard agreed that the west side of Rt. 100 would be best. It would allow for a 5ft sidewalk and possibly a bike lane if we were to move the center line over a foot to the north side of Rt. 100 and there could be a crosswalk just south of Rock Art Brewery.

II. AGENDA CHANGES & ADDITIONS

1. Delete Legal from Other Business
2. Add Mo-Co Request for Oxbow Use

III. COMMUNITY CONCERNS

1. Steve Berry came back to the Selectboard with an update on the Republican Spring Festival that he would like to hold on Memorial Day Weekend, May 24 & 25, 2014. The event would be held from 9 am to dark. Steve hopes to have live music at the event and would also have various vendors. Steve had a flyer that listed the event as a Morrisville event and the Selectboard asked him to take out the word Morrisville. The Selectboard didn't feel the Town should have anything to do with political events. Dan Lindley Town Administrator, also mentioned that Steve would have to fill out an application for the Use of the Oxbow and provide a deposit of $500, provide proof of Insurance and the Selectboard would need to approve it before the event could happen. Dan also mentioned that Steve would be responsible for making sure the vendors that participate have the required amount of insurance.

Motion made by Brian Kellogg to approve the use of the Oxbow for the Spring Festival put on by the Republican Party on May 24 & 25, 2014 under the conditions that "Morrisville" is removed from the flyer and that Steve goes through the proper application process with the Administration Office. Motion carried. (5/0)

2. Richard Lowe came before the board to express his concern over the former AR Foss building that burned a few months ago. Richard said that there is a stench coming from the wet moldy items that have been left in the rubble. Richard asked the Selectboard if there was anything they could do to expedite the clean up process. The Selectboard ask Todd Thomas as the Town Health Officer if there was anything we could do. Todd stated that in order for a health issue to be ordered there would need to be a public health concern. Todd has tried to call Mr. Foss but he has yet to return his phone calls. Todd also mentioned that there is an ongoing issue between Mr. Foss and the newly built distillery and it's Todds feeling that Mr. Foss is going to leave the building as is to spite the distillery. Dan Lindley, Town Administrator recommended that the Selectboard Convene as the Board of Health at Green Mtn. Landscaping so they could get a feel for the situation. The Selectboard agreed they would do a site visit before their next meeting as the Board of Health. Richard Lowe was ok with that and said that he would attend. Todd said that he would follow up with the state and see if they would like to attend the Board of Health meeting. The Selectboard asked how come we didn't have a policy for these kind of issues. Dan said that there is no enabling State Statute to back up a Town Policy.

IV. NEW BUSINESS

1. **APPOINT NEW OFFICER FOR MORRISTOWN POLICE DEPARTMENT-** Richard introduced Ron Audet and stated that he would like the Selectboard to appoint him as a full time Police Officer for the Department effective May 26, 2014 Ron would be starting at a pay grade 12 with several certifications.

Motion made by Min Cote, seconded by Brian Kellogg to appoint Ron Audet as a full- time Police Officer for the Morristown Police Department at a pay grade 12. Motion Carried. (5/0)

2. TAX STABILIZATION- Charlie McArthur, Listing Coordinator has recently discovered that the State is mandating Towns charge tax for Commercial Solar. Charlie says the only way for Towns to get away from taxing commercial solar is to either create a Tax Stabilization for those businesses that it affects or vote to not impose the tax at Town meeting. The two that are currently being affected are Concept II and Vermont Acer. Charlie suggested a 50% Tax Stabilization for 5 years.

Motion made by Brian Kellogg seconded by Mickey Smith to approve Tax Stabilization for Concept II and Vermont Acer for a period of 5 years at 50%. Motion carried (4/0) Bob Beeman Abstained.

Dan Lindley, Town Administrator asked the Selectboard to add the Warned Hearing for Zoning Bylaws to New Business as this was left off the Agenda but was warned properly.

3. MOCO CORN ROAST REQUEST- Tricia Follert, Community Development Coordinator on behalf the of Morristown Food Coop would like to have a beer tent at the Oxbow for the Corn Roast. This would only be for the last Music Series event. Jack Pickett would be the licensed server. Richard Keith, Chief of Police was ok with having a beer tent at the event.

Motion made by Mickey Smith, seconded by Brian Kellogg to approve use of Oxbow for a Beer Tent at MOCO Corn Roast with Jack Pickett as the Licensed Server. Motion carried. (5/0)

4. ROAD ACCEPTANCE POLICY- We have had a few inquiries about the Town taking over more roads. The Selectboard had wanted to review the policy and update it to coincide with the Town Plan. The Town Plan states that the Town won't take on any roads unless there are 5 houses on the road, where as our Road Acceptance Policy says 3 houses is acceptable. Steve Rae also thought we should include Complete Streets in the policy. The Selectboard would like Todd and Dan to work together to develop a new more updated Road Acceptance Policy. There were mixed feeling amongst the Selectboard members on whether we should be taking over any more roads at this time.

Motion made by Steve Rae, seconded by Min Cote that Town *not* accept any roads with the exception of roads having to do with the bypass for a period of one year while the Selectboard reviews the Road Acceptance Policy. Motion carried (5/0)

5. **DRB APPOINTEE PROCESS-** Todd Thomas, Planning Director mentioned that there is an open seat on the Development Review Board and the DRB has interviewed John Gloss and would like to recommend to the Selectboard and the Trustees to appoint him to the DRB. At a previous meeting with the Trustees Mickey had suggested an interview committee with two members of the Selectboard and two members of the Trustees to hold the interview and then go back to their respective boards and make a recommendation. Mickey and Bob volunteered to be a part of the committee. Todd will get in touch with the Trustees and set up a time to meet possibly before the Trustees next board meeting.

6. PINSLEY MANOR STORMWATER TIE IN- The developer purchased 99 Brooklyn Street and the entrance to Pinsly Manor will be relocated through the to be razed house to appease the neighbors' concerns in E-court and Act 250. The relocated driveway entrance to the project will require that some stormwater that will need be tied into the Town stormwater system on Brooklyn Street. Mike Day, Village Foreman has looked at it and is ok with the design, as it decreases the rate of runoff and volume for the one-year and ten-year storm events when juxtaposed with existing conditions.

Motion made by Min Cote, seconded by Steve Rae to approve Storm water tie in for Pinsley Manor. Motion carried. (5/0)

7. STATE OF VERMONT DRINKING WATER LOAN FUND FOR CADY"S FALLS- Todd Thomas, Planning Director, is seeking permission to add the Towns name to the list for the Drinking Water Loan Fund provided by the State. This could entitle us to free money to draw engineering plans to help Cady's Falls Water Co-op hook onto the MW&L water system.

Motion made by Min Cote, Seconded by Steve Rae to add our name to the list for the State of Vermont Drinking Water Loan Fund. Motion carried. (5/0)

8. HEARING FOR CHANGES TO ZONING BYLAWS-

<u>Morrisville/Morristown Zoning and Subdivision Bylaws Table of Contents (abbreviated):</u>
I. General Provisions / II. District Establishment and Regulations / III. Special Protection Areas / IV. General Regulations / V. Special Regulations & Provisions / VI. Administration and Enforcement / VII. Subdivision Application and Approval Procedure / VIII. Subdivision General Requirements and Design Standards / X. Definitions / XI. Zoning District Boundaries

Morrisville/Morristown Zoning and Subdivision Bylaws Statement of Purpose: To provide
for orderly community growth, to provide for public health, safety and welfare and to achieve the purposes set forth in the Vermont Municipal and Regional Development Act VSA 24, Chapter 117 and the Municipal Development Plan.

Proposed amendments to the Morrisville/ Morristown Zoning & Subdivision Bylaws are:

a. §214 COM Zone: Decrease minimum commercial lot size, reduce commercial setbacks & increase minimum area per residential unit
b. §243-244 SI Zone: Eliminate Multi-Family residential use
c. §280 INN Zone: Create Innovation Zone
d. §310 Airport Hazard Area: Delete hazard bylaw as recent State takings make it redundant
e. §424.4d Accessory Apartments: Delete Conditional Use requirements to ease Accessory Apartment permitting
f. §425 Fences: Rewrite Fence regulations, making common fence forms allowable by-right
g. §470 Signs: Strike existing Sign regulations and replace with proposed
h. §660 Local Act 250 Review: Delete requirement, Morristown is not a MAPA community
i. §670 Local Downtown Tax Credit Review: Delete requirement as review doesn't happen
j. §1020 BE Zone: Removes Bridge St & Cadys Falls Rd sections from BE Zone
k. §1054 Industrial Zone #4: Eliminates IND Zone #4 and Removes Trombley Hill Industrial Park there from
l. §1151 Innovation Zone #1: Establishes INN Zoning for Trombley Hill Industrial Park
m. §1152 Innovation Zone #2: Establishes INN Zoning for Bridge St & Cadys Falls Rd sections of BE Zone
n. §910 Other Definitions: Augments Building Height definition, removes all Airport Hazard Area definitions, removes all Fence definitions and replaces existing Fence definitions with a new definition of Fence
o. Zoning Change Reporting Form

Location where full text may be examined: Copies of the full text of the proposed amendments are available at the Morristown Town Clerk's Office & Zoning Administrator's office. Please contact Todd Thomas at 888-6373 or by email at tthomas@morristownvt.org with questions.

V. OLD BUSINESS

1. REVIEW & APPROVE INTINERANT VENDOR POLICY- Staff made the changes as requested by the Selectboard at the last meeting. Selectboard reviewed and requested changes to Section D. Change wording to read "for each license period" rather than "each license year" and change wording in Section H. to read "The operation on school grounds is regulated by the Lamoille South School District" rather than "The operation on school grounds is prohibited.

Motion made by Brian Kellogg, seconded by Min Cote to approve Itinerant Vendor Policy as presented with changes as discussed. Motion carried. (5/0)

2. BASIC EMERGENCY OPERATIONS PLAN(BEOP)- Reviewed BEOP as presented. There were still a few changes to be made such as add Dan Lindley Town Administrator cell number, add Min & Brian as Selectboard members.

Motion made by Brian Kellogg, seconded by Steve Rae to approve BEOP as presented with changes as discussed. Motion carried. (5/0)

VI. BOARD OF LIQUOR CONTROL

None

VII. TA REPORT

1. Maple Street is about 2 weeks ahead. There are some existing waterlines that are in the right of way. When it comes time to do the storm water structures we may have to install smaller structures than what was ordered. Planning to start the Storm water project July 1, 2014. Also looking into having a curbing company come in and set the curbing, which will make the project go faster.
2. The next meeting will need to be Tuesday May 27 to allow for Memorial Day.
3. We finally have an agreement on the table for the State Police office rental in our Public Safety Building.

VIII. SELECTBOARD CONCERNS

Min Cote- none

Steve Rae-

- There are several large holes that could use some patching around Town.
- When will the crosswalks be painted? Dan said they just finished sweeping the village and plan to paint as weather allows.
- Is there a policy on sending out emails, and if not, maybe we should have one so that there is a procedure? Dan said we do not have a policy, once information hits our office it is public record.
- What is the verdict with the weld on the Highway Truck? Dan said that Roland is working with Clarks, but Dan thinks we should have Clarks come in and meet with the Selectboard.
- Do we need a subcommittee to work on the Road Policy? Dan will work on this with Todd's help.

Brian Kellogg-none

Bob Beeman- none

Mickey Smith- none

VII. CONSENT AGENDA

Motion made by Min Cote, seconded by Brian Kellogg to approve consent agenda as presented. Motion carried (5/0)

IX. OTHER BUSINESS

Motion made by Min Cote, seconded by Brian Kellogg to enter Executive Session for Personnel, Real Estate to include Dan Lindley Town Administrator. Motion carried. (5/0)

Motion made by Min Cote, seconded by Mickey Smith to come out of Executive Session and enter Regular Selectboard Session. Motion carried. (5/0)

Motion made by Min Cote, seconded by Mickey Smith to approve the draft Emergency Management Supervisor Job Description. Motion carried. (5/0)

Motion made by Brian Kellogg, seconded by Steve Rae to adjourned the meeting at 8:45 PM Motion carried (5/0)

Respectfully submitted and filed this 14th day of May, 2014

Erica Allen, Scribe

Please note that all minutes are in draft form unless otherwise state and are approved at the next meeting.