



Town of Bolton  
3045 Theodore Roosevelt Highway  
Bolton VT 05676  
Select Board Minutes  
July 21, 2014

Board members present: Josh Arneson, Gene Armstrong, Jen Dudley-Gaillard, Ron Lafreniere; Chair, Sharon Murray  
Board members absent: none

Also present: Eric Andrews, Dave Hardy; GMC, Susan Shea; GMC, Mike DeBonis; GMC, Kate Willard; SOV, David Parot, Steve Barner, Linda Baker, Cara Labounty, Mike Gervia, Paula Gervia, Ray Atwood, Paul Allison  
Clerk: Amy Grover

1. **The meeting was called to order at 5:47 p.m. by Ron with a quorum present.**

2. **Changes or additions to the agenda – Steve Barner, town website.**

3. **Public comment – none.**

4. **Appointments –**

1. Eric Andrews – reported on highway department work and equipment:

- Pricing for stump grinder rental would be more expensive than Barrett's service. The Board gave approval for stump grinding on Boulder Wood Lane by Barrett's. Town will seed and mulch.
- Pricing for replacement of a 32" culvert on Notch Road 40' long: 4' for \$1710, 5' for \$2,308. The Board gave purchase approval for the 5' culvert which will be delivered on site when work ready to take place.
- Currently completing annual ditching and mowing on the Bolton Valley Road.
- Ten culverts need to be flushed.
- A meeting with the state regarding wash out from the state gravel pit on Duxbury Road is scheduled.
- A meeting with a Bolton Valley Road resident to assess moving a driveway and replacing the driveway culvert is scheduled. Noted: driveway work may help with area drainage.
- Road name signs have been ordered, checking pricing on speed limit signs.

2. Dave Hardy, Susan Shea, Kate Willard, Mike DeBonis – Green Mountain Club: transfer to state of the Miriam Thomas Parcel. Sharon Murray recused herself and moved to the audience stating that she had served on the DRB that issued the subdivision permit for the Thomas parcel that conveyed the land to the GMC. Representatives noted that:

- The GMC had purchased 123 acres of the Miriam Thomas parcel as an integral part of the Bolton Long Trail relocation project.
- The GMC was seeking a letter of support from the town to transfer the parcel from ownership by the GMC to the state of Vermont.
- The Smith parcel lies to the south, the Uplands parcel to the north, and this parcel will connect the two, carrying about a mile of the Long Trail.
- The parcel will remain as working forest land.
- Because the Bolton Uplands were originally part of Bolton Valley Resort with an Act 250 permit, the GMC has to amend the permit for the trail relocation.

David Parot questioned the property tax impact, taxes that would be paid on the Winooski Bridge, the necessity of the bridge, PILOT payments on the Nordic Lands, and noted concern about nuisance behaviors, vandalism, burglary, continued loss of taxable property, GMC management, state management of property, and lack of habitat studies.

The Select Board questioned the PILOT funding changes at the end of the legislative session.

GMC representatives responded that:

- PILOT payments were remaining at 2013 levels, that the tax impact on the Thomas parcel was positive; in the town's favor.

- The use of the parcel was consistent with the Town Plan.
- The parcel would be incorporated into the overall management/long range plan of the Mt. Mansfield State Forest. Noted: that plan had opportunity for public comment, and was available for review.
- The GMC has a long record of success in managing the Long Trail system, and that the relocation and bridge project in Bolton would be one of the jewels in the Long Trail system.

Steve Barner and Linda Baker noted that there was nothing in this transfer of ownership or use that was inconsistent with the Town Plan, and that the Planning Commission supported the transfer and relocation project, which addressed the preservation of an important wildlife corridor and recreational opportunities. Linda noted that if there came a time when there were behavior or management issues the town would follow up with the GMC as needed.

The Select Board noted that they would review the information and would be in touch with the GMC.

3. Cara Labounty – FEMA. Cara noted that:

- There was additional funding left from the FEMA buyout funds which were providing grant funding to residential and commercial property owners to elevate structures in the flood zone.
- Elevation one foot above the BFE would mitigate future damage, reduce insurance premiums.
- Piers would not be utilized due to infrastructure needs in VT, fill would be used.
- The grant would provide funding for 75% of the costs.
- Property owners would be responsible for the 25% match, and would sign off on such. There were other grant funding sources available for the 25%, with the potential of 100% of the cost being funded.
- The town of Bolton would be the sub applicant, with grant deadline of August 4, 2014.
- There is interest from 25 property owners in Bolton and Richmond, and work on elevational certificates (at a 50% reduced cost), and pricing from contractors and house movers is beginning.
- The grant application would require the signature of the Select Board Chair.

The group discussed the rationale and the process of elevation, noting that Bolton regulations allow fill.

The Select Board noted:

- Concerns regarding availability of the 25% funding and the town's possible responsibility should a property owner be unable to pay that portion.
- Regulations would require DRB approval.

In response, Cara noted:

- Property owners would have until spring 2015 to get their 25% funding in place, and could opt out at that time if they were unable to secure funds.
- DRB permitting would take place in one hearing in one night.

Sharon made a motion "to authorize Ron Lafreniere as Select Board Chair to sign necessary applications on behalf of the town." Jen seconded. There was no further discussion. All were in favor and the motion passed (5-0).

4. Linda Baker – Park and Ride grant opportunity. Linda noted that:

- The Bolton Town Plan refers to a park and ride facility.
- Grant funding is available for a park and ride facility, the town fits application criteria, and the application deadline is 8/31.
- The Select Board had voiced prior concerns about winter maintenance and associated costs of a park and ride facility.

Sharon made a motion "to support the Planning Commission's proposal to apply for a park and ride facility grant."

Jen seconded. Discussion included the need for location proposals and community input on use and location.

Suggestion for a future survey on the town website. One was in favor and the motion failed (1-4).

5. Steve Barner – town website. Steve noted that:

- He had emailed the legislature as a citizen (not as a representative of the town), regarding the open meeting law website requirements essentially being a mistake.

- Deb Shelby had volunteered to help with the website redesign.
- The town will need a hosting service, fee \$200, well under the \$500 line item for the website.
- Training for posting to the website will be needed.

Josh noted he was drafting a letter for town board chairs regarding requirements and expectations to meet those requirements.

## 5. Business and Action Items:

BVFD Loan Refinance: Jen gathering more information from Merchant's Bank. Sharon to check possibility of a bond. Discussion to continue. Noted: ample time available to render a decision.

### New Business

#### 1. Curb Cut - Kenneth Phillips, Wentworth Road:

- Josh made a motion "to approve the curb cut permit of Kenneth Phillips with the condition that the original curb cut be removed and there be no U shaped drive through with 2 access points." Gene seconded. There was no further discussion. All were in favor and the motion passed (5-0).

#### 2. Set Tax Rate 2014 -2015:

- The group reviewed estimated non-tax revenue, budget information, the education rate information from the state (Residential/Homestead Education Rate: 1.7056, Non-Residential Education Rate: 1.5048), prior tax rates, and rate formulas.
- Josh made a motion "to set the municipal tax rate for the 2014 – 2015 tax year at .53 per \$100 of assessed value" Sharon seconded. There was no further discussion. All were in favor and the motion passed (5-0).
- Tax rates for the 2014 – 2015 are as follows: Residential Tax Rate: 2.2346. Non-Residential Tax Rate: 2.0348. Noted: the increases in the rates are primarily due to the increases in the education rate set by the state.

#### 3. Maintenance Town Office and sign:

- Amy noted the front posts and sign were rotting.
- The board authorized Amy to contact a contractor to repair the front posts and to get sign pricing.

#### 4. BVFD/Parking Lot:

- Parking Lot:
  - Mike Gervia noted that fully loaded Route 2 project trucks had been utilizing the BVFD parking lot. His understanding was that they had been instructed not to do so – the pavement is starting to break up.
  - Amy will contact Francine Perkins regarding this, and provide photographs.
- Harrington Parcel access:
  - Mike noted he had been contacted by Philip Harrington regarding access to his parcel off of the Bolton Valley Access Road.
  - Mike expressed his concerns in meeting regulations requirements: grades/slopes, lack of pull outs, lack of capability to turn around, non-access in winter.
  - The board requested that Mike relay all those concerns and information to Mr. Harrington.
- BVFD Bylaws:
  - The group reviewed the BVFD bylaws and identified areas in need of clarification including the BVFD list of charges last adopted in 1999, insurance billing/coin drop revenue, BVFD insurance requirements, and the larger question of BVFD's place within the town structure.
  - Mike to review and attend August 18<sup>th</sup> meeting with information.

#### 5. Litigation:

- Sharon made a motion "to authorize legal counsel from the town's law firm of Stitzel Page and Fletcher to enter an appearance on behalf of the town of Bolton in Docket #152-2-14Cn Cv." Josh seconded. There was no further discussion. All were in favor and the motion passed (5-0).
- Gene made a motion "to authorize Ron Lafreniere and Jen Dudley-Gaillard to represent the Select Board in mediation with the 4 x 4 Center, Docket #175-12-13Vtec." Josh seconded. There was no further discussion. All were in favor and the motion passed (3-0).

6. Warrants: Signed
7. Minutes July 7, 2014: Gene made the motion "to approve the minutes of July 7, 2014." Josh seconded. There was no further discussion. All were in favor and the motion passed (5-0).
8. Executive Session: Sharon made the motion "to enter executive session under Title 1 VSA § 313 (a.) (4.), a disciplinary or dismissal action against a public officer or employee; but nothing in this subsection shall be construed to impair the right of such officer or employee to a public hearing if formal charges are brought." Josh seconded. There was no further discussion. All were in favor and the motion passed (5-0) at 7:41 p.m. Gene made the motion "to exit executive session." Jen seconded. There was no further discussion. All were in favor and the motion passed (5-0) at 7:58 p.m.
6. **Communications:** None
7. **Other Business:**
- Josh noted that areas at Bolton Valley and Country Club Condominiums could be used to post town notices.
  - Josh noted he would be away for the August 4, 2014 meeting.
8. **Closing:** No other business was brought before this Board at this time. Gene made the motion "to close the meeting." Josh seconded. There was no further discussion. All were in favor and the motion passed (5-0), at 9:40 p.m.

Attest: Amy Grover, Clerk

*Minutes are unofficial until approved. These minutes were read and approved by the Bolton Select Board on:*

August 4, 2014



Ron Lafreniere, Chair, For the Board