

**SHARON SELECTBOARD  
SPECIAL MEETING  
Minutes (Final)  
Monday, February 3, 2020**

Selectboard Members Attending: Joe Ronan, Kevin Gish, Mary Gavin  
Staff Attending: Deb Jones (Finance Manager), Margy Becker (Selectboard Assistant), Frank Rogers (Road Foreman)  
Public Attending: Nathan Potter, Fire Chief; Susan Root and Becky Owens, Emergency Co-Coordinator; Dale Potter (resident); Jimmy Potter, Road Foreman (Pomfret); Emily Grube, Selectmen (Pomfret).

Meeting was called to order by Joe Ronan at 6:30PM.

**1. Approval of Agenda**

**A motion was made by Mary Gavin to approve the agenda without changes. Kevin Gish seconded. The motion carried.**

**2. Selectboard Member Reports:**

Kevin Gish reported on a visit with the State Police to discuss issues of concern to the community. Residents are encouraged to keep reporting their observations and concerns to the VSP. Although all reports may not be actionable, they may help solve cases.

**3. Approval of Minutes:**

**Kevin Gish made the motion to approve the minutes of January 16, 2020 as submitted. The motion was seconded and carried unanimously.**

**Mary Gavin made the motion to approve the minutes of the January 22, 2020 special meeting as submitted. Kevin Gish seconded. The motion carried.**

**Mary Gavin made the motion to approve the minutes of the 7:30AM January 23, 2020 special meeting without changes. Kevin Gish seconded. The motion carried.**

**Kevin Gish made the motion to approve the minutes of the 4:00PM January 23, 2020 special meeting as submitted. Mary Gavin seconded. The motion carried.**

**4. Crescent Lake Dam: Concerns about Public Safety**

Members of Sharon Fire Department and concerned residents met with Selectmen to discuss information presented in a recent State inspection report of the Crescent Lake Dam. The lake is located on Downer Road. The 2019 inspection report from June 18th lists the dam in poor condition and further describes it as being a "significant" hazard. The last documented

inspection of the dam was August 7, 2014. Over the years the State's inspection reports have been sent to the landowner only. The Town has, historically, not received copies of the reports. But the property has been for sale, and a potential buyer affiliated with the SFD obtained a copy of the 2019 state inspection report and shared the report with the department. Due to the alarming statements contained within the 2019 inspection report, the Town requested and has since received, a comprehensive record of inspections from the VT ANR. As Mary Gavin noted, there have been problems noted with the dam since the 1950's.

Nathan Potter shared the SFD's concerns about life safety, as there are downstream residences that would be severely impacted if the dam should breach. Portions of Downer Road, Beaver Meadow Road, and Rte. 132 could be lost in a breach situation. The 2019 report lists recommendations for maintenance activities aimed at decreasing the risk of dam failure until proper repairs are made. Selectboard members agreed with the SFD that the immediate priority should be to assure that the water level is lowered, as suggested in the inspection report.

Dale Potter recommended that the Town submit a letter immediately to the ANR to notify the agency of its concerns and to inquire if the ANR could issue a type of emergency order that would compel the landowner to take some corrective actions. He suggested there might be funds available from the State to assist the landowner with emergency repairs.

Discussions concluded with an agreement that Chair Joe Ronan would confer with the landowner, Shawn O'Leary, as soon as possible and then follow-up with the State.

**5. 2020 Paving Bid Specifications:**

Horizons Engineering is recommending a bid addendum address a potential requirement for a performance bond. After brief discussions with Emily Grube (Pomfret Selectmen) and Jimmy Potter (Pomfret Road Foreman), **Mary Gavin made the motion that Horizon's Engineers proceed to amend the bid advertisement with the statement "the Town reserves the right to request a performance bond". Kevin Gish seconded the motion. The motion carried.**

**6. Horizons Engineering – Contract Amendment:**

Selectmen reviewed Horizons' proposed contract amendment for planning and pre-construction services. The \$9,000 amendment, if approved, reflects a 30% increase in pre-construction engineering costs. Deb Jones reiterated these engineering expenses were not in the original project estimates. After further discussions and consensus as to the need to put a ceiling on engineering costs, **Mary Gavin made the motion to accept Horizon's proposed contract amendment for a total amount not to exceed \$29,200 through bid award. Kevin Gish seconded. The motion carried.** Joe Ronan agreed to follow-up with Emily Grube.

**7. Annual Weight Limit Reporting:**

This is the time of year towns are asked to report special weight limits to the VTRANS. Margy Becker reported she has yet to determine how the 60,000 lb. special weight limit posted on Bridge 15 over the White River could be made valid. The Town stopped filing weight limit reports after 2009, and it has not adopted an ordinance that would enable enforcement of special weight limits. Margy Becker and Frank Rogers will attend an upcoming seminar on weight limits and report back to the Board.

#### **8. Execution of General Obligation Bond Documents:**

Selectmen proceeded to execute bond-related documents for 2020 paving projects as follows:

**Kevin Gish made the motion to approve and sign the Resolution and Certificate for a general obligation bond. Mary Gavin seconded. The motion carried.**

**Mary Gavin made the motion to execute the Loan Agreement. Kevin Gish seconded. The motion carried.**

**Mary Gavin made the motion to sign the Municipal Tax Certificate. Kevin Gish seconded. The motion carried.**

**Mary Gavin made the motion to approve and sign the General Obligation bond for 1.1 million. Kevin Gish seconded. The motion carried.**

**Mary Gavin made the motion to authorize the Chair to sign the commitment memo to the Vermont Bond Bank. Kevin Gish seconded. The motion carried.**

#### **9. Road Foreman Reports:**

Frank Rogers reported the one-ton truck is in need of a fuel tank ( $\pm$  \$1,600) and the repair is underway. The new one-ton truck is to be delivered in April. Truck #2 has an oil pan with a hole, and Fairfield's hydraulic hoses have created the problem. Fairfield has been put on notice. Repairs will cost approximately \$978. Frank cautioned the plow on Truck #1 is worn out and will need to be replaced by next winter. He estimates the cost to replace the plow is approximately \$8700. The crew has been installing cold patch.

#### **10. Emergency Health Order – 2854 Fay Brook Road:**

Action on issuance of an emergency health order was suspended at the request of the Health Officer, who has been called out-of-town. Town staff will put the property owner on notice via email that repairs are needed to address requirements of the VT Rental Housing Code.

#### **11. Ashley Community Forest – Proposed Inter-local Agreement:**

Joe Ronan reported Paul Gillies is in the process of performing the legal review of the proposed inter-local agreement (“ILA”) on behalf of the Towns of Sharon and Strafford. Board members noted the AVC commissioned its own legal review of the ILA by a VT Law

School faculty member. Selectmen plan to attend one or both upcoming public information meetings on the Ashley Community Forest proposal to observe and hear comments from each community.

A tentative joint meeting of Sharon and Strafford Selectboards has been scheduled by the AVC for February 19<sup>th</sup> or 20<sup>th</sup>. Selectmen Joe Ronan and Mary Gavin shared their opinions that they were not ready to meet then, since Paul Gillies has yet to complete his legal review. Kevin Gish suggested he would be willing to attend the meeting IF the Board receives Paul Gillies' comments on the ILA soon.

## **12. Selectboard Assistant Reports:**

- a. Town report: a final draft of the report has been submitted to the printer.
- b. Fire Marshall Inspection of OSH Fire Alarm System: Margy Becker reported the Town had received a communication from Bruce Martin stating the Town had taken all necessary corrective actions to address the findings in his inspection report. The one outstanding finding not yet addressed is the requirement to have ARC conduct the boiler inspection for 2020. Margy Becker noted she will follow-up. She also reported that Countryside Lock & Alarm had indeed secured the necessary permit for work performed on the alarm panel in 2016. The Town has received a copy of the permit.

## **13. Approval of Warrants:**

Check and payroll warrants were reviewed and approved.

## **14. Adjournment:**

**Mary Gavin made the motion to adjourn at 8:30PM. Kevin Gish seconded and the motion carried unanimously.**

Submitted by,  
Margy Becker