

NOTICE

Town of Lowell

SELECT BOARD MEETING

THE LOWELL SELECTBOARD WILL MEET ON

Tuesday October 17, 2017 AT 5:30 P.M.

AT THE TOWN OFFICE BUILDING.

AGENDA:

- Approve minutes of October 3rd, 2017 meeting
- Sign Orders
- Arlon Warner and Scott Tallman-Kempton Hill Bridge
- Tonya and Randy Langmaid- Grievances
- Other Business

SELECTBOARD:

Richard Pion- Chm.

Alden Warner

Dwight Richardson

MINUTES

SELECT BOARD MEETING

TOWN OF LOWELL

Meeting held on October 17, 2017 at 5:30 p.m.

Board members present:

Richard Pion/Chair, Alden Warner, Dwight Richardson

Christy Pion/Select Board Clerk

Calvin Allen/Road Commissioner

Sandy LaDeau/Town Clerk & Treasurer

Meeting was called to order at 5:31 p.m.

Guest:

Arlon Warner-Kempton Hill Bridge

Scott Tallman- Kempton Hill Bridge

Tonya Langmaid- Grievances

Randy Langmaid- Grievances

Discussion:

- Board reviewed minutes of October 3rd, 2017 meeting, approved unanimously.

Sign Orders:

- All Financial Orders were signed by the Select Board, approved unanimously

Tonya and Randy Langmaid:

- Tonya and Randy Langmaid attended the meeting instructed by Gordon Spencer to express their grievances for a driveway permit that was granted to a bordering neighbor. (Douglas Hill)
- See Attachment A
- Richard asked if Mr. Hill was totally on his own property, and the Langmaids answered "yes".
- Another Langmaids concern was the amount of water that flows during the rainy and snow season.

- Richard made an on-site visit and found that digging being performed, was 15 ft. from the line. Tonya Stated that she was advised to state their grievances to the select board so there would be a record of the grievance.
- Calvin expressed to the Langmaids that he had spoken To Mr. Hill regarding driveway permit requirements and limitations, and that. Mr. Hill would have to go through ANR (Agency of Natural Resources) for anything outside road rights-of-way.
- Richard suggested they call ANR to see what information they have about the situation with the rivers. Tonya and Randy will let the Board know what they find out after they investigate further into this situation.

Arlon Warner and Scott Tallman- Kempton Hill Bridge:

- Arlon and Scott came to the meeting for an update on what progress has been made on replacing the Kempton Hill Bridge since our last meeting and what actions will be taken before winter sets in.
- They presented the board with a questionnaire with 2 questions on it.
- See Attachment B for the Questions and replies.
- Sandy helped with answering the questions on what we have done since the last meeting held on October 3, 2017 since she has done a lot of the investigating on trying to get the bridge replaced. She also has attached what she has done in the research to attachment B
- Calvin had been InTouch with VTRANS and they stated that they would not be able help with this and that there wasn't really any money there for bridges, they also said that if they were to pursue this it would put us at the bottom for any future grants, and may not be granted one again for at least 5 to 6 years. Arlon stated he was also told the same from VTRANS that they would not be able to help.
- Alden presented a drawing of a bridge and thought we could possibly put it in for just under \$200,000. He figured we could use the existing abutment on the end towards the hill set the bridge on, and extend the bridge 10 to 12 feet on the other end to set on a new abutment. Dwight asked why we couldn't put the same kind of bridge back like the one that is already there. A lot of the work we could do ourselves. Calvin talked about liability issues and stamp of approval from the state. Alden stated that if we built a turnaround extending more than 25 ft. from the center of the road ~~and~~ we would need to get a permit from the land owner. What happens if the land owner does not give permission, or if he sold the property, would the new owner give permission. Richard had asked Calvin to get some road grade percentages on other roads in town and he found that some were the same and others were a bit higher than Kempton hill. road Alden stated that there is really no way from Arlon's house to get a run on the hill to make it up it in the winter time. Scott stated the corner in the hill is very hard to get up and around during the winter months.
- Dwight recommended calling Brian Richardson at CCS and have him come out to give an estimate on what it would cost to rent the crane and do the bridge. Arlon stated that a maybe bridge can be set up in 10 ft. sections, Calvin agreed, but would still need a crane to put each section in place for support.
- Richard stated the biggest problem he has is that we are not going to get any state help, it will be all out of Town funds no matter what the cost is, and it will be the tax payers that will have to pay for this bridge. If the State would pick up 75% of the cost like they do no other bridges, it would be a totally different story. Richard feels that before we do anything we should put it to a town vote to see how the tax payers feel about it. He feels this decision should not be left up to the Selectboard to spend that kind of money without a town vote. He feels it should always go to the voters before spending any amount of money. Especially without the states help, he has nothing against anybody, he just doesn't feel comfortable spending that kind money with just the 3-selectman making that decision.
- Richard also stated if it was to be put to a town vote, he would like to see it posted in 2 articles, one would be to see if the town wants to spend the money to rebuild that bridge, and if they voted that down the second one would be to see if the voters wanted to discontinue that road from Arlon's driveway to the Valley road.
- Arlon asked Richard if he meant having a special town meeting, and Richard replied it could be Arlon feels that if the road from his drive to the valley road were discontinued, it would be very difficult for emergency vehicles to get up and down the steep hill safely, if even possible. Arlon stated that Vermont State Law title 19 clearly states that it is the town's responsibility to maintain class 3 town roads and bridges, and state law trumps a town vote, Richard replied that there may be other laws that contradict that
- Arlon asked what our answer would be for his second question (see attachment B), is it that there is going to be no action taken? Richard stated we are going to put in a turn around, so Calvin can turn around to sand the road

- It was decided by the Selectboard unanimously to hire an attorney to see what his opinion is pertaining to Vermont law, and what options the town has.
- Richard asked Sandy to send the material of this matter to our lawyer to find out his thoughts on this, Sandy agreed to do so.
- Calvin asked the Selectboard if he had the go ahead to put in the turnaround on Kempton hill, the answer was yes.

Other Business:

- Calvin reported to the board that the project of the retainer wall on Stephenson road was finished and done under budget
- Calvin notified the Board that Jason from VTRANS would be coming out, the next Better roads Grant request is due.

Board Warrants:

General Order #31-	\$ 1,057,588.77
General Order #32-	\$ 23,974.00
General Order #33-	\$ 2,122.00
General Order #34-	\$ 1,288.89
Payroll #21-	\$ 4,561.98
Payroll General #21-	\$ 16,390.00
Payroll General # 22-	\$ 2,955.65

Signed by the Board for the Treasurer to draw checks totaling - **\$ 1,108,881.29**

Meeting adjourned at 7:20 p.m.

Next meeting date: October 31, 2017 at 5:30 p.m.

Richard Pion- Chm.

Christy Pion – Selectboard Clerk

Alden Warner

Dwight Richardson