

**Final** Minutes  
SELECTBOARD, TOWN OF PAWLET  
June 19, 2018  
7:00 pm at Pawlet Town Hall  
Regular Meeting

Members in Attendance:

Bob Jones  
Mike Beecher  
Ed Cleveland  
John Malcolm

Others in Attendance:

Kristin Powers  
Keith Mason  
Frank Nelson  
Daniel S. Banyai  
Bruce Hulett  
Rebecca Hulett  
Jerry E. Austin  
Ray Duquette Sr.  
Anne Hadeka  
Gary Hadeka  
Steve Williams  
Barbara O'Connor  
Beth Moser Duquette  
Paul Tilander  
Michelle Tilander  
Valerie Davis  
John Davis  
Dolores Luebke  
Eli-Anita Normal  
Martin Kravitt  
Monica Kravitt  
Rich Hulett  
Lowell Ferguson  
Mandy Hulett  
Rita R.  
Eric Mach

## EVENT

1. Call to order at 7:05 pm
2. Addition or Deletion of Agenda Items
  - a. Additions: Mr. & Mrs. Duquette added under Appearances by Local Citizens and Visitors and Library Trustee Appointment discussion under New Business.
  - b. Deletions: None
3. Introduction of those present by chairperson
4. Approval of minutes from previous meeting
  - A. Motion to accept the Minutes of June 5, 2018 with no edits made.
    - Mover: Bob Jones
    - 2nd: John Malcolm
    - Discussion: No further discussion therefore the minutes are approved (unanimous).
5. Appearances by local citizens and visitors.
  - A. Mr. Duquette Sr., on behalf of the Briar Hill/Warren Switch group, states that they have submitted an appeal and would like to inquire as to whether or not the Select Board is going to stand behind the group in the litigation process.
    - Mr. Beecher stated that the Board needed to decide on whether or not they will stand behind the DRB. He stated that there will be a decision made by the end of the meeting.
    - Mr. Duquette Sr. asked if the group should wait until after the meeting for the decision. Mr. Beecher stated that the group is welcome to but would be contacted re: the decision the morning of 6/20/18.
    - Ms. Lubeke thanks the Board for their consideration.
  - B. Mr. Kravitt discussed ongoing work on Rupert Mtn. Road, suggesting there was a lack of communication between roads crew and residents. He stated that interested residents were meant to meet with a state engineer to discuss plans for road work, which did not happen. Due to

the removal of trees along the road, Mr. Kravitt raised a concern about the remaining stumps as well as the class A stream running along the road, which he believed now would experience runoff due to the fill added to preserve the embankment. Additionally, Mr. Kravitt formally requested that the town stake the limits of the right of ways surrounding his property so that he may identify any potential negative impacts of the road work. Mr. Kravitt shared his observation of the fact that, to his knowledge, the public is informed of the specific intent and impact of road work before it begins with opportunity to discuss with the state. It does not appear that way in this situation. Moving forward, Mr. Kravitt requested more transparent communication regarding the intent of the town when embarking on road work, and what the work will entail (work scope, cleanup, remediation, etc.).

- Mr. Beecher asked the Town Road Foreman about stump removal, to which Mr. Mason stated that stumps would be cut off at grade because the phone lines are right beside them.
- Mr. Kravitt stated that fiberoptic line was terminated during a portion of the dig. Additionally, he stated that the tree removal presented a situation where we need greater protection between the road and the ravine.
- Mr. Mason stated that the aforementioned runoff is one of the reasons why we were considered for the Better Back Roads grant, which funded the work. Mr. Mason continued by explaining that the trees compounded the runoff situation by creating a larger berm. This berm created concentrated water in the road, which created a worse runoff situation.
- Mr. Kravitt inquired as to whether or not the State Engineer chose the trees to be taken down. Mr. Mason said they did not.
- Mr. Beecher shared his understanding of Mr. Kravitt's concerns, and continued to explain that the town has been utilizing these practices on class 3 town roads for many years with State guidance, though it may not be what everyone is used to.

- Mr. Kravitt requested better explanation of projects in the future and to have his right of way staked. Mr. Mason said he would establish and approximate right of way staking for Mr. Kravitt.
  - Mr. Beecher thanked Mr. Kravitt for his input. He apologized for the lack of communication for not meeting with him prior to commencement of work. Mr. Beecher thanked Mr. Kravitt for expressing his concerns with hopes that mutual satisfaction would be reached at the culmination of the project.
  - Mr. Hadeka requested a few loads of gravel to added to the convergence of Briar Hill and Buttons Falls Road. Mr. Mason responded, stating that the gravel may not last long, but they will find time to address the issue.
- C. Ms. Moser-Duquette requested that Mr. Weeded be a participant in the DRB discussion.
6. Announcements - Zoning Administrator Position has been announced and interested parties should contact Deb.
7. Reports:
- A. Zoning Administrator's Report –
- Mr. Mach was not present at the meeting.
- B. Road Foreman's Report:
- Mr. Mason states that is a time sensitive issue regarding the Route 153 Grant. Mr. Mason to work with Ms. Powers to get that submitted.
  - We have run into a wetlands encroachment issue near Mr. Browe's property. Mr. Mason will be working with a State representative.
  - Mr. Mason has spoken to the Board about this year's paving. Mr. Mason revisited the paving projects for this year and offers to fill out forms for this year with the Board's blessing. Mr. Mason is anticipating prices and is formulating bids to be put out. The Board grants their blessing.
- C. Assessor Report:
- The Board reviewed the Assessor's Report
  - Mr. Malcolm shares that he discussed the reports and the Board will be receiving reports for the Assessor and Assessor Assistant. He feels that all is going well

D. Emergency Management Director's Report- Reviewed on 6/5/18

E. Public Health Officer's Report- Reviewed on 6/5/18.

F. Town Clerk's Memo:

- The Board reviewed the Town Clerk's Memo
- Ms. Powers will follow up with Deb regarding the VLCT requirement for conflict of interest prohibition due July 1, 2019.
- The Board reviewed the Assessor's Report
- The Board reviewed the approved Zoning Permit
- The Board read Gib Mach's letter of appreciation for work done on Rupert Mountain Road.
- Re: Fred Shehadi's phone call and the section of road in question is a responsibility of the State.

G. Town Treasurer's Memo:

- The board reviewed the Treasurer's memo.
- The board signed checks.
- The Board reviewed the request of repainting the road arrows in front of the library.
  - Ms. O'Connor inquires as to whether or not we need them.
  - Mr. Duquette Sr. asks that the Road's Crew does a better job of painting lines.
  - The Board agreed that the direction of the arrows should be changed, but will continue conversations regarding how to make pleasing signage.
- Review of warrants
  1. Motion to approve the warrants
  2. Mover: Bob Jones
  3. Second: Ed Cleveland
  4. Discussion: None
  5. Result: Approved (Unanimous)
- The Board discussed the change of use permit and did agree that it was a single use dwelling based on a previous visit. Motion made to eliminate the second installment for the wastewater user fee for the two removed properties located at 3537 Route 153 in West Pawlet from errors and omissions.
  - Motion: Bob Jones

- 2nd: John Malcolm
  - Discussion: None
  - Approved (unanimous)
- h. Waste Water Treatment Facility:
- Phil Laramie moved into on 6/19/18. #2 RBC has been disassembled and Mr. Laramie shared that he is seeing abnormal results from our RBC. Next steps include having further tests done with additional parties to determine what is going on.
8. Old or unfinished business – None.
9. New Business –
- The Board approved the Appointment of the new Library Trustee, Kathryn Lawrence, to fill the remaining term of Mary Ellen Norton who has resigned. The term ends in March of 2019.
  - Frank Nelson inquired about the intersection from School St. to Rte 30 obtaining a 4-way stop. Mr. Beecher stated that this is up to the state, whom may not be interested given they did not want to slow the speed limit down.
10. The board enters Executive Session to discuss pending or probably litigation regarding the Environmental Court case involving the DRB's recent decision at 8:25pm.
- Motion to enter: Bob Jones
  - 2nd: Ed Cleveland
  - Discussion: None
  - Approved (Unanimous)
- Motion to exit executive session with no decisions made at 9:02pm.
    - Motion: Ed Cleveland
    - 2nd: Bob Jones
    - Discussion: None
    - Approved (unanimous)

- Motion made for the Select Board to support the Development Review Board in their decision to grant Mr. Banyai access to his property at 541 Briar Hill Road via non-conforming, pre-existing right of way made on April 25, 2018.
    - Mover: Bob Jones
    - 2nd: Ed Cleveland
    - Discussion: None
    - Approved (Unanimous)
  
  - Ray Duquette Sr. asked to confirm that the Board is supporting the ROW, no building. Mr. Beecher stated that this is the only issue brought about thus far, which is the only issue the Board was to discuss.
  - Ms. Hadeka stated that the approval to the ROW was not what they were after, they were focused on the non-conforming lot issue. Mr. Beecher reiterated that the case that has been brought to the Board is solely referring to the ROW. She expressed hope that the Board will stand behind them on the permit. The Board reiterated the need to take every instance one step at a time.
  - Ms. Hadeka provided an example of a shooting range in Whiting, with a result in the shooting range being shut down. She shared disappointment in the lack of support from the town. Property values will go down. Hopes for understanding of what this means for quality of life for the community members.
  - Mr. Jones reiterated that the Board is working towards being diplomatic and democratic. The group continued to share their sincere hope that the Board will support them push comes to shove.
  - Mr. Duquette Sr. states that this is not a gun issue.
  - The group suggested that there should be a cease and desist of activity at Mr. Banyai's property due to the myriad of issues going on.
11. Motion made to Adjourn at 9:21pm
- Mover: Bob Jones
  - Second: Ed Cleveland
  - Discussion: None
  - Result: Approved (Unanimous)