

## Town of Pittsford SELECT BOARD MEETING – March 20, 2024 - DRAFT

MEMBERS PRESENT: Alicia Malay, David Mills, Dan Adams, and Thomas Hooker. ABSENT: Mark Winslow. OTHERS PRESENT: Joe Repetur, Shawn Hendee, Mark Selten, Carolyn Cota, Kara Yelinek, Kelsi Record, Justin Belden, David Kennedy, Keith Maseroni, Christine Maseroni, Kevin Blow, Rick Conway, Sandy Conway, Ernie Clerihew, Ann Reed, Tom Markowski, James Dumont, Steven Jupiter, S. Barrett, Marty Pinkowski, Liz Alvarado, David Atherton – Town Manager

The Select Board was called to order at 6:45 PM by Alicia Malay.

T. Hooker stated that there was need for Executive Session for a legal matter. Motion by D. Mills and seconded by T. Hooker to add the executive session for legal. Motion passed 4-0. Alicia Malay stated there was a need to add a warrant in the amount of \$13,488.54 to the orders. Motion done by T. Hooker and seconded by D. Mills to add the additional warrant to the orders. Motion passed 4-0.

### **MINUTES:**

The March 6, 2024 regular meeting minutes were signed with no corrections. The March 4 Town Meeting minutes were signed with no corrections.

### **TOWN MANAGER REPORT:**

In an effort to expedite the meeting, Town Manager Atherton asked that the Selectboard Members read his report in the packet. His report contained the following:

- We had 10 contractors show up for the Plains Road sewer pre-bid meeting. There was discussion on the timing of the project. OCE and I felt that timing was not as important as cost and qualifications and that we would be open to adjusting the schedule.
- The Dodge Durango has been purchased and delivered to First Response. I met with the First Responders at their March 14<sup>th</sup> meeting to discuss purchasing the lights and decals. I will be contacting our radio company (CVC) to see if we can use the existing radio or replace it with a new one.
- Fire Hill Road Update:
  - The Zoning Administrator has issued Notices of Violation for 2783 Fire Hill Road and 981 Fire Hill Road
  - The Health Officer has served Public Health Order on 2783 Fire Hill Road and 981 Fire Hill Road. There is a hearing for the property owners at 6pm on March 20<sup>th</sup> in the Town Office Conference Room.
  - The Department of Environmental Conservation has been contacted and has told us that they will be scheduling visits to all of the Fire Hill Properties in violation.
  - The Game Warden has been contacted and told us there is no violation for the hanging animal.
  - The State Wetland officer has been contacted and they have not yet responded.
- Rec News:

- Scholarship Applications have been completed for summer camp. These will be offered only to Pittsford residents
- OMYA and Rec Department are partnering up for Green Up Day. Keith's Corner and Deli will be providing a light lunch of hot dogs and chips. OMYA is providing a large dumpster which will be at the town office parking lot for the community. Green Up day is May 4<sup>th</sup>.
- Community work day for the disc golf course will be scheduled for the beginning of June. This work day will clean up and make minor adjustments to the course. Hiking trail system will be scheduled for late June.
- Kiosk at the entrance of the rec area will be moved to a more accessible location. Hiking trail and disc golf course maps will be added.
- Rec director is working on obtaining information on grants to purchase a new water fountain and doggy poo dispenser stands.
- Rec director will be converting the concession stand into an offsite office. Concession stand will open with items such as water, granola bars for sale.
- Rec director scheduling meeting with all baseball and softball coaches to review expectations for the upcoming season.

**PUBLIC COMMENT:**

None at this time.

**OLD BUSINESS:**

***Appointment(s) to Fill Elected Office(s) Left Unfilled by Election:***

This topic is tabled until a full board is present. Motion made by T. Hooker and seconded by D. Mills to table this until a full board is present. Motion passed 4-0.

***Appointment(s) to Fill Vacancies among Officials, Board Members and Commissioners:***

This topic is tabled until a full board is present. Motion made by T. Hooker and seconded by D. Mills to table this until a full board is present. Motion passed 4-0.

**NEW BUSINESS**

***Policy on Dogs at Recreation Area:***

Rec Director Liz Alvarado was present to discuss the situation with dogs off leash at the recreation area. This goes against the Town's Animal Control Ordinance. It also goes against the recreation area rules. Liz explained about one particular dog that has been found off leash several times at the recreation area without the owner within sight. Liz said this dog has approached her, Joe, a child, and other local patrons. All dogs need to be leashed if they are at the recreation area. Liz showed the sign that is posted in prominent areas around the recreation area. Liz also let the Board know that she will be at the recreation area this summer, as she is turning the concession stand into an office. She will be approaching violators of the leash rules as she sees them this summer. A. Malay mentioned that people have asked about a dog park. L. Alvarado is open to the idea, but we will need to figure out costs, liability, insurance, etc. T. Hooker said that he believes the dog park would be a great idea. T. Hooker commented that every time he goes by the West Rutland one, it is being used and seems to be a great

facility. L. Alvarado pointed out that that one has the split for different size dogs too, which is a great idea.

***Bridge 108 Information Session:***

A. Malay reminded meeting participants that this is an informational session about the process ahead. Carolyn Cota from Vermont Agency of Transportation presented the stages of the Bridge 108 replacement project. C. Cota is the project manager for this project. C. Cota introduced the team from Vtrans on this project. Stephanie Barrett is the contact for on the ground issues. Belden Construction is the contractor doing the job. Both Justin Belden and David Kennedy were present for the presentation representing Belden Construction. This is a project that will take two construction seasons, with the entire project done by November 2025. The overview of the project and construction schedule, traffic control phases were all reviewed. There are approximately five phases to this project, which will have different traffic patterns due to the work being done in each stage. C. Cota showed the project limits for the roadway both North and South on Route 7. The new bridge will be a curved bridge with three lanes. There will be a sidewalk on the side of the bridge, as well. The railing on the bridge will be black when it is completed, and the water line will be attached under the bridge.

Phase one is the current phase we are in for the construction. The erosion control measures and traffic control for phase one is occurring. The railing has been removed and Belden is preparing to install the temporary bridge. By the end of May, they are hoping to have the temporary bridge installed. The temporary bridge is going over the existing bridge.

Phase two is the traffic on the temporary bridge and they start working on building the new bridge to the side of the temporary bridge. Phase two will include tearing down a section of the old bridge, have abutment one and two installed, install girders, bridge decking, sidewalk, and the railing up. Traffic will be moved back onto the new bridge portion at the end of phase 2. Once traffic is moved back onto the new bridge portion, the remainder of the old bridge will be taken down. The water line will be put onto the pedestrian temporary bridge to keep the water line up and running during construction. The new water line will be installed after the fact. Traffic will shift again for phase two. There will be one lane of traffic each way for the temporary bridge. Traffic will be very slow moving over the bridge due to the corners.

Phase three is traffic on the new bridge that has been built, with the remainder of the bridge being built with abutments, girders, bridge decking, and railing. Traffic control will be limited and tight due to the construction occurring.

Phase four and five is Route 7 reconstruction after the bridge has been fully installed. This will be up to Belden Construction to oversee and decide how best to proceed with the changes that need to be done to Route 7 per the plans. There will be lane shifts during this process.

There will be two weekend closures of Route 3 and Route 7, with notice given. One of these will be when they are installing the temporary bridge. There will a detour in place before the road

closures occur. This is due to the amount of space for the project and not having enough room to move around with some of the materials.

Before construction started, signs went up on Route 4 letting truck drivers know that Route 3 is under construction and that they should stay on Route 4 to Route 7 through the city, instead of taking Route 3. Route 3 is going to be a very tight intersection through this construction.

There may be some occasions when the intersection of Oxbow and Route 7 will be closed. There will be a detour provided and notice given ahead of time.

A woman in the audience asked if there were any timeframes given for this project. C. Cota stated that phase one should be done by approximately the middle of May. The traffic will be shifted onto the temporary bridge at this point, and the traffic should be back onto the new portion of the bridge by the late Fall. Once the traffic is on the new bridge, the temporary bridge will be coming out. Their goal is approximately December for this. There will then be a winter shutdown, then the building of the other half of the bridge will occur. Once the bridge is done, the water line, sidewalk, and earth work will be completed. All of this wraps up by November 2025.

R. Conway asked when the temporary pedestrian bridge will be in place. Belden stated it will go up right after the temporary bridge is built. They are building it on the current bridge, and then will move it into place when it is ready. This may be the end of May or beginning of June according to C. Cota.

Ernie Clerihew asked if there was ultimately going to be any form of traffic control at that intersection like a blinking light. C. Cota stated there will not be any lights. There will be stop signs on Oxbow and Route 3. The numbers do not warrant a traffic signal at this time.

There were questions on lanes going north and south. It will be much like it is now. If you are coming from the North and heading South, you will need to make a decision on if you are going right onto Route 3, left onto Oxbow, or straight toward Rutland.

J. Repetur asked about the signs on Route 4. C. Cota stated that they are asking for trucks to stay on Route 4 instead of going down Route 3 due to this construction. There is Vtrans staff available to handle safety/traffic concerns during this construction.

Question from the audience to Belden – Are there any surprises? How does the project feel? J. Belden stated that the bridge is in poor shape, the stone is where it is supposed to be according to the plans, so it is a good start so far. We are hoping the project goes smoothly. C. Cota asked how hard it was to take the railing off. They cut one bolt and the railing fell off. The jersey barriers were a good idea.

E. Clerihew asked if the slip lane is gone when the project is done. C. Cota said the slip lane is gone. She went over the traffic pattern and how it will look once the construction is completed.

During construction, there will be one lane either way, once construction is over, there will be two lanes South on the bridge and one lane headed North. During construction, there is only room for one lane each way.

There were further questions about the turning ability to Oxbow Road and safety. C. Cota explained there will be signs and painted stripes to show where to be on the roadway. J. Repetur stated he feels like people are not going to follow these rules. When someone does not follow the rules, they will be at fault.

D. Adams asked if there was curbing in front of the Mobil. C. Cota stated that it is striped painting and not concrete curbing. Tractor trailer trucks will be using the raised curbed painting to make their turns.

R. Conway is asking about the new right turn lane for tractor trailer trucks. He feels that a tractor trailer turning is going to block the view of those going southbound and those turning off from Route 3 and could potentially cause a collision. He believes those on route 3 will not see the traffic coming South on Route 7 due to the curve. R. Conway stated he still has this on appeal with the State of Vermont. He has had an engineer present this to Vtrans and he has not heard back on this. A car traveling 30mph goes about 57 feet per second. In the instance with a truck, there will only be 37 feet separating a North bound car from the South bound car. He does not believe it is enough sight distance. J. Repetur said anyone with half a brain will wait and see what is behind the tractor trailer and those without it will be the ones risking it. R. Conway states that one is too many, as they have already had one fatality in this intersection. R. Conway states he believes this would be avoided by keeping the slip lane. The lanes are only eleven feet wide at the end of construction.

K. Blow spoke and asked if the project is under appeal, how is it the project could start? C. Cota responded that the State of Vermont was able to get all of their permits, including the Act 250 permits and the bridge conditions warranted starting the bridge project. The State realizes there is a risk with starting the project with an appeal still on their Act 250 permit. R. Conway stated that he and his wife are not appealing the bridge construction, they agree that the bridge needs to be replaced. The Conways have issues with other things. C. Cota stated that in October 2022, the bridge inspection showed holes in the bridge and steel plates were installed. They could have shut the bridge down then, but they knew it would be damaging to Pittsford's economy. The detours are lengthy around this bridge.

A. Malay mentioned that there are issues with Cooley Bridge and having problems with trucks going that way. D. Atherton stated he and Chad have talked to a landowner on Elm Street today with a potential solution. There was conversation about road signs and how they don't work, especially since some of the drivers do not speak English. J. Repetur told a story about how people are oblivious to road signs. C. Cota said it is like truck drivers trying to go over Smuggler's Notch and how GPS is somewhat to blame.

R. Conway commented that sometimes towns take over the roadways. Is this a possibility once this bridge is built for Pittsford? C. Cota stated this is a possibility. Towns have that option. T. Hooker spoke up and said the town didn't want to take over the road from the State due to the bridge. Once the bridge is built, we could consider it. R. Conway asked if there was federal money that would follow this. C. Cota said that she does not believe that federal money would be available to the Town if they were to take over Route 7/the bridge. C. Cota stated that this bridge is not costing the town any money to replace, other than the water line that crosses the bridge. If the Town owned the bridge, it would cost the Town 10% of all costs. For example, this bridge is approximately \$7 million, so the town would have to pay \$700,000 for their share of the project. Towns want control, so they take over the roads. C. Cota shared that there is a portion of Williston that the State owns that Williston does not want to take over. The State would be happy for the Town to take over, as they would not have to maintain bridges.

A. Malay stated that we have discussed it.

D. Adams asked what happened with the property that the house was demolished on. C. Cota stated that Mr. Coopman still owns this property. He was approached and it was a private deal. He was compensated for the project and he couldn't sell the house due to the project. He decided it would be better to demolish the home. D. Kennedy stated they had to do property inspections before the project. The property inspections are what caused Mr. Coopman to decide to tear down the home. The home was not necessarily in the shape to be inspected. C. Cota talked to Mr. Coopman in 2020 and compensated him then. D. Adams asked if the property would be taken over during the completion of the project. C. Cota stated that there are possibilities of things that could happen at that intersection, but Mr. Coopman still owns that lot. D. Adams asked what happened with the right hand turn versus slip lane. C. Cota stated they are eliminating slip lanes around the state because they are not a good solution. She stated that conduit for lights will be put in just in case for the future they are needed. She does not believe they will be installed. T. Hooker stated with the hill, he does not believe lights would be a good idea. C. Cota stated there is not enough traffic on Oxbow to warrant lights. R. Conway stated that the substructures are being put in for the lights for if demand needs it. If accidents do start occurring, would this be what Vtrans would do? It is not a high crash location according to the state statistics, but if it becomes a high crash location, would a stop light be installed? C. Cota stated that if it became a high crash location and they were contacted, they would do an analysis, which sometimes takes a long time before a project can happen. In this instance, one of the reasons why there are low statistics is because accidents do not get reported. C. Cota stated it is not deemed as a high crash location. She did her research.

R. Conway stated that one of the things they have asked for is lowering the speed to 25mph through this area. He asked why it is not 25 mph through past the intersection. C. Cota stated that based on statistics, it is not warranted. D. Atherton stated he has started conversations again with the State. If the Town is to take over this segment of road, the Selectboard would be able to set the speed limit once the project is completed. D. Atherton also discussed the speed limit being 35mph at the top of the hill, which no one does at the top of the hill. D. Atherton states he is going to keep pushing trying to get 25mph expanded further past the Mobil station.

J. Repetur asked if the 25mph speed limit is pushed out, will the 50mph section also be pushed out. He has concerns with trucks, their weight and the lanes of traffic going up the hill with the speed limits changing so much. No one goes 25mph going up the hill currently, due to the 50mph zone just above the top of the hill. D. Atherton pointed out things that can be changed, that he is not going to stop trying to get it lowered, as well.

D. Atherton stated that we are signing up to be part of the Governor's Safety Program and we are going to be boosting that as well. This includes seat belt, cell phone, and work zone safety measures and ticketing.

R. Conway stated it would be better if the speed limit could be 25mph past the Mobil sign or to the village limit, which is the top of the hill. Trucks with trailers sometimes have a hard time getting out of his parking lot due to the time it takes to move with a trailer, especially going uphill for a tractor trailer truck. D. Atherton said that our police department is ticketing. The high speed caught so far on Arch is over 50mph. We are also finding that people are passing on Elm and Arch Street on a daily basis.

A. Malay spoke and asked that the meeting be moved along.

C. Cota stated that if anyone has traffic concerns during this project, please contact Stephanie Barrett at 802-399-7847. There is also a local office at the Casella building during the length of this project on Route 7. Feel free to come knock on the door.

At this point, the Vtrans employees, Belden employees, and most of the audience left due to the end of the discussion of Bridge 108. Remaining were Steven Jupiter, Ann Reed, Shawn Hendee, Marty Pinkowski, Tom Markowski, and Joe Repetur.

**Municipal Technical Assistance Program (MTAP) funding:**

D. Atherton explained he is looking into funding for trying to get sewer expansion projects up and down Route 7. This is in the infant stages. It is a new program that came out. D. Atherton met with Greg from RPC yesterday on this. He is hoping he can get some scoping done. We might have a possible property up that way that could use municipal sewer. VLCT or RPC would normally be the contacts, but this is beyond their scope. Josh Hannaford at VLCT is helping find funding. We would like to get sewer up past Kendall Hill. We need more sewer users and to get sewer to these locations to open up more possibilities. It would be nice that when we do Segment 3 we are putting sewer line in the hole.

**Tax Sale Discussion:**

D. Atherton explained that we are nearing tax sale date for the properties currently going through the tax sale process. There are five properties currently in tax sale status, although this is changing as taxpayers pay their delinquencies. If they are not redeemed, D. Atherton would like permission/authority to bid on properties if no one else bids on tax sale properties. D. Atherton stated that he would only bid if there are no bidders. T. Hooker stated this has happened in the past and they had given previous Town Managers approval. D. Adams asked if

there was a list of properties. A. Reed let everyone know where the five properties are posted at the Town Offices, Keith's Country Store, and in between Kamuda's and the Post Office. T. Hooker made the motion to have Dave Atherton bid on properties on behalf of the Town if no one else bids. D. Mills seconded the motion. D. Adams clarified that it would be if no one else bids. D. Atherton stated that is correct. We would only bid up to the tax amount due if no one bids on the property. J. Repetur asked about the tax sale process and changes that are upcoming. D. Atherton explained these have not been approved yet and gave an outline of how the year of redemption would work for the Town if they were to be the only bidder on a property. Motion passed 4-0.

**Act on Orders \$138,498.61:**

The Orders were signed with no discussion.

**Selectboard Remarks:**

D. Mills spoke up and said he probably should have mentioned something earlier today, but he wanted to thank the road crew and Dave Atherton for the yield sign installation on Kendall Hill. That intersection is much safer now. J. Repetur asked for clarification of where the yield sign is. D. Mills gave the details of where the location of the sign is.

D. Atherton had an epiphany a couple of nights ago for the Cooley Bridge issue. The town owns property because of the trailhead. We can't easily put headache bars up until right before the bridge, and by then it is too late. He and Chad Eugair went to talk to a landowner about the possibility of a reverse "ramp" style area to see if we can get trucks turned around more safely in this area. This is still being reviewed.

**Water and Sewer Commission:**

S. Hendee and A. Reed brought to the attention of the Board the issue from a property that has been using a large amount of water over the last nine months. They played a video from a visit to the property where you can hear the water flowing freely through the water meter and you can hear the sewer line flowing freely too, showing water is constantly moving through the building, either through a leaky toilet or some other means. S. Hendee explained how the water meters work and stated there is no way that the meter would turn unless the water went through it. A. Reed outlined the water usage in gallons over the last few billing cycles and the interim reading that was done this week, as well as the abatement request done by the homeowner for their last billing, due to the excessive amount. A. Malay and T. Hooker both stated they were okay with a letter being sent to state that we need a plumber to certify there is nothing wrong with the plumbing, send a copy of the ordinance highlighted, and give them a firm date of shut off if this does not occur.

It was moved for the Selectboard to go into executive session at 8:09pm, ending the open part of the meeting.

**EXECUTIVE SESSION:**

D. Mills made the motion and seconded by T. Hooker to go into Executive Session for legal and personnel. Motion passed 4– 0.

In accordance with 1 VSA§ 313 (a), where premature general public knowledge would clearly place the Municipality or person involved at a substantial disadvantage, the Board unanimously agreed to enter into Executive Session, to include the Town Manager.

Motion by T. Hooker and seconded by D. Mills to exit Executive Session at 9:40 PM with no action taken. Motion passed 4-0.

Motion by T. Hooker and seconded by D. Mills to adjourn at 9:42 PM with no action taken. Motion passed 4-0.

The next Select Board meeting will be held on April 3, 2024.

Respectfully Submitted,

Ann Reed

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Alicia Malay, Chair

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David Mills, Vice Chair

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Thomas Hooker, Selectman

\_\_\_\_\_  
Dan Adams, Selectman

\_\_\_\_\_ ABSENT \_\_\_\_\_  
Mark Winslow, Selectman