

**Town of Sunderland Selectboard Meeting
Monday April 8, 2024, 7:00 PM**

Members in Attendance:

Dixie Zens
Todd Lawrence
Marty Nadler
Andrew McKeever
Bruce Mattison

Others in Attendance:

Mia Smith
April Hewes
Kevin Hewes
Susan Whitney
Sheriff James Gulley
Lt. Rosco Harrington
Lt. Steven Coote USP
Peter Urbanowicz BCSD
Rick Timmerman
Maria Timmerman
Dave Kiernan- Zoning Admin
John French
Kim Knapp
Irene Nadler

1. Call to Order by Dixie Zens at 7:00 pm.

2. Introduction of Board Members: Todd Lawrence, Marty Nadler, Dixie Zens, Andrew McKeever, Bruce Mattison. Secretary Mia Smith, Town Clerk Susan Whitney, Lt. Steven Coote, Sheriff Steven Gulley, Zoning Admin David Kiernan.

3. Approval of the minutes of March 25th, Selectboard Meeting

Mover: Marty Nadler
2nd: Andrew McKeever
Result: Passed

4. Bennington County Sheriff Report

- Sheriff Gulley brings up the contract reduction from \$49k to \$35k. Asks the board if patrols are not performing to level of expected performance. Explains the email sent to the board with statistics about activity from the previous sheriff's administration vs. now, and that he has had to raise the rates to increase payroll to meet livable wages.
- Marty Nadler begins by saying that the change only happened March 5th when the town voted it through. He explains that the reduction of budget had nothing to do with lack of performance, but because taxes in Sunderland have gone up on average 25%, and the board was looking for places to reduce budget.
- Over 52 weeks, approx 2 traffic interventions per week, 13.5 hours of patrol per week (some patrol, some paperwork), over the whole year only \$706 dollars of revenue from stops. So the decision was made because there is not enough traffic activity to necessitate patrol costs, especially when the annual revenue is so low.
- *Marty Nadler offers opportunities/areas for patrols to focus on that could be specified in the next contract.*
- Board is interested in discussing specific patrols and locations for deputies to best utilize their patrols.
- Sheriff Gulley responds that Southwestern Vermont is changing, that law enforcement is not designed to generate revenue, that their role is to develop relationships with the community so people feel comfortable sharing information. They are trying to build relationships, not appear as an occupying force.
- For example, if there is strange behavior in a neighboring house, organized crime is moving out of urban areas, and the Sheriff's office wants to ensure that communication can happen in those circumstances.
- He specifies that the State Police respond in catastrophic events, but the Sheriff does not without contracted patrols.
- He asks that the board be open and honest so that he can serve.
- Dixie Zens asks for feedback from deputies about what they are seeing because the board's only information comes from the patrol logs.
- Sheriff Gulley responds that that is something that they are working on, increasing note taking, incident reports, and more extensive communication beyond patrol logs.
- Kevin Hewes says that when he needs assistance, Lt. Harrington assists whenever called, even if he is off duty.
- Dixie Zens says the board wants to work with the Sheriff's office, but they are also aware of the needs of residents in relation to taxes.
- Dave Kiernan says that Sheriff's office is hired to patrol the town, that their presence is effective, that their patrols help reduce burglaries, and creates a deterrent. Written reports are part of the job, and that they need to be compensated for that, too.
- Lt. Harrington says that he was averaging 7-8 traffic stops in a 4 hour period before this administrative change. He says that when he covers for his deputy in Sunderland, he has noticed lots of changes, and is impressed with the work that his deputy has been done on patrols and with his presence.
- Lt. Steve Coote from state police introduces himself. He oversees Shaftsbury

barracks. State police is primary law enforcement in the area, operating with 10 troopers per 15 towns, 3 troopers per shift. The county borrows troopers from other barracks who don't know the area. Can be anywhere within the county when they respond to emergencies, which can take time.

- Dixie Zens comments that the Sheriffs Dept and State Police do an excellent job, and apologizes about cutting the budget without a discussion.

5. Public Comment-none.

6. Solar Eclipse Report – Dixie & Todd

- Dixie Zens reports that seeing it in Burlington was amazing, at that he was able to see the corona at totality.
- Todd Lawrence reports that he drove around Sunderland and didn't see anything out of sorts.
- Lt. Coote says that 89 and 91 are packed, and that rt 7 is still messy.

7. Sunderland Church Restoration Update – Marty

- Marty Nadler says they may have discovered an heir, the town counsel is investigating connection and what releasing property to individual would mean.
- \$45k state grant, some being used for legal fees, some for engineering. Possible donation from private citizen interested in contributing.
- Still need a legal entity to oversee restoration, the town cannot afford to repair and maintain property and building.

8. ARPA Funds Update – Marty

- Survey was filled out during town meeting/voting day. 120 responses. Making a report for the next selectboard meeting.
- Maria Timmerman asks if one of the survey criteria was safety, could some of the ARPA funds be used to fund the Sheriff's budget.

9. Road Liaison Report – Bruce

- Covered bridge got hit again.
- Cleaning up from the storm.
- Starting the bike path again soon.
- Todd Lawrence asks Bruce Mattison if there was any lasting damage from power

lines down across from school, electricity was arching and wondered if that damaged the road. Bruce Mattison responded that the tree was cleaned up, but doesn't know of lasting damage.

- Excess weight permits to be signed by Bruce Mattison

Mover: Marty Nadler
2nd: Todd Lawrence
Result: Passed

10. Emergency Management Coordinator's Report – Todd

- Todd Lawrence shares update of local emergency plan. Needs review and then to be voted on at next meeting.
- Will work with BCRC to create annexes (specific plans-how does the town respond to floods, how do they use road crew, etc).

11. Energy Committee Update – Andrew

- Andrew McKeever reports that the survey is available on town [website](#), 5-6 questions asking residents what they'd like committee to be focusing on.
- Will be working on Green Up Day, bags are available at the Town Offices. Contact committee with questions.
- Next meeting Tuesday April 23rd, zoom link on the website.

12. CUD Update – Andrew

- Focusing on hard to reach addresses in the county (Rupert and Sandgate).
- In order to get connected, home must be receiving power from Green MTN or another utility, then Fios is required to connect to residence.
- Todd Lawrence asks if it has to be Fios instead of satellite, would the CUD subsidize other sources on the internet? Andrew responds that he thinks they might.

13. BCRC, BCSWA Update – Dixie

- Household hazardous waste facility reopens in May. Must make an appointment for disposal. Information on town website, specifics about what is accepted is listed on BCRC website.

14. Zoning Administrator Report – David Kiernan

- Newest permits on Hideaway lane, certificate of occupancies being granted.
- New cut in off 7A, first approved in 2008, extended twice, Act 250 expires in November, has received plans for buildings already. (18 lot subdivision, with many restrictions).
- Alden Lane resident clearing a lot, other open permits as well.
- Many questions about Short Term Rentals (STRs), especially out of town/out of state residents.
- The Planning Board has passed STR bylaw, it is now going onto Selectboard for review and vote.
- The STR special meeting was interesting, but with only two residents in attendance. Recommends a special meeting by the Selectboard.
- Recently became aware of STRs being used for itinerant workers, working with town counsel to change language.
- David Kiernan asks Selectboard for proposed date of special meeting. Dixie Zens asks for the board's opinion, and the board agrees on having a special meeting.
- Special meeting will be Tuesday May 7th, 6:30pm.

15. Old Business-

– a. Review “Welcome to Sunderland” Signage

- Michael Pugliese made new copies of sign with a larger covered bridge.
- Planning board has requested 5 signs.
- Dixie Zens asks for public comment and approval, a copy is passed around.
- Residents discuss the size of surrounding towns signs.

– b. Dog Issue- no update

– c. ATV on Kelly Stand Rd.

- Bruce Mattison talked to VLTC who said that the town would need to make a resolution to allow residents to drive from the parking area to their properties. But since it's a snowmobile trail, ATVs and snowmobiles aren't allowed to pass at the same time. Dec 15- Apr 15 snowmobiles are allowed.
- Bruce Mattison asks the officers (troopers and sheriff) if they have any knowledge or experience about residents with camps on Class III and Class IV roads.
- Sheriff responds that they will look it up and respond.
- Kevin Hewes says that since it's a town road, the residents will have to follow state laws.
- Lt. Harrington says that Reedsborough has a similar situation, and the town

developed a landowner permit.

- Bruce Mattison says the options are to table the issue, or develop permits using the town counsel.
- Dixie Zens asks for a motion to table the issue.

Mover: Bruce Mattison
2nd: Andrew McKeever
Result: Passed

– d. Sunderland Hill Property

- Deed is in process of being returned to the resident.

16. New Business-

– 1. Town Meeting Day – Potluck Desserts or other?

- Todd Lawrence went to Sunderland Parent Teacher group and asked Principle Turner, who said that would be fine.

– 2. Summer Town Gathering for a luncheon – suggested by the Planning Commission

- Dixie Zens explains planning commissions idea of town get together, sooner than 2025 get together planned with state planning/development organization.
- Marty Nadler asks about using the school property.
- Dave Kiernan says that they were thinking about an informal get together at the town offices to discuss things going on with town (re: village designation, church, etc).
- Todd Lawrence offers to invite law enforcement to build relationships.
- Bruce Mattison and Andrew McKeever are in support.

17. Executive session, for Junk Ordinance compliance.

- Dixie Zens asks for a motion to enter executive session. Entered at 8:02.

Mover: Marty Nadler
2nd: Bruce Mattison
Result: Passed

- Dixie Zens asks for a motion to exit executive session. Entered at 8:32.

Mover: Marty Nadler
2nd: Bruce Mattison
Result: Passed

18. Review of Correspondence/Signing of warrants.

- Application for liquor license from Hill Farm Inn. Dixie Zens asks for a motion to sign permits.

Mover: Andrew McKeever
2nd: Marty Nadler
Result: Passed

- Southern Vermont Economic Project at Mt. Snow, May 21st.
- Dixie Zens asks for a volunteer for a Vice Chair. Andrew McKeever says he would be happy to.

Mover: Marty Nadler
2nd: Todd Lawrence.
Result: Passed

- Bruce Mattison asks, based on Robert's Rules, should the chair be voting?
- Dixie Zens says that with 5 members, there is no difference. He says if there needs to be an official position, the chair shouldn't vote unless there is a tie.
- Marty Nadler makes the point that if he votes regularly then he is "first among equals", he leads by facilitation.
- Marty Nadler asks for a motion to make Dixie Zens the designated signatory, for things voted on by the board.

Mover: Marty Nadler
2nd: Bruce Mattison
Result: Passed

19. Next Regular Business Meeting for the Sunderland Selectboard will be April 22, 2024 7PM. Special Meeting May 7th, 6:30 pm with planning board re: STR bylaw.

20. Adjourn at 8:45 pm.

Mover: Andrew McKeever
2nd: Todd Lawrence
Result: Passed