

**TOWN OF BURKE**  
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**SELECTMENS MEETING**  
**February 7, 2011**

**PRESENT:** Darryel Corrow, Sam Sanderson, Emery Noyes, Dale Hackett, Mark Daigle, Amy Nixon Caledonian Record, Ed Guest, Frank Cuccia, John Kresser, Mike Harris, Carlos Bean, Al Duey, Dave Ormiston, Linda Broadwater, Carol Krochak, Chris Evans (Senior Meal Manager), Buddy Machell, Elissa Doolittle, Jessica Simpson, LSC News Crew, Larry Chipolonia

Emery opened the meeting with the reading of the minutes. Emery made a motion to accept the minutes as submitted. Darryel seconded.

**ROAD FOREMAN REPORT:** Dale told the board that they have been having problems with mailboxes being damaged. He feels that because of the heavy snow being plowed against the mailboxes they are being knocked down. It is not the intention of the plower and they try to avoid them as much as possible.

**ZONING ADMINISTRATOR:** Mike Harris came before the board to present them with a three page report titled "**DRB Report to the Select Board: It Is Not Working**" He said that at some point the Town needs a full time administrator. The report states some of the points that have been discussed in the past such as the Board feels the ZA should be doing other things than just sitting in the office waiting for phone calls, etc. This report is available in the Town Clerk's office for public view. Mike asked the board what they had in mind for the duties of the ZA. After a lengthy discussion Emery told Mike that the Board has put money in the budget for an increase in hours for 2 one half days and what ever other time he needs to be in the field. Sam told the audience that all calls for the ZA will go through the office from now on and that those calls will be logged and passed onto the ZA. The ZA will be required to attend all the DRB and Planning meetings. Mileage and 2 hour show-up time will be paid to attend those meetings. Any time the Selectboard requires the ZA to come to their meetings they would be reimbursed also. Sam felt that the board was aware of the three zoning violations mentioned in the past and they had been taken care of except one that is not addressed in the bylaws therefore was not visited because there was nothing to back him up.

In answering Mike's question as to policies for answering Zoning violation complaints, Sam said that they do not have any policies for the DRB but it was suggested at a previous meeting that the DRB follow the State guidelines for the ZA, nothing to the Selectboard.

Al Duey asked if the Zoning Administrator would be able to enforce violations that he or she thinks are violations or will it require somebody to actually report to him. Emery said that he will be able to act on any violations that he sees necessary. He will need to document all violations that he acts on.

Mike asked the Selectboard if the policy that the Selectboard adopted back in October 2010 is being rescinded. Sam told him no they were not going to rescind it, but was going to revise it. It has not been acted on because it has not come up at a meeting. The Selectboard has not talked about how they will revise it yet. He feels that all reference to the Zoning should come out of it. The Select board's policy is that if you do not attend a meeting or put it in writing; you are wasting your time. They will not be taking any anonymous calls.

Mike also presented the board with a letter recommending that the Select board reappoint the three current DRB members whose terms are up this year (Buddy Machell, Ed Guest and Carol Krochak). The board accepted the letter and will take it under advisement but will continue to take applications if any new requests come before the board requesting to be on the DRB.

At this time, Sam read a letter from Mark Daigle stating that he was resigning from the position of Zoning Administrator. Emery thanked Mark for the work he has done for the Town of Burke and appreciate everything that he has done. Mark stated that the reason that he had to resign is because he could not take the time away from his business to devote the amount of time that the Selectboard has asked and the DRB are hoping for.

After doing some prior checking Emery said that the Selectboard could nominate an alternate until a permanent ZA is hired. Sam that when Al, chairman of the Planning Commission, advertises for the permanent ZA that they mention a Burke resident is preferred.

Darryel made a motion to appoint Sam as the interim Zoning Administrator. Emery seconded. Sam will carry out the duties of the ZA until a permanent one can be hired.

Carol Krochak felt that there was going to be a legal problem if Sam took the job. Sam said that they had also checked with the League and the only problem that they could see is if there was an appeal that went to the Selectboard then he would have to accuse himself from the case.

Another question Carol had was who is responsible for the posting of meetings and where are they posted. Priscilla told her that the secretary or chair of each board is responsible to post his or her own meetings. The Town posts their warnings in 5 or 6 places normally. One at each of the two post offices, East Burke Market, Northeast Kingdom Country Store, the Recycle Center and one at the Town Clerk's Office (6). Normally who ever is conveniently available will help with the postings. Cathi posts in East Burke, Linda Corey does the Town Clerk's Office and West Burke Post Office and Gail does the Recycle Center. Sam said that all committees should notify the office of all meetings.

**CONSTABLE REPORT:** Paul Gallant did not attend the meeting because of illness.

**VISITORS:** Chris Evans, Manager of the Burke Senior Meal Site said that she would like to have some her volunteers, who will be certified in CPR, be included in the Emergency Management Plan.. Mike Harris told her about the defibrillator that is available for the Community Building. He thought it would be a good idea to get training on that at the same time as CPR.

Emery said that the Town is due to update the Emergency Management Plan and Chris is in hopes that the Meal site can be a part of that. Chris has experience with Red Cross and many other aspects of emergencies. She feels that she and the volunteers would be very helpful, as they know the facilities and the people.

Emery has been looking into getting some cots in case there is a need for overnight facility. Sam felt that we could incorporate them into our plan. Chris will get the information to the Town Office.

Chris told the board that the meal site has received a grant to help with some improvements and she was hoping to build more storage shelves downstairs and do some improvements to the basement. It was suggested that they might use some of the grant money to improve the southern entrance way where it floods.. The Board didn't think that would be a problem, just be sure to check with the office when she knows what she is going to do. She also, came before the board to request a weather barrier around the front door of the Community Building to help prevent ice build up. It would also be used to store the BarBQ grill in the summer time. The board was not very receptive of that idea but would take a look at it.

**David Reccia** who had complaints about snowmobile noise did not attend the meeting

**Al Duey**, Chairman of the Planning Commission came before the Board to give them an update on the planning. He said that the board was working on an ordinance for a street vendors ordinance and asked the board what their opinion on that was. Sam said that permission from the landowner and parking issues should be addressed. Emery said that the length of time should be clarified also. Sam felt that Farmers Market's should not be charged fees, but everyone else should be charged a minimal fee to help with the ZA wages. Al asked if the Board would like the permits issued by the Selectboard or the ZA? The consensus of the Board was that it be issued by the ZA. The Selectboard will handle appeals. Sam told him to keep it as simple as possible.

Al told the board that they are now working on business uses and industry – home occupation, etc and will be holding a public hearing soon to get more public input.

Al said that a new grant that was just issued will be used to rewrite the section on subdivision, planned unit development and clustering because it is confusing and they hope they to make it more understandable.

They will also be working on a traffic study in the East Burke area. Dave Ormiston is working on the RFP. He gave an update on what he is working on and what still needs to be worked on. He said that they will be holding public hearings as required by law. Sam told him that the Selectboard would probably go along with the Planning Commissions recommendations but all the Boards, Selectboard, DRB and the Planning Commission should review the RFP.

**Larry Cipollone** of Edward Jones, an investment firm out of St. J, was invited to the meeting by the Selectboard to review the Trust Estate of Elmer Darling for the Burke Meeting House and Burke Hollow Cemetery. The Board gave Mr. Cipollone the portfolio to review. Passumpsic Savings Bank has been managing the account for many years. This fund is to be used for the upkeep and maintenance of the Burke Hollow Cemetery and Meeting House in Burke Hollow. Sam told him that the Board feels that it could be better managed than it had been in the past. Emery said that it had been very cumbersome to be able to withdraw funds by the way it is currently being handled. Carol Krochak asked Emery to explain who this advisor is and what his fees would be. Mr. Cipollone introduced himself and explained that the fee structure depends on the types of investments and the types of accounts. Mr. Cipollone will look over the account and put together a proposal for the Board.

**Elissa DoLittle and Jessica Simpson** run a project called the Vermont Youth Project. They came before the board to ask permission to put in some raised beds and ground level gardens to grow vegetables on the town office property. The vegetables would be used at the meal site. The gardens are put in by the school children. Emery told her that it sounds like a great project and told them to come back in the spring and they would help them get things going for them. Elissa had also mentioned that they will be applying for grants for this project.

### **OTHER BUSINESS:**

- \*\*The Board signed the "NO Appeal or Suit Pending" form from the Listers;
- \*\*Signed a contract with APT Environmental for the October Household Hazardous Day event;
- \*\*Signed Lyndon Rescue appointment of Mike Harris to the Board of Directors;
- \*\*Signed a road access Permit for Richie Wray and signed overweight permits.

### **REVIEW CORRESPONDENCE**

The Board reviewed the inspection report of Town Facilities from the VLCT. No action taken.

The Board reviewed and approved the accounts payable.

With no other business to come before the Board, Emery made a motion to adjourn. Darryel seconded.

Respectfully Submitted;

Priscilla Aldrich

Town Clerk and Treasurer