

Agenda
Tuesday, October 14, 2014
Warren Selectboard
Warren Municipal Building
7:00 PM

✓ 7:00 PM – The Warren Timber Crib Dam/Covered Bridge Discussion

✓ 8:00 PM – Warren Fire – Peter DeFreest – Truck Purchase

8:30 PM – DPW – Update Barry Simpson –
East Warren Septic
Blair House Demo
Plunkton Road Culvert
Solar Array
Transportation Alternatives Grant Approval

✓ 9:00 PM – Other Business
Top Gas Parcel

9:15 PM – Approval of Minutes from September 23, 2014

9:20 PM – Approval of Payroll and Accounts Payable Warrants

17,705.26 265,584.27

✓ ~~Tri-Town~~
Wed November 12 or Thurs, Nov 13

Minutes of October 14, 2014

Warren Selectboard

7:00 PM

Warren Municipal Building

Members Present: Andrew Cunningham, Chair, Bob Ackland, Vice Chair, Matt Groom, and Colleen Mays.

Members Absent: Anson Montgomery

Others Present: Eric Gilbertson, Historic Preservation, Brian Fitzgerald, Lucy O'Brien, Jim Groom, Ellen Strauss, Barry Simpson, Dave Sellers, Carl Lobel, Becky Peatman, Eric Brattstrom, Corrie, Friends of the Mad River, Rudy Elliott, Geri Streeter, Marilyn Miller, Patty Sue Carter, Richard Ciplinsky, Kinny Perot, Randy Taplin, Nancy Taplin, Jack Mosley, Dotty Kyle, Damon Read, Craig Klofach, Rachel, Valley Reporter, TV 44/45, Sam, Dorothy Todd, Carol Crossman, Mike Ketchel, Lisa Miserendino, Richard Hanky, Ed Dettor, Dan Raddock, Peter DeFreest, Tom Boyle, Nick Morehouse, Gregg Moffroid and Cindi Jones.

7:00 PM – Timber Crib Dam Discussion – Mr. Sellers who is the chairman of the Dam Preservation Trust started off displaying the history of the dam and that it was repaired in 1978. The dam does require occasional maintenance and the committee did have a cleanup of the dam a few weeks ago. The Timber Crib Dam is also listed on the National and State Historic Preservation sites and it is the only timber crib dam in the Valley with history, and is a tourist attraction as it has been on the National Life cover and other magazines. The newly organized committee does not want to remove the dam and they want to develop a dialog with the state on repair the dam. They are interviewing engineers to assess the maintenance issues currently. Many interested people in the room expressed that they wanted the dam to stay. The Friends of the Mad River commented that from a river prospective it is a challenge as more flooding occurs upstream and erosion issues exist downstream. The Covered Bridge narrowing the channel also plays and issue in the area. Many felt that if the dam is removed it would not be a safe situation for swimmers or small kayaks. Mr. Reed inquired that there is a liability here and that the Dam Preservation Trust don't have any money, so the next financial source would be from the Town. Mr. Gilbertson from the Historic Preservation would like to facilitate a meeting of all interested parties and sit down with the ANR to discuss the issue of repairing/maintaining the dam. If the dam is to be torn down, the velocity of water would increase at about 25% how that would effect the neighbors upstream and downstream. The Town has no ownership in the dam but was asked by a concerned neighbor for Selectboard to take action and ask the Preservation Trust to step up to the plate and deal with the impending problem they have. The discussion ended and the next action is for the Preservation Trust to set up a meeting with the ANR and see what the Dam Preservation Trust can do and report back to the board.

8:15 PM – Warren Fire Department – Truck Purchase – Mr. DeFreest presented to the board pictures and a purchase and sale agreement to purchase a used ladder truck from the Claremont NH Fire Dept. Mr. Ackland stated that he wanted to know if the Fire Dept had followed the purchasing policy to get bids.

Mr. DeFreest commented that they had been looking at other ladder trucks, one in Indiana for \$200,000 another down south for \$150,000 that they had looked at, but it has some issues. They also looked at a truck in NY but it was sold the very next day. Mr. Boyle, Mr. Morehouse and Mr. DeFreest went down to Claremont and tried the truck out. It has been very well maintained. Mr. DeFreest also explained that the other trucks they have looked at have been bought out from under them. Mr. Morehouse commented that currently the town does not have a ladder truck for and with more condos being developed the nearest station with a ladder truck is Waterbury. The fire dept is looking at this as a short-term 3-5 year as they will be looking at replacing the front line pumper for the village station in 2015. Mr. Morehouse also commented that report that the consultants provided has been a great tool and a lot of work was put in to moving forward with items in their report. The truck committee also presented a draft of a replacement schedule for the equipment. They also commented that the truck allocation in the capital account should be raised to \$75,000 for the next coming year. The Claremont Fire Dept. would also deliver the truck and provide training on it.

Motion by Mr. Groom to approve the purchase of the ladder truck up to \$40,000 from the Claremont Fire Dept based on the oil analysis report, second by Mr. Ackland.
All in Favor: VOTE: 4-0.

9:00 PM – Old Top Gas Parcel (Information Booth/bus turn around located on RT 100) –Mr. Cunningham opened up the discussion that the owner of parcel would like to donate the land to the town. It consists of the 1 acre parcel that the information booth is on and 50 acres across the river that is land locked. The problems that exist are that it was an old gas station, the tanks have been removed and soil was removed. The Town would have to spend about \$5,000 on drilling a test well to make sure the site is clean and is off the super fund site list. There would be other costs such as closing costs. If the site does not pass, the town can opt to cancel out of the purchase of the property. Mr. Groom commented that it would great to have the parcel as it is more river front property and the back property could have more recreational mountain bike trails, providing other property owners around the land lock parcel sign off. Mr. Cunningham has been speaking with the driller and he could move in the week of the October 27th, then the state has 2 weeks to write the letter that it is clean or not. The land owner would like to close on December 12.

Motion by Mr. Ackland to approve the expenditure of up to \$10,000 from the Conservation Fund Capital Account, second by Mr. Groom. All in Favor: VOTE: 4-0.

9:15 PM – Dept. of Public Works – Mr. Simpson presented a draft of another Transportation Enhancement Grant to help fund the covered bridge short fall. The amount is for \$300,000 with a \$75,000 match.

Motion by Mr. Ackland to authorize Mr. Simpson to apply for the grant, however, if received, that guidelines be established on the engineering, and authorized the chair to sign, second by Ms. Mays. All in Favor: VOTE: 3-0.

Blair House Demo – the Blair house demolition has been completed.

Plunkton Road Culvert – The project will be completed by Tuesday, October 15

East Warren Septic – the tanks and back fill have been completed and Rounds will be starting on the sand filter.

Solar Array – Should be completed by October 17. They have to top soil the disturbed areas, install bollards, remove any equipment or debris on site and fully commission the array.

9:40 PM – Approval of Payroll Warrants – Motion by Mr. Ackland to approve the payroll warrants for \$17,705.26 as presented, second by Ms. Mays. All in Favor: 3-0.

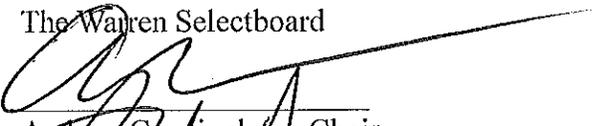
9:45 PM - Approval of Accounts Payable – Motion by Mr. Ackland to approve the accounts payable warrants as presented for \$265,584.27, second by Ms. Mays. All in Favor: VOTE: 3-0.

Other Business: Selectboard Summit in November – Mr. Schwartz from the Mad River Planning District would like to know the availability for the meeting on Wednesday November 12 or Thursday, November 13. The Warren board members can all participate on Wednesday, November 12. Thursday only 3 members could attend.

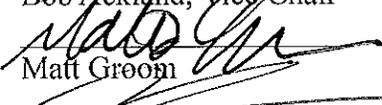
10:00 PM – Motion by Mr. Ackland to adjourn, second by Ms. Mays. All in Favor: VOTE 3-0.

Minutes Respectfully Submitted by,
Cindi Jones, Warren Town Administrator

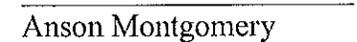
The Warren Selectboard


Andrew Cunningham, Chair


Bob Ackland, Vice Chair


Matt Groom


Coleen Mays


Anson Montgomery

July 31, 2014

Warren Board of Selectmen
Town of Warren, VT
P.O. Box 337
Town Hall
Warren, VT 05674

Your Leadership is Needed to Deal with the Problem
Created by the Warren Timber Crib Dam

Dear Selectmen:

The Warren Timber Crib Dam has long been cherished by many in the Town of Warren. Subsequent to its reconstruction in the late 1977, it served a useful purpose and became an iconic symbol for the town. But, those days are gone and will not be coming back. Over time, the dam has become an environmental hazard and a community eyesore. Not only is the dam in disrepair, but the mill pond has become so filled with sediment that it no longer resembles the picturesqueness of its earlier days. Importantly, this silting has increased the hazard to both private and public property adjacent to or upriver from the dam. Of particular note, the silt has raised the river bed under the covered bridge by an estimated five to six feet, which puts the covered bridge at greater risk of damage during high water occasions. Perhaps even more importantly, the dam has become a safety hazard to people who can frequently be seen walking on top of or just below the dam. If someone fell into one of the holes in the dam or if part of the dam suddenly broke loose, major bodily injury could occur.

The Vermont Agency for Natural Resources (ANR) has repeatedly made clear that it will not approve the dam's reconstruction. And, while the proposal of building a low-impact micro-hydro electrical facility has given hope to those grasping for straws to justify restoring the dam, inquiries that I have made of the ANR indicate that the agency is still opposed to reconstruction and will not issue a river alteration permit to do so. In addition to all of its previously stated objections, the ANR will only consider a permit for a micro-hydro project where the existing dam is safe and sound, which the Warren dam clearly is not.

The question is what to do now to solve this problem? There are two alternatives: (1) let the dam continue to decay, during which time it will be an increasing hazard and eyesore for the community, or (2) remove the dam by dismantling it in an orderly way. From a public standpoint, the second alternative is clearly preferable.

I have repeatedly reached out to the officers and directors of the Warren Village Dam Preservation Trust (the Trust), the current owner of the dam, to solicit their thoughts on how to deal with this situation. Under the terms of Mac Rood's purchase of the dam, which was subsequently conveyed to the Trust, the Trust has an obligation to maintain the dam in a "safe and structurally sound manner."

9. Rood agrees to be responsible for all funds necessary to maintain the Dam in a safe and structurally sound manner, and also to provide adequate funds to complete the removal of the Dam upon the issuance of a final order from any governmental agency with regulatory authority over the Dam. ("Agreement Concerning the Warren Crib Dam," October 12, 2004, among the Floyds, the prior owners of the dam, Rood, purchaser of the dam, and the Kirchens)

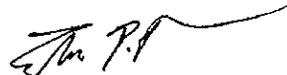
To date, the Trust has not responded to my repeated efforts to initiate a dialog, and it has clearly shirked its responsibility to maintain the dam. Maybe the Trust feels that by ignoring the problem it will be buying time for the emergence of other alternatives that would permit rebuilding of the dam. However, after 10 years of trying and given the ANR's repeated refusal to grant a permit, it is evident that ignoring the problem is not an effective strategy for dealing with the current situation.

Therefore, at this point, it would seem appropriate for the Warren Board of Selectman to take the initiative. The solution appears to be relatively straightforward:

1. Discuss with the ANR a plan to dismantle the dam and restore the stream bank on the east side of the river from the covered bridge to the dam.
2. Secure estimates from contractors.
3. Solicit funding from various organizations that have indicated a willingness to support river restoration projects. These organizations include American Rivers, Army Corp of Engineers, Environmental Protection Agency, US Fish and Wildlife Service, Nature Conservancy, and Trout Unlimited.
4. Obtain a stream alteration permit from the ANR to initiate the necessary work.
5. Authorize the project for the summer 2015 low water season (or sooner, if possible). If necessary, initiate a writ of eminent domain to allow this work to be done.

Several of these steps can be undertaken concurrently to accelerate the process. Failure to take action will mean that this environmental hazard and community eyesore will remain for years as the dam slowly decays.

Cordially,



Christopher P. Kirchen (Chris)
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Warren, VT 05674
ChrisKirchen@MadRiver.com
802-583-4685

Warren Board of Selectmen:
Warren,

August 13, 2014

RE: The Warren Dam.

This is a request to defer judgment on the removal of the Warren Dam.

I was elected to replace Mac Rood as chairman of the non-profit that owns the rights to the dam. I was not notified of the meeting where there was an apparent vote to remove the dam.

I would like to have the opportunity to meet with the selectmen and offer the point of view that our group has regarding the historic dam. A vote to remove something that has been thoughtfully considered and a part of the history of the town deserves better.

Since that dam is on the historic register, there needs to be careful consideration on the removal of the dam. I am aware that Mr. Kirchen is in favor of the removal and has been pushing to get the town to take over the removal to improve his view. This is more complex than a single landowner and his neighbors. The local residents of Warren need to be aware of this effort other than a biased and self-serving article in the paper. The meeting at the select board where the owner of the rights for the dam was not invited (the board of the non-profit) is inappropriate.

Mr. Kirchen has incorrect facts and misleading and incomplete information regarding this decision. An issue that is so connected to the history and fabric of the village needs more voices and more accurate points of view in order for a fair and thorough consideration are determined.

Our group is in favor of the restoration of the dam and has many reasons and issues that support that position.

Dave Sellers, Chairman of the Warren Village Dam Preservation Trust.

Cc: Ellen Strauss, Spike Brodeur, Dorothy Tod, Eric and Doty Blatstrom, Jeff Mack, Mac Rood, Jito Coleman, Lucy O'Brien and others. .