

## Board Liaison Report

September 24, 2020

### Danny Hale/VASA and new ATV legislation discussion:

- Danny Hale, Executive Director of VASA is present via Zoom to discuss the new ATV legislation effective July 1, 2020 and its implications for municipalities.
- Mr. Hale is NOT here to discuss the Pownal ordinance. He is here to answer questions and have a discussion about VASA in general, and also the maintenance and enforcement resources they bring to local municipalities.
- VASA had entered into contract with the Bennington Sheriff's Department for the specific purpose of ATV patrolling and enforcement.
- I have created a Press Release to make this new development public information, and both Mr. Hale and Mr. Howard have reviewed this press release. (attached)

**Action requested:** Approve me to send this press release to the Banner. Question: would you also like for me to send to any other press outlets?

### Pownal Parks Working Group:

- As you know, I requested permission to put out a call for interested people to join me to discuss the development of Town Owned Lands for the purposes of outdoor recreation. I had not anticipated getting such a great response to that call.
- On Monday, September 21 we had an informal introductory meeting in my home office. Present were Fred Miller, Ray Rodrigues, Jennifer Boucher, Peter Hopkins and myself. We also have several interested members that were not able to be present. I think that we will have a total of 9 members. I would like to cap membership at 9 with your approval.
- Since it is such a large group, I am assuming that the Board would like this to be run like a "real committee"/task force in the sense that we will warn our meetings and take and post minutes. I would like to keep the spirit of a "working group", allowing us to collaborate together and work on different aspects of potential projects.
- Question: would you like me to maintain a supervisory role in this working group as an official "Chair", or perhaps we can have equal membership and ask for a volunteer for secretary to take minutes. In this case, I would serve more as a "project manager". Thoughts?
- We compared schedules and agreed to meet the first Tuesday of every month (at the Rescue Squad) at 5pm.
- We plan to walk the 8-acre Green Mountain Bible Conference Land On September 27 at 2pm. I will take anyone else who wants to see the land at another time if they can't make that time.
- I would like permission to add the "Town Park" (ie, tennis court) to our list of discussion areas. We have an interested member who is a skater and builds skate ramps who might be able to spearhead looking into opportunities for a small skate park down there. Also, this could be combined with my idea to seek a Kaboom grant for a playground.

### **Grants Update:**

- Digitization of Land Records: We were awarded \$20,716.76, which was actually over the maximum amount allowed. Approximately 16k of this is going to the Town Clerk's office. Her land records will be digitized and placed on a portal that can be accessed remotely. All fees are collected via the portal, so the Clerk's fees can be automatically deposited or sent monthly via check. She will also be provided with a new computer station and scanner, which is solely for the purpose of people searching land records. She will also be provided with training on how to use the new system. The listers also received an award of approx. 4,500 and is in contract with CTI to update mapping codes.
- Cultural Facilities Grant: Award letters go out on October 9.
- Historical Preservation Grant: We are still working on this with the Church Council. We had Angie's grandmothers pictures digitized, waiting for Staples to tell us the order is complete. The Church offered to pay for this digitization, and Cliff is going to clean up the images. The due date is October 5<sup>th</sup>, so the next two weeks we are making a big push to complete that application.
- Regarding the collaborative fundraiser with the Center Street Community Church October 25: I am working with the Church council to make a plan. The goal of this event is to raise funds towards our portion of the Historical Preservation Grant. However, if we are not awarded the grant funding, we still want to fundraise to start a fund that can go towards the preservation work.
- LGER Grant: I originally submitted an application requesting about 10k for laptops and phones to help people work from home. They extended the deadline and also allowed us to make additions to our ask. So, I asked Chuck Watson to price out a modest video conferencing system to better broadcast our remote meetings. This will be a system that can move with us to the new town hall. I anticipate that remote meetings are likely on ongoing aspect of town business. UPDATE: Just received word that we are approved for our original ask of 10k for laptops and phones, and that all I have to do is submit the expense for the video conferencing set up and it will also likely be approved. As soon as I have that price I will submit. I also didn't realize that Linda got her phone because of COVID back in March, so I am going to add that expense as well.

### **Adopt Mission Statement:**

- I have not received any further commentary on the Mission Statement, so it is ready for discussion and adoption. (attached)

### **Other Updates (no action needed)**

- Re: Town Hall Project: Together with our architect, John Rahill of Black River Design, we were able to come to code agreements with Ben Moffatt at Fire and Safety. There were a few changes made to our design, none of them affecting cost (removal and addition of doors and minor grade changes to meet code). The adjustments are now with Preferred Building Systems

and they are being redrawn. Once they are redrawn, Mr. Rahill will stamp and facilitate the permit application process. He stated that if everything moves according to plan, that we can anticipate being permitted and ready to break ground this year.

- Our State Waste Water permit application is complete and awaiting approval.
- I attended the VLCT municipal policy adoption meeting. I signed up to be the voting delegate to the VLCT. This was an incredibly interesting and informative meeting. This is where the policies are set for the coming year. Voting members are allowed to make commentary and suggestion that can affect policy changes that subsequently affect Vermont municipalities. Next week is Town Fair (virtual), where these policy changes will be discussed and workshops will be held that relate to a number of issues important to Vermont Towns such as (full agenda attached). I will be attending several of these sessions (the ones that are pertinent to my role)
  1. Computer security (perhaps our IT and webmaster can attend?)
  2. Information dissemination
  3. Modernizing records
  4. Community policing
  5. Online tools to improve tax assessments (listers)
- I would like to specifically attend the managers and administrator's roundtable. Although I am not a "town administrator", I am performing many aspects of that position so I feel this would be valuable. I also plan to attend the "Keeping Your Community Informed and Engaged" workshop.
- The annual meeting for both VLCT and PACIF are part of town fair. We don't have a delegate for PACIF, but I would be happy to attend that meeting if you want just to see if there are any important changes on the horizon that might affect the town? I don't work with anything that relates to PACIF, but I could take notes. Or, anyone (including a Selectboard member) could be assigned to be the PACIF delegate if the Board finds value in having one.
- Started working on a presentation for our ATV hearings with Bob.
- Lastly, I want to introduce a subject that I don't need discussed tonight, but I would like to discuss as soon as possible. This may be for an executive, but I don't mind speaking initially publicly (since this will likely become a matter of public conjecture anyway). I am approved to be paid for 29 hours per week, however in actuality I actually work 40 plus hours a week. Those hours are necessary to complete my work/necessary tasks. Part of this is also because in order to effectively work with the Selectboard, I have to work around your work schedules. This means I do many of my hours outside of "regular work days". I don't mind this way of working, in fact, I quite like it. A flexible schedule that includes evening and weekend hours is beneficial to me personally. However, I would like the Board to consider re-evaluating my allowed workable hours so that I am fairly compensated for my time. I do not require health insurance, and would sign a waiver to that affect. I am due for a 90-day evaluation at the end of the month, and this is something I would like to have considered before then.



Attn: Bennington Banner, [news@benningtonbanner.com](mailto:news@benningtonbanner.com)

### VASA Contracts with Bennington Sheriff to Provide Enforcement of ATV Regulations

**VASA signs a contract with the Bennington Sheriff's Department for the purpose of enforcement of ATV regulations. VASA is also providing a UTV (Side x Side) as a resource to help access the areas most in need of enforcement.**

**FOR RELEASE: September 25, 2020**

- Due to recent State Legislation, VASA has been given statutory authority over ATV ridership in Vermont. This legislation, (July 1, 2020) requires that for an ATV to operate on any public highway, State/public trail, that the ATV must have registration, a VASA TAD (Trail Access Decal), and Liability Insurance (same coverage amounts required as with automobiles). Synopsis of the recent legislation attached.
- To learn more about the new legislation and VASA's increased statutory authority over ATV ridership in Vermont, Rebecca Dragon (Liaison to the Pownal Selectboard) contacted Mr. Hale to gain better understanding of the impact of this legislation on local municipalities.
- Through multiple conversations, and eventually an introductory meeting with two Selectboard Members, A Spokesperson from the Pownal Regulators ATV Club, Mr. Hale, and Ethan Hill (Trails Master of VASA), The Town of Pownal has forged a working relationship with VASA.
- As a result of that informational and introductory meeting, the Pownal Regulators ATV Club became VASA-affiliated last month. Once a local club becomes an official VASA club, VASA is able to come and offer maintenance and enforcement resources to the Towns.
- On 09/17/2020, VASA entered into a contract with the Bennington Sheriff's Department to provide ATV/UTV- specific patrols and enforcement. The contract is for the remainder of the calendar year, and aims to provide extra patrol hours for monitoring, supervising, and enforcing local ATV regulations.
- **VASA** provided a UTV (side x side) to the Bennington Sheriff's Department (specs: 2018 Can Am Defender 1000 HD with an estimated value of \$12,999) and a trailer for use in enforcement activities. Picture of the new equipment attached. Use of a UTV in enforcement activities is incredibly important to be able to get to areas that a squad car cannot travel.
- Last weekend, Lt. Joel Howard and Deputy Chris Miller went out on their first patrol with the new equipment (and President and Vice President of Jack Pines Pirates ATV Club and several of the groups founding members) to begin familiarizing themselves with the areas in the most need of enforcement.
- Mr. Hale attended the Selectboard Meeting 9/24/2020 to publicly discuss the new ATV legislation, VASA's role in ATV ridership in Vermont, and their resources for both trail maintenance and enforcement. VASA does not, and will not, take a position on any specific Town's local ATV ordinance, except to say that an ordinance tells VASA and law enforcement "what specifically to enforce".
- **VASA** involvement in Pownal is not tied to an ordinance, but rather to the presence of an ATV-affiliated club. Any trails that are created for public/VASA use and connecting roads opened if



the ordinance is to come into effect will be placed on the VASA map, and will now come under the supervision and maintenance of VASA, which includes their enforcement and maintenance resources.

- The Pownal Selectboard supports this new relationship with VASA and the Bennington Sheriff's Department as it is helping to provide much-needed enforcement resources. "Lack of enforcement" was one of the most prevalent concerns in discussions around the creation of the Town's ATV ordinance. Access to this new resource is an exciting and promising opportunity for the Town of Pownal. Ms. Dragon actively sought out this opportunity and relationship in the hopes of addressing these specific citizen concerns.

## Synopsis of New VT Legislation re: ATVs

### **Highlights from the New ATV Legislation adopted July 1, 2020**

- If an ATV rider wishes to ride on any VASA trail, State land allowing ATV use, or any highway that is not adjacent to their property, the rider must have:
  - Registration for the ATV
  - VASA TAD (Trail Access Decal)
  - Liability insurance “without liability insurance as described in this subdivision. The owner or operator of an ATV shall not operate or permit the operation of an ATV at locations where the ATV must be registered in order to be lawfully operated under section 3502 of this title without having in effect a bond or a liability policy in the amounts of at least \$25,000.00 for on individual and \$50,000.00 for two or more individuals killed or injured and \$10,000.00 for damages to property in one accident. In lieu of a bond or liability policy, evidence of self-insurance in the amount of \$115,000.00 must be filed with the Commissioner...”
- A TAD is not required when the rider is on their own property, or on another private property with written permission from the property owner (must be on the person of the ATV rider)
- A rider from another State will be considered properly registered if they are registered in accordance with the laws of the state or province in which the owner resides. They will be required, however, to have a VASA TAD. They are also required to carry liability insurance and follow all other Vermont laws governing ATVs.
- ATVs will not be operated on any public highway unless the highway has been opened to ATV travel by the legislative body of the municipality. State highways can only be used by ATVs where the Secretary of Transportation has opened and posted.
- ATVs are still allowed to be used for agricultural use as long as not operated closer than three feet from the traveled portion of the highway, and for the purpose of traveling within the confines of the farm.
- ATVs can be used for forestry purposes under the same three-foot regulation as with farming.
- Helmets are required.
- “No public or private landowner shall be liable for any property damage or personal injury sustained by any individual operating or riding as a passenger on an ATV or upon a vehicle or other device drawn by an ATV upon the public or private landowner’s property, whether or not the public or private landowner has given permission to use the land, unless the public or private landowner charges a cash fee to the operator or owner of the ATV for the use of the property or unless damage or injury is intentionally inflicted by the landowner.”
- Individuals under 18 cannot operate an ATV unless:
  - The operator is operating on property owned or leased by the operator or their parents
  - The operator is taking safety education and operating under the direct supervision of a certified ATV instructor
  - The operator holds a safety education certification issued by this State or province of Canada