

## **TOWN OF TUNBRIDGE**

Tuesday December 12th, 2023 at 6:00pm via Zoom and Town Offices

Meeting called to order at 6:05pm

Present: Mariah Cilley, Mike Barnaby, Mike McPhetres, Gary Mullen, John O'Brien, Jonathan Bicknell, Todd Tyson, Liz Williams, Elizabeth Brown, Fern Strong, John Echeverria, Brenda Field, Betsy Gaiser, William Kraemer, Sue Salster, 1-617-899-9346, Rachel Cohen, Tyler Cohen, Peter Hayden, George White, Rudi Ruddell,

### **Road Report-Rodney Hoyt via Mike McPhetres**

Rodney Hoyt is suffering from gout so is not joining us this meeting. Hoyt will get a quote from Larry Picket for roadside mowing so we can include it in the budget. There are five trees on Falls Hill by the guardrails that he wants to cut out; waiting for a quote from Isaac Sacca. Guardrail crew will be on Strafford Road next week to put the guardrails in which will finish up the Strafford Road Bridge project. Dealing with the mud and ruts for the weekly storms. The grader is down in New Hampshire getting a recall fixed. This is a forty hour job. Matt Loftus will put jersey barriers where the road was widened near the wash out to keep people from sliding into the ditch. The radiator was fixed in house last week by Loftus, Braley, and Hoyt. O'Brien makes a motion to hire Randall Hoyt to fix the damage to the Larkin Bridge. McPhetres seconds. All aye. So moved.

### **Transfer Station- Mike Barnaby**

Thanks everyone for his time working at the Transfer Station, but starting after the 2024 New Year he won't be available on Saturday, he will be available Wednesday. The Selectboard thanks him for his time working.

### **The Ranger- Rachel Cohen & Tyler Cohen**

Event happens in early June from the Tunbridge Fairgrounds. Confirmed rental of the Fairgrounds for June 8<sup>th</sup> and 9<sup>th</sup>. They will cap their event at 600 registrants which is what they had last year. The main event happens at 10:00am on Sunday morning. They sign the route in Tunbridge the week before, mailer to each home in Tunbridge, information on Front Porch Forum and Listserv the weeks leading up. Partnering with many different area partners and are able to donate \$10,000 to these areas as well as raising an additional \$6000 to local farmers who were affected by the flooding this past July. McPhetres makes a motion to allow Rachel Cohen hold The Ranger in Tunbridge June 8<sup>th</sup> and 9<sup>th</sup>. O'Brien seconds. O'Brien asks if there was any issues they found last year. Cohen states there was some issues with farm equipment on a back road but they will make sure to have more marshalls on the course this year. Jonathan Bicknell is in full support of this event. All aye. So moved.

### **Legal Trails Discussion- Jonathan Bicknell & Selectboard**

Jonathan Bicknell held a public feedback session regarding reclassifying legal trails to Class 4 Roads two weeks ago. In summary, between those opposed and those who support, so far the

only feedback has been opposed. Concern regarding the impact of vehicles, further litigation, cost to update, cost to maintain and that it exasperates the conflict at hand instead of solving it. Some people felt that it helps maintain the legal right of way, understand the Selectboard's right to maintain or upgrade the Class 4 road. Sue Salster reads a letter regarding her opinion of the legal trails. Peter Hayden wants the Selectboard to be aware that upgrading the trail to a Class 4 road would be the wrong solution for the right reasons. Todd Tyson agrees with Peter's remarks. His emphasis has been to protect the right of way for the current legal trails. Tysons reading of the eminent domain issue is that this would not play a role or be additional expenses for the town. He reiterates that there are plenty of volunteers that are willing to help upgrade the trails and maintain them and make them useable. Cilley read an email from attorney Tarrant. Tyson asks if the outcome of the court case would change if there was "symbolic maintenance" done of the trails prior to the Supreme Court decision. Echeverria presents a letter from an attorney he would have that would represent him if the trail was upgraded from a trail to a Class 4 Road. He stated how this in fact would be eminent domain. He also states that the solution he is offering is to move the trail for bicycle traffic and keep the legal trail right of way. "Trails move all the time." Echeverria states he wants peace and to come up with a solution that would benefit everyone. Peter Hayden: As he understands it, there were three different alternative trails considered. One was rejected by Echeverria because it was too close to the homestead. One was deemed un-rideable by anyone other than an expert bicyclist. The third trail goes along the border of the property which was rejected by the town for it has six different stream crossings, specific soil conditions, and this is a mile long detour which ends up halfway into the abutting landowners' property. Compromise means no one gets what they want, but everyone gets something. Rerouting the trail means that Echeverria gets what he wants and everyone else has to suffer. Since the Selectboard can decide what they want to do, why aren't we requesting that the bicyclists dismount and walk until they are out of the envelope of the homestead and then they can continue? This would consider them a pedestrian. Echeverria states that Peter is late to the party and that these ideas don't make sense and aren't the optimal way to go. Mullen states that the Town of Tunbridge maintains their public right of way, we reserve the right to allow whoever we want on the trail. Tyson asks if he loses the appeal at a Supreme Court level would there be legal recourse for that? Echeverria says no but then he would shut off access to the Dodge Farm except for that public right of way.

### **Budget Meeting #2**

The Selectboard reviews the budget.

### **Other Business**

McPhetres makes a motion to allow Cilley to purchase a scanner through ARPA funds for recordings. O'Brien seconds. All aye. So moved.

### **Approve Warrants:**

All warrants signed and approved.

### **Approve Minutes:**

Minutes from November 28<sup>th</sup>, 2023 were signed and approved.

McPhetres makes a motion to adjourn. O'Brien seconds. Meeting adjourned at 8:23pm.

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Gary Mullen, Chair

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Mike McPhetres, Vice Chair

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John O'Brien, Clerk