

**Town of Moretown
Office of the SELECTBOARD**

Notice of unapproved minutes of the September 15, 2008 selectboard meeting

Board members present: Don Wexler, John Hoogenboom, Rae Washburn III, Paula Mastroberardino

Board members absent: Stephanie Venema

Guests: Jack Wood, Hoover Austin, Karen Sharpwolf, Rita LaRocca, Jack Wood, Denise Sanders, Cheryl Brown-Clerk for the Board

Don called the meeting to order at 6:10 p.m.

Public Comment:

Jack Wood – asked if there is any additional material from or about expert witnesses for the December court hearing.

The Board has not seen anything yet.

Paula told Jack that she is in the process of drafting a letter replying to the Taxpayers for Common Cents questions from 9/2/08. Once she has a draft ready, she will pass it along so Selectboard members can review it prior to forwarding it to Jack.

Jack asked if the DRB denied the town garage application.

Paula said no, there were requests for additional information ie: landscaping. Paula added that according to State Statute, a public facility application can only be reviewed by a Development Review Board with limited criteria such as setback, landscaping etc.

Jack asked if the Village adjoining neighbors are being compensated in any way for issues they might have had with the town garage application. Jack said he heard the town is working on a neighbor's septic possibly another's water.

Hoover gave an overview starting with talking with all neighbors in the area about the plans for the project – to the screening currently being addressed. Hoover said Ferris's septic is being taken care of because when the grader addition was put on the old garage it created a problem with the septic that is now being taken care of. That is why Ferris's septic is being addressed. During earth work excavation, springs (from old water supplies) may have been breached creating an increase of water toward the rear of the building site which is now being addressed. The town is not compensating neighbors and no additional work is being done that is not necessary to the project.

Don explained to Jack that citizen groups had been working to find a site for a new town garage for 6 or so years before Hoover came on board last spring. He said suitable property on 100B was found a couple of years ago but the zoning application was turned down by the Moretown DRB because the project did not fit the Town Plan(s) for that area of Route 100B.

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Hoover proceeded with a progress report.

- 90% of the walls have been poured and back filled
- Steel building will be here on 9/22/08
- The floor will be poured after the steel is up
- Water/clay in back of the building held up the project for a bit. Rae met with contractors and EA Grandfield is addressing the issue on a time/material as needed with should be less than the \$9,533 change order requested
- He is getting quotes for chain link fencing and cedar hedging that will be used for screening. EF Wall has a landscape person on board
- State recommended tying run-off into the current manhole. Under drain with filter fabric & crushed stone is being installed on the side and front of the building.
- Rae met with Bob Lord/contractors to address a couple of issues – the under slab and storm drainage work. Rae said he approved the under slab work, on a time & material basis, to address the water/clay (from the 4th bullet) after being assured by Bob that he is working to keep the project under cost. The work will not exceed \$9,533 the original amount of the change order request.
- Rae did not authorize a change order for \$10,000-\$12,000, for the storm water drainage work because he wants to talk with the engineer about what size pipe should be used first. Rae said that holding off on this change order approval is not holding up the project.
- Hoover will advertise selling the used overhead doors
- Most likely there will be no paving done this year
- Rae is waiting for feedback from Paul Gillies regarding Rick Darby's letter regarding Holly Ward not being in favor of a gate on the access road
- There will be a 1000 gallon propane tank used at the town garage. Hoover will wait to have the tank installed by the supplier that is awarded the 2008-2009 fuel/propane bid on 10/6/08.
- **Change access location request** - Letter drafted by Doug Reed to Dan Harris re: his request for the Selectboard to consider placing the new access (to the sand pile side of the road) at a different location than what was permitted by VTrans. The Board approved the draft and Cheryl will put the items in letter form before it goes to Dan.
- **Remove one access to residence** - Bob Mays requested that one access to their home (Harris/Mays residence) be eliminated by the town. In the same letter to Dan regarding the access location change, the Board will advise Mays/Harris that they must first get any approval or plans from VTrans before they consider doing the work.

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An updated budget standing for the town garage project was reviewed.

OLD BUSINESS:

Mad River Byway – committee was scheduled to come in tonight but deferred to a later date.

Server/Work Station update – Paula said she has no numbers from Mike Ketchel yet for a server that would replace the work station we have now. She will follow up.

Establish “Children’s Fund)” – Paula sent Paul Gillies wording to review to establish a Fund to hold the town’s share (around \$45,000) of the proceeds for selling the development rights to Moretown Landfill for deeryard mitigation. Paul’s comments were that the language was fine for the bank purposed but a vote by the electorate to *create* the fund as a reserve fund (which would mandate the use of the Fund) is also needed.

Paula said to set up a children’s account is easy as you just need to separate the money and put it into a fund.

Discussion followed about the possibility that the town and school could share the same Fund. Paula will look up the email and pass the wording along to John Schmeltzer and Don.

Personnel Policy – has been reviewed by VLCT attorney Garrett Baxter and the Board will review the draft prior to the 10/6/08 Selectboard meeting when it is hopefully adopted. Any additional comments will be passed along to Cheryl to give to Stephanie, prior to 10/6/08.

Flood Road work – FEMA has opened up funds to help pay for road repairs from the storms between July 21st and August 12th including towns within Washington County. On Friday, September 19th, from 1:30-3:30 p.m., there will be a meeting at the Barre Town Offices with FEMA and State of Vermont personnel to help local officials understand federal disaster eligibility requirements and the reimbursement process. Selectboard members, Amy Deutl and Cheryl plan to attend the meeting.

Repairs to Class IV roads – Rae said he, Stephanie and Craig will be meeting on Monday, September 22nd at 7:30 a.m., to decide what repairs the town will do to class IV roads. Since David VanDeusen emailed the Selectboard asking that the town repair the Lynch Hill Road to the state that a vehicle can make deliveries to his residence, Cheryl will notify David of the meeting in case he wants to attend. Cheryl will also notify Bob Grace of the meeting since he also asked that Herring Brook be repaired so he can get a delivery.

Library phone – Paula said she got a call from Waitsfield Telecom that a repair to the telephone wiring at the Library needs to be done to bring the building up to code. Rae will call a commercial electrician and ask that they contact Dave Peterson or Dave Jones at Waitsfield Telecom to find out exactly what work needs to be done.

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Town hall phone – Paula reported DSL will not work at the town hall and the extra cost to have internet available at the town hall would not be worth the five or so times a year it would be used. Discussion followed that the internet would be used to contact the Secretary of States office if needed during Town Meeting or Elections. Possibly the town could share wireless with a neighbor or just use the phone.

Audit – Paula reported that both Amy and Fred Duplessis said they are waiting for information from each other, to finish the audit. Don will email Amy and ask for an update on the year-end audit status.

Moretown Energy Group (MEG) – in conjunction with the Moretown Elementary School are sponsoring an energy fair on 9/20/08 from 2-5 p.m., to address fire safety (for wood stoves), solid waste etc, to teach people how to take advantage and implement saving energy.

Upper Valley Services – Don, Dennis Gray and Liz Harris will meet privately to talk about UVS operations. Paula offered to attend as well if needed.

Conflict of Interest policy – the Board thinks the conflict policy as stated in the VLCT Selectboard manual is sufficient.

NEW BUSINESS:

Zoning housekeeping – Memo from Steve Sharp requesting any comments for housekeeping changes to the zoning regulations be forwarded to the PC prior to September 30th.

Paula reviewed the procedures for adopting zoning changes.

Forest Management Plan – Memo from Steve Sharp requesting any comments for the Forest Management Plan draft be submitted to the PC as soon as possible.

Budget over spend – Rae said he would like to enter into executive session to talk about how the Board would handle an over spend of a budget line item.

Discussion followed - that if the Taxpayers for Common Cents presented a petition asking that no more money be spent on the quarry appeal, how it would be handled.

Paula thought it was premature to discuss how it would be handled before the board received a petition and further discussion should wait until that happens at which time the Board might go into executive session to discuss how to handle the petition.

John said Jack's article in The Valley Reporter got his attention and that he tends to agree with Rae after reviewing a statute sent to us from VLCT, that we might need a plan about how to deal with being over budget.

Paula said when we spend our budget sometimes we do go over budget on some line items when we face things such as oppositions, cost increases etc. She said if we had not had appeals during the quarry court hearings, we would not have gone over what was budgeted. She said we heard loud and clear from both sides last week. What we have done has been in the best interest of the entire town. If we receive a petition from the citizen's group as was mentioned, that would be the time for executive session to discuss what we are going to do with it.

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Paula will call Ron Shems to talk about cost projections for the rest of this year.
Don will call Paul Gillies for his opinion regarding over spending a budget item.

APPROVAL OF MINUTES:

8/25/08 – Rae moved to approve the minutes of 8/25/08 as amended to delete the figure of 23% so the *Set the 2008 tax rate (page 1) – discussion would read –* Discussion included – the tax rate as proposed on the worksheet reflects an increase over last years rate partly because at Town Meeting..... Paula seconded. All were in favor.

9/2/08 – John moved to approve the minutes of 9/2/08 as written. Rae seconded. All were in favor.

9/8/08 – Rae moved to approve the minutes of 9/8/08 as written. Don seconded. John, Rae and Don in favor. Paula abstained from voting as she was absent on 9/8.

REPORTS & COMMUNICATION, MAIL

Memo from Amy – re: town garage expenses in the town budget that need to be transferred to the town garage project account. Rae reviewed the items listed and approved the transfer.

Work in the town right of way permit application – from Pilgrim Partnership. Craig met with Gunner McCain, engineer for Pilgrim, a couple of weeks ago to review the work Pilgrim wants to do on Cobb Hill. Craig approved the work by signing the application. The Board signed the application as well but did not sign an addendum Agreement received today that by signing would relieve Pilgrim Partnership from any claims that might arise relating to improvement of the ditching within the municipal right of way.

Rae moved to approve the Road Maintenance Permit from Pilgrim Partnership but not the additional Agreement addendum submitted today. John seconded. All were in favor.

Soil monitoring work plan from ECS – for \$1,068 was signed for monitoring well abandonment as was requested by Ashley Desmond of the Vermont Department of Environmental Conservation. Don approved the work by signing the work plan.

Cheryl said she gave Hoover ECS’s contact information and asked that he touch base with them and let them know about the town garage project so they could coordinate any monitoring work they need to do with EF Wall.

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Humane Society contract – for the period of July 1, 2008-June 30, 2009 was signed. The Town of Moretown will pay the Central Vermont Humane Society the sum of \$84 per animal for the services.

Road Maintenance Permit application – from Fountain Forestry approving them to install 34 waterbars on Hog Hollow Road.

Discussion followed about the problems with the waterbars that Fountain Forestry installed on Lynch Hill last year. The decision was before approving the application Andy Carlo/Fountain Forestry will be asked to come in and talk with the Selectboard. September 29th at 6:30 p.m. will be the time scheduled.

Health Insurance options for 2009 – discussion will continue at a special meeting on September 29th. John will invite Susan Benoit from the Vermont League of Cities and Towns to come in to answer questions the board might have on different health plans, how Flex Spending works and management fees associated with Flex account etc. The Board will then present any changes to those covered by the health plan.

Don said he will most likely be absent for the 29th meeting, but he would like to “keep it simple” ie: would any additional premiums we might pay for a better plan be offset by not having to put money into a Health Savings Account.

Memo from Susan Goodyear – regarding the vote of 9/2/08 being an illegal vote because of no voter checklist being used.

John said he already verified with Cherilyn that there was in fact a checklist for the 9/2 vote and also a sign-in sheet and since the meeting was moved out of the town office as was warned due to the number of people present, there was notice of meeting place change posted on the Town Clerk’s Office door prior to the start of the public meeting and vote as well. John said he is confident all procedures for a proper vote were followed.

The checklist from the 9/2/08 vote is public knowledge and available for view during the Town Clerk’s regular business hours. Susan will be sent a copy of tonight’s minutes.

Vermont Fire Extinguisher – To upgrade the fire suppression system at the town hall to code will cost \$2500. Don is aware of the pricing and the fire suppression system work is being considered when planning for the renovation work.

Vermont Emergency Management – A bulletin regarding storm recovery help available for homeowners who suffered damage during the storms is available to anyone interested.

Mad River Ridge Runners – thanking the Selectboard for their continued support.

Rae moved to adjourn at 8:35 p.m. Paula seconded. All were in favor.