

**Town of Moretown
Office of the SELECTBOARD**

DRAFT – Notice of unapproved minutes of the November 2, 2009

Selectboard member present: Rae Washburn, Rob Roberts, Stephanie Venema, John Hoogenboom, and Dave Van Deusen arrived at 7:00 p.m.

Guests included: Jeff Ladue, Bob Mays, Eric Howes, Kara Herhily, Amy Gaylord, Kaj Samsom, Sarah Zschau, Bill Wilcox, Hoover Austin, Dara Torre, Jonathan Siegel, Carl Wimble, Eliza Cain, Caroline Strauss, Tom Allen, Deborah Feldman, Neal Mostov, Angela and Freya Van Deusen, Colleen Thomas, Gary Leboeuf, Pauline Leboeuf, Matt Strassberg, David Tremblay, Brian Ward, Susan Vitulano, members of the yoga and play groups, Roger Strauss, Russell Rohloff, Anthony Mazzilli and Cheryl Brown-assistant to the Selectboard

PUBLIC COMMENT:

Kaj Samsom –

Fiscal year end – Kaj encouraged switching to a June 30 year end saying the town would benefit because there would be audited financial statements for budgeting. VLCT has sources for information that would help define the process.

Town hall use – be sure to remember that when listing opinions from VLCT, they are our insurance carrier and it is their position that anyone who steps in any town building should have insurance. Look at all town hall uses and be realistic. Foster and encourage the town community – allow reasonable resident/taxpayer use of town buildings and the town will have some sort of benefit.

Bill Wilcox –

Town hall use – Bill had a chance to review other town's policies – some state if a demonstrated activity benefits the town, the Selectboard has the right to waive fees on a case by case basis, Bill thinks it might be nice to have that structure in Moretown's town hall rental policy. Insurance coverage was not addressed.

Jonathan Siegel –

Library budget – Jonathan read aloud, a letter he prepared which gives an overview of the last five years capital expenditures, how they were paid for, and what we need in 2010. The letter says his reasons for opposing the town to continue funding the Moretown library are about fiscal responsibility. The letter specifically addresses the library's 2010 budget request of \$22,940, as a 27% increase over the 2009 budget. Jonathan suggested contributing \$500 to each of the four surrounding libraries for a total of \$2,000 (about \$21,000 less than the budget request), because that would benefit all Moretown residents.

Jonathan will forward the Selectboard with a copy of the letter he read.

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Amy Bolger – supports the library, the town trail and the playgroup.

Sarah Zschau – feels she has tremendous benefits from living in the village and thinks if there were more activities in town it might draw people from outside the village to take advantage of the benefits. She said the library budget is very small compared to other larger budgeted items, and wonders if we could cut in other areas to help fund the library.

Bob Mays – the Montpelier library charges \$35 for membership.

Caroline Strauss – supports anything imaginative that would build community spirit.

Eliza Cain – remember not every home has books or can afford to join a library. Books are a resource we all have to have, and the library is critical to our community. The school library is not open in the summer and there are no adult books. She supports the library.

Dara Torre – think about community partners. She is willing to use her experience to help write grants. Keep the town hall accessible.

Eric Howes – at the last meeting, Eric submitted a letter of interest to be on the Planning Commission. Eric asked if because he was an alternate on the Development Review Board, he could also be on the Planning Commission? He can because the Resolution states that two members of the DRB may be members of the Planning Commission.

Carl Wimble – there have been discussions about what to budget in 2010 for quarry litigation. He asked why we need to budget? Do we know of any invoices that will be forthcoming?

Rae has spoken with Ron Shems about what to expect in 2010 for legal fees, but no decision about what/if to budget for quarry litigation has been made by the Board.

Carl would like to avoid budgeting for quarry litigation.

Listers re: town wide reappraisal – Jeff Ladue was asked to come in and talk with the board about the town wide reappraisal that was ordered by the State earlier this year.

Jeff said we can do a statistical appraisal or a full appraisal, explaining that a full appraisal (where every house is entered and appraised) was done in 2004, so Jeff thinks a statistical appraisal (using zoning permits etc, to identify changes to property since 2004) would suit the towns needs at about half the price of a full appraisal.

Discussion followed that the appraiser who did the 2004 full appraisal, would not be able to complete even a statistical appraisal until 2011 because he is so busy; and about putting a request for proposal out soon to see if other appraisers might be available sooner, and to get estimates and scope of work for both types of appraisal.

Jeff said we have around 900 properties in town and the cost for a full appraisal could be around \$70 per property. He thinks a statistical appraisal should be about half that but he needs to do more investigating to be sure.

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Rob mentioned speaking with a fellow from a town with about 900 properties in southern Vermont, who said they just had a full appraisal done for about \$40,000. Rob said the fellow told him a statistical appraisal would be quicker and cheaper, but it might not hold up in court because all properties are raised an equal percentage.

Jeff doesn't think that would be the case in Moretown because the listers have been maintaining properties (through zoning permits issued, visits etc.) since the 2004 full reappraisal, and he thinks \$40,000 sounds cheap for the amount of work that would be done. He said the listers can put an RFP out when he comes back from hunting. He said the town is not losing anything by holding off on getting the reappraisal done.

Currently there is about \$40,000 in the reappraisal fund. Discussion followed about having an article this year to add to the fund in the case a full appraisal is done.

Jeff will get together again with the Selectboard in early January with figures of what both reappraisal methods would cost the town.

Village Hill study recommendations – Vtrans performed a safety study of the village hill/Mountain Road intersection this spring. Stephanie outlined the Road Safety Audit Process. Some problems listed on the audit included the lack of site distance at the intersection, improved signage etcetera. At this point, a response is needed from the Selectboard addressing the listed problem, and a decision on the strategies offered in the report. The board reviewed three out of the nine problems listed, and decisions were made about how to respond to the strategy. The Board will tackle more at their November 16th meeting.

Public hearing for wind turbine zoning regulation – A note was posted at the town hall alerting people that the meeting place had been changed to the town office.

Discussion included:

- Concerns that the language in the proposed regulation is not encouraging for the use of wind turbines to promote energy conservation
- Concerns about the negative language about aesthetics
- 150 feet may not be enough for “off grid” turbines. Maybe offer exceptions for certain districts in the language
- No noise limitations language
- Non visible from a distance
- Why do zoning regulations have to be voted on by Australian ballot?

These comments will be sent to the Planning Commission and depending on if any changes made are significant to the original text in the draft, a second public hearing may occur.

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Proposed trail project – Matt Strassberg and Dara Torre offered to postpone tonight’s discussion on the proposed trail project until the November 16th meeting.

Town hall rental policy – Rae reported meeting with members of the town hall reservation committee, to prepare a draft for a new town hall rental contract and policy. He said the insurance issue is not completely resolved as he sees it, but thinks the rental fee as defined on the draft suit the rental needs. Rae doesn’t see any reason why the Selectboard couldn’t consider requests from renters to waive fees on a case by case basis.

Discussion was lengthy as there were many guests present tonight, and included:

- The town hall was built to be a meeting place for get together, parties, etc., and should be used for that purpose.
- When work was done on the town hall before, it was not maintained.
- The townspeople should be able to use the town hall.
- The town hall should be used as a community center.
- Rental fees could have different categories – residential uses/non-residential.
- Volunteers offered to help draft a use policy for parties, lectures, plays, classes, playgroups, weddings, exercising, school activities, etc., and perhaps for things like event planning and fundraisers.
- The population now needs exercise, a place where parents can bring their kids to play with other kids.
- Insurance should not be an issue for townspeople using the town hall for community participated events.
- Some feel people who charge a fee for a service, should be charged a rental fee, even if it is at a reduce rate.
- Possibly rather than charging a structure fee for services provided to townspeople, a donation might be offered to lessen the business aspect and there lessening insurance coverage concerns.
- More discussion about having a town hall committee which includes someone from the Selectboard, to draft a policy (separate from the rental contract) with “specifics”.
- Harwood Union High School is used for classes etc., instructors pay a percentage of their fee to the school, possibly that would work for the town.
- Moretown seniors and townspeople with medical problems, also benefit from the yoga classes.

Rae read VLCT’s comments about their view on the need for insurance for rentals.

Rob said we can not allow the town to be paralyzed by insurance fears. VLCT is going to ere on the side of caution when asked a question about risk.

8:25 Break

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John moved that the Selectboard form a committee to work on a town hall use policy and he will help, and until the time a use policy is adopted, the playgroup and the yoga class can use the downstairs only of the town hall, via the side door entrance, until the repairs to the upstairs are done. No one is allowed upstairs. Dave seconded.

Discussion – Hoover thinks using the down stairs is ok and won't affect his repair work. The yoga group and play group will not be charged a rental fee.

Vote: All were in favor. Motion passed.

Mazzilli order by Selectboard to remove rock retaining wall – Rae reported of a report submitted by the Mazzilli's at the October 19th Selectboard meeting. He said the bottom line is the boulders are in the highway right of way by about two feet. What bothers him is the retaining wall was built after Mr. Mazzilli was told by the Zoning Administrator to stop construction.

Anthony said the retaining wall work was remediation work with the State of Vermont on the fire pond, and the wall and the building are two different items so it didn't cross his mind that the order to stop construction also included the retaining wall.

Rae asked Anthony if the foundation was poured before the wall was built. Anthony answered yes. Rae said his concern about entering into an agreement that the Mazzilli's would move the wall if the road were to be upgraded, is that heavy equipment would be needed to move the wall, and it would require disturbing soils that have been setting for some time.

Anthony said they were obviously hoping for an agreement, but they will move the retaining wall if that is what the Selectboard wants.

Rae said his goal is to protect the right of way, he can't predict what the future needs for the road will be, but this is a large manmade wall in the town right of way.

Anthony thinks the retaining wall is further from the road than the bank used to be.

John said when the Selectboard reduced the trail from three rods wide to two rods wide it took your house out of the right of way, but that we wanted the retaining wall removed. You were at that meeting and you were happy then, you should be happy now.

Anthony asked for an extension because it is so late in the year, until 6/1/2010 to get the wall removed.

Rae moved to extend the deadline for the Mazzilli's to remove the retaining wall built within the Bat Hennesey trail right of way, until 6/1/2010 and to allow the wall to stay in place until then. John seconded.

Discussion –

Mr. Rohloff or Mr. Mazzilli will notify the Selectboard when the retaining wall has been moved.

Vote: All were in favor.

8:35 Dave Van Deusen left the meeting

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Land Management Plan – the goal is for the boards to approve a draft Plan then have public comment. Rae said wording has been changed so that a member of the Schoolboard and the Selectboard (and possibly a Town Constable) will locate the safety zone each year prior to hunting season. Once the Schoolboard and the Selectboard are ok with the draft wording, there will be a meeting for public comment.

Rob questioned the wording in the Financial Management portion of the draft, which states that all revenue generated from timber harvesting shall be used to manage the Plan. Rob will work on the wording to amend the language so if there are large amounts of money generated through logging, the Boards have options about what can be done with the revenue. Once Rob has the new language, he will pass it to John Schmeltzer for review and to the Selectboard.

OLD BUSINESS:

Town hall business:

Repair and renovation status Doug Reed reported:

- Unless we get warm weather this week, painting of the town hall may wait until spring. The building has been primed and Doug was told the primer should be ok in the spring.
- Testing was done on the water and found to be potable. It is however hard water but there are no appliances used that hard water should bother so nothing will be done about that. Hoover will ask how the sulfur smell can be remedied since that seems to be the most offensive.
- The windows are still boarded up. Hoover is still working on them to replace the window stops, new brass grommets, parting bead, screws, and painting.
- Two change orders were reviewed item by item, all of which were reviewed by Doug prior to tonight's meeting, for extra work on: new corner boards and clapboards on the cupola that were found to need replacing after the building was pressure washed and reviewed with a lift; additional decking material for the front deck that were also found to need replacing after being pressure washed, and for additional work to the windows.
- It is possible the front door may need replacing as well.
- How much insulation was put in the walls and how much were we charged for. At an energy conference held at the town hall, after testing the insulation in the walls, the question was brought up. The invoice from Bugbee Insulation does not state how much insulation was placed where in the building, so Doug will call Bugbee for clarification.
- Whether or not the paint on the town hall contains lead. Tarps were placed all around the building and procedures were followed for lead paint disposal.

Rae moved to approve change order #1 and #2 as presented and outlined. John seconded. All were in favor.

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Invoices for electrical work on the town hall – Carl still thinks the town was grossly overcharged for electrical work done on the town hall, so in his opinion we are owed a significant amount of money, or a significant amount of work.

Doug said the hard part is he (Kevin Collins) was approved to do the work, now it would be hard to say the work cost too much. Kevin is certainly willing to do whatever he is asked to do.

Carl does not think the town should pay for any materials used for any of the free work Kevin is asked to do.

Discussion followed about getting a letter of agreement from Kevin which specifically outlines what work the Selectboard would like him to do at no cost to the town.

Rae will talk with Kevin about a scope of work for the board to review.

REPORTS & COMMUNICATION, MAIL

Lister vacancy – Tom Gibbs requested appointment to the office of Lister until March 2010 Town Meeting.

The board wants to talk with Jeff and have Tom in before an appointment would be made. Cheryl will call Jeff.

Ira Hatch – Notice that he is paying his property taxes under protest and that he would like an appointment for discussion.

Rob will contact Mr. Hatch to find out what his protest relates to so Mr. Hatch can be directed to the correct department.

Letter from Charlene Latrop – about not being notified last week when the lock on the Town Clerk's office door was changed and she had to use the back door to access the town office, and that she was unable to work because the tax maps were locked in the Clerk's office. Charlene requested that tax maps be left in the listers office and if she is to use the back door, a ramp with a railing be built for easier access to the building. Cherilyn will also be made aware of Charlene's comments.

Minutes:

10/19/09 – Stephanie moved to approve the minutes of 10/19/09 as written. Rob seconded. All were in favor.

10/26/09 – Stephanie moved to approve the minutes of 10/26/09 as written. Rae seconded. All were in favor.

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more old business –

Class IV road maintenance policy – John is working on a Class IV road maintenance policy. Stephanie has model policies she shared with John. He will look them over.

At some point letters will go out to residents that will be affected by the town no longer plowing Class IV and private roads next year. John thinks the letters should go out now. Rae has a draft letter but he wants to make revisions to it before sending it out to property owners.

Insurance renewal – Agents will be contacted and invited to offer proposals for the town's insurance needs for 2010.

Landfill stickers – Cherilyn asked for permission to increase the price of landfill stickers to \$5.00.

Discussion about having a four dollar increase all at once, and the additional revenue the increase would generate.

Rob moved to increase the price of a landfill sticker from \$1.00 to \$3.00, and senior citizens will continue to receive a sticker free of charge. John seconded. All were in favor.

Planning Commission appointments – Requests from Amy Deutl and Eric Howes to be appointed to the Planning Commission (PC) are still outstanding. Rob wants to talk with Amy more about being an advisor for the planning commissioner's capital budget work, rather than being on the PC.

Discussion followed about their being only one open spot available on the PC and there are more people interested in helping out than there are spots available.

John moved to increase the Planning Commission from a seven member board to a nine member board, and sign a Resolution to that fact on November 16, 2009. Rob seconded. All were in favor.

Rob moved to appoint Amy Deutl and Eric Howes to the Planning Commission each with a 4-year term. John seconded. All were in favor.

Treasurer's request for additional assistance – A letter dated 10/13/09 was received from Amy Deutl submitting the name of Kelly Wood as the individual whose assistance she would use when needed, in the Treasurer's office. The Board had questions that they needed to talk the Amy about, so approval was deferred.

Rob reported that the help would not increase the assistant's budget and the pay would be at the assistant's rate.

Rob moved that Kelly Wood be approved to help out the Treasurer as an alternate in the case her assistant is not here, with no increase to the assistant budget and paid at the assistant hourly rate. John seconded. All were in favor.

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New business:

Town office renovations to secure the Town Clerk documents – Because the front door of the town office was found unlocked several times recently, and concerns were raised by the Town Clerk about the security of sensitive information, locks were changed on the front door of the town office and a lock has been placed on the door between the meeting room and the Town Clerk’s office. Rae said we could not take the chance that sensitive information might be compromised. The lock on back door of the town office was not changed.

Rae reported contacting Hoover to cut a wall in the listers room for a new entrance to the bathroom so it would remain available to the public when the Town Clerk’s office is closed.

The Board approved an invoice from Hoover for \$437 for labor and materials to do the work to change the access to the bathroom.

Stephanie moved to adjourn at 10:30 p.m.