

**Town of Moretown
Office of the SELECTBOARD**

DRAFT – Notice of unapproved minutes of the November 16, 2009 Selectboard meeting

Members present: Rae Washburn III, Stephanie Venema, Dave VanDeusen, Rob Roberts, John Hoogenboom

Guests included: Sue Chiapetta, Amy Deutl, Kara Herlihy, Jonathan Siegel, Hoover Austin, Don LaRocca, Tom Allen, Polly Bentley, Kaj Samsom, Dara Torre, Matt Strassberg, Susan Werntgen, Carl Wimble, Doug Reed, Cheryl Brown-assistant to the Board

Rae called the meeting to order at 6:00 p.m. and gave an overview of tonight's agenda.

Public comment: No one was present tonight for public comment.

Minutes:

11/2/09 – Stephanie moved to approve the minutes of 11/2/09 as written. John seconded. All were in favor.

11/9/09 – Stephanie moved to approve the minutes of 11/9/09 as written. Rae seconded. All were in favor.

Reports & Communication, Mail

Memo from Amy Deutl –

Flex Plan – re: approving a service agent to help with the town's insurance needs.

Discussion about Craig Eilers being the town's service agent for Short Term Disability and BC/BS health insurance, and if because he is an elected official, being involved in the town's insurance involves a conflict of interest. Craig has no decision making ability about what plans/company is chosen, nor is he on the payroll except for delinquent tax collections.

John thinks if Craig Eilers doesn't think it is a conflict to be the Delinquent Tax Collector and insurance service agent, he has no problem with him continuing as the agent. John will contact the broker that was interested in brokering the town's insurance.

Bi-weekly pay for the road crew - all currently receiving payroll from the town are on a bi-weekly pay schedule except the road crew, who are on a weekly pay schedule. Paying weekly/bi-weekly/monthly, quarterly, etc., would create a very minimal tax withholding difference in net the pay.

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Rae said the some of the highway crew think getting paid bi-weekly would cause them a hardship.

Discussion that an advance could be offered that would be paid back over time, to help offset the conversion. There was discussion about giving the road crew notice now, that the pay conversion would happen in April 2010.

John moved to continue with the weekly pay for the highway crew, and give them notice that the first week in April we will be revisiting the pay schedule, and that their pay schedule may change. Stephanie seconded.

Discussion – that this decision to revisit was made before, and why not make the decision now.

John withdrew his motion. Stephanie withdrew her second.

John moved that we give the highway crew notice that they will be put on a bi-weekly pay schedule in April, and that an advance will be available if requested for the pay week 4/8/10 to help ease into the transition. Stephanie seconded.

Discussion – the road crew would get a regular paycheck on 4/1 and another (for two weeks work) on 4/15, so the advance on 4/8 would help cover the gap. The amount of the advance would be no more than one weeks pay amount, and must be paid back by withholdings by the end of the 2nd quarter.

Vote: All were in favor.

AFLAC Insurance – Some town employees have AFLAC insurance premiums deducted from their paycheck. Currently the premium is deducted after taxes. The Selectboard needs to approve making the deduction on a pre-tax basis. Discussion was tabled until the 12/7/09 meeting.

more reports & communication later tonight

Financial statement by Amy Deutl – Amy provided budget status/revenue reports as of 10/31/09. Discussion included:

- Ancient Road revenue of \$5,000 received for reimbursement for Paul Gillies lookup invoices
- River Road reimbursement – how it is/will be accounted for
- Refund for overpayment on school funding – how that is accounted for? In the 2008 audit as a receivable
- Fire department – the 10/31 report from Amy was reviewed - more expenses to be paid in 2008
- Scenic Byway – Around a \$40,000 grant for the Scenic Byway. There has been \$10,000 received to date, and another invoice was submitted last week. No town money is used. Stephanie explained where kiosks and signs are and will go. Discussion about how the byway invoices get paid. The town pays invoices and 100% is reimbursed.

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- IRS fine – denial of the request to abate the fine. Amy has written a letter to appeal the denial of abatement.
- Financial Statements – what the Selectboard want for a format and how they want to get the information. The Board wants the same format as the reports received tonight and they want the reports sent to Cheryl and she will pass them along to them.

Jonathan Siegel – Jonathan spoke that level funding the budget is great, but there would still be a tax rate increase if 2010 Town Meeting articles/bond payments etc., exceed what they did last year. He said between the town’s loan payments and the school’s loan payments for work done this year, and any new articles the Board is talking about (new highway truck, reappraisal fund etc.), could create an increase in the tax rate unless additional cuts are made in the town and school budgets to compensate. Jonathan believes one of the cuts should be the library.

List serve – Jonathan spoke about having the ability for people to respond to the articles Dave puts on the list serve, possibly something that might be attached to the website.

Rae wanted it clear that the Selectboard can not respond to the comments from the public because of the open meeting law, but that it would certainly be a good source for public opinion on issues.

Australian ballot voting – Jonathan would like to see no Australian ballot voting because he thinks only a small amount of people are educated on the articles, where a floor vote would allow debates and discussion from the people present, before the vote.

Discussion followed about the possibility of having more public gatherings for people to get information on important town issues, and about somehow getting the word out to more residents.

Polly Bentley – re: library grant application – Polly asked the Board to sign a grant application for \$500, to purchase audio books.

John moved to allow Rae to sign the grant application. Rob seconded. All were in favor.

Proposed trail behind Moretown School – Matt Strassberg gave an overview, beginning that the trail was proposed to the Schoolboard and Selectboard about 10 months ago. Since then through grant funds, a trail designer has been hired; there have been two trail walks; meetings with State Wildlife and Vermont Land Trust personnel; and numerous meetings with the Selectboard. Many concerns or topics have been raised at various meetings which have been discussed and compromises have been made for things such as; ATV use, trail supervision, tree cutting, hunting, trail width etc. The trail fits into the Land Management Plan. Matt feels there is no reason to delay the approval.

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Dara presented an unofficial petition with around 100 signatures, supporting the trail. She said around \$19,700 in grant funding needs to be spent by August of 2010, or it will be lost.

Comments from the public included:

- Current trail is used but not accessible for all to use; it is a natural setting and a great resource for students. Thanks to all of the volunteers.
- Disheartened for the Selectboard not to support volunteers for this positive resource
- Plenty of walking space now. Fears that the new trail will call in mountain bikes. Ask the taxpayers by vote if they want this use of town/school property.
- The townspeople voted the people on the Selectboard to make decisions such as this.

John Schmeltzer said the Schoolboard supports the trail for school use, and he isn't worried about mountain bikes using the new trail. This trail would decommission some of the old eroded trails that need repair or be closed.

- Discussion about how this trail might effect timber harvesting.

John Schmeltzer said adjustments would need to be done to log, but the Land Management Plan addresses logging because of the deeryards on the property. The new trail would not prohibit logging.

John Hoogenboom moved to approve the new trail project with the following conditions:

1. every attempt be made to keep the trail width within 6 feet;
2. every attempt be made to minimize cutting trees larger than 3-4 inch diameter;
3. that there be a committee – made up of volunteers that would include a Selectboard, Schoolboard and Planning Commission member and the Tree Warden;
4. any equipment used to make the trail be kept at a minimum;
5. that the Schoolboard strive to educate parents about use of the trail during hunting season; and
6. the trail will comply with the new Land Management Plan.

Stephanie seconded. Discussion included Dave's request that any firewood cut, be available for community use.

Vote: Rae, John, Stephanie and Dave were in favor.
Rob abstained from voting.

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Land Management Plan – John Schmeltzer said when the Planning Commission turned their final draft along to the Selectboard, he took the lead to incorporate State Wildlife biologist John Austin’s comments, and Vermont Land Trust’s comments, into the land management plan, and passed the draft onto the Selectboard for review. From that review amendments were made, reviewed again by both Boards, resulting in draft #7 as presented tonight.

Discussion followed about how to make the document available to the public, and about having a hard copy available at the library and the town office.

Process for adoption:

- the Schoolboard and Selectboard would approve the final draft (#7 currently)
- there would be a public meeting to introduce the approved draft, held by both Boards
- Adopt the plan (legal process is to be determined)

Rae moved to approve the Land Management Plan draft #7 as amended and presented by John Schmeltzer of the Schoolboard. Stephanie seconded. All were in favor.

Old business:

Town hall business:

Repairs and renovations status – Doug Reed reported:

- 3 sides of the town hall are painted and they are working on the fourth
- the front steps should be done this week
- the walk-way is done
- some of the windows should be back in this week
- It was found that the lattice work that was around the porch was not original and it is pretty beat up. Pictures show there used to be board and batten. Doug and Hoover would like to go back to the historic board and batten. A change order would be needed. Hoover will figure it up and give a firm price, but they estimate \$1,000 would cover the change. Doug figures the project is on budget so far, so another change order for \$1,000, would make the grand total around \$5,500 above the original bid.
- The outside faucet will cost about \$75. If the water softener is installed, that would be the time to install the faucet.
- A water softener that would eliminate the sulfur smell in the water and would cost around \$1,770, according to Steve Parker of Clear Water Filtration.
- Doug is asking Steven Badger about a price to repaint the elevator.
- Dave figured about \$63,000 for the entire project.

Dave moved to approve replacing the lattice work with board and batten on the town hall, for a price not to exceed \$1,000. John seconded.

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Discussion –

Hoover will provide a change order for the work.

Rae will talk with Clear Water Filtration about the water softener and about installing the outside faucet.

According to Hoover, the building will be ready for the 11/30 town forum.

The fluorescent lighting is not working by the stairs.

Rae still needs to get in touch with Kevin Collins about doing gratis at the town hall.

Vote: all were in favor.

Bond amount for the repairs and renovations – Dave thinks a \$91,000 bond anticipation note will cover the work.

A bond audit will be needed in order to finance through the bond bank. Amy is checking to see if banks would finance long-term, other than by bonding. She needs a breakdown of the budget. Dave will forward that to her.

Town hall committee – John reported that around 10 people met and have sub-committees for difference duties. Becky Ciampi agreed to oversee the hall and do bookings.

Rae asked if her services would be free of charge (other than the cleaning)? John will check.

Uses of the town hall will be structured via a policy by a sub-committee.

Insurance questions are being investigated by another sub-committee.

The next meeting is next Wednesday at 5:00 p.m.

Village Hill Study review - problems #4, #5, and #6 were reviewed tonight.

#4 – addresses right turns off the Mountain Road. Stephanie will check the rights-of-way limitations.

#5 – steep embankment on the north side of the road. Stephanie will get the length of guardrail needed.

#6 – frost heave where 100B and the Mountain Road meet.

Class IV road policy – John thinks all class IV roads should have an annual grading, other than that it is on a road by road basis for maintenance/repairs as needed. John thinks letters should go out now to residents who's roads will not be plowed next year.

Rae is still working on that letter.

Stephanie thinks a policy should be done before any letters go out.

John will make up a draft class IV road policy and email to the Board for review prior to meeting for comments. Rae will draft a letter too.

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River Road phase III –

- Stephanie said the Scribner's want the ditch cleared from rocks. Rae will talk with Craig about it.
- Two invoices from Griffin & Griffin for work done on the project, totaling around \$45,000, were approved for payment.
- So far about \$20,000 of the town's share has been spent on this phase of the project. The project is about half done and needs to be complete by next summer (July) in order to receive grant funding. The Board will request Amy prepare a special warrant for the 11/23/09 meeting, in order to expedite payment of these invoices.

School water system upgrade invoice – Rae said Craig authorized the additional expenditure. The Board approved the payment

Town garage floor drainage – Rae talked about installing a floor drain in the town garage. It would require another holding tank and two drains in the floor. He has quotes from the companies who built the town garage/floor, and feel since they did the radiant heat system in the flooring, they would be the best ones to do the work. The estimate for doing the work to install two floor drains, holding tank, etc., is between \$12,000 and \$15,000. Rae said the current way setup is just not a good system and feels there is enough money left in the total highway budget to support the expenditure.

There was discussion about how much time it takes, and associated costs, to vacuum up the water sitting on the cement floor after snow and ice melt from the highway equipment (about \$130 per week), plus the damage to the building condensation will cause over time.

Rae moved that we spend up to \$15,000 to install floor drains at the town garage. Dave seconded.

Discussion – If any unexpected costs occur, anything over the \$15,000 would require approval via a change order, and that might hold up the project. Rae doesn't expect any problems. Discussion about if this money is in the budget, why a motion is needed at all. Vote: Motion failed.

Rob moved to install two floor drains in the floor of the town garage. Dave seconded. All were in favor.

2010 budget work – The Board hopes to have a draft ready after the 11/23/09 budget meeting, to have a working draft to propose to taxpayers at the 11/30/09 public forum.

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***more Reports & Communication, Mail**

Gary Schelley – State of Vermont re: FEMA flooding closeout – Gary Schelley notified that the Subgrant Agreement will expire on March 12, 2010, and if the work is complete on all flood project, the town needs to sign and return the Certification of Completion.

Rae signed the Certification of Completion.

Planning Commission reappointment request and resignation – Letter from Dan Lynch requesting reappointment to the Planning Commission.

Stephanie moved to reappoint Dan Lynch to the Planning Commission for a four-year term. John seconded. All were in favor.

Letter from Amy Deutl withdrawing her request to be appointed to the Planning Commission. Amy had already been appointed so Rae moved to accept Amy's letter as resignation from the Planning Commission. John seconded. All were in favor.

Planning Commission size – On November 2nd, the Selectboard made a motion to increase the size of the PC to nine members, but the Resolution making it fact, has not been signed yet.

John moved to keep the Planning Commission a five member board because the Resolution has not been signed and because with Amy's resignation there are seven now only members on the Planning Commission. Rob seconded. All were in favor.

Town Auditors – Linda Vantine, Rita LaRocca and Dara Torre requested to be appointed as Town Auditors.

Dave moved to appoint Linda Vantine, Rita LaRocca and Dara Torre as Town Auditors until March 2010 Town Meeting, at which time their term would expire and they would need to run for election to the office to remain auditors. Stephanie seconded. All were in favor.

Cobb Hill residents request road material – A letter from the Pfister's the Larsen's, Ray Holland and Tracy Drury, and the Querion's was received, requesting about 140 yards of material be delivered and spread by the town on the portion of Cobb Hill Road off the Stevens Brook Road side.

Reports were reviewed to see how much has been spent on this class IV road this year. 140 yards of product would cost around \$1,600.

Stephanie asked what Craig's priorities/plans are for the rest of the year. Do we need to do this and does safety factor in or could we wait until next year.

John thinks Craig should be the judge. Rae will talk with Craig.

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New Business:

Pre-Town Meeting – Hoover suggested having separate nights for the town and the school to present their reports for town meeting, so each have enough time for discussion. He will bring the suggestion up to John Schmeltzer.

C.O. Davis Fund – John moved to enter into executive session at 9:55 p.m., to discuss recipients of the Charles O. Davis Fund, whereby pre-mature public knowledge would clearly place the persons involved at a disadvantage. The Board's assistant was invited to stay for the discussion. Dave seconded. All were in favor.

John moved to come out of executive session at 10:00 p.m. Dave seconded. All were in favor. No action was taken in executive session.