

**Town of Moretown
Office of the Select Board**

Draft – Notice of unapproved minutes of the 9/16/13 selectboard meeting

Board members present were: Tom Martin, Reed Korrow, John Hoogenboom, Rae Washburn, Michelle Beard

Guests included: Tom & Martha Douglass, Laura Gans, Clark Amadon, Lisa Ransom, Scott Baughman, Martin Cameron, Duane Howes, Rachel Goff, Bill Moore, Patricia Kennedy, Chris Joyal, Gary Brown, Dave Van Deusen, Craig Eilers, and Cheryl Brown as assistant to the board

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

Public Comment Period –

Tom Douglass asked the status of Jonathan Siegel talking with Steve Lotspiech about development on Route 2. Tom M. will contact Jonathan to find out.

Martha Douglass asked if the town had written a second letter to Advanced Disposal (AD) about the cameras. The answer was yes and more discussion will be in reports and communication.

Laura Gans – Speeding Laura came in to follow up on an email she sent last week, about speed signage on Route 2 near Gallagher Acres. She said she lives in that area of Route 2, and has in the past asked both the town and state to lower the speed limit. Laura explained about the new signage installed earlier this year as being confusing, and speeding continues to be a problem on throughway. She has spoken with VTrans about it again. Laura added that she rarely, if ever, has seen the speed limit enforced. Nearly a year ago, the selectboard asked the state to lower the speed limit, including that are of Route 2, from 50 mph to 40 mph.

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A traffic study was done, but the speed limit was not lowered. The board will ask again. The board will also ask the Washington County Sheriff's Department to spend some time in that area.

Tom M. asking Steve Gladczuk of the Central Vermont Regional Planning Commission to look at the signage.

Sidewalks - Laura asked about the possibility of having sidewalks built to make that area of Route 2 more pedestrian friendly.

Tom M. said it makes sense with Gallagher Acres being developed, to have sidewalks in that area.

Michelle said she is on the sidewalk committee, and will certainly add that area to the list of needs.

Clark Amadon spoke about the new signage in Moretown village. He (actually it was his wife Jeb) would like it if the signs didn't flash if the vehicle speed was below the posted speed limit.

The selectboard does have the ability to manipulate when or if the signs flash. They decided to leave the signage as is until about October 1st then change the signs to flash only if the speed limit is exceeded. The data could then be compared to see if motorists reacted to the change.

Duane Howes came in quite upset that he had received two revised tax bills for the same piece of property. Duane spoke that Current Use changes did happen; that he spoke and/or left a message with a lister; and that he had spoken with the town clerk. He said paperwork that came into the office didn't go where it should have, and that someone in the town office has a grudge against him. Duane wants the board to check into that and to get him some numbers.

Approval of Minutes:

9/3/13 – John moved and Michelle seconded to approve the minutes of 9/3/13 as written. All were in favor.

8/23/13 – Approval of the 8/23/13 minutes was tabled.

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Reports, Communications and Announcements –

Advanced Disposal comment to 9/4/13 letter from the board – On September 4th, the selectboard wrote a letter to Advanced Disposal (AD) asking them to please reply to the letter written to them previously about cameras on MLI property that point toward Grow Compost. A letter was received from AD on September 13th, which Tom M. read aloud. The letter said that MLI has the right to install security cameras on its property and thus, they are not going to remove them at this time.

The letter from the Board sent to AD, had not asked MLI to remove the cameras, it asked that they be repositioned so their view did not extend the MLI property line.

Martha suggested writing them again.

John said letters do not work we need to stand there and ask them to redirect the cameras. This shows that AD isn't working with the town.

After further discussion amongst the board whether or not they had the authority to ask MLI to move their cameras, the board approved that Rae and John meet directly with landfill manager Bill Kernan about moving the cameras.

Request from Listers for permission to do an Errors & Omissions - The Listers asked permission from the selectboard to prepare an errors & omission report for Lizabeth Austin, to adjust her assessment for a parcel of land that she had sold. Once the report is done, it would be given to the Selectboard for their signature.

Tom moved and Reed seconded to approve that the listers prepare an Errors & Omissions report for Lizabeth Austin. All were in favor.

VLCT re: BYOB – The board asked VLCT/PACIF if the town would be covered for liability insurance if they allowed BYOB.

There will be discussion at the next meeting after board members have a chance to look at VLCT's reply.

State of Vt. re: Grow Compost request for amendment of application – The public comment period ends September 20th.

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Army Corps of Engineers – reminding towns that work in waterways and wetlands requires the approval of the Corps of Engineers.

State grant – Notice of Transportation Alternatives Grant Program. This grant could be used for sidewalks and/or by the Safe Routes to School Program. This grant be kept in reserve if the grant already applied for is turned down. Applicants of the “sidewalk grant” should be notified of the decision in September. Applications for this new grant are due on October 16th.

Firefighter grant – The board asked Cheryl to find out from Sean if he attended the workshop for the grant that would help pay for the “jaws of life” unit that the fire department wants to purchase.

Clark Amadon came in to give an update on the new town office project. Changes in the design plan include: all doors will be flood proof; and the concrete height will be extended to the point so that the elevation of the building will be 9’ to 10’ higher than the flood plain level.

Clark checked with the State and found that the article wording does not have to include “bond vote” language if financing is going to be five years or less, as long as the article describes the project. The town’s attorney and the Secretary of State’s Office have reviewed the article language as presented to the selectboard tonight for approval.

General discussion on the project included:

- ❖ The project will require moving the playground and when doing so will there be improvements? The playground will be moved and there may be some improvements suggested by the schools insurance for playground safety, according to Clark.
- ❖ How will the cost for the improvements be separated from the project costs? It was decided that the playground part of the bid (moving it) is to be broken down in the request for proposal.
- ❖ Scope changes - The selectboard has final approval of any change orders that might be recommended by the project manager or contractor.

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- ❖ Town office vote - How much the not to exceed should be on the voting article. After reviewing fund balances of insurance money already received, and estimating how much more insurance money the town should get for items such as a new vault (84 sq. /ft.); and the possibility of using part of the deeryard reserves for the playground, it was decided that the voters will be asked to approve borrowing a sum not to exceed \$40,000. Clarification: between the \$700,000 grant and an estimated \$134,000 of monies in reserve and monies expected, the board believes \$40,000 will be sufficient to cover an \$865,000 project.

Tom moved and Michelle seconded, to word the article to ask voters to approve borrowing a sum not to exceed \$40,000 to build a new town office.

Further discussion followed about the \$40K being enough. After doing some additional calculating, and taking in the fact that a buy-out grant for about \$65K might be awarded that would offset costs further, some board members think 40K is an adequate amount to ask the voters to approve. Vote: Tom, John, Rae and Michelle were in favor. Reed voted no. Motion passed.

Michelle moved and Rae seconded, that the article language read that the amount of \$134,000 from the insurance settlement and other related monies will be used in addition to the grant to help offset the cost of the town office project. All were in favor and the warning was signed and approved as amended.

Martha asked if the town had considered finding someone who would take the building down for the materials.

The answer was no, as the board hasn't fully decided what to do with the building yet, but that is a good thought and the board will keep it in mind.

Clark said there is not water or sewer capacity from the schools system, for a third building.

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Annual review of the class IV road & trail policy -

Rae thinks there are weaknesses in the policy such as; if there is free or stored material that could be used in areas that would benefit the town, the policy doesn't allow for that use on certain class IV roads. He thinks if there were language in the policy that would allow for town resources to be used on class IV roads even with a "B" classification, it might be helpful and beneficial.

Martin said he wasn't able to use the free material stored in Ciampi's pit for Lynch Hill, because the policy didn't allow for work on Lynch Hill as it is a B class.

Discussion that would allow the selectboard to make a decision what is the best use for town resources, on a case by case basis.

Dave Van Deusen wondered if there were to be a disaster and Lynch Hill was impassible, if the town would help.

Michelle indicated that during an emergency or disaster, things are handled differently during disaster measures.

Michelle explained that class IV roads where maintenance would hurt town equipment were categorized as "B".

Discussion followed:

- Currently, even if a landowner purchased materials for a B road, the town would not spread it out;
- All materials put onto town roads needs to be approved by the road foreman;
- Martin prefers that it remain the decision of the selectboard if road work is being proposed that is not defined in the policy itself;
- Language could be added to the policy that if a class B road is brought up to class A standards, there would be no issues about that road receiving class A maintenance as defined in the policy;
- Martin thinks it would be possible to get Lynch Hill up to class A standards;
- Rae said if the town isn't going to take care of a road, then maybe it should be a trail. He doesn't think the A & B classifications is working.

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If someone wants to buy material and Martin thinks he can spread it, what is the harm? Rae disclosed that he rents a camp on Lynch Hill and therefore has interest in the condition of the road, so he would not be voting on any issues relating to Lynch Hill road maintenance;

- Chris Joyal noted that he has his own equipment, so there should be an option in the road policy where the town has the option to dump material if the landowners on the road spread it. Chris said he has probably put \$5,000 in material and done all of the work himself for several years. Chris noted that in the past, the town has given him a load of stone here and there and he spread it out, but with this policy that option is no longer available to B roads.
- Michelle said we can't afford the material for all class IV roads, and there is no way to pick and choose what road gets it especially since we can't use our equipment on B roads without the possibility of damaging it.
- Martin said it makes sense to work with anyone we can because the A & B classification is due to the condition of the road either in part or as a whole, so if someone wants to buy enough material to improve the entire road to A, it might make sense to have that option.

Discussion and comments continued: Should we be trying to balance the budget at the expense of those who live on class IV roads; if people asked for tax adjustments for the loss of town services; generally the town should be working with people, but a policy is needed for guidelines; if people have their own equipment to do the work, give them gravel as it will only benefit the condition of the town road; the discontinuing of snowplowing roads that some have been plowed since about 1960; most towns keep up culverts on their class IV roads, that's it, but after hearing the discussion tonight it seems the committee needs to work on the policy so there might be wording available in it that would allow the selectboard to work with people, on a case by case basis depending on the circumstances, if we want to continue a good network of class IV roads.

The class IV road committee meets next on Monday, 9/23/13, at 5:30 at the town hall.

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OLD BUSINESS:

Kelley Brook trail – Rae brought up that a property owner changed the Kelley Brook trail to the extent that now a culvert is needed because Jeff Ladue can't get to his property, and perhaps the town should install a culvert.

The board said Jeff should come in and talk with the board about what happened and they will go from there.

Roadside mowing – Eric Howes did a nice job on the roadside mowing. The tractor was rented by the town.

Health Insurance – Craig Eilers stopped in tonight in case the board had questions regarding the new Vermont Health Connect (VHC).

The selectboard will decide how much toward the health insurance costs the town will cover. Employees can use that amount toward the cost of their insurance plan. Any remaining cost would be withheld from their pay via a payroll deduction.

The board decided to hire Craig to be the insurance broker to help employees make the best decision for their own insurance needs, and then help them enroll in VHC. His fee (actually it is a State mandated fee) will be \$13 per employee, per month.

Delinquent taxes – Craig gave an overview of the status of delinquent taxes. He said there are probably five properties going to tax sale. One currently has an invoice outstanding for work he did for the town. Craig hopes the amount of the tax delinquency is subtracted from that payment, saying it would be beneficial to the town and to the tax payer to have this matter settled before the tax sale. Craig said the property owner has been contacted no less than five times by him about the delinquency, and has yet to communicate back to him about paying it.

There was discussion that the contractor knew he couldn't bid on town work if there was a tax delinquency, which there was not at the time he bid for the work. But since then, property tax delinquency has occurred.

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Having had the “no bid if delinquent taxes are owed” information before the work began, leaves some board members with the opinion that it is proper to withhold the delinquent amount of around \$500 from the \$2,100 invoice. But before that is done, the contractor would be made aware of the situation.

New Business:

Route 100B box culvert work schedule - Rae reported that DuBois Construction will begin work on the bridge near Old Gulf Road beginning October 14th. Route 100B will be closed 10/21 thru 10/23, and traffic will be detoured over Pony Farm Road. Reed will notify Martin. DuBois will notify the Harwood bus barn.

Tipping Fee litigation – Tom announced to the guests present that the selectboard will be entering into executive session shortly to discuss the ongoing litigation regarding the tipping fees, and that there is nothing new to report except that board members will be meeting with the towns attorney on Friday, September 20th at 1:00 p.m. The executive session will be discussions about what information the selectboard members will talk about with the lawyer.

Tom moved to enter into executive session at 8:58 p.m. to discuss litigation regarding the tipping fees, whereby general public knowledge would place the town, or persons involved, at a substantial disadvantage. Reed seconded. All were in favor.

Tom moved to come out of executive session at 9:25 p.m. John seconded. All were in favor.

For the record, only two selectboard members plan to meet with the attorney on Friday, therefore there will not be a quorum present.

Invoices were reviewed and warrant #'s 50 and 51 were approved as submitted.

Michelle moved to adjourn at 9:40 p.m. Tom seconded. All were in favor.