

**Town of Moretown  
Office of the SELECT BOARD**

**Draft – Notice of unapproved minutes of the 11/7/16 Selectboard meeting**

Board members present: Tom Martin, Jason Aronowitz, John Hoogenboom, Rae Washburn arrived at 6:15, Michelle Beard arrived at 6:15

Guests: Bill Gallup, Jason Maloney, Kate O’Neill, Duane Pierson, Deborah Feldman, Mike Woods

Tom called the meeting to order at 6:00 pm.

**Reports & Communication, Announcements**

**Wireless signal booster** – The wireless service in the new town office is scant for both AT&T and Verizon. Concerns were raised about the lack of cell phone coverage in the village if we had an emergency or power outage.

If there is not a way to boost cell coverage via a setting on individual cell phones from the wireless we have in the town office, the board approved buying a cell signal booster from AT&T with a total cost of about \$125 after rebate.

Five phones can be installed into the micro booster unit. The highway and fire department cell phones will be two of the five.

**Vacancy on the Moretown Planning Commission** – Deb Sargent opted not to be reappointed for another term on the PC. The PC is a five - member board, with 4-year terms, and appointed by the Selectboard. Their duties include: preparing the town plan; prepare and present zoning bylaws to the Selectboard to be brought forth to the voters; make recommendations to the Selectboard on land development; preparation of a capital budget; participate in regional planning. John Schmeltzer has submitted a letter of interest to fill the vacancy. Before making an appointment, the board wants to post the vacancy.

**Bill Gallup – Town Office Project**

Flood gates – Grant administration has required that the town install flood gates on both doors of the new town office. Discussion followed about the finished elevation of the building. The cost is about \$3,000. The board will move forward to do this.

Acoustical wall system – Grant administration has required that the town take noise attenuation be installed. The cost being proposed is \$13,050. A lengthy discussion followed regarding what type and where the panels are needed.

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Bill will get bids for different types of noise improvements, including separate costs for the meeting room and the clerk area for the 11/21/16 meeting, and for the flood gate installation.

Radon mitigation – The Radon mitigation measures have been done. The mitigation was required by Community Development.

Punch list items – Only a couple of items are left on the punch list now. Cheryl is monitoring.

Grant amendments –

Amendment for deadline extension - No word yet on whether or not the amendment request to extend the grant deadline to do the parking lot work has been approved, or if the amendment includes the entire application.

Amendment for additional funds to do the flood gates, noise attenuation, and the radon mitigation, all un-budgeted yet required by the grant administration/Community Development, will be submitted. The amendment for the additional funds includes about \$30,000 in change orders approved throughout the project. The total additional grant funds being requested is \$48,050.

**Parking lot boundary line survey** – Kate O’Neill and Duane Pierson were present to review the survey drawing from Richard Bell. Duane showed the school, church, and town boundary lines to the board. It is clear that the school and church boundaries are complicated as they impact the school entrance road and it’s use, and so the church needs to be part of any maintenance agreement negotiations going forward. It is also clear that the school owns a small portion of the parking lot, and that the majority of the parking lot is used for school purposes. A 50/50 joint cost maintenance was mentioned, but a team of Kate, Rae, John, Duane, and Ray Daigle will together draft a fair and equitable agreement (MOU) for the maintenance and upkeep of the parking lot. The church trustees will also need to be communicated with during the drafting process. It was also mentioned that with the new district merge, ownership of the school properties may change, so we need to move fast to have the MOU in place.

The cost for the survey work was \$1,450. The school will pay the bill and provide the town with an invoice for half the cost, as was agreed upon at an earlier meeting. Duane will provide the town with a copy of the survey map reviewed tonight.

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### Jason Maloney re: Ciampi land

Jason said he believes there is confusion on ownership for a piece of land on TH#31, Lynch Hill. The lot is on the North side (uphill side) of Lynch Hill Road. He believes a lot listed on the Moretown tax map as #57, 13.9 acres, is actually part of the lands that Leo Ciampi was deeded in 1957 via Quit Claim Deed, which he later contested the ownership in court in 1992 when the town sold the land to Scribner via tax sale. Ciampi won the case by the court finding adverse possession and record of title, but that court decision consistently addresses the property as lot #59. In 1997 Leo took the Town to court for legal fees to regain his court expenses. Jason read aloud both court rulings. Jason M. spoke of physical likenesses in topography described in deed and court document, and waterbars on the property. Jason thinks the 59 is a typo on the town tax map and should be lot 57.

The Moretown listers have done considerable research on this since being made aware that Jason and Norma Maloney thought the ownership of the lot was wrong on the tax map, by researching land records (deeds & surveys) on file in the vault, and by walking the land known as the Scribner lot #57, the lot in question. Mike spoke of the findings and the listers determination; saying that the listers feel there were two lots; lot 57 & 59. Lot #59 was the lot Ciampi won ownership of in court, and Lot #57 which town records indicate is in fact is now owned by Scribner. Mike provided a copy of a survey, depicting the two lots. One on either side of Lynch Hill Road. Scribner bought both lots via a tax sale, the court awarded one lot back to Ciampi. Having only the town records to go by, the listers believe the Scribner's own lot #57, and cannot change ownership unless provided a deed or property transfer.

Jason M. wonders why the current tax map doesn't reflect a lot #59.

Most likely lot #59 was combined with the surrounding lot #33 (Ciampi land) after he won ownership of the 15 +/- acre lot when the new tax maps were done.

**Conclusion:** If Jason M. can come up with something that legally documents (a survey or deed) that Ciampi owns lot 57, then the lister's would gladly take a look at that information, but at this point the town records indicate Scribner own's lot #57. It was suggested that by using the docket # for the 1992 court case, maybe there are exhibits that can confirm lot #57 was involved.

John remembers the case, saying there was a lot of confusion during the tax sale and court business, but in the end both Leo Ciampi and the Scribner's were satisfied with the court decision.

Jason M. was told that the town wants to do the right thing so if he finds evidence of Ciampi ownership, come back.

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**Update of the tax maps** – CAI, the company updating the tax maps, sent an invoice for \$5,500. Paying that invoice will overspend the 2016 budget. Mike spoke with CAI and they agreed to put off billing the remainder of the contract (about \$16,000) until 2017. The work will be finished in 2017.

The board agreed to put the contract balance into the listers 2017 budget.

### **Approval of Minutes:**

**10/3/16** – Rae moved; John seconded to approve the minutes of 10/3/16. Rae, John, Michelle and Tom were in favor. Jason abstained from voting saying the meeting was so long ago that he can't remember the content. Motion passed.

**10/9/16** – Rae moved; Michelle seconded to approve the minutes of 10/9/16. Rae, John, Michelle and Tom were in favor. Jason abstained from voting. Motion passed.

### **OLD BUSINESS:**

**Blodgett Stipulation for Settlement** – The majority of Board members signed the Stipulation and the Modification Stipulation to settle the Blodgett trail dispute. Rae did not sign the Modification Stipulation because he felt that 10' for the width of the access road, as stated in the modification, isn't wide enough. The document was sent off to Paul Gillies for Calvin Blodgett to sign so hopefully the litigation can be settled.

**Town Hall drainage work** – There were three bids received to dig a trench along the Fletcher Road side foundation of the town hall so that water proofing can be installed; and do a small amount of ditching at the town garage. The expectation is it will take about ½ day to do the digging. Bids were as follows:

DuBois Construction – lump sum to mobilize of \$150 and \$105 hr. to do the digging.

Griffin & Griffin Excavating – mobilize \$135 hr. and \$135 hr. to do the digging.

Hastings Excavating – lump sum bid of \$2520.

DuBois Construction was low bidder. Rae would like to do the work the week of November 21<sup>st</sup>. Cherylyn will be notified of the work and asked not to book any rentals of the town hall that week. The town garage drainage work will be done at the same time. Tom will contact Dan Harris to see if that time is convenient for them to do the tree plantings.

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**Mad River Park recreation field land sale** – Michelle reported attending a Mad River Valley Recreation District (MRVRD). There was a financial discussion about purchasing the Mad River Park. General concerns were raised, and little information was provided at the meeting. Concerns include: field schedule needs ie: what fields used and when; justify the need to buy more; annual maintenance costs; fees to use the field, MRVRD member or not; what the value/benefit to Moretown would be to partake in the purchase; who would own the field MRVRD (Moretown is not part of the MRVRD); ways to offset the cost ie: conservation easement; what would a “recreational land” appraisal come in at, vs the “commercial land” appraisal. The 8.5 acre Mad River Park piece up for sale at a price of \$550,000. There has been a \$100,000 private donation made toward its purchase.

It was emphasized that Moretown isn’t saying NO to being part of the purchase, but we do not have enough information at this time to have a serious discussion, or make a decision.

There will be more discussion at a November 16<sup>th</sup> MRV Leadership Meeting. John will attend and bring information back.

#### **New Business:**

**2017 budget** – Budget work will begin on 11/21/16. Requests for proposed budgets have been sent to department heads and are due by 11/17.

**Shortfall** – Cherilyn will prepare a spreadsheet of why the town currently has about a \$200,000 shortfall in the general fund that needs to be addressed. Part of the shortfall relates to expenditures necessary to reconstruct the Mountain Road (village hill), for which a grant was applied for, but denied and so the expenditure came out of the General Fund. It was mentioned that the Savings Reserve Fund was established for purposes such as this capital need, and the option is to ask voters permission to use a part of the SRF, get a short-term loan to cover the deficit. There will be more discussion on 11/21.

**Capital Budget** – Jason will be working to update the Capital Budget. The board wants to know if any department will be requesting a capital expenditure and if so; how much and why.

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**Warrants and other documents approved:**

16057 – check # 18144-18171

16058 – check # 18172-18176 e ck# 2291-2300

16059 - check # 18177-18192

16060 - check # 18193-18213

16061 - check # 18193-18272 (ck# 18225-18253 voided due to printing error)

16062 - check # 18273-18274 e ck# 2301-2309

16063 - check # 18275-18310 (abatement +/- caused check #'s to be off w warrant 64)

16064- check # 18286-18309

Road maintenance permit for Lot 28 – Gallagher Acres culvert work - H & H Real Estate

Curb Cut permit for Lot 28 – H & H Real Estate

Pay change signed to approve the increase Shawn Graves pay from \$17.00 hr. to \$18.28 hr. because he got his CDL, as was part of the negotiations when he was offered the highway crew job.

Meeting adjourned at 9:15.