

## Middletown Springs Select Board Minutes August 14, 2014 Meeting Approved

**REGULAR MEETING CALL TO ORDER:** 7:00 pm

**BOARD PRESENT:** H. Childress, C. Haynes, M. Lamson, S. Moyer, T. Redfield

**PUBLIC PRESENT:** John Arsenault, Laura Castle, Art Castle, Jim Georg Ed Skwira, Bill Reed

**Approval of Minutes:** T. Redfield moved to approve minutes from July 24 special meeting; S. Moyer 2<sup>nd</sup>. [*all in favor, motion carried*]. T. Redfield moved to approve minutes from July 24 regular meeting as amended; C. Haynes 2<sup>nd</sup>. [*all in favor, motion carried*]. T. Redfield moved to approve minutes from July 30 special meeting; S. Moyer 2<sup>nd</sup>. [*all in favor, motion carried*].

### **Public Comment:**

- Ed Skwira, a resident of Rutland Town, has recently bought a camp on Dayton Hill Road and would like to do some work on that road, with town adding fill to firm up and level the roadbed. Bill Reed notes that the town is responsible only for existing bridges and culverts on Class 4 roads, and that Ed will need permission to conduct work in the roadway. He and Ed will make an appointment to visit the site and discuss, and Bill will then make a recommendation to the Board.
- John Arsenault resubmitted a petition to the Town Clerk on August 7, on behalf of the Volunteer Fire Department and its efforts to raise \$30,000 from the town to repair the firehouse roof. The town has 15 days to warn a public meeting and election after receiving this petition, and then between 30 and 40 days to hold such a meeting. M. Lamson moves to accept the petition and set a date for a public meeting and special election; T. Redfield 2<sup>nd</sup>. [*Aye—H. Childress, M. Lamson, S. Moyer, T. Redfield; Nay—C. Haynes; motion carried*] Board will set date at its special meeting of August 21<sup>st</sup>, and will ask Town Treasurer to advise on the details of raising and expending out-of-budget funds in mid-year.
- John Arsenault reports that the Volunteer Fire Department has received a grant of \$14,000 from the Poultney Mettowee Conservation District for the planning of a drainage project, and requests the survey of the town lot. Surveyor George Stannard has not yet completed the northern boundary survey; Carl will discuss with him. However, that boundary will not come into play for the drainage project, so the partial survey will suffice for accurate planning.
- John Arsenault reports that the Planning Commission has operated a five-person board with three people for some time; this allows them a quorum if and only if all three active members attend. One of the current members is discussing resignation, which will take the Planning Commission below adequate quorum. Under Vermont state law, the Selectboard sets the size of a local planning commission, from a minimum of three seats. H. Childress moves to reduce the size of the Planning Commission from five seats to three, with a resulting quorum of two members, effective October 1, 2014, contingent on the Town being unable to recruit sufficient new members by that date for the current seats; T. Redfield 2<sup>nd</sup>. [*all in favor, motion carried*]
- Jim Georg notes that the VLCT will be holding a training seminar on the new Public Records Act and Open Meeting Law; H. Childress will attend.
- H. Childress reported the results of open comment on streetlight location, noting that some of the recommendations and requests are incompatible with one another. He will make recommendations for new streetlight array, post publicly, and bring recommendations and comments to the Board at August 28 meeting.

**Town Officers:** No reports.

**Town Lands:**

- West Street—M. Lamson has filed a request with FEMA for a letter of map amendment (LOMA) for West Street property; FEMA will notify us of their determination within 60 days (project # 14-01-3143A).
- Parker Property—C. Haynes attended Building Committee meeting; although there was no quorum, discussions included cleaning and mowing the lot in preparation for an on-site open house. Carl has requested a possible meeting with the engineer, the Building Committee and the Selectboard to discuss appropriate septic design and location. H. Childress will contact Teers to request removal of downed tree; C. Haynes will clear high grass on lot.

**Road Commissioner:**

- Bill Reed will be digging test holes for possible ditch construction on Coy Hill Road; M. Lamson and S. Moyer will be present at 11:30 am Friday August 15.
- Bill has prepared bid package for precast box culvert for North Street construction project. Bids will be solicited in March 2015, followed by a later bid package for excavation based on the winning design for the culvert. Project must be completed by December 2015 under the terms of its grant.
- Bill presented quarterly estimates for upcoming equipment maintenance. He will present equipment logs at the beginning of each month.
- A new recorded message has been completed for the phone line at the Town garage.
- Steve Geno is temporarily restricted to light duty; Bobby Parker returns to work Monday August 18<sup>th</sup>.
- Bill will be meeting on August 21 with Hillary Solomon and representatives of the Fire Department and Community Church to discuss next steps on drainage project.
- The grader is at Winmill for repair; the Board authorized Bill to have it trucked back to town upon work completion.
- Bill will get one additional quote for tires for the plow trucks before the Board makes purchase.
- Mike has investigated time clocks so that the Town can replace the old one at the garage. T. Redfield moves that the Town purchase and install a Latham 1500E self-setting time clock and Staples 2-year support plan; H. Childress 2<sup>nd</sup>. [*all in favor, motion carried*]
- Bill informed the Board that the recent replacement of the backhoe steering column has not fully solved the problem of locking it into multiple positions.

**Road Reclassification:** H. Childress notified the Board that the special Town meeting of September 9 at 7pm has been posted; that copy has been sent to the Magnet and to Front Porch Forum; and that certified letters have been sent to the three potentially impacted property owners. Laura will place notices in the Rutland Herald by end of August. This meeting will allow town input on the following three requests:

- That Whites Road be declassified, or “thrown up”
- That Moyer Acres Road be declassified, or “thrown up”
- That Fox Bridge Lane be reclassified as a Class 4 Road

**Solid Waste:** The Solid Waste Alliance Communities (SWAC) of Rutland County are seeking a grant to implement the new solid waste plan. This grant requires SWAC to provide an \$8,000 match, and the Middletown Springs component of that would amount to \$566.

The final quote for gate replacement has yet to be submitted.

**Correspondence:**

- A petition to place a motion at special ballot to raise, allocate and expend \$30,000 to replace the roof of the Firehouse.
- Fill requests from Sue Miller, Ann Marie Mahar
- Service request from David Laurence regarding tree limb overhanging Garron Road. Work completed.
- Service request from Ed Skwira regarding work on Dayton Hill Road (see Public Comment)
- Letter from Town's attorney regarding Pepperman lawsuit.
- Letter from Town's attorney regarding personnel
- BCBSVT newsletter
- Nortrax catalog
- Letter from RRPC clarifying procedure for updating and approval of town plans.

**Board Orders:** T. Redfield moves to accept Board Orders as presented; H. Childres 2<sup>nd</sup>. [*all in favor, motion carried*]

**Legal:** Town attorney Gary Kupferer and others held a site visit at 9:30 am on August 5. This meeting seems to have resulted in agreement of property boundaries between two of the interested parties.

**Other Business:** Steve Geno has requested clarification of vacation pay and public holidays. The Board has not finished consideration of new employment policy. The Selectboard will hold a special meeting at 6 pm on Thursday, August 21 to consider employment policy and job descriptions, and also to set the date for a public meeting and election regarding the Fire Department's petition.

**Executive Session:** T. Redfield moves to enter executive session for personnel matters; S. Moyer 2<sup>nd</sup>. [*all in favor, motion carried*]. Executive session begins 10:44 pm.

H. Childress moves to leave executive session; T. Redfield 2<sup>nd</sup>. [*all in favor, motion carried*]  
Executive Session concludes 11:02 pm. H. Childress moves to allow Board Chair to sign the Memorandum of Understanding as amended, and return it to Town's attorney; M. Lamson 2<sup>nd</sup>. [*all in favor, motion carried*]

**Adjourn** — T. Redfield moves to adjourn, S. Moyer 2<sup>nd</sup>. [*all in favor, motion carried*]. Meeting adjourned 11:05 pm.

Respectfully submitted,  
Herb Childress, Clerk