

Middletown Springs Select Board Minutes
Regular Meeting
October 11, 2012 Approved

CALL TO ORDER: C. Larson called the meeting to order at 7:02 pm.

BOARD PRESENT: Shirley Moyer, Chris Larson, Jim Webber, Carl Haynes (arrives 7:12), Mike Lamson

PUBLIC PRESENT: Laura Castle, David Munyak, Tony Lamberton, John Arsenault, Vicki Arsenault, Tom Hurcomb, Dan McKeen

Approval of Minutes of 9/27

- S. Moyer moves to approve the 9/27 regular meeting minutes as presented. C. Larson 2nd. [*C. Larson – aye, S. Moyer – aye, M. Lamson – abstain, J. Webber - aye, motion carried*]

Public Comments

- Tony Lamberton – attends as Trustee of Middletown Springs Community Church. Discusses significant water in the basement which is causing mold. This has historically been a problem. Perception that water is running off Firehouse Lane. Dan McKeen met with Frank Parent, Civil Engineer, to discuss options to deal with the problem. 1st idea was to direct water to the grassy area between the Church and Historical Society however there is a leach field in the area. Alternate option to install a catch basin which would collect water and bring it across the green to the four corners drains. Other options may be possible as well. Mark McManus is looking into grants. Rough estimate of \$50-60K to complete the entire project. Dan requests the board to determine who owns Firehouse Lane. Frank Parent will present some options, the Selectboard will determine ownership of the land, Mark will pursue grant opportunities.
- John Arsenault, Vicki Arsenault, Tom Hurcomb – Attend on behalf of Planning Commission. Seeking input from the Selectboard as to village center designation for the town. Provides the potential for tax credits to business in the designated village area and provides preference for future grants (example: SRTS grants). Spoke with other towns and the state and have determined there is no real downside however there may be some costs to initially map the area. John will look into the costs of mapping. S. Moyer points out this has been pursued in the past and the difficult aspect is defining the exact boundaries. Places no restrictions on property owners or on roads. Will have to be filed by the Selectboard, Planning Commission to do the groundwork. More info available VT Agency of Commerce and Community Development.
- John Arsenault is the representative to the Rutland Regional Planning Commission – he feels that he may be asked to vote on a resolution to ask the Public Service Board to enact a moratorium on wind development in Rutland County or statewide. Planning Commission has not taken a position and would want input from the town before they did. Town Plan says nothing about wind towers however mentions protecting ridgelines. John inquires if the Selectboard has any input. The board is leery of providing support for or against wind power at this time however asks John to keep us in the loop in case a decision needs to be made.
- Planning Commission is in need of an additional member. The Planning Commission is seeking interested parties and requests the Selectboard keep them apprised of any town efforts.

Parker Property

- C. Larson has been in contact with Jenny Munyai and Neil Vreeland regarding the closing. Binder from People's United for \$77,300 @ 2.75% interest.
- Neil requests closing date. Chris indicates the proposed deed description will be based on the Courcelle survey which everyone is not entirely happy with. There is an option to prepare the deed per the metes and bounds description, per the survey, or per a new survey.
- Letter from Building Committee asking to go on record: "*That the Building Committee go on record and express to the Selectboard that the Building Committee is very concerned about the accuracy and integrity of Mark Courcelle's survey of the Parker property and the process used to obtain it. Specifically, the Building Committee is concerned about the referencing of the pins that were not yet set; amending the survey without communication with the Selectboard, and the process used to determine the location of the lines.*"
- Discussion of the changed survey and reasons for doing so. It seems there was a small jog on the Parker parcel which could not be substantiated with any deed research, according to Courcelle. Bill Johnson, surveyor for Teer was in agreement and the survey was altered to remove this sliver from the survey. There has been no response from Courcelle to the boards repeated requests however this was conveyed through Neil Vreeland. The option of having a new survey completed exercising all possible caution may or may not provide the same results and may require a lengthy legal process which would delay closing.
- C. Haynes and J. Webber feel that we should proceed with the survey prepared by Courcelle. Carl does not feel there are any grounds to contest the changed survey. C. Haynes moves to proceed with the description in the survey and proceed with the closing. J. Webber 2nd. M. Lamson feels that a discussion with the surveyors should be scheduled if possible and an inquiry be made with Neil Vreeland to determine if a corrective warranty deed could be filed in the future if necessary. *[all in favor, motion carried]*. Norm informed Carl that the underground storage tanks need to be removed before the end of the year.
- Chris inquires if we would like to make a decision on the funding. Carl does not feel we should borrow the full \$77,300 only the amount needed for closing (\$57,300). Shirley inquires if we should borrow the full amount in case we will need to fund the tank removal if grant opportunities fall through. Carl feels the money has been raised by taxes and should be available. C. Larson moves to accept the financing from People's United Bank 3 year fixed rate of \$57,300 @ 2.75% interest. C. Haynes 2nd. *[all in favor, motion carried]*
- Chris will inform Neil and Jenny to proceed.

SRTS Project

- None at this time.

West Street Project/Reimbursement

- C. Larson spoke with Bill. Bill is ready to submit for reimbursement minus a bill for a small section of paving.

Riedinger Lawsuit/Ventrella Lawsuit/Garron Road

- Carl inquires if there is a status hearing scheduled for 10/30. C. Larson forwarded the town attorney response and filing.

Insurance Renewal

- M. Lamson moves to allow C. Larson to sign the VLCT Insurance Renewal on behalf of the board. C. Haynes 2nd. *[all in favor, motion carried]*

Solid Waste/Fort Dumpster

- Single Stream is operational.
- The gate and fence have been completed by Glen Tarbell. The final cost came in below the original quote.
- Next steps are to get rid of the trailer and site cleanup.

Salt Shed Replacement

- None

West Street Property Disposition

- Chris presents estimates from Ellis Speith Engineering to complete a site survey on the West Street property. This process would make a determination of the actual flood zone limits and steps to remove the site from the Flood Plain by placing fill on the site. This process would include determining base flood elevation, hydraulic calculations, site topographic survey, site grading plan, prepare letter to FEMA, construction staking. Total cost is \$9,198. The process may not require all steps quoted however. Chris will forward the proposal so that the board can further review before further discussion.

Road Commissioner Report

- Rip-rap on 140, stone lining ditches on Coy Hill, wants direction from the board on Daisy Hollow.
- Service Request Form from John Scott concerning driveway being washed out by runoff on Daisy Hollow Road. Bill feels a culvert is needed to resolve this issue.
- Daisy Hollow – Bill is concerned if the road is not constructed to state standards, eligibility for grants could decrease. Bill requested a work order which the board prepared and C. Larson signed. The board was in agreement with the work order and having Chris sign on behalf of the board.
- Hiring winter backup. C. Haynes feel the board should hire a replacement employee for the 30 hour position to replace Joe Castle's position. S. Moyer will coordinate with Laura to have an ad placed in the Free Press and Rutland Herald. Job applicants will file an application which will be forwarded to Bill and Carl who will screen and interview if necessary the applicants and make a recommendation to the board. The process should be completed by November 8.
- Carl inquires if we are going to repair the 2/10ths of a mile of Coy Hill from Pepperman property to Moyer property. C. Larson inquires if it would be contracted. Carl estimates cost of \$22,000 including fabric and SLC topcoat. 1. Is this the right procedure to complete the road 2. Is this the priority 3. Is the money available in the budget this year. Chris will ask Bill to attend the next meeting to discuss.

Financials/Board Orders

- Request from Town Auditors to attend VLCT auditor workshop. S. Moyer moves to authorize the auditors to attend the meeting. C. Larson 2nd. *[all in favor, motion carried]*
- C. Larson moves to approve the highway general orders as presented. J. Webber 2nd. *[all in favor, motion carried]*
- C. Larson moves to approve the Selectboard highway salary orders as presented. C. Haynes 2nd. *[C. Larson – aye, J. Webber – aye, S. Moyer – nay, M. Lamson – aye, C. Haynes – aye: motion carried]*
- C. Larson moves to approve the general orders as presented. J. Webber 2nd. *[C. Larson – aye, J. Webber – aye, S. Moyer – aye, M. Lamson – aye, C. Haynes – nay: motion carried]*

Correspondence

- Building Committee
- Bob Zorn letter
- Electrical inspection results from the transfer station

Other Business

- None

Adjourn

Meeting adjourned 10:40 pm. Mike Lamson, Clerk