

**Middletown Springs Select Board Minutes  
Regular Meeting  
September 27, 2012 Approved**

**CALL TO ORDER:** C. Larson called the meeting to order at 7:09 pm.

**BOARD PRESENT:** Shirley Moyer, Jim Webber, Carl Haynes, Chris Larson

**PUBLIC PRESENT:** David Munyak

**Approval of Minutes of September 11, September 13**

- Chris moved to approve 9/11/12 minutes, Jim seconded, Passed 4 yea 0 nay
- Jim moved to approve 9/13/12 minutes, Shirley seconded, Passed 3 yea 0 nay  
Chris did not vote

**Public Comments**

- Mark McManus resigns from Planning Commission due to an E.M.T. class he wishes to attend. Resignation accepted with thanks for service.
- Discussion of a 14' x 51' addition to the north side of the fire house to shelter the hook and ladder truck. Fire Marshal approves. Approx. cost \$25,000 to \$35,000 Can be paid out of operating budget, although possible financing is being looked into via the VT League of Cities and Towns. Currently the Fire Department operates five trucks and the first Response unit.

**Parker Property**

- Amendment to survey by Mark Courcelle shifting southeast corner marker 10' to form a straight line along eastern side. Revised survey was dated 9/18/12
- A discussion followed regarding the change. Chris would like to have an explanation from Mark. Dave Munyak is concerned over the standards used by Vermont surveyors and noted that in Wells Mark Courcelle was reprimanded for failing to provide requested information. Dave requested that the Selectboard follow up by looking into Mark's professional competence. He also asked if Mark has been paid for his services to the town. Chris said that he would be in touch with Mark and would try to learn what was going on, why changes were made and the location of monuments. It was suggested that Mark meet with the Selectboard.
- 7:40 p.m. Chris attempted to call Mark. A message was left on his answering machine to call back tonight if possible, otherwise to call Chris.
- Chris reported on a conversation with Frank Parent regarding the impotable well on the Teer property. An affirmation will be sought from Joe Teer to proceed. Frank had indicated that an objection to the permit to build might slow down the process but would unlikely stop it. Carl H. said that Joe Teer had put in a drilled well after purchasing the house. Chris then suggested that we have Frank Parent contact Joe Teer to discuss the shallow well that is of concern.

- Dave M. reported that the Phase I Study had been completed and that a copy will be forwarded to this office. Dan Potter (So.Windsor Co.) has approved the clean-up application. E.P.A. money may also be available for petroleum clean-up and there are also Brownfield funds with a \$20,000 match. Ed Bove is willing to make application to the E.P.A. if needed. Trish Coppelino has also been contacted about a corrective action plan. Ed Bove said that he would pay for this.
- Chris moved to authorize the Building Committee to acquire a corrective action plan through the Regional Planning Commission. Carl seconded the motion with the provision that the green wood framed building be included. The motion was reworded to include the building and passed by a 4 yeas 0 nay vote.
- Dave M. expressed an interest in attending a Brownfield Forum Nov. 9 in Stowe. There is a \$90 fee.
- Chris suggested that a sign be placed on the future town office site identifying the site as such. Dave agreed and would like a town clean-up of the property.

### **Safe Routes To School**

- Issue #1 involve the timing of the current project, the future sidewalk and traffic flow project
- Issue #2 involves the bidding process

### **West Street Project**

- There is a question as to reimbursement

### **Reidinger Lawsuit/ Venturella Lawsuit/ Garron Road**

- Chris reported that there is a Montpelier lawyer by the name of Brian Monegan preparing a draft in response to Reidinger's request for a permit. Gary C. will work with Monegan.
- Chris asked if the 2010 town map showed a continuation of Garron Road. It was pointed out that the state assigns numbers to town roads and that #21 was assigned to Garron Road up to the turn-around.

### **Solid Waste/Fort Dumpster**

- The electrician is expected to inspect tomorrow 9/28. Shirley says that the doors continue to be a safety issue according to the electrician. Carl noted that the compactor is still not anchored to the cement pad although the electrician said that he would anchor it.
- Hubbard vs. Cassella Mike is checking on pricing.
- Carl moves to award the contract to Hubbard. Chris seconds motion. The vote is 2 yeas, 1 nay, 1 abstain (Jim) Vote does not pass at this time.
- Middlebury Gate brought the new gate then returned home with it since nobody was present to accept it. It was explained that nobody knew of the gate's arrival.

- Carl offered to repair the end to the cardboard compactor cord tomorrow with a new plug.

### **Salt Shed Replacement**

- No business at this time.

### **West Street Property Disposition**

- Ellis Spieth provided a map of the land showing the area in the flood plain. Initial cost estimates were \$800 for communications, \$1,000 for the survey, etc and \$600 for the hydraulic calculations. Following this a LOMA could then be filed.
- Shirley commented that this seems a very “iffy” endeavor, but asked where else we could move to if move we must? She feels that the knowledge would be worth the cost.
- Chris said that with no other options in sight this would seem a good investment. He asked that Ellis send us a contract.
- Carl and Jim both agreed that it would be a waste of money.
- Dave Munyak feels that the cost would be a good investment just to know what we would have even if the property is sold at a later date.

### **Road Commissioner Report**

(Bill not present)

- Pictures and information were provided regarding Daisy Hollow Road near the John Colvin property along with Bill’s recommendations for needed improvements to the road.
- Chris has two concerns: the narrowness of the road and the removal of dead trees.
- Carl suggested we gravel the road to shed water both ways over the adjoining lawns. From John Colvin’s pasture to the top of the hill there are 16 dead trees.
- He also questioned the issue of mud on the upper road. Carl will talk to Bill about gravelling the road up the hill and about cleaning the ditches.
- Carl asked if there has been any concern over fill material going to Bill’s house. He explained that the current policy is that if fill is requested it should first go to the individual(s) making the request. Carl suggested that fill be dumped along West Street and other similar locations to improve the shoulders.
- A letter from Bill was read regarding the time clock and time sheets.
- The cost of repairing Coy Hill Road appears to be approximately \$18,000. This includes the road near the Arsenault’s and from the Moyers to the Fowlers.
- There was a question as to whether the transfer station work was to be billed to the Highway Department or to the Transfer Station. Bill had 30 hours at the transfer station and Bob had 31 hours.

### **Financials/Board Orders**

- Carl moves to pay the highway order as presented. Chris seconds 4 yea 0 nay motion passes
- Carl moves to approve the general orders as presented. Chris seconds 4 yea 0 nay Motion passes.

### **Correspondence**

- Insurance application renewal
- Law enforcement certification survey to Tim Poole from VT League of Cities and Towns
- Health insurance information from VT League of Cities and Towns
- Ventrella status conference at Superior Court in Rutland

### **Other Business**

- It has been suggested that we meet next week regarding bids to do work on roads and the compactor contract.

### **Adjourn**

Meeting adjourned 10:00 pm. Jim Webber, Acting Clerk