

**Middletown Springs Selectboard • Thursday, August 23, 2018**  
**Regular Meeting Approved Minutes**

**BOARD PRESENT:** H. Childress, C. Fenton, C. Haynes, P. Kenyon, T. Redfield  
**TOWN OFFICERS:** Laura Castle, Town Clerk; Sarah Grimm, Auditor; Bill Reed, Road Foreman  
**PUBLIC AND GUESTS:** None  
**CALLED TO ORDER:** 7:00 p.m.

**Minutes:** T. Redfield moved to approve the minutes of the August 9 meeting; P. Kenyon 2<sup>nd</sup>; [*all others in favor, motion carried*].

**Town Officers:** Election materials are all at the Rutland County Courthouse as of yesterday, for the county-wide recount. Laura is sending the revised voter checklist to the Secretary of State.

**Highway:** Bill had another eventful week with VTEL, attempting to locate and protect their fiber optic cable under the Norton construction site. Ashley Waite is making good progress now that the line has been moved and protected, with the second culvert basin now dug and ready to pour footings.

Bill has been grading some areas of washout, but shoulders and ditches still need maintenance. The excavator has arrived to dig out the work site on Buxton Road on Monday, and the road will be closed to through traffic during constructon.

P. Kenyon moved to sign the Vermont Agency of Natural Resources Notice of Intent for road work in and adjacent to waterways; H. Childress 2<sup>nd</sup> [*all in favor, motion carried*]

Service request forms related to highway:

Requestor	Date	Request	Location	Resolution
Frank Pellucci	8/20	Plugged culverts	TH9	It's a class 4 road, but Bill advised him on possible repairs
Linda Moyer	8/11	Rutting and washouts	Lookaway Road	Bill graded that today
Alan Parker	8/6	Driveway culvert plugged	North Street	Bill is aware. Although individual owners are responsible for driveway culverts, the Town usually does some cleanout. It isn't a first priority, but he will ask the fire department if they'll pressure-clear some of them.
Robert Sekerak	8/6	Dishing of road at foot of driveway	Garron Road	
Don Marcy	8/6	Foliage blocking view onto 140	Pleasant View Road	Shrubs trimmed last week

Bill has continued to investigate possibilities for adding onto Poultney's paving project near the town line; no reply yet.

**Town Lands:** We received notice from the Tarrant Foundation that we were not selected to move to full proposal. The Building Committee is meeting with a fundraising consultant on September 5.

**Solid Waste:** We will send a letter to Hubbard soon to alert them to the need for four dumpsters for the October 6 large waste day. Trash will be \$5 per vehicle load, scrap metal still free. Regular pricing will be in effect at the Transfer Station for normal trash disposal.

**Correspondence:**

- Letter from Adam Parker of 83 Daisy Hollow Road to the Delinquent Tax Collector, agreeing to pay \$200 per month against his back taxes.
- VLCT notice of Town Fair, October 3-4, South Burlington; as well as request to name one Town voting delegate for the business meeting and review of the 2019-20 Municipal Policy.
- ISO notice that Middletown Springs building codes related to commercial and industrial properties will be graded as Class 4, and building codes related to one- and two-family residential properties graded as Class 99, for purposes of investment and insurance oversight.
- Ads for Carrara Hot Oil Rustproofing, Comcast.
- Certificate of fleet insurance for Champlain Valley Plumbing and Heating.

**Board Orders:** T. Redfield moved to approve the board orders as presented; H. Childress 2<sup>nd</sup>; [*all in favor, motion carried*].

P. Kenyon moved that the rate of pay for election workers be set at the prevailing minimum wage at the time of the election; and to ask the Treasurer to investigate whether the rate of pay from the August 14<sup>th</sup> election should be revised; T. Redfield 2<sup>nd</sup> [*all in favor, motion carried*]

**Legal:** The person who expressed interest in becoming the Delinquent Tax Collector has not written a letter of interest to the Board, and the position remains open. H. Childress will ask the Treasurer for a copy of the delinquent tax warrant as of the close of the FY2017-18 tax year.

C. Haynes moved that the Board rescind the junk and junk vehicle ordinance adopted after Town Meeting 2017; T. Redfield 2<sup>nd</sup>. Discussion—The Town has thus far spent several thousand dollars on attempts to craft and enforce this ordinance, to no effect. Because the Board did not complete the steps of public posting after adoption in a timely way, the ordinance is open to challenge, and the Board feels that it may not be worth attempting to defend the ordinance as it stands. P. Kenyon stated that it is not

appropriate for C. Haynes to have made that motion, since he has a conflict of interest in this particular circumstance. Subsequent to the discussion, a vote was taken: [*Aye—C. Haynes; Nay—H. Childress, C. Fenton, P. Kenyon, T. Redfield; motion failed*]. P. Kenyon moved that, due to an incorrect process of posting after adoption, the prior ordinance was left open to challenge, and that the Board will rescind the junk and junk vehicle ordinance; T. Redfield 2<sup>nd</sup> [*Aye—H. Childress, C. Fenton, C. Haynes, P. Kenyon, T. Redfield; motion carried*].

T. Redfield moved to enter executive session to discuss personnel issues, inviting Bill Reed to participate; H. Childress 2<sup>nd</sup> [*all in favor, motion carried*]. Executive session entered at 8:59 p.m. H. Childress moved to exit executive session, T. Redfield 2<sup>nd</sup> [*all in favor, motion carried*]. Regular session rejoined at 9:25 p.m.

C. Haynes moved to hire Chuck Delpha to the highway crew at a rate of \$18 per hour; C. Fenton 2<sup>nd</sup>. Discussion—the board interviewed three candidates for the job, offered them the same wage range. Is it possible that another candidate might emerge in the near future? Winter is coming soon, and a hire in the nearer future might be advisable rather than waiting until snowfall. After discussion, a vote was taken: [*Aye—C. Haynes; Nay—H. Childress, C. Fenton, P. Kenyon, T. Redfield; motion failed*]. T. Redfield moved, based upon the recommendation of the road foreman, that the Town offer the road maintenance position to Brent Clark at a rate of \$18 per hour; P. Kenyon 2<sup>nd</sup>; [*Aye—H. Childress, C. Fenton, P. Kenyon, T. Redfield; Nay—C. Haynes; motion carried*]. The board asked Bill to contact Brent Clark with the offer; C. Fenton will call the unsuccessful candidate.

H. Childress moved to enter executive session to discuss election outcomes and practices, with Bill Reed's departure; T. Redfield 2<sup>nd</sup>; all in favor. Executive session II entered at 9:45 p.m. H. Childress moved to exit executive session; C. Fenton 2<sup>nd</sup> [*all in favor, motion carried*]. Regular session rejoined at 10:24, no action taken.

**Adjourn:** H. Childress moved to adjourn; C. Haynes 2<sup>nd</sup>; [*all in favor, motion carried*]. Meeting adjourned at 10:24 p.m.

Respectfully submitted,  
Herb Childress, Selectboard Clerk