

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

DRAFT – Notice of unapproved minutes of the 6/6/16 Selectboard meeting

Board members present were: Tom Martin, John Hoogenboom, Rae Washburn, Michelle Beard, Jason Aronowitz

Guests included: Steve Young, Henry Erickson, Eric Howes, Steve Smith, Cory Stevenson, Martin Cameron, Kate O’Neill, Duane Pierson, Carl Wimble, Cheryl Brown as assistant to the board

Tom called the meeting to order at 6:22 pm. Prior to beginning tonight’s meeting, board members did a walk around of the library building to assess maintenance needs.

Public Comment Period:

Steve Young – is a resident at Commons Condos, and is here to enlist the assistance of the Selectboard in an ongoing trash problem at Unit #4 – Dale Gallagher. Mr. Young explained that four units share a single hallway, and are subject to an unhealthy odor problem coming from Mr. Gallagher’s residence. Flies have also become an issue. Mr. Young is aware that others in the condo association have contacted Dick Valentinetti, Moretown’s Health Officer, and that Dick has found Mr. Gallagher to be unresponsive. Mr. Young would like to see Dick be more assertive with this health problem.

Discussion followed about how to contact Mr. Gallagher, and about the health officer’s authority for condemnation of the condo, depending on the outcome. The board will request Dick to push this issue forward asap and get other agencies involved for assistance for Mr. Gallagher and for the Town, if need be.

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Directive Change Order #3 – Town Office project – Henry came in tonight in case there were questions of the Board regarding a \$33,125 change order, to delete the paving of the parking lot from the project. It was the decision of the Board to hold off on the paving until drainage, and holes in the pavement can be repaired. The directive was approved.

Questions about what work the bid included for the parking lot via the grant funding. Cheryl will get that information to the board.

7/15/16 is the projected completion date for the new town office.

Cory Stephenson & Karen Sharpwolf – came in tonight to talk about the worker's compensation issue. VLCT recently provided three new documents that will hopefully meet the concerns of the town's insurance carrier (VLCT) for the use of vendors who do not have worker's compensation coverage, such as sole proprietors. Cheryl will meet with Elizabeth Burt to go over the new forms.

Eric Howes – Eric came tonight to comment on several letters and photos sent by Diana Halsall, to the Moretown Zoning Administrator. The first dated March 13, 2016, and the last dated May 14, 2016. Earlier today Eric requested a copy of those letters.

Eric stated that he considers the letters to contain slanderous remarks and false statements about him and his family and include personal matters that have nothing to do with town business. Eric went on to state his opinion of Jason's association with the letters, and being on the selectboard. Since he and Diana live in the same house. Eric hopes the board takes Jason's actions under account and thinks Jason has disrespected the entire board, and has no respect for the town he was elected to serve and represent.

John said anything that comes to the town is public record and added that in 26 years on the board, there has never been anything like this happen.

Michelle hopes Eric knows that anything reflected in the letters did not come from the Board. Eric understood.

Jason's wanted to address the comments from an audience seat, but was told there is no need to leave the table.

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Jason replied that he had done nothing wrong, that Diana has a right to defend herself considering the actions of the Howes are malice. Jason spoke in more detail regarding some of the specific points in the letters saying he was not responsible for the content of the letters he only edited them and checked the punctuation. He believed the letters were a private communication to JB. He didn't say who indicated the letters would be confidential.

Note: The letters are addressed: John Weir, Zoning Administrator, Town of Moretown, 19 Kaiser Drive...

Eric pointed out that the letters frequently mention a member of the household. Other than Diana, Jason is that member of household.

Jason indicated that he discussed what he and Diana did with an attorney and can assure the board everything he did was legal.

Tom thinks Jason is missing the point. Although his actions may be legal, the personal content in these letters is poor judgement for a town official.

The letters were personal to prove malice Jason said. It is within the law to defend yourself against malice, it is necessary to document, and it's personal.

Request for Resignation - Tom, John, Rae and Michelle all indicated they think Jason should resign. Not only for his contribution to the letters, but also for providing the PSB with false information claiming the selectboard's opposition to the Howes solar array (albeit quickly corrected after a call from Tom Martin); for preparing letters to the PSB (Howes array) from the town's perspective, unasked; and comments made by Jason about Eric's trustworthiness during the selectboard appointments of 3/7/16, and how his behavior might be a factor for Fire Warden.

Jason admitted he wanted the board to be aware of his concerns with fire protection in light of Eric's behavior. He then accused Tom that his actions followed the Howes's request to get him thrown off the board.

Jason refuses to resign – and provided the town's **Conflict of Interest Policy** sighting (**Article 7 - Enforcement**) which states a series of steps for disciplinary action, saying those steps should have been followed, versus being ambushed in an executive session at the last meeting. Article 7 steps are as follows:

a. the chairman shall meet informally and in private to discuss a possible violation. *Tom said this was done when he spoke with Jason on the phone about the PSB submission, when he wrongly stated the town opposed the array;*

b. the board shall meet in executive session per 1 VSA 313 (4); *This was done at the last meeting, by the board talking to Jason in executive session;*

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c. if the board feels further action is needed they may do this in an open meeting; *The board is bringing this matter to the public's attention tonight in open meeting;*

d. upon majority of the board they may request a person resign from the Board. *Four out of five board members suggested Jason resign tonight.*

Final note: The town has no knowledge that the actions of either party have or do not have malice. Discussion ended.

Curtis Hooper re: E911 business – Curtis came in tonight because with the Lover's Lane bridge closure, his E911 address doesn't work on his side of the road. He stated an example of how it took a long time for emergency services to find his house during a recent event, because Lover's Lane is separated by a closed bridge. Curtis would like to change the name of the road to something other than Lover's Lane.

Discussion followed about changing the name of the road. Curtis was in favor of that.

Michelle moved that Curtis Hooper's current address of 63 Lover's Lane to 63 Hooper Lane. John seconded. All were in favor.

JB Weir will take care of the name change with the Vermont E911.

Steve Smith – purchase of used fire truck – Steve and Jordan Champney went to Speculator NY to look at the condition of a used firetruck they have for sale. Steve said the truck definitely suits the needs of the Moretown Fire Department. It is in excellent shape.

Although the town had a strong grant application to buy a new fire truck, the cost of the truck versus Moretown's population, did not work for the benefit ratio used to score an award for the grant. The suggestion from FEMA was for the town to contribute \$50,000 toward the cost and reapply next year.

Discussion followed about sending Speculator NY a check to hold the unit, because a vote to approve the purchase is needed.

Rae moved to place a deposit on the used firetruck from Speculator NY selling for a price of \$85,000, in the amount of \$4,999, and to put the approval for purchase before the voters on August 9th. John seconded. All were in favor.

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Kate O’Neill and Duane Pierson re: parking lot and mowing maintenance plan –

Kate and Duane are here tonight because there is maintenance needs to the parking lot, the driveway, and the drainage. Who is doing the work and who is paying for it? Duane said areas of the parking lot are a big mess, so bad in fact there could be liability issues.

It appears the Methodist Church owns the alley between the church and school building, so the church trustees may need to be involved in the repairs.

A grant application applied for by the town for drainage issues was denied.

Duane said today the grass was tall again and Martin mowed most of the day. Martin responded to that fact, explaining that Cory Kathan was no longer doing the mowing.

Kate said it sounds like it is the towns responsibility to mow as the school owns the footprint the building is on and lands below the school (adjacent to Fox Farm Run). Greg Wagner will mow if paid from the town.

Martin wants the board aware that the town is plowing the parking lot and mowing from the town budget, without an increase to the budget. Something that needs to be considered this fall at budget time.

Next: Discussion followed about removing the sidewalk altogether and replacing with good gravel;

Address the drainage and fix the pot holes before fall;

Perhaps get rid of some of the pavement and repair a catch basin in the interim of major drainage work;

Rae will meet with Duane and Martin, and come back to the board with suggestions and a ball park figure for a short term solution until major work can be done.

Duane suggested putting together a Memorandum of Understanding as to who does what soon.

Martin – brief road report –

Road material – Rae told Martin that when it gets wet, the road material put down on Jones Brook Road is dangerous. Martin understands that the product breaks down on high traffic areas.

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Dust – Martin is aware of dust problems and chlorides the roads every time they grade.

2007 truck repair – The 2007 dump truck repairs at Tenco cost about \$5,800. Now the truck is off to McLeods for brake work.

More public comment –

Carl Wimble – commented on the proposed subdivision regulations saying they are over the top; based on Fayston’s subdivision regulations; he is not in favor of them saying it will cost a lot of money to subdivide if passed.

There will be a public hearing on June 20th for more public comment on the proposed changes to the Moretown Zoning Regulations, at 7:00 pm at the Moretown Town Hall. The proposed changes can be found on the town website at moretownvt.org

Approval of Minutes:

5/16/16 – Rae moved; Michelle seconded to approve the minutes of 5/16/16.

Discussion: On page 5 – **Evaluation of public officer or employee** – Jason feels the wording in Tom’s motion should be changed to personnel matter.

The minutes will be changed to read: ***Tom moved to enter into executive session at 8:00 pm for discussion regarding contracts, labor relations agreements with employees, arbitration, mediation, grievances, civil actions, or prosecution by the state, where premature general public knowledge would clearly place the state, municipality, other public body, or person involved at a substantial disadvantage.*** Tom, Michelle, Rae and Jason approved the minutes 5/16/16 minutes with this change. John abstained as he was absent for the meeting.

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OLD BUSINESS:

Reduced speed limit on Gallagher Acres – Due to the degree of increase in new homes in Gallagher Acres, and requests made to lower the speed limit on Middle Road for the safety of the public it is the decision of the Selectboard to lower the speed limit from 35 mph to 15 mph. Per the process outlined in Title 24 1972, there will be a public hearing on June 20th at 7:30 pm, at the Moretown Town Hall for public comment on the intent to lower the speed limit. The intent is to adopt the change to the Speed Ordinance later that evening. If the decision is not questioned via a petition, it will become law 60 days from its adoption.

Blodgett litigation – Nothing new except there is a status conference on 6/27/16. It is unclear if there will be a quorum at the court hearing, so it will be warned.

Town Buildings Maintenance Survey – Library - Items noted were:

- The need for a good pressure washing
- Painting outside and inside
- Install flooring
- Re-plaster upstairs
- Finish bookcases
- Electrical outlets upstairs
- Arrange for bottled water unit in the building

Long term –

- Septic/ bathroom
- New windows in the back and upstairs
- Well water
- Insulation
- Efficiency upgrades

Immediate needs to town building:

Pressure wash all town buildings

Address the drainage issue on the Fletcher Rd. side of the town hall

Seal the town hall steps

Get a water unit for the library

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Cheryl will prepare a spreadsheet of building needs so pricing can be determined and put in the capital plan/budget.

PSB reply Solar Array – Earlier this week Michelle circulated a draft reply to the Public Service Board, in response to SunCommon’s letter dated 2/29/16. No one expressed changes that needed, so Michelle will move forward with distribution of the letter.

New Business:

Delinquent Tax Collector term – The Selectboard has decided to bring an article before the voters in August, asking to give them permission to appoint a delinquent tax collector versus electing one. This would allow the town to set the compensation and to adopt a policy that would be best for the town.

The board noted that the past Delinquent Tax Collectors have done a good job this is just a good business decision for the town. An article will be prepared for an August 9th vote.

Reports & Communication, Announcements –

Johnson Repair – It was mentioned to Steve Smith earlier that a certificate of insurance was received today for Johnson Repair/Glenn Johnson, which indicated he does not have workers compensation coverage. Steve will check with Mr. Johnson about the coverage before using his services again for repair of the fire trucks.

Borrow from Capital Reserve Fund for town office project expenses -
Large invoices from RUGGCO for expenses related to building the new town office make it necessary to borrow short – term until we receive grant reimbursement. Rather than pay interest, the thought was to borrow capital reserve funds until the grant monies come in, which should be 2-3 weeks.

Tom moved to authorize the use \$160,000 from the Capital Reserve Fund for a short-term loan to pay expenses related to the new town office project. Michelle seconded. All were in favor.

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TOWN OFFICE PROJECT:

Parking lot plan – There was \$33,000 deducted from the RUGGCO contract for parking lot repairs and paving. What exactly was included in that amount (NVES was the contractor to be used) will be looked up and passed along to the board.

Furniture – The furniture being used now by the office staff is owned by the landfill. A list of furniture needs and prices will be provided to the board at the 6/20 meeting.

Approval of warrants –

P/R warrant # 16029 – check # 17769-17771 e-check # 2189-2196. Check # 17768 was voided.

A/P warrant # 16030 – check # 17818-17840. Checks 17772-17817 were voided due to a printer interruption by a customer during printing.

Documents approved –

Directive #3 - \$33,125

Curb cut permit – for Allan Rodgers on Cobb Hill

Overload permits

Requisition for reimbursement - for expenses related to the sidewalk project grant.

Tom moved to adjourn at 8:55. Michelle seconded. All were in favor.