

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

Notice of unapproved minutes of the 11/2/15 Selectboard meeting

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

Guests included: Martha and Tom Douglass, Cherilyn Brown, Travis Blodgett, Steve Smith, JB Weir, Rachel Goff and Tracy Brannstrom from the Valley Reporter, Jonathan Siegel, Calvin and Nancy Blodgett, Henry Erickson, Ron Shems and Cheryl Brown as board assistant

Tom called the meeting to order at 6:00 pm.

Public Comment:

Travis Blodgett – clarified that he did not say anything about legal trail #49 at the last meeting as was reflected in the 10/19 minutes. He did ask about legal trail #18 Showacre Road, in that he inquired about a road maintenance permit.

Tom explained to those present tonight, that the minutes from 10/19/15 are in the process of being amended, and have/will not been approved tonight until all board members are satisfied with their content. However, draft minutes are posted on the moretownvt.org website.

Martha Douglass – Indicated that she and Tom were present for the 10/19 meeting, which was not indicated in the minutes. Their names will be added to the guest list.

Martha spoke about the Grow Compost appeal, saying that it sounded like the attorney stated on 10/19 that the town would prefer a solution via discussions and agreements with parties, versus litigation. She noted that Tom M. said Grow Compost pulled a “fast one” going from a compost facility to a chicken farm overnight, and asked if the rest of the board feels that way too.

Jason said although “overnight” is a little strong, the change seemed to give that appearance.

Draft – unapproved minutes of the 11/2/15 selectboard meeting minutes

Michelle believes Grow Compost is in general a compost facility. John agreed with Michelle.

Martha doesn't think Tom's comments were productive.

Cherilyn Brown – Cherilyn asked the board to go into executive session to talk about labor relations and ask that JB Weir and Cheryl stay for the discussion.

Tom moved to enter into executive session at 6:08 pm to discuss labor relations where premature general public knowledge would clearly place the town and person's involved at a disadvantage. John seconded. All were in favor.

Tom moved out of executive session at 6:26 pm. Michelle seconded. All were in favor. There was no action taken as a result.

Steve Smith – Moretown Fire Chief

Fire Department Training - Was here to ask permission from the board to use the town hall on 11/17 rent free, for traffic control training. The board agreed to waive the rental fee. Steve will fill out a contract tomorrow.

Grant for fire equipment – Steve spoke with Dara Torre about helping out the fire department with the upcoming Assistance to Fire Fighters grant application. Dara said she wouldn't be able to help out with the grant. Cheryl will help Steve with the grant application, which will be due in December 2015.

Reports & Communication, Announcements –

Sidewalk project update – Earlier today, Pat Travers provided a project update via email.

- In August the town received Conditional Use approval from the Moretown Development Review Board to install new sidewalks in the village. Design plans were sent to VTrans for their approval to work in the State right-of-way.

Draft – unapproved minutes of the 11/2/15 selectboard meeting

- VTrans raised concerns regarding the construction of a pedestrian bridge over the Doctor's Brook, which would be installed behind the existing state bridge #3 (near the firestation), to allow for continued ADA sidewalks versus having to use Route 100B for a wheelchair etc. Recent estimates place the cost of the pedestrian bridge at \$60,000.
- At one point it appeared that VTrans might place bridge #3 on the VTrans accelerated list for replacement, which meant that no pedestrian bridge would be needed because the State would replace the bridge within three years to ADA standards.
- VTrans is now researching the possibility of widening the existing bridge #3 decking to accommodate a new sidewalk. VTrans has mentioned that if they go this route they may take \$60,000 from the sidewalk grant, which doesn't seem fair since \$10,000 only was allocated in the grant.
- Unfortunately, the delay caused by the bridge dilemma may move the project into 2017, depending how long it takes for VTrans to finally determine their role in the bridge. Once that determination is received the Selectboard must then decide how to proceed, and then Doug Henson can prepare the final plans so the easement/procurement process can begin.
- As of July 2015, the new estimated project cost is \$330,000. The town has a \$375,000 Bike & Ped grant for the project.

51st annual Christmas Bazaar – Email from Mary Murphy requesting the Selectboard waive the rental fee for the Methodist Church Christmas bazaar to be held on Saturday, December 5th.

Tom moved; Michelle seconded to waive the rental fee for the bazaar. All were in favor.

Oak table – Jack Barnes email that he has a solid oak table for sale, appraised at \$4,500 that he would sell the town for \$800.

The board thanks Jack for the offer, but will pass on buying the table.

Draft – unapproved minutes of the 11/2/15 selectboard meeting

OLD BUSINESS:

Town office project – Clerk of the Works for the town office project, Henry Erickson came in to talk with the board about 3 change orders totaling \$2,270. The change orders pertain to electricity hook-up changes.

Henry explained the need for the changes. Comment that the cement as it shows now seems high. Henry said once the landscaping is done only 3 – 4 ft. of cement will show.

Grow Compost – Ron Shems was present to discuss the 10/29/15 proposal from ANR that if accepted, would settle the appeal from the Town on ANR’s decision to revoke Grow Compost’s (GC) Solid Waste Facility Certification, and concerns regarding odors emanating from GC, and jurisdiction thereof.

Ron believes it is a good proposal. He believes John Wakefield of the Field Services Section of Air Quality (listed in the proposal to address odor complaints), to be a good guy. Solid Waste will continue to monitor stormwater run-off; the use of food scraps acquired; and if the amount of food scraps acquired exceeds the ability of animals on site to consume those scraps, then GC is obligated to be certified pursuant to the Solid Waste Management Rules.

Ron read the definition of “Farm” in VSA 10/6001 Subsection 31, and the income language. Ron added that if the State deems the GC operation is a compost facility under ANR guidelines/State definition, it will be addressed. Ron did not speak with regard to Act 250 involvement.

It was deemed necessary for the board to discuss the settlement offer with Ron in private for attorney/client privilege.

Tom moved; Michelle seconded to enter into executive session at 7:08 pm to discuss the Grow Compost litigation with Ron. All were in favor.

Tom moved out of executive session at 7:32 pm; John seconded. All were in favor.

Tom then moved to authorize Ron Shems to pursue the settlement as discussed tonight, including dismissal of the appeal of the solid waste certification revocation, and to schedule a meeting with Matt Chapman and John Wakefield (and possibly Dave Shepard); Jason seconded. All were in favor.

Draft – unapproved minutes of the 11/2/15 selectboard meeting

Blodgett Trail #49 access – Tom reported speaking with Mr. Edward Case about an easement of about 29’ on his property, to access the legal trail. Tom said the conversation was favorable, and he is sending a letter and photo to Mr. Case (photo provided by Nancy Blodgett) of the area being proposed for crossing. Tom went on to explain that if an agreement can be worked out with Mr. Case, a hearing for relocation of a legal trail and a survey of the new access must be done.

Sand pile area – John spoke about the screening around the sand pile, saying it is ok to leave the hicks yews already there and to add arborvitaes. There is room enough. The yews should be covered in the winter.

There was discussion about planting arborvitaes on the south side of Dan Harris’s driveway; maybe 4 or 5. Dan had suggested at an earlier meeting that plantings might be helpful to screen noise. The board agreed to move forward with this.

John will get quotes for arborvitaes.

Tom will ask Martin to cover the yews.

Cheryl noted that the sign is here and Martin will be picking it up.

Joint meeting with the Schoolboard – Members of the Selectboard will attend the 11/9/15 Schoolboard meeting. Topics of discussion will include maintenance of the parking lot, including applying for a park and ride grant to help pay for necessary improvements; mowing; and the tax rate.

New Business:

2016 Town budget – Cheryl will input the budget requests from town departments onto the worksheet handed out tonight and then pass the requests along to the Selectboard. Requests are due to Cheryl by November 13th.

Capital budget – Jason will be working on the capital budget.

Flood loan – The loan balance with the Merchants Bank is due on 11/17/15. The board wants to re-finance 50% of the \$257,198 balance, and asks that Cherilyn do the paperwork necessary for Merchants Bank to do so.

Draft – unapproved minutes of the 11/2/15 selectboard meeting minutes

The board hopes that the \$279,000 balance due from FEMA will come in before the end of December 2015. If so, the loan will be paid off. The latest word is that FEMA Region 1 (New England) in Boston is considering the town's appeal from September of 2013. They have all the information they need to make the decision. Local FEMA supports the towns appeal, and has indicated as such to Region 1. The town is guaranteed to receive \$146,328. The \$132,672 difference is project overrun do to the fact that the "scope of the project" changed because of Stream Alteration Permit requirements regarding the bridge abutments.

Review Invoices and Approve Warrants –

A/P Warrant # 15055 was approved. Ck # 17266, 17270-17279, 17281-17297. Checks out of sequence were voided.

P/R Warrant # 15056 was approved. Ck # 17305-17311. E-ck 2036-2047.

Other documents presented for signature/approval were:

Engineering Ventures, PC invoice for \$525 for work related to the Moretown Mountain Road water repair. The board does not want the invoice paid at this time. Apparently the EV design related to this invoice was not used.

Ruggco Inc. change orders # 3a for **-\$2,010**, 2a for \$4,440, and 4a for **-\$120** were approved as submitted.

Edward Case – Letter to Mr. Case regarding an easement to access Blodgett trail #49, spoken about earlier tonight.

Overload permit – for Lester Small Construction

Sidewalk expenses reimbursement request – for \$1,124.27

Variable Rate Solid Waste Civil Ordinance as adopted on 10/5/15 was signed.

New Hire / Rate status report for Elwin Chambers was signed.

Curb Cut Permit for Clemens Stefani was approved.

Errors & Omissions – Heller - \$148,700 value to \$537,200.

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