

**Selectboard Meeting Minutes**  
**July 28, 2014**  
*Approved*

Present - Selectboard: Scott Bassage, John Brabant, Rose Pelchuck, Toby Talbot, Denise Wheeler; Donna Fitch, Clerk; Road Commissioner Alfred Larrabee; Ginny Burley, Renee Carpenter, Bill Davis, Carl Etiener, Marcus Hass, Jeremy Ingpen, Ginny Kern, Carolyn Morton, Paul Rose, John Rosenblum, Peg Tasse, Darien McElwain, Dirk Vansusteren.

Public Comment on Non-agenda Items – Donna Fitch reported that two petitions from residents had been delivered to the town office calling for the School Board to hold a special meeting on a Saturday to vote on whether the school district should adopt its budget by Australian ballot and a petition asking the Selectboard to hold a special meeting to adopt the appropriation for Kellogg Hubbard library by Australian ballot. The Selectboard will set the date and time at its August 4<sup>th</sup> meeting, 7 p.m. at the Town Hall.

Ed Clodfelter from NEMRC will be in the office next week to begin the townwide reappraisal process.

Appointed Positions – The only unfilled positions are openings on the Conservation Commission and an alternate for Development Review Board to fill the alternate position that John McCullough was temporarily filling. Donna will ask John McCullough if he wishes to continue as an alternate.

Road Commissioner Report - The Lightening Ridge Road sign has been replaced but the word “lightening” is spelled incorrectly. Denise requested that the speed cart be placed in Maple Corner. Unifirst has lowered its uniform rates. Beginning in September, the new contract reduces the rate \$100 a week so that the town will be paying about \$44.15 a week.

Heyburn Curb Cut – Alfred inspected the finished curb cut at Franklin Heyburn’s on Robinson Cemetery Road. Denise made a motion to sign off on the curb cut permit. The motion passed 5-0.

Operations Manager Report – Toby reported that Alfred is working on evaluations for the road crew. He handed out a spreadsheet showing salaries and overtime over time (past and future). He calculated the effect of a 2% raise on the amount budgeted for highway salaries in FY15. The average road crew salary across the state is \$34,990; the average in Calais is \$32,906. Scott asked that the cost of all benefits be considered so there is an understanding of the full compensation. Toby will calculate that.

Martin Road and Center Road Culverts – Alfred determined that Martin Road is the priority as the wall and culvert is in worse condition than the Center Road culvert. Therefore, Martin Road expenses and income will be included in the tax rate, and Center Road culvert will be removed for this fiscal year. A neighborhood meeting to discuss the project will be held on Wednesday, August 13, at 7pm at the Town Hall.

Max Gray Road Guardrails – The Calais Road Standards state that guardrails should be wood. Wood is four times more expensive. Recycled metal is \$11 to \$15 a foot; wood is \$40 a foot, for a cost of \$1,100 vs. \$4,000. Toby asked the board to help him make the choice because he wants to uphold the Standards while at the same time looking at price. Weathered metal would be about \$2,000; the Board decided to go with that option. Toby will talk to with Calais Roads Advisory Committee about balancing aesthetics and cost.

Curtis Pond Island – Members of the Maple Corner Community Center (MCCC) and homeowners near the Island were present. Also in attendance were Lieutenant Matthew Nally, Middlesex Station Commander, and Sgt. Ray Leblanc. Denise said the Selectboard is now on draft #4 of the proposed Island ordinance. She explained that unless a violation of the law is a criminal offense, the State Police will not come out to Calais. If it’s a civil ordinance, the state police won’t respond, but the town constables can issue a civil fine. If the person doesn’t pay the fine, the town might have to hire a lawyer to recoup the fine, Denise said. She asked each Selectboard member for their input. Rose passed. Toby said finding a way to enforce a ticket is tricky because it will be difficult to determine who in a group is in violation. If we have an ordinance and

try to enforce it, it may not have the intended affect, he said.

John Brabant said he was of a couple minds. The ordinance is better than doing nothing, but there may be alternatives yet to explore. He suggested leasing the Island to MCCC for \$1 a year (renewable annually) with MCCC taking full responsibility with neighborhood watch authority through the MCCC Board and their own permitting process. Constables could do the enforcing at a low cost; for example, a small boat could be purchased. The best option in my mind right now, John said, is for MCCC to come up with a plan. This won't happen until next summer so there is time to explore.

Scott said he agreed with John that something has to happen. I know it's frustrating for people who live on the pond that their efforts have not been workable, he said. However, the efforts need to come from people on the pond; it needs to be someone who lives there to take care of the situation as it happens. Scott referred to the email from VLCT Attorney Sarah Jarvis which argues against an ordinance and also suggests that the Island should not be limited to Calais people only. Scott suggested making a local person on the pond a constable. Scott said he would not support the ordinance as it stands now as it doesn't put enough responsibility on the people who live there. Denise said she thought it was a good idea for MCCC to take responsibility, but she realized this is the first they (and some Board members) were hearing about it. She said the Selectboard had received a letter from the East Montpelier Selectboard asking that the Island be open to East Montpelier residents.

Lt. Nally explained it would take significant effort for the State Police to be involved. They would have to call on Fish and Game for a boat and would have to be able to take a person off the island and to police barracks. If there was an aggravated assault we would do what was necessary, he said, but with something like noise it could be gone by the time we get there. He also pointed out that the police would expect a sworn, written, recorded and notarized statement from the person filing the complaint and from witnesses.

Referring to the Selectboard Minutes of 2/23/1998 which set up the arrangement between the town and MCCC for care of the Island, Carolyn Morton pointed out that the Selectboard is to appoint a community committee for the Island. MCCC has formed a committee, has suggested ordinance, and has brought it to the Board. We are following the process, she said. Jamie Moorby said more official tools are needed to manage enforcement if the responsibility goes to MCCC. There is still a need for an ordinance. Lt. Nally asked if wildlife or special plants are being affected. Fish and Game wardens have a lot of authority for violations.

Discussion revolved around the lack of training available for constables and rural areas having few law enforcement options. Peg Tasse said the Island is not supposed to be a camping area. It's mostly kids making noise and we just wanted permits and signs with an ordinance to enforce. Enforcement may happen once in five years, she said, noting that we are trying to preserve the experiences our children had. She thinks signs have been helpful for kids who live here. One cannot see the people who are on the island, and permits would give a name to who is there.

Toby said VLCT suggested a rental agreement which is like a permit.

Darien McElwain expressed her concern for what she and her young daughter hear happening at the Island and not wanting to bear the weight of having to enforce. She feels that having more people on the Island will make the problems much worse.

Ginny Burley, in her role with Community Connections and other youth organizations, said she was interested in underage drinking, substance abuse and has been talking with towns. Small towns are not being thought of, she said, only big towns. The challenges that small towns face is something the State Dept of Health has not put thought into. There are no police in small towns. I will take this back to the agency, she said.

Carl Etinger, East Montpelier Selectboard, said he used to live on water and has an understanding of what pond residents are going through and how sound travels across water. He said he was speaking on behalf of EM residents who have properties that are used by the public - hikers, bikers, snowmobilers. If a responsible

person is camping there, rowdy people would not come to the Island. More use of island by responsible people would eliminate rowdies. What about no trespassing signs? Paul Rose suggested night vision cameras at the fishing access.

At 8:17 Toby left for a fire call.

Jeremy Ingpen shared his experience in Randolph, where use of an area was made official by making it a wilderness camping area and Fish & Game does the enforcement.

Denise said parking could be enforced better at the Curtis Pond fishing access. John said if the property is in private hands, there are more options, ie, MCCC have legal control. The Selectboard only has so many tools available to it and an ordinance is the most difficult. I sense your urgency here, he said. Dirk said the problem is enforcement. Denise said that in a past conversation with Lt. Nally he said to put enforcement first and then resources. Renee Carpenter pointed out that consistent enforcement for a limited period of time would put an end to it. Dirk asked if we should be pushing hard on Representative Janet Ancel for constable training. The MCCC is meeting on July 29 and will discuss the situation.

Setting the Tax Rate - Denise made a motion to set the 2014 (fiscal year 2015) tax rate at .5589. Scott seconded and said the process of setting the tax rate has gotten better and better over the years thanks to Donna's good work. The Board voted 4-0 to approve the tax rate

Website Domain - A motion was made, seconded and passed unanimously (with Rose abstaining) to reimburse Rose \$125 for the website domain name.

Personnel Manual Revision – Denise made a motion change the Personnel Manual to read that vacation and sick leave will be tracked based on the calendar year rather than on employee's start date. Rose seconded the motion and it passed unanimously.

Wifi Hot Spot – The town received a grant to install wifi at the Town Hall. Safeguards will be put on the wifi. Judy Robert and Scott will receive training. John said he would like know the details of a contract before the town is enters into it.

Agenda items for meeting of August 11: Ancient roads; status of traffic counters; the Island; Nedene Martin with Delinquent Tax Policy; request to close 4<sup>th</sup> class portion of Bliss Road; raises for road crew; Drug and Alcohol Policy (Donna).

John acknowledged the work that Denise and Donna put in between Selectboard meetings.

At 9:30 pm, Denise made a motion to continue the meeting to Monday, August 4, for a joint meeting with the Planning Commission to discuss the town plan, to set the date of the special town meeting and anything else that needs immediate attention.

Respectfully Submitted,

Donna Fitch, Clerk