

Selectboard Meeting Minutes
August 25, 2014
Approved

Present – Selectboard: Scott Bassage (left the meeting at approximately 7:50 pm), John Brabant, Rose Pelchuck, Toby Talbot, Denise Wheeler; Donna Fitch, Clerk; Road Commissioner Alfred Larrabee; Rick DeWolfe, Laura Fillbach, Michael Fullerton, Mike Garand, Craig Line, Nedene Martin, Dot Naylor, Ehren Miller-Nogueria, A. Mario Nogueria, Jan Ohlsson, Rick Purchase, Will Walters (Hardwick Gazette).

Chair Denise Wheeler called the meeting to order at 7:00 pm.

Pay Raise for Assistant/Clerk Treasurer - The motion was made by Denise Wheeler to raise the hourly pay for Assistant Clerk/Treasurer Judith Robert from \$20.40 to \$21 (no benefits). Toby seconded the motion. Scott made a friendly amendment to the motion to make the raise retroactive to July 1, 2014. The motion passed 5-0.

Development Review Board (DRB) Alternate Position - John McCullough was unanimously appointed as an alternate to DRB for a three-year term to expire in 2017.

Selectboard Meeting Minutes – Toby Talbot made a motion to approve the minutes of August 11, 2014. John seconded the motion. Rose Pelchuck pointed out three minor corrections. The minutes were approved 5-0.

EMFD Quarterly Selectboard Meeting – The motion to approve the minutes of the joint quarterly meeting of the East Montpelier and Calais Selectboards and East Montpelier Fire Department was moved by Rose. The following changes were made:

- 1) Number 1, Financial Review, Budget Overview: add “previously”: “...other equipment purchase as previously approved by both selectboards...”
- 2) Number 1, Financial Review, Ambulance Revenue remove “amount budgeted” and replace with “projected targeted amount.”
- 3) Number 5, Building Code Reporting, #b replace the word “new” with “near” (near Factory St.).
- 4) Under “Additional Notes” change the word “timing” to “training.”

Rose offered to take minutes at future meetings if she is in attendance. The minutes were approved 5-0.

Road Commissioner’s Report – Alfred Larrabee reported that a portion of Worcester Road that is extremely problematic during mud season is being dug up and replaced with new gravel and filter fabric. The road is closed for a week. The “old gravel” is being recycled onto Robinson Hill Road. Scott asked how much overtime was being put into the project. Denise said overtime was acceptable in order to finish the work within a week.

Operations Manager Report – Operations Manager Toby Talbot, continuing the discussion from the last meeting, proposed purchase of a one-ton 550 Ford truck (demo model) to be purchased with a 5-year loan. The town’s current 550 one-ton truck, for which the town would receive \$8,000 in trade-in, has 78,000 miles, much rust and had \$14,000 in repairs over the past two years. Toby reminded the Board he had recommended buying a new truck and putting it before the voters at 2014 Town Meeting, but the Board had removed the question from the Town Meeting Warning to help make up for the increase in education tax. The cost of the truck is \$84,115. There is \$82,700 in the Heavy Equipment Fund and

\$17,000 would be taken from that fund. Donna Fitch reminded the board that the Selectboard's intention in asking voters to create the Highway Heavy Equipment fund was for the money to go toward equipment purchases, not for annual equipment payments which are now accounted for in the highway budget.

Scott, saying he recognized that the town needs the new truck, pointed out that the Selectboard could call a special town meeting so residents could vote on the purchase. "I feel strongly about that," he said. Discussion ensued about the Selectboard's fiscal responsibility with John Brabant pointing out that the Board approves expenditures of \$17,000 or more at each meeting. The demo truck is on hold for a month while Calais makes a decision. If a brand new truck was purchased, there would be a four month wait in addition to repairs to the current truck plus an increase in price. Rose stated that the town needs the truck. "I feel the taxpayers know that we are fiscally responsible and they've elected us to make decisions for the town. I support purchasing the truck without a special town meeting." Scott said it is not the Board's decision; it is the voters' decision. John pointed out that by statute the Board can make the decision. "There are lots of good reasons to buy the truck," Scott said. "Let's do it the right way." John called the question and made a motion to purchase the truck as described by Toby. Rose seconded the motion. The motion passed 4-1, with Scott voting against the purchase.

Conrad Smith – Conrad Smith, Calais U-32 board member and long-time Calais resident who has served the town in a number of capacities, is under hospice care. "He is genuinely someone who cares about the town," Denise said, encouraging people to reach out to Conrad. Conrad was instrumental in developing the Calais Road Standards and was always willing to be called on for his lawyerly skills.

Sand Hill Road Discontinuance – Denise made a motion to conduct discontinuance proceedings for the Class 4 portion of Sand Hill Road (TH#18) as described in the Notice of Discontinuance Proceedings to be executed by the Selectboard upon passage of this pending motion and in furtherance thereof the Selectboard shall conduct a public examination of the road on Monday, October 13, at 4:30 p.m. with a public hearing to follow at the Town Hall at 6:30 p.m. for the purpose of receiving testimony and hearing from all persons interested in the matter. Toby seconded the motion and it passed 4-0. The request for discontinuance came from two landowners; the Selectboard will make the discontinuance decision after the site visit and public hearing.

Engineer Rick DeWolfe explained that the person requesting the discontinuance should mark the area prior to the site visit. After the public hearing, if the Selectboard votes for discontinuance, the town will pay to have the discontinued portion surveyed and filed in the town office.

ROW Application North Calais – Toby made a motion to approve Mike Fullerton's ROW permit to rebuild a stonewall near the town right-of-way. The wall is being rebuilt by hand and will be faced like the existing wall. Alfred has met with Mike. There will be no machinery in the road. Rose seconded the motion and it was approved 4-0.

Lister Position – The Board formally accepted Randy Fitch's letter of resignation as lister. He has served in that capacity since 2006. Laura Fillbach was unanimously appointed to the position until March 2015 when she will need to file a petition to be on the ballot.

GAR Road Update – The town has hired an attorney to respond to the letter from the Stowe Women's Relief Corps that the road is private.

Abatement Hearing – Three abatement requests will be heard on September 8 at 6 pm at the Town Hall.

Primary Election – Only four BCA members are available to staff the polls and/or count at Tuesday's primary election. Turnout is expected to be light.

Special Town Meeting Re: Kellogg Hubbard Library – The Board considered calling a special town meeting to ask voters whether the Kellogg Hubbard Library appropriation should be voted by Australian ballot. A petition had been presented to the Board but was not filed in time and, therefore, the petition was not binding. It is up to the Selectboard to call a special meeting on its own. John supported holding the meeting, but said the timing was not urgent, suggesting November. Denise supported having the meeting. Toby said he was conflicted since the Board of Civil Authority has agreed to hold future town meetings at the school which has remedied the space issue at the town hall. He also expressed concern that voting by Australian ballot means people may vote without getting information and discussing issues with neighbors at Town Meeting. Rose concurred with Toby, saying she was conflicted, but it was "loud and clear" at Town Meeting that people like the democratic process and being able to talk from the floor. However, she realizes it was a capacity crowd at 2014 Town Meeting and acknowledged the petition. John made a motion to hold the meeting on Saturday, November 8, at 10:00 a.m. The motion was seconded and Denise and John voted in favor. Toby said he would vote in favor in honor of Scott (who was no longer in attendance) because Scott felt strongly that a meeting should be held. Rose voted against the motion. The motion carried 3-1.

Miscellaneous – Rick Purchase said he was concerned about a washout on the left side of the County Road near Maple Corner. Alfred asked Rick to call him. Toby said he would follow up. The Board signed a warrant to levy and collect property taxes with due dates of September 3 and November 17 with an additional 14 day grace period. Nedene Martin drafted a delinquent tax policy which the board thought was "great" and thanked Nedene for coming to meetings and communicating with the Selectboard.

Executive Session - At 9:00 pm Denise made a motion to go into executive session with Dot Naylor, Acting Zoning Administrator, and Donna Fitch, Clerk, in accordance with 1 V.S.A. § 313 (a)(1) for the purpose of discussing pending litigation. The motion was seconded, voted and carried 4-0. Coming out of executive session at 9:15 pm, Denise made a motion to accept the Outline of Settlement Agreement between Shaun and Laura Fielder and the Town of Calais, docket 41-3-14, dated August 20, 2014, and signed by the Fielders and Denise, to be written up in legal terms by Attorney David Rugh, representing the town, and Attorney Charles Merriman, representing the Fielders, and to authorize Denise to sign the final settlement agreement once it is approved by the Selectboard. The motion was seconded and approved 4-0.

At 9:20 pm Denise made a motion to go into executive session to discuss personnel matters in accordance with 1 V.S.A. § 313 (a)(3). The motion was seconded, voted and carried 4-0. The board came out of executive session at 9:50 pm with nothing to report.

The meeting adjourned at 9:51 pm.

Respectfully submitted,

Donna Fitch, Clerk