

SELECTBOARD MEETING
Approved Minutes

September 10, 2012

Calais Town Hall

Attending: Denise Wheeler, John Brabant, Mike Garand (arrived at 7:50pm), Toby Talbot, Donna Fitch, Alfred Larrabee, Peter Harvey, Warner Shedd, Jim Buckley, Paul Gillies, Gary Schultz, Cy Lambertson, Sandy Buck, Rodney Buck, Reed Cherington, Will Walters and Rose Pelchuck.
Absent: Scott Bassage

Actions:

NOTICE OF HEARING
RE: ALTERING A HIGHWAY IN CALAIS, VERMONT (Dated August 7, 2012)

Pursuant to the provisions of 19 V.S.A. §708(a), the Selectboard of the Town of Calais on its own motion, hereby gives notice, in accordance with 19 V.S.A. §709, that the Selectboard of the Town of Calais, Vermont will meet at 1440 Worcester Road and at T.H. 64 at 510 Worcester Road, at 6:00 p.m. on Monday, September 10, 2012, for a site visit, and then recess to the Town Hall for the purpose of receiving testimony and hearing all persons interested in the matter of whether the Town of Calais shall alter T.H. 8 to change the entrance to a location easterly of the presently accepted entrance (at the gate), as shown on a copy of a survey showing the proposed alteration, which is available for review at the town office. At the same time, the Selectboard shall consider whether to discontinue T.H. 64 at 510 Worcester Road. In addition, the Selectboard will, at said time and place, hear testimony on the issue of what damages, if any, shall be paid or tendered to any person through whose land said highway or portions of the same may pass or abut.

The Selectboard convened at 6:00pm for a site visit of the proposed change of the entrance to TH 8 and discontinuance of TH 64 as outlined in the Hearing Notice above. No testimony was taken on the site visit. Those at the site visit were Denise Wheeler, Toby Talbot, John Brabant, Paul Gillies, Esq., Rod Buck, Reed Cherington, Gary Schultz, Jim Buckley and Alfred Larrabee. The Selectboard members and other walked the entire length of the proposed TH 8. Paul Gillies and Jim Buckley reviewed the survey with the Selectboard along the site visit. Pat Malone joined the site visit on TH 64.

The Public Hearing commenced at 6:55pm at the Town Hall. Denise Wheeler, Selectboard Chair, swore in those persons wanting to testify. His legal counsel, Paul Gillies, read an affidavit from Paul Wiesbart. Rod Buck wondered about public access to Hawkins Pond. "Now that the gate won't be there, the problems would multiply." Rod Buck is not opposed to moving the entrance of TH 8, not opposed to it being a trail but not a highly improved Class 4 road. With the relocation of TH 8, the road points more clearly to Buck's house rather than Hawkins Pond. It is very wet. Toby Talbot noted TH 8 is still on the town highway map as a Class 4 road. Reed Cherington, Trail Committee Chair, suggested improvements be made by the Wiesbarts to make it a walking trail. Denise Wheeler announced the Selectboard is not going to make a decision tonight and has 60 days to deliberate and render a decision. John Brabant thought maybe the town could get some money that goes to the conservation fund for improvements for the trails committee (for example the cost of some gravel and a few culverts). Paul Gillies reiterated the choices for the Selectboard to decide and didn't think there is any provision in state statute for doing this (getting money). After further public discussion, the Selectboard agreed to continue the public hearing to Monday, September 17, 2012 at 6:30pm at the town hall. The Selectboard will welcome more public comment. John Brabant wants to be sure taxpayer interests are protected.

The regular Selectboard Meeting began at 7:30pm.

Right-of-Way Permit Application from Warner Shedd – The project was reviewed by Cy Lambertson (since Alfred's Construction is doing the work) for underground electrical conduit beneath TH 19 Sand Hill Road. Cy Lambertson said, "If he can't go down six feet, it will have to be in concrete". Toby Talbot made a

motion to approve the Right-of-Way Permit with the condition if the electrical conduit is not 5-6 feet underground, it will have to be covered with concrete. The motion was seconded, voted on and carried 3-0.

WEC Right-of-Way Permit – Washington Electric Co-op wants to move a 7200-volt distribution line, clear trees and brush on Max Gray Road and needs a Right-of-Way Permit. The Selectboard would like the old poles removed after the electrical and phone lines have been moved to the new poles. Toby Talbot motion to approve the Permit with the condition that WEC work with the phone company to get the phone lines moved and that WEC will remove the old poles within three years. The motion was seconded, voted and carried 3-0.

Small Claims Court – Toby Talbot and Alfred Larrabee appeared in Small Claims Court today on behalf of the town. Toby Talbot reported the court found in favor of the defendant, the town, in the claim docket number 249-5-12 with Doug Lilley.

Hutch Crane Claim – Donna Fitch reported the insurance carrier for Hutch Crane has notified VLCT that they will pay the claim for the crane rollover incident on Pekin Brook Road for damages to the road incurred by the town in August 2011.

Public Comment – Peter Harvey announced this would be his last meeting where he will do his notes. Peter recommends that the Approved Selectboard Meeting Minutes be submitted to Front Porch Forum. The Selectboard thought it was a good idea and Rose will send the Approved Minutes to Front Porch Forum. *Note:* The Approved Minutes can be read on the Town of Calais website (www.calaisvermont.gov) and at the Town Office.

Mike Garand had another commitment this evening and arrived at 7:50pm.

Executive Session - Toby Talbot made a motion to go into Executive Session at 7:52pm in accordance with 1 V.S.A. subsection 313 (a) (1) for the purpose of discussing ongoing legal and real estate matters with legal counsel from Stitzel & Page via conference call. The regular session resumed at 8:32pm. Denise Wheeler had nothing to publicly report.

Approval of the August 13th Meeting Minutes – John Brabant made a motion to approve the Minutes as amended. The motion was seconded, voted and carried 4-0.

Approval of the August 20th Meeting Minutes – Toby Talbot made a motion to approve the Minutes as amended. The motion was seconded, voted and carried 4-0.

Approval of the August 27th Meeting Minutes – Toby Talbot made a motion to approve the Minutes as amended. The motion was seconded, voted and carried 4-0.

Town Invoices and Road Commissioner's Orders of the Day - The Selectboard reviewed and processed the invoices and orders of the day as per usual protocol.

Vote Recount of the Progressive Party Ballots from the Primary Election – Donna Fitch will get our Progressive Party ballots to the courthouse for the state-wide recount.

Bid Opening for Culverts Project on Singleton Road – Three bids were received from the following contractors to replace two culverts on Singleton Road and opened by the Selectboard this evening:

Contractor	Site 1 Bid	Site 2 Bid
Bowen Excavating	\$18,949.00	\$19,149.00
Gravel Construction	\$13,130.00	\$13,130.00
Dubois Construction	\$34,154.00	\$31,687.00

Site 1 is near Pekin Brook Road and Site 2 near John Brabant's house. After careful review and consideration by the Selectboard and Road Commissioner, Toby Talbot made a motion to award the bid to Bowen Excavating for the project. The motion was seconded, voted and carried 4-0.

Road Commissioner Update – Alfred Larrabee noted some grader repairs have been done. There was some wash out from the heavy storm last Saturday. The road crew has been cutting some brush and clearing ditches. Alfred gave the Selectboard a heads up about a property owner on Jack Hill Road that has put dirt in the right-of-way to divert runoff and now it is going into the road. Alfred would like to do some work on the Class 4 portion of Hayden Road.

AOT Accelerated Bridge Program Questionnaire – As previously discussed at the last meeting, the State AOT requested information from the town on a questionnaire as they plan to replace three bridges on VT Route 14. It could take up to 10 years before the work is done. Denise Wheeler answered what she could and gave the questionnaire to Alfred for his input and also wants to get Rick DeWolfe's input. The Selectboard agreed to let Denise Wheeler compile the info and send to back to the CVRPC.

Optical Scan Vote Tabulator – Donna Fitch provided a draft informational handout that includes Denise Wheeler's comments. An informational meeting will be held October 1st at 7:00pm at the town hall to discuss the vote tabulator. This will be followed by a Special Town Meeting vote on October 2nd from 7:00am to 7:00pm to answer the question if Calais voters want to use a vote tabulator in Calais. Donna Fitch will finalize the informational handout and post in the town office, local stores and on Front Porch Forum.

Tentative Agenda for the September 24th Meeting:

- Draft Dog Ordinance
- Conservation Commission – Executive Session and grant application
- Constable authority
- Ancient Roads next steps
- Review EMFD Audit Report FY 2011

Toby Talbot made a motion to adjourn at 9:27pm. The motion was seconded, voted and carried 4-0. The public hearing for the purpose of relocating the entrance to TH8 and discontinuing TH 64 will be continued until next Monday, September 17, 2012 at 7:00pm at the town hall.

Respectfully submitted,

Rose Pelchuck
Selectboard Administrative Assistant