

Selectboard Meeting Minutes

8/11/14

Approved

Present – Selectboard: Scott Bassage, Toby Talbot, Rose Pelchuck, Denise Wheeler; Doug Lilley, Peter Harvey, Renee Carpenter, Ginny Kern, Paul Rose, Craig Line, Judith Robert, Nedene Martin, Jamie Moorby, Tom McCone (Interim Director Kellogg Hubbard Library), John Rosenblum, Geraldine Gilman, Will Walters (Hardwick Gazette), Anthony Pearce.

Chair Denise Wheeler called the meeting to order at 7:07 pm.

Old Business: Petition Regarding Kellogg Hubbard Library – Denise read Attorney Joe McLean’s email regarding the petition to hold a special meeting to vote the Kellogg Hubbard Library appropriation by Australian ballot. *“Under the statutory process for reconsideration, if a petition for reconsideration is filed within 30 days following the date of the meeting in which a question is voted, the Selectboard must provide for a vote within 60 days of the submission of the petition. 17 V.S.A. §2661(b). The negative implication of this requirement is that the petition process cannot be used to seek reconsideration after the 30 day period has expired. However, the Selectboard has authority, outside of the petition process and on its own motion (per 17 V.S.A. §2661(a)), to submit a question to the voters at an annual or special meeting called for that purpose. Thus, the Selectboard could conceivably reject a petition as untimely, and then proceed to approve a motion that brings the same (or a substantially similar) question before the voters.”*

Rose Pelchuck referred to the Vermont League of Cities and Town’s (VLCT) opinion, which stated that the petition had not been received within 30 days and therefore was not valid. Scott Bassage said the Selectboard has the authority to hold a meeting, and he thought they should. For whatever reasons, he said, there are people who can’t get to town meeting. A “yes” vote now for Australian ballot would take affect for Town Meeting 2015. Toby Talbot said the subject has come up several times; voters have had the opportunity to vote on it. It was on the 2014 town meeting warning and can be put on a future warning again. Doug Lilley explained the petition is to give people a chance to vote. He realizes he received incorrect information from the Secretary of State’s office. (They may not have realized the question had been on the town meeting warning). Craig Line, Kellogg Hubbard board member, pointed out that the petition signers are asking for a special meeting to be called by the Selectboard, and he didn’t think it was warranted. He felt no one was disenfranchised and that the 113 petition signers are only about 7% of registered voters.

If we don’t do this, Denise said, it would say something about our willingness to listen to everyone. We represent everyone. If we hold a meeting, we can honestly say we listened to everyone’s input. Saying that it was important for all Selectboard members to weigh in on the issue, Denise said the Board would vote at the next meeting when Selectboard member John Brabant was able to attend. Tom McKone, Interim Director of Kellogg Hubbard Library, said he would be happy to explain the budget and would be available for a special town meeting. Craig reminded people that library board meetings are open to the public.

New Business – Donna Fitch reported that there are two abatement requests. The time for the hearings was set for Monday, September 22 at 6:00 at the Town Hall.

Minutes – Minutes of August 4, July 28, July 14, July 7 were all unanimously approved with a couple minor changes.

Highway Department Update - Painting fog lines on the County Road is on hold until the Selectboard decides if the speed limit should be changed. Operations Manger Toby Talbot put together a salary schedule for pay increases that he hopes will incentivize highway employees to stay with the town and help the town keep good workers. New hire \$14/hour; 6 months to one year \$14.50 to \$15; second to fifth year \$16; fifth to tenth year \$16.50; merit raises 50 cents. Toby shared average salaries from surrounding towns, noting that Calais is behind its neighbors in what it pays. Pay raises for the road crew will be retroactive to July 1.

Toby made a motion that Denise sign the grants for Center Road culvert (\$69,900) and Martin Road culvert (\$51,165). The Agency of Transportation has asked to receive signed copies. Rose seconded the motion, and it carried 4-0. A public meeting to discuss the projects will be held Wednesday, August 13, at the Town Hall at 6pm. The project reports are on town web site.

Toby presented information about replacing the town's one-ton dump truck which is used to plow, salt, and sand the County Road, and is also used to haul small loads of gravel and pull the chloride trailer. There was a surplus in the highway budget the past two years so there is money available without raising taxes. The current truck has had \$14,000 in repair expenses in the last two years. If we wait until Town Meeting, we may have \$6,000 in repairs, Toby estimated. A demo truck is ready at Gateway for \$84,115 which includes a seven-year maintenance contract. Scott noted the Board had a discussion about not buying a Ford. Toby explained there is a lifetime warranty on the oil panel which was a problem with the current truck. Scott said he had a problem about two years ago when the Board purchased a grader without specific voter approval. It was not right that we made a big purchase, he said, so I'll have to vote against this on principle. The seller will hold the demo truck for 30 days while the Selectboard decides. The current truck has a front end that needs a \$1,000 fix. It's an opportunity to take advantage of a good offer, Toby said. Part of the payment for the truck would be funded by a 5-year equipment loan. Scott said it was his idea to set up the Highway Heavy Equipment Fund and he didn't intend for it to be spent by the Selectboard. The Board wants time to think about it, and the purchase will be put on the agenda for the next meeting.

Traffic counters - Dan Currier, Central Vermont Regional Planning, is assembling five weeks of data collected in Calais. Scott would like to see a traffic study done on Lightning Ridge Road after school starts. Peter Harvey said the counters seem to be available any time. He thanked the Board for the flashing speed cart sign in Maple Corner. Toby will put the speed cart on Lightning Ridge when school starts. John Rosenblum suggested it also be put on Worcester Road by the Curtis Pond parking lot where both cars and people are in the road.

Discontinue 4th Class Section of Sand Hill Road – Geraldine Gilman and Anthony Pearce approached the Selectboard about discontinuing the portion of Sand Hill that connects to Bliss Road. Tony said the old road is so eroded that in some places you can't walk on it. A site visit will be necessary as part of the discontinuance process. Scott said surveys would be helpful. Donna will look for surveys and maps in the office, and Geraldine and Tony will provide surveys if they have them.

Curtis Pond Island – Denise opened the discussion by saying we need to ask "What is the problem?" and identify the kinds of uses we want the Island to be used for. Is it a town resource? Do we want to share it? Attorney Diane Sherman is looking for more direction from the town. Though an ordinance is difficult to enforce, at least the town would have it. Maple Corner Community Center (MCCC) is not interested in leasing the Island. Would MCCC be available to give out permits? Jamie Moorby said she talked to Maple Corner Store owners and they were not enthusiastic. Donna Fitch said the permit may appear to have more authority if it is issued at the town office. John Rosenblum, MCCC board member, said the MCCC board felt very strongly that an ordinance is needed. John read from Selectboard minutes of February 23, 1998 *"...A committee made up of townspeople and members of the Community Club will be appointed by the selectmen to oversee usage and maintenance of the property, so that it can be suitably preserved for the benefit of Calais residents."* That committee is long since dormant, he said. "We recognize as a neighborhood that we have a responsibility for patrolling the island, but we need an ordinance in order to say they are violating something." He said it is possible to recreate the committee (which the MCCC has done). John said he thinks that with an ordinance and some patrolling this is a relatively easy to fix; people will be less apt to go there.

Jamie noted that last year there were issues on the island almost every weekend, but this summer has been better. Another sign "by order of SB ordinance #..." will help even more. She suggested signs at the campsite and the two boat landings. John R. said the Island committee is going to start responding to complaints sooner rather than wait for an ordinance. Toby said he supported an ordinance since there is neighborhood support. Rose agreed. Denise noted that the constables can issue tickets. Scott said he appreciates that MCCC is willing to patrol. "I support anything we can do to support that." The Selectboard could appoint an Island committee but it would have to adhere to the open meeting law. Jamie will discuss this with the Island committee. John asked that item #3

of the draft ordinance be changed from “days” to “nights.” “Camping is restricted to three consecutive nights at a time.” Denise said she will pursue further work on the ordinance with Attorney Sherman.

Defibrillator Purchase – Toby requested authorization for the East Montpelier Fire Department to purchase a defibrillator in the amount of \$29,734.45 from a special fund that requires Calais and East Montpelier Selectboard authorization to spend. This is a lease purchase over five years. Scott made a motion to approve the purchase, and it passed 4-0.

Delinquent Tax Collector - Nedene Martin met with the Board to provide an update. Nedene said she appreciates working with Judy and Donna. Donna concurred; it is helpful to have the delinquent tax collector in the office to discuss situations and share information. Nedene is using the NEMRC system and delinquent taxes have been entered. She estimates she has worked 130 hours since March, less than she expected, but the hours will probably increase when taxes go delinquent after November 15. She has made just under \$3,000 from penalties which is about \$23/hour. Notices have been mailed to all current delinquent tax payers; the NEMRC system prints the letters. Since coming into office in March, Nedene has collected about \$35,000 and there is now about \$65,000 outstanding. Several people are delinquent back to 2011 and some have made no contact. Nedene plans to move to a much shorter window before a tax sale, holding off has not done the people or the town any good. Once delinquent tax payers get extremely far behind, they don't have the income to pay.

The new delinquent tax policy (which will be reviewed at the next meeting) will give property owners six months to get in touch with the delinquent tax collector, and then the property will go up for tax sale. If the property owner has not contacted the tax collector and worked out a payment schedule that settles the delinquent amount within a year or two, Nedene will accept that. However, a small monthly amount will never get some people caught up. Information about abatement has been sent to all property owners who are delinquent. Nedene will add “contact DTC within six months” to the delinquent tax policy.

Noting that since the late payment of the first installment doesn't carry a penalty, Nedene asked the Board to consider how she would be paid. Donna said she thought the town clerk tracks the late interest after the first late payment. Nedene and Donna will check the statute and procedure.

GAR Road – The Selectboard received a letter from Stowe Women's Relief Corps asking the town to present evidence that the road is anything other than a privately owned road. The letter is notice to the town that “...ownership of the two 24' strips of land upon which GAR Road is located is claimed by the Stowe Women's Relief Corps #36 and that use of the roadway by third parties without permission of the owners will be considered a trespass.” Denise asked the Board for permission to hire an attorney. Scott said GAR Road was officially brought to the town in Feb 1951 and is on the official town highway map of 1939. Toby has compiled some documents and information is available from the Ancient Roads research. These documents will be sent to the attorney.

Executive Session - Denise made a motion to go into executive session in accordance with 1 V.S.A. § 313 (a)(1) for the purpose of discussing highway road crew evaluations. The motion was seconded, voted and carried 4-0. The Board came out of executive session at 9:32.

New Shoreland Regulations Presentation - The State is giving a presentation on the new shoreland protection regulations at the elementary school, Monday, August 18, at 7pm. All committees and commissions in town are invited and the public is welcome to attend.

Scott made a motion to adjourn. Toby seconded the motion and all voted in favor to adjourn at 9:45pm.

Respectfully submitted,

Donna Fitch, Clerk