

SELECTBOARD MEETING

Approved Minutes

April 30, 2012

7:00pm Calais Elementary School

Attending: Denise Wheeler, John Brabant, Mike Garand, Toby Talbot, Scott Bassage, Alfred Larrabee, Donna Fitch, Peter Harvey, Doug Lilley, Gail Graham, Marion Gray, Nancy Toulis, Artie Toulis, Wilson Hughes, Cy Lamberton, Robin Fitch-McCullough, David E. Rogers, John Audy, Jr., Reed Cherington, Kurt Jansen, Darby Bradley, Nick Emlen, Bill Powell, Gary Schultz, Josh Schultz and Rose Pelchuck.

Actions:

Approval of the April 9th Meeting Minutes – The Selectboard reviewed the Minutes and noted two corrections. Mike Garand made a motion to approve the Minutes as corrected. The motion was seconded, voted and carried 5-0.

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.

Budget Updates were presented by Donna Fitch. We have not received the money for the North Calais culvert (reimbursement of \$88,000.00) project done last summer.

Annual Financial Plan for Town Highways was submitted to the Vermont Agency of Transportation by Alfred Larrabee for FY 2013. This plan lists the anticipated income and expenses of the highway department along with the location and description of major projects. This year 3.9 miles of Max Gray Road and East Hill Road will be resurfaced at an estimated cost of \$136,500.00. Scott Bassage noticed the state has been doing some surveying on Route 14 as they prepare for some repaving.

Hutch Crane letter – The town did not make a claim to VLCT to see if they will cover damages incurred as a result of the crane accident in town last August. Donna Fitch is waiting to hear back from VLCT. If VLCT does pay for the damages, then they can go after Hutch Crane's insurance.

Road Commissioner Update – Alfred Larrabee reported work has begun on the County Road in preparation for new asphalt in June; other road grading projects are coming up. “Lightening Ridge is the worse road in town,” Alfred said with regards to grading. Alfred is going to the beaver management workshop that Scott Bassage recently attended and learned some new things about beaver management. Alfred reported the price for a shim coat for 500 feet both sides of the County Road is \$7,200.00 (could take some funds from the guardrail and sand line items) to pay for this out of the current budget. Alfred will assess approximately how many feet of roadway need shim coat and report back. Alfred is ready to move on buying winter sand and will get it from McCullough's pit (poor quality sand and he will mix some stone in it). Alfred said McCullough's would truck it for the same rate as last year. The new 2012 truck has been down for a month; the exhaust pipe burned a wiring harness and now may have internal engine problems; they are doing compression tests on it. Alfred will call tomorrow to check on the status. It was suggested to have a paper trail for all the repairs and the number of days it is not in service.

Beavers Update - Scott Bassage will do a revised beaver management policy incorporating some of the new things he learned at a recent workshop.

Liquor and Tobacco License renewal for East Calais General Store – The application to renew the liquor and tobacco license for East Calais General Store, LaPan Enterprises, were reviewed by the Selectboard. Scott Bassage made a motion to approve the applications as presented. The motion was seconded, voted on and carried 5-0.

Set date to meet with Town Auditors – The Selectboard decided to meet with the Town Auditors at the regular meeting Monday, May 28, 2012. Scott Bassage has been going to their meetings regularly.

EMFD Remount Rescue 4 – Fire Chief, John Audy, presented information on the remount option for Rescue 4 Ambulance. EMFD is doing this one year earlier than originally scheduled due to hefty repair bills. RFP were obtained and revealed a new ambulance costs over \$170,000.00. It is common practice to remount the ambulance box on a new chassis (completely rehab the box, latches, new paint, etc.) to make a new ambulance. Mike Garand made a motion to authorize EMFD to spend funds not to exceed \$101,556.19 from the EMFD Capital Account to remount Rescue 4. The motion was seconded, voted and carried 4-0-1. Toby Talbot abstained from the vote.

Artie & Nancy Toulis, Maple Corner Café Plans – The Selectboard met with the owners of the Maple Corner Store who are planning to obtain a food and liquor license to operate a cafe in a small, separate area at the Maple Corner Store. The plans include only about eight table seats, four bar seats and a small space for standing. They will go through all the appropriate steps with the Zoning Administrator, DRB and wanted to know if they were missing anything else from the Selectboard.

PACE (Property Assessed Clean Energy) – Bill Powell reminded those in attendance that the town passed the article at town meeting to have Efficiency Vermont administer the PACE program in town. Thirty-five towns in Vermont are now PACE towns. Bill Powell recommends a link to Efficiency Vermont on the town's website and he will then promote it on PPF. Bill generously offered to be the public resource in Calais for PACE. There is no risk or obligation to the town. John Brabant made a motion to authorize Denise Wheeler to sign the Program Administrator Agreement for Efficiency Vermont to operate the program in Calais. The motion was seconded, voted on and carried 5-0.

Committee on Unmapped and Unmaintained Roads – Darby Bradley, Committee Chair, presented the Final Report of Findings and Recommendations by this committee, dated March 2, 2012. Darby Bradley explained the different files as he turned all the information over to the Selectboard.

1. One group of files was for all ancient roads for which the committee found no “clearly observable evidence” of the existence of a road or trail. These roads appear to have been discontinued by the Town's vote for “mass continuance” so no further action needs to be taken.

2. A second group of files involve ancient roads for which the committee found “clearly observable evidence”. However, the committee found no significant public purpose or benefit in the Town retaining these roads and recommends they be discontinued. If the Selectboard agrees with this recommendation, it must take formal action in accordance with state statute to discontinue these roads.

3. In one case, the landowner declined to participate so the committee made no recommendation. It is unknown whether this road is “clearly observable” or not as the committee was denied property access.

4. The committee recommended that the Town retain Grist Mill #1 as a public pedestrian trail, so that the public can view the Kingsbury Branch and old mill site, which were a part of the history of East Calais village. The committee noted that abutting landowners have private rights-of-way in the road, which must be respected in such a designation.

5. The committee noted that in two cases where the committee recommended discontinuance – Dodge Road and Newton Road – the committee had a split vote with Calais citizens and landowners expressing support for both discontinuing the roads and maintaining public access for recreation. The committee urged the Selectboard to hold a public hearing so that it could directly hear the arguments on both sides of the issue.

Finally, Darby noted that while most landowners who had ancient roads on their land had requested discontinuance, many did not object to the public's continued use of these as trails. He expressed the hope that now that the controversy over ancient roads had cooled, the Calais Trails Committee would work with interested landowners to build a network of public hiking trails in the community. Overall, he enjoyed working with a lot of different people during this work. John Brabant reviewed the process going forward as the Selectboard will have a public hearing(s). Gary Shultz asked the Selectboard if they were taking up action regarding the letter he sent to discontinue a road on his property. The Selectboard extended sincere public thanks to Darby Bradley for chairing the Committee on Unmapped and Unmaintained Roads and to the committee members as well.

Revised Dog Ordinance – the Selectboard rescinded the approval vote at the April 9th meeting to revise the Animal Nuisance Control Ordinance, August 30, 1999. John Brabant said the revised ordinance is not clear about what animals this is intending to control. John would hope by revising an existing ordinance, it would clarify. Peter Harvey thinks we need to figure out the difference. Denise Wheeler asked about what defines a nuisance. Kurt Jansen spoke about what constitutes a nuisance animal and does not think the animal ordinance goes far enough. Marion Gray spoke at length about the problems she has had with regards to nuisance dogs. “Blatant disregard to control one's animal is not acceptable; the owner refuses to take responsibility,” Marion Gray explained. Marion Gray says the fines need to be far stiffer and sooner. Gail Graham suggested calling the game warden if seen chasing wildlife. Wilson Hughes, who worked on revising the ordinance, spoke about the state laws on animal control. Nick Emlen urged the Selectboard to defer to state law with regards to farm animals and noted the last paragraph is vague, broad and unclear what that means; there's no standard attached to it. Denise Wheeler will go back and review the concerns people rose this evening. Nancy Toulis noted there are habitual offenders in Maple Corner as they hear it all being in the center of town; they know of dogs that have killed chickens, roamed loose and damaged property. Cy Lambertson suggested writing a letter and having it served by the sheriff. Mike Garand said, “In this case we should do it; two years is long enough to have to deal with this dog that bothers Marion Gray”.

Zoning Violations, Appeals, Litigation, and Personnel Matters – John Brabant made a motion to go into Executive Session at 9:28pm in accordance with 1 V.S.A. subsection 313 (a) (1) for the purpose of discussing two legal matters and a real estate matter. The motion was seconded, voted and carried 5-0. The regular session resumed at 9:55pm. Denise Wheeler stated there was nothing to publicly report.

The Selectboard continued the meeting until next Monday, May 7th at 7:00pm at the Calais Town Hall.

Respectfully submitted,

Rose Pelchuck
Selectboard Administrative Assistant