

Approved: Approved March 27, 2006

**Selectboard Meeting
March 13, 2006
7:00 – 11:55 p.m.**

Present: Walt Pyle, Bob Warren, Paul Saenger, Marthe Fisher, Steve Goodrich,
Mary Jane James, Barb Kivlin,

Guests: Will Stevens, Bob Growney, Jeremiah Parker, Phil Kivlin, Glenn Symon,
Lisa Lee, Randy Strong, Elizabeth Christensten

Call to order:

Walt called the meeting to order at 7:00 p.m.

Minutes approved:

Minutes from February 27, 2006, were approved. Bob MOVED to accept minutes. Motion carried. (Note that he was the only one at this meeting who could approve them)

Minutes from Town Meeting on March 6, 2006, were approved. Paul MOVED and Walt SECONDED to accept minutes. Motion carried.

Minutes from March 9, 2006, were approved. Walt MOVED and Bob SECONDED to accept minutes. Motion carried.

Announcements:

Mary Jane announced the upcoming Annual Town Officer's meeting sponsored by the UVM extension service. Mary Jane gave the Board copies of the brochure.

Additions to Agenda:

Road weight permits

Heater

Executive Session: Litigation

Executive Session: Personnel

Recycling report to JR's Rubbish and Recycling

Bus petition

Reports:

1. Jeremiah Parker came in about the roads. He stated that he driven around on the Shoreham's roads and compared them to other towns. He asked about purchasing ditching machinery that could help clean up the roads rather than buying a new truck. Discussion about the intent of budget for ditching.
2. Jeremiah also reported out on Regional Planning's concerns over the pending in-town bridge and what that might mean for all of the surrounding towns. Impacts to the town, whether construction or if stone bridge collapses, could affect Richville Road as more

thru traffic makes it way to Middlebury via this route. Which means more wear and tear on a town road and the Town should consider what costs they may incur from this. The Town of Middlebury would like letters of support from outlying towns. Paul to draft this letter.

Second issue was about ancient roads and how the legislature is proposing to handle this issue. Need to identify all ancient roads in the Town by 2008 and when they are identified called Class IV roads. This has tax implications because it subdivides land in some cases. If the bill in the House/Senate is approved, Towns would not do anything until 2008 and then identify the roads as unidentified corridors and if nothing is done with them, then they go away. There was concern that roads that have been thrown up in the past might not have been handled correctly. A review of those roads needs to be done to make sure they were done correctly. The legislature is proposing setting \$100,000 aside per House bill from now and until 2012 to provide money for research to aide in remedying the situation. Barb referred to Legislative Report of February 17th. Karen asked Mary Jane, if during her own research over time she discovered any of these roads, and she said there were quite a few roads on maps in the town clerks office. Walt MOVED that the Town write a letter in support of the in-town bridge. Steve SECONDED. Will suggested that the letter be carefully worded. Barb also raised the issue cost of the construction of the bridge should also include any wear and tear on our roads because people were circumventing the construction. Steve asked how they would reroute traffic. Motion carried. Paul will write the letter.

3. The following town officers were appointed: Steve nominated Paul for Chair and Marthe seconded. Motion carried. Paul at this point asked Will to moderate the rest of the meeting and he accepted. Steve nominated Walt for Vice Chair. Marthe seconded. Motion carried. Steve nominated Marthe for Secretary. Bob seconded. Motion carried. Walt moved to have Karen Shackett continue to do the minutes for the Board. Paul seconded. Motion carried. Karen agreed to continue in this capacity.
4. Lake Champlain Restoration Association grant has come in. Paul asked what the Town's responsibilities are for this project and was told that it usually requires approximately 8 hours of in-kind service. This usually means one of the Town trucks hauls the weeds away. Walt MOVED that the Selectboard sign the LCRA grant. Steve SECONDED. Motion carried.
5. Other yearly town appointments and suggestions:
 - Fence viewers: need suggestions
 - Poundkeeper: need suggestions
 - Tree warden: Need to ask Jason Paquette if he is interested
 - Grand Juror: Edwin James was elected to this position.
 - Solid Waste delegate: George West was suggested, need another suggestion.
 - Wastewater Commissioners: Steve Goodrich volunteered, need to check with Eric Leonard and Chris Hubbell or someone else?
 - Town Service Officer: Need to ask Rita Baccei. Marthe to call and ask her.
 - Planning Commission member: Glenn said they need to ask around for interested people

and will report back to the Selectboard with suggestions.
Regional Planning delegates: Need to ask Jeremiah and look for alternates.
Board to research and find names for people to might be interested in the empty offices.

Bob MOVED to cast one ballot and appoint the following nominees. Steve SECONDED. For the Zoning Board of Adjustment the following were appointed: Patty Kaufmann, Bill O'Neill and Glenn Symon with alternates John Kiernan and Bob Fisher. For Weigher of Coal, Jim Peden was appointed. Motion carried. All other appointments were tabled until next meeting.

6. Walt spoke with Vermont Mac about the new truck today and was told the Town has about a week to get their order in. Walt MOVED that the Board order the new truck. Bob SECONDED. Steve asked about any bidding that was done. Walt explained about pricing on the International and body. Paul stated he is not ready to buy a truck because the vote was close and he was not sure the Town needs it at this time. And buying one just because of the Capital Replacement Plan was not a good enough reason. Walt said the 1987 Mac Dump Truck needs to be replaced because it is not safe. It would be possible to get rid of two trucks and replace them with one new truck. Discussion about trucks and town needs. Paul wants to research what we really need and Steve agreed. Currently there are four trucks to use for plowing. If a new truck were to be ordered it would be a 2007 and was specked for a 14-yard tandem. Bob Growney suggested that perhaps we don't need another truck but less people actually. Question about tandem and whether they are as maneuverable on Shoreham roads. Vote was taken with the following results: Walt-yes, Bob abstained and 3 no votes from Paul, Steve and Marthe. Motion did not pass. Board members felt this needed further review and want to meet with the dealers and also determine a plan for the roads and its needs. Phone calls to dealers is required to ask about timeline for canceling orders. Also need to find Gudge's specs for the order.
7. Lisa Lee came in to discuss the revote on the school bus issue. Paul called Deb Markowitz at the Secretary of State's Office. School Board is required to accept the petition and they are required to do a revote. Only voting on the dollars. Petition will force a reconsideration of the vote. School Board is not obligated to change any line items in their budget. Lisa brought up the issues of liability to the Town because of individuals driving other people's children to school and how that might effect the Town. She also has spoken with Harold Giard. Karen asked about the penalty and how much it would cost if they add the costs of the morning bus route back in because this needs to include the cap penalty figure. Paul had suggested that money could be raised with fundraising to get spare \$10k that is needed to cover the bus. However, the fundraising cannot be done by the town entities but through individuals and that is another avenue for the concerned parents to look at. Lisa suggested that it be a mandate that buses never be an issue. Elizabeth Christensten joined the Board meeting later and was brought up to date on this discussion. Paul explained to Elizabeth what Deb Markowitz said and suggested that she contact the State too for her own interpretation.

8. Mary Jane reviewed with the Board earlier discussion about weight permits and whether they should be signed or not. Paul explained about finding a website that lists roads postings. Shoreham is not registered as having any road restrictions. Mary Jane said she sent in a list to the state in February. Mary Jane will call the Agency of Transportation and make sure they received info the Town's info and that it is listed. Very important to make sure the website states our weight limits as 24,000 pounds. Board needs to review the Town's letter to the permittees and how the permits are sold. Bob Warren brought the Board up to date with the Sheriff's recommendations about the permits. Jim Coons had recommended at an earlier meeting that it is a waste of time to sell permits because the Town doesn't do anything to enforce them. Sheriff's Department can catch those who are over the weight limit. Paul raised the issue of local delivery trucks and how to set up the policy so they can make their deliveries. Agricultural trucks are exempt. In rationalizing the idea, by having someone register for a permit, it informs the public about our road policies. The Sheriff would be a secondary measure to take care of any ordinance breakers. Board came to the conclusion that mention should be made that the Sheriff is now patrolling in Shoreham's roads. First, however, an ordinance needs to be completed on the through truck issue. Bob explained the ordinance procedure. Bob to check with Vermont Leagues of Cities and Towns to see if another town has a sample ordinance.
9. Fyles Brothers are still holding a Rinnai heater for \$200 plus installation in the Town's name. Tad Fyles has someone who interested in it and wanted to know if the Town still wanted it. Discussion about who would use the room at Newton Academy, cost of operation and whether a new gas tank would be needed. Steve MOVED to send the Rinnai heater back to Tad Fyles. Marthe SECONDED. Motion amended. Board needs to contact Newton Academy Committee first to see if they want to purchase the heater for the building. If not, then Tad Fyles would be notified that the Town is no longer interested in purchasing the heater. Motion carried.
10. Mary Jane needs to send state recycling survey to JR's Rubbish and Recycling to fill out since they have the information.
11. Randy Strong expressed his concern about the condition of the roads and believes, because of his background working for the State Department of Transportation, that he could help fix the Town's roads. He is interested in road foreman's job.
12. Treasurer's report. Barb explained to the Board about the four road grants. There are 2 for the Better Backroads, which consist of (A) an inventory and capital budget planning-road management system and the Class B grant which was for correcting an erosion problem on Quiet Valley Road in the amount of \$9622. The grant pays for 75% of the costs and town pays the balance on these two grants. These two grant applications were due on March 15th. Barb passed information out to the Board on the grants. The larger grants come from the Agency of Transportation (AOT) and are due on March 24th. These were for structural needs like culverts. One grant is for replacing a culvert on Lake Street at a cost of \$9,068. A grant for \$167,000 was applied for to work on the Richville Dam Road (Class II Roadway) to shim, overlay and topcoat 3.7 miles. These grants cover up

to 90% of the cost. Walt MOVED to authorize Paul to sign the grants on behalf of the Town. Steve SECONDED. Barb explained about the emergency fund for the roads that was spent on the roads in January due to the rains. Grading and gravel were added to five town roads. The AOT could reimburse the Town for some of this cost. \$16,825. Barb also handed out letter about grants we receive. There is a Municipal Stormwater Mitigation grant for municipalities, which could be granted up to \$150k with 20% match. Walt suggested that we send Eric Leonard to the workshops on these issues. Motion carried.

13. Mary Jane asked about the Champlain Construction bid for Doolittle Road and whether anything further needs to be done. Board discussed the project, which was to replace, lengthen and straighten out the corner on Doolittle Road. Paul spoke with residents on the road and none want it black topped. Discussion about whether bidding needs to be done or whether an engineer needs to be consulted first. Tabled until next meeting.
14. A letter from JR's Rubbish and Recycling was handed out. He will be coming to the next meeting to discuss fees. Board to review letter and contract for next meeting.
15. Barb handed out updated financials to Board members. Also handed out Selectboard orders, which were signed.
16. Paul to review Jack Peltier's original priority list for the roads and inventory for the next meeting. Barb showed the Board maps of culverts, soils types, plus road designs, and Better Back Roads manuals.
17. Walt MOVED to recess Selectboard meeting at 10:10 p.m. to go into an Executive Session to discuss litigation. SECONDED by Steve. Motion carried.
18. Paul MOVED to come out of Executive Session at 10:26 p.m. Steve SECONDED. Motion carried.
19. Bob MOVED to authorize the Chair to accept the insurance company's offer of \$75,000 contingent upon advice from the town attorney regarding potential implications of accepting the offer. Steve SECONDED. Motion carried.
20. Bob MOVED to recess Selectboard meeting at 10:37 p.m. to go into Executive Session to discuss personnel issues. Walt SECONDED. Motion carried.
21. Walt MOVED to come out of Executive Session at 11:40 p.m. Steve SECONDED. Motion carried.
22. Paul MOVED to (1) end fuel use and payment for use of personal vehicles by the Town; (2) pay federal mileage reimbursement rate for use of personal vehicle for town business; and (3) town truck to be used to inspect town roads. Steve SECONDED. Motion carried.

23. Paul MOVED to adopt the current compensation package for the next four pay periods.
Bob SECONDED. Motion carried with 4 yes votes and one no.

Adjournment:

Walt MOVED to adjourn at 11:55 p.m. SECONDED by Marthe. Motion carried.

Respectfully submitted by,
Karen M. Shackett
Minute Taker

Signed: _____
Marthe Fisher, Secretary
Town of Shoreham Selectboard