



SELECTBOARD MEETING OF SEPTEMBER 28, 2015

Members Present: Bob Beeman, Brian Kellogg, Mickey Smith, Steve Rae & Joni Lanphear.

Department Heads: Dan Lindley, Town Administrator; Richard Keith, Chief of Police; Todd Thomas, Planning Director; Mary Ann Wilson, Town Clerk/Treasurer; & Denny Digregorio, Fire Chief; Min Cote, Street Foreman & Roland Boivin, Highway Foreman.

Guests: Judy Nepveu, Norm Nepveu, Judy Bickford, Roger & Anna Haselton, Larry Cornblatt, William Martin, Ken Skeer, Chris Ransom, Gerry & Arlene Sutton.

I. SITE HEARING

Sun Valley Road Hearing: Selectboard Present: Bob Beeman, Steve Rae, Mickey Smith, Brian Kellogg. Guests Present: Steve Dever & John Meyer.

Bob Beeman called the site hearing to order at 4:30PM at Sun Valley Rd. The Sun Valley Home Owners Association has requested the Selectboard to consider taking over the road. Min Cote, Street Foreman made note that the road is not 24 feet wide as required in the Town Specifications. The road will also need 5" of gravel, 2 culverts will need to be replaced, it will need some de-berming; there is also a tree that will need to be cut as well as some brush cut along the road. There will need to be a 50 foot right of way [25 feet on either side of the road] deeded to the Town if the Town should decide to take over the road. If the town was to take over the road it would add another 15 minutes to the current plow route. The Highway Department is concerned with time as the State would like to see drivers out of their trucks every 3.5 hours for a break. The routes are at 3.5 hours right now. The Selectboard may need to look at throwing up some roads before they can take on anymore. No decision will be made this evening. The Selectboard has 60 days to make a decision. Bob adjourned the Sun Valley Road hearing at 4:54.

Carpentier Farm Rd. Hearing: Selectboard Present: Bob Beeman, Steve Rae, Mickey Smith, Brian Kellogg. Guests Present: Mitzi & David Fleming, Jim Densmore, Dave Stevens, Gilbert LeBlanc, and Kris Kruger.

Bob Beeman called the site hearing to order at 5:15PM at Carpentier Farm Rd. The Carpentier Farm Rd. Home owners association has made a request to the Selectboard to consider taking over the road. Min Cote, Street Foreman made note the road is 24 feet wide. Roland Boivin would like to see 4" of gravel added to the edges of the road. There would need to be a 50 foot right of way [25 feet on either side] deeded to the Town. No decision will be made at this evening. The Selectboard has 60 days to make a decision.

Bob Beeman adjourned the Carpentier Farm Rd. site hearing at 5:35PM.

Bob Beeman Called the regular Selectboard meeting to order at 6:00PM

II. AGENDA CHANGES OR ADDITIONS

1. Add EMS Service License Renewal Under New Business

III. APPROVE MINUTES

1. **Motion made by Brian Kellogg, seconded by Joni Lanphear to approve minutes of September 14 , 2015 with changes to correct Joni's last name. Motion carried (4/1, Steve Rae Abstained)**
2. **Motion made by Brian Kellogg, seconded by Steve Rae to approve minutes of September 22, 2015. Motion carried (5/0)**

IV. COMMUNITY CONCERNS

Judy Bickford would like the Selectboard to consider adding an appropriation for Habitat for Humanity to the 2016 Town Meeting Warning. Dan Lindley explained that Habitat would need to submit a petition signed by 5% of the voters. There is specific wording that needs to go on the petition and he offered to send this to Judy by email.

V. NEW BUSINESS

1. JUNK ORDINANCE- WILLIAM MARTIN & KEN SKEER - 182 UPPER MAIN STREET- Todd Thomas, Zoning Administrator has sent a Zoning Violation for non compliance of §440 of the zoning bylaws due to the unsafe conditions of the cellar hole that has not been capped or filled in and the remaining house seemingly leaning into the same hole. Todd would like the Selectboard's permission to spend the necessary fees to enforce this zoning violation in Environmental Court. Owners of the building cited many issues that have kept them from finishing the project, such as lack of funds, weather, as well as personnel issues, etc. Ken Skeer thought he would have the funds to finish the project in 30 days. Denny Digregorio mentioned that there is a pile of dirt that is in the way of the Fire Department that needs to be moved. Dan Lindley, Town Administrator, recommended to the Selectboard to allow Todd to move forward with legal action and if the property owners should come into compliance, the legal issues would be dropped. The Selectboard gave the Owners William and Ken 15 days to move the pile of dirt that is blocking some of the fire departments driveway and the foundation needs to be filled in or capped within 30 days.

Motion made by Steve Rae, seconded by Joni Lanphear to approve Todd Thomas's request to file legal action with the Environmental Court if the dirt pile is not moved within 15 days and the foundation is not capped or filled in within 30 days. Motion carried. (5/0)

2. NEPVEU BUILDING - 82 PORTLAND STREET -Todd Thomas, Zoning Administrator has sent the Nepveu's a Zoning Violation for non compliance of §440 of the zoning bylaws for their abandoned building at 82 Portland Street. Todd would like the Selectboard's permission to spend the necessary fees to enforce this zoning violation in environmental court.

Motion made by Brian Kellogg, seconded by Joni Lanphear to proceed as requested and to file motion with Environmental Court if the Zoning Violation is ignored. Motion carried. (5/0)

3. GERRY & ARLENE SUTTON- 50 BRIDGE STREET - Todd Thomas, Zoning Administrator, sent a junk violation warning due to the amount of junk visible from the road at the Sutton's Bridge Street property. Mr. Sutton is not sure what the Town would like him to do to clean up the property. He says that he is still operating a business there which substantiates his new consignment sign. Todd said that he did not believe that any business was being transacted at the property. Dan Lindley, Town Administrator suggested that we have Mr. Sutton back in 2 weeks which would give the Selectboard time to go look at the property to surmise what needs to be cleaned up.

Motion made by Brian Kellogg, seconded by Steve Rae to table the issues until the next Selectboard meeting on October 13, 2015. Motion carried. (5/0)

4. ROGER & ANNA MARIE HASELTON- 130 BROOKLYN STREET - There is a large amount of junk that is still on the property and visible from the road, which is not allowed by the town's junk ordinance. Roger stated that he has gotten rid of some of it. Dan Lindley, Town Administrator, suggested maybe a group of volunteers could help him load up more stuff and get rid of it for him. Mr. Haselton agreed to let some volunteers help remove junk from the property. Joni Lanphear said she could put them in touch with someone that would come and haul off the metal for free if they would like some help with that. Dan Lindley, Town Administrator suggested that we have Mr. Haselton come back and two weeks for an update.

5. CHRIS RANSOM- 49 FOUNDRY STREET - Chris has been working on cleaning up his property after the fire two year ago, but due to health issues it is a slow process. Todd Thomas, Zoning Administrator would like the camper moved ASAP as it is a violation of the zoning bylaws. He would also like the structural materials moved. Chris stated that he hopes to have the camper moved by the end of the week. He hopes to have the side of the property next to the rail trail cleaned up by the end of October. Dan Lindley, Town Administrator, recommended for Chris to write a progress report of what has been completed and submit once a month to Todd. If Todd does not get the written report we will need to have Chris come back. It was agreed that a progress report in January and February was impractical. Concerns were expressed for Chris' welfare in regards to spending the winter in the remains of his building.

Motion made by Brian Kellogg, seconded by Mickey Smith to approve written progress reports from Chris Ransom with the first one being due at the end of October. Motion carried. (5/0)

6. LARRY CORNBLATT- 8 PORTLAND STREET - Todd Thomas, Zoning Administrator has received numerous complaints about the condition of the building. Mr. Cornblatt stated that he is hoping to get the building painted in the spring, and to get the window fixed as soon as funds allow. The Selectboard would like to see a list of what Mr. Cornblatt intends to fix and when by the end of October and they would like the window fixed by January 1, 2016 and the building painted by July 1, 2016. Dan Lindley, Town Administrator suggested getting a list of the items he needs to the Town and maybe Todd the Zoning Administrator and Tricia Follert the Community Coordinator can help him find the items he needs.

Motion made by Brian Kellogg, seconded by Mickey Smith to require a list of items to be submitted to Todd Thomas by the end of October and to have the window fixed my January 1, 2016 and the building painted by July 1, 2016. Motion carried. (5/0)

7. HALLOWEEN- In the past years we have closed Maple St and Cherry St, for a few hours on Halloween so that it is safer for all the kids trick or treating. We did have a request to also close Court St. Closing Court St. would also require closing Summer St. and Union St.

Motion made by Brian Kellogg, seconded by Mickey Smith to close Maple St., Cherry St., Summer St., Union St. , & Court St., from 5:00PM to 7:30PM. Motion carried. (5/0)

8. ZONING CHANGES – The Selectboard held their required zooming change hearing on September 22, 2015. The Board discussed adding language to Section 426 Ponds "said situation is only allowable upon receipt of a stamped engineering letter that any potential overflow or failure of the pond poses no threat to the Town right of way due to topography or other natural features". Min Cote & Roland Boivin would prefer the language to stay the same. They feel that ponds should not have their discharges directed at town highway as it creates problems with the roads if there is ever flooding.

Motion made by Brian Kellogg, seconded by Mickey Smith to approve Zoning Bylaws at originally presented. Motion carried. (5/0)

9. PART-TIME HIRE FOR HIGHWAY DEPARTMENT- Roland Boivin would like to hire Jim Fitzgerald as a Part-time Temporary to fill in on an as needed basis. He has a CDL and experience with equipment.

Motion made by Brian Kellogg, seconded by Mickey Smith to approve Jim Fitzgerald as a part-time hire at \$15.00 per hour. Motion carried. (5/0)

10. EMS DEPARTMENT RESIGNATIONS - Angela & Kevin Toof are resigning from the Ems Department. Nathan Pickard would like to invoice them for the classes that they took and the Town paid for.

Motion made by Brian Kellogg, seconded by Steve Rae to accept resignation from Angela & Kevin Toof as of September 28, 2015. Motion carried. (5/0)

11. EMS LICENSE RENEWAL- The service license needs to be renewed for the Morristown Emergency Services Department. Nathan would also like permission to sign as Chief of the Emergency Services Department.

Motion made by Brian Kellogg, seconded by Mickey Smith to approve license renewal for EMS department and to authorize Nathan to sign as Chief of the EMS Department.

VI. OLD BUSINESS

TOWN ROAD ACCEPTANCE POLICY- A lot of work went into revising the Road Acceptance Policy by Todd, Roland, Min, Dan and the Selectboard. Steve Rae would like to change the title to Morristown Road Policy. A full Copy can be found in the Administrative Offices located at 43 Portland Street.

Motion made by Brian Kellogg, seconded by Mickey Smith to approve the new version of the Morristown Road Policy as revised per the discussion. Motion carried. (5/0)

VII. BOARD OF LIQUOR CONTROL

None

VIII. TA REPORT

1. Have been working on Health Insurance. Would like to have a meeting with the Selectboard and the Employees on October 22, 2015 at 4:00PM to present the options.
2. Spoke with David Lowe about having a cell tower in the Clock tower and he is against the idea.
3. Will be meeting with the engineer about HVAC Systems tomorrow, should have some options for the Selectboard at their next meeting.
4. Working on the Stagecoach Rd. asphalt problem.
5. Please review the letter from last week's Selectboard meeting and let us know if there needs to be changes.

IX. SELECTBOARD CONCERNS

Joni Lanphear-

- None

Steve Rae-

- Would like to see the stop signs in Sterling Valley intersection changed. It is similar to the Congress street and Washington highway situation. Richard said he would take a look at it.

Brian Kellogg-

- What is going on at the Airport? Dan said they are moving the weather station.

Mickey Smith-

- Why is SD Ireland pouring concrete on Congress St. Dan said that they are just pouring and that Tatro is still doing the work.

Bob Beeman-

- None

X. APPROVE WARRANTS

Motion made by Brian Kellogg, seconded by Mickey Smith to approve warrants as presented though September 28, 2015. Motion carried.(5/0)

XI. OTHER BUSINESS-

Personnel Issue-

Motion made by Mickey Smith, seconded by Brian Kellogg to find that premature general public knowledge of employee relations to the body will clearly place the town at a substantial disadvantage. Motion carried. (5/0)

Motion made by Mickey Smith, seconded by Brian Kellogg to enter executive session to discuss employee relations under the provisions of Title 1 Section 313 (a) (1) of the Vermont Statutes. Motion carried. (5/0)

Motion made by Brian Kellogg, seconded by Mickey Smith to adjourn at 9:20PM. Motion carried. (5/0)

Respectfully submitted and filed this 29th day of September 2015
Erica Allen, Scribe

Please note all minutes are in draft form and are subject to approval at the next Selectboard meeting.