

Townshend Select Board Meeting

August 3, 2009

Present:

Select Board: Alene Evans, chair; Hedy Harris; Steve Ovenden; Bruce Bills, absent; Michael Charles, absent; Craig Hunt, (Select Board secretary)

Town Personnel: Irvin Stowell, WSWMD Representative; Dale Davis, Townshend Barn Committee, chair; Brud Sanderson, Townshend Barn Committee member; Meri Roberts, Bookkeeper

Members of the Public: Jaime Cone, Brattleboro Reformer; Larry Gould; Bernadine Borgeson

1. Call to Order: At 6:04 p.m., Evans called the Meeting to Order

2. Approval of Minutes: After discussion, Evans made a motion: **To approve the Minutes of July 20, 2009, as corrected**, seconded by Harris, and carried by those present.

3. Additions and Deletions: Members of the Public: The chair requested that the Board set the Tax Rate and Payment schedules under new business, and Ovenden requested that under new business, sidewalk construction proposals be discussed. Both additions to the Agenda were approved by general consent.

4. Reports:

Town Clerk's Report: Evans reported that the Town Clerk, acting in her capacity as the Assistant Treasurer, had received authorization to consult with the IRS about penalties assessed against the Town for incorrect and late filings of the 941 Schedule B during the previous three fiscal quarters. Documents from the IRS that were received proved that the bookkeeper had misrepresented to the Treasurer and the Select Board how accurately and how timely filings had been made.

Treasurer's Report: Evans reported that the Treasurer had been working with NEMRC on the forms to be used for the new Tax bills. The mailing address for the return of Tax Payments by mail would go directly to Chittenden Bank, though Tax Payments in person would still be accepted by the Treasurer at the Town Offices. Evans also reported that NEMRC had justified the Grand List and that if a Tax Rate was set by the Select Board this evening, that the Tax Bills could be prepared for mailing on August 14, 2009, with a due date for the first quarterly payment set for September 14, 2009.

Bookkeeper's Report: None at this time.

Highway Foreman's Report: Ovenden reported that he and the Highway Foreman had met with representatives regarding work to be done under grant funding to improve the safety conditions along Route 35, and that there was general agreement with recommendations for replacing and improving signage and re-striping the roadway. The requirements included that some of the work be put out to bid, but that all work, including that which the Townshend Highway Department would undertake, was

reimbursable at 100% of the cost. Ovenden also stated that the application should be ready for submittal by the end of the week. Stowell noted that many of the signs along Route 35 were not in compliance with regulations.

Stowell also registered his concerns that moving the compactor and recycling bins to the old Grafton Road dump site, even if temporary during construction of the new Town Barn facilities, violated the stipulations by which the State had paid the Town money in the late 1970's to close that dump site. Additionally, Stowell believed that the amount of gravel hauled to and used to reconstruct that old dump site was excessive, depleting the Town's gravel supply which was needed for repair work on the Town's roads.

Evans said that she would review the documents which attended closing the old Grafton Road dump site to see if there were stipulations preventing the Town from re-using it temporarily as a transfer station.

Town Barn Committee Report: Davis reported that the footings had been poured and that everything was proceeding on schedule with the construction of the sand and salt shed at the Highway Garage.

Evans, reviewing a memo received from Charles regarding the manner in which invoices were to be processed and appear on Warrants for Select Board approval, requested that Hunt compare the procedural outline from Charles with all previous decisions of the Board.

Stowell asked, "Who was paying Bostrom to supervise the construction activities at the Town Barn during working hours?" Discussion followed as to whether the taxpayer was paying the Highway Foreman regular "wages" for work that should be paid for out of the Town Barn Bond account, and Ovenden said that he would follow up with Bostrom and report to the Board how the Foreman's different duties were being divided and accounted for.

5. Warrants: Following a brief discussion, Evans made a motion: **To approve the General Fund Warrants of August 3, 2009, adding \$45.00 for a membership at B.J.'s, and await the approval of the Payroll Warrants until the Bookkeeper arrived at the meeting,** seconded by Ovenden, and carried by those present.

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6. Correspondence: Evans reported receiving a notice from the Town of Winhall regarding an upcoming special meeting for discussion of WSWMD expenses and contracts, and Stowell, who said that he had other commitment and could not attend, requested that the Select Board consider the appointment of an additional, Alternate Representative to WSWMD. Hunt was instructed to publicly post a Notice of the Vacancy and have it placed on the Town's website.

Ovenden reviewed a letter from TOPCOR regarding funding that was potentially available to smaller communities for energy efficiency studies and modifications through the Department of Energy, and said that he would contact Clay Turnbull with the correspondence.

7. Old Business:

Ancient Roads: Evans asked Stowell if he was still a member of the Ancient Roads Committee, and Stowell said that while he had been an advisor to the Committee, he was not a member, and had never been informed of any meetings, or contacted to provide assistance. Discussion followed, focusing upon the potential conflicts of interest

that appointed Committee members might have in discharge of their duties. Evans expressed her concerns about the work that needed to be done, and expressed her belief that if the Board was to appoint new members to the Committee, or have it reconvene, that a hard and fast mission statement should be drafted to prevent conflicts from undermining its work. Evans then asked if Stowell would be a part of a newly appointed Committee, and Stowell said that he would have to discuss the matter with others, but would get back to the Board at its August 17th meeting.

8. Members of the Public: The Board recognized Larry Gould and Bernadine Borgeson, and Gould informed the Board that he was planning to purchase the property of Cynthia Hoard at 2777 Grafton Road, and wanted the Board to be aware that it was his intent to comply with the Health Order that the Board had issued in July. Following the transfer of title on the property scheduled for August 5th, it was Gould's hope to begin clean-up activities during the week of August 10th. Select Board members expressed their appreciation for Gould's willingness to undertake this project, and their confidence in his ability to satisfy the intent of the Order to the benefit of the Town in general and to those with particular concerns. Gould and Borgeson left at 6:50 p.m.

Following a brief recess, the Board recognized Meri Roberts, Select Board Bookkeeper, and discussion ensued regarding the most-recent copies of the 411 forms printed by NEMRC. Evans requested that Roberts explain how payroll reports were being done, as the Board was not receiving detailed statements with the Warrants to sign-off upon. Roberts informed the Board that with the new two-week cycle of payments, detailed reports would increasingly appear "after the fact," and that with Chittenden Bank handling the payroll, there was no "signature" section on the report. Discussion followed, with Board members agreeing that the reports needed to be re-drafted to include a section for the Board's approval. Evans then made a motion: **To approve the Payroll Warrants in the amount of \$8,624.52**, seconded by Ovenden, and carried by those present.

9. Executive Session: At 7:15 p.m., Harris made a motion: **To have the Select Board enter Executive Session for discussing personnel matters**, seconded by Evans and carried by those present.

At 7:50 p.m., the Board returned from Executive Session and as a result, Evans made a motion: **To terminate the employment of Meri Roberts as Bookkeeper, effective immediately**, seconded by Ovenden, and carried by those present. Brief discussion followed regarding the formation of a Committee to seek candidates for the Bookkeeper's position.

10. New Business:

Town Sidewalks: Ovenden reported that the costs of applying for grant funding for the Town sidewalk reconstruction project and a new parking area in front of the Town Hall were onerous. Were those grant funds available, which they were not, yet, and were not guaranteed to be in the near future, Ovenden explained, the Town would have to comply with State requirements that were proving increasing difficult and expensive to meet. Those requirements included increased lane and shoulder widths and temporary construction easements with all abutters, which would require new surveys be done, and, with Leland & Gray, a negotiated agreement with regard to plowing in front of Dutton Gymnasium. Stowell reminded the Board that different rules may apply to buildings that are deemed historic, and that Townshend, being once incorporated, may have easements with sidewalk abutters already on file.

Ovenden said that he would ask Carole Melis to look into whether older easements were in the records, and that he would contact VLCT about easement issues and report back to the Board. He believed that the work should be done this year, and that with the \$56,585.00 approved by the voters at Town Meeting, and the \$8,000.00 in the Sidewalk Reserve, should be done.

Compactor Relocation: Ovenden reported that the trash compactor and recycling bins would be relocated to the old dump site on Grafton Road prior to August 12th, and that the entrance and exit there would be gated. The site being locked at all times other than when the attendant was present, Ovenden asked other Board members if the hours of operation should be increased. Recycling, he felt, because limited to only Wednesdays and Saturdays, might create a hardship for some who were accustomed to being able to transfer paper and bottles at any time during the week. Evans noted that increasing the hours that the site was open, or increasing the number of days would not increase the amount of trash that residents paid to put in the compactor, and, therefore, would not increase the revenues to offset the increase in costs for an attendant.

Stowell informed the Board that having a compactor and recycling bins required compliance with WSWMD regulations, one of which was having a site plan that was approved and level blacktop underneath the compactor.

Ovenden made a motion: **To have the transfer station open only on Wednesdays and Saturdays, during the hours that are already posted, after the compactor and recycling bins are moved to the new site,** seconded by Harris, and carried by those present.

Beck Engineering: After a brief explanation from Davis, Evans made a motion: **To have the Select Board ratify a previous decision by the chair that Beck Engineering be contracted for amount not to exceed \$2000.00 to test materials compaction and concrete, as required to verify the integrity of construction of the new Town Barn,** seconded by Harris, and carried by those present.

Tax Rate: Following brief discussion, Evans made a motion: To have the Select Board set the Municipal Tax Rate for the Town of Townshend at \$0.46; that with the Homestead Education Rate of \$1.2944, and the Non-Residential Education Tax Rate of \$1.3518, and the Hold-Harmless Rate, the Municipal Tax plus the Homestead Education Tax equal \$1.7514, and the Municipal Tax plus the Non-Residential Education Tax equal \$1.8088, seconded by Harris, and carried by those present.

Post Oil Solutions: The Board briefly discussed a request from Post Oil Solutions, and an offer to pay for using the electric hook-up on the Common, August 6th, for live music. Evans made a motion: **To allow Post Oil Solutions, (Townshend Farmer's Market) to use the electric hook-up on August 6, 2009 for live music, free of charge,** seconded by Ovenden, and carried by those present. Hunt was instructed to notify Sherry Maher.

11. Next Meeting:

Favreau's Corner Site Visit @ 5:00 p.m. August 10th

BCA Meeting @ 5:30 p.m. August 10th

Favreau's Corner Road Discontinuance @ 6:00 p.m. August 10th

Tax Bill mailing preparation @ 6:00 p.m. August 11th & 12

11. Adjournment: Evans made a motion, **To adjourn at 8:40 p.m.,** seconded by Ovenden, and carried by those present.

Respectfully submitted,

Craig K. Hunt, secretary