

approved 06/04/12

**Townshend Select Board
Minutes
May 21, 2012**

Present: Select Board: Hedy Harris; David Dezendorf; Kit Martin; Jeff Russ; Chad Greenwood

In Attendance: Kim Ellison; Joe Daigneault; Cynthia Davis; Ryan Hockertlotz; Carole Melis; Joe Novick; Warren Beattie; Keith Clark; Jon Michael Muise; Lloyd Church; Robert DeRoss; Michael Charles; Richard Melanson, (BCTV); Craig Hunt

1. Call to Order: Harris called the Meeting to Order at 6:03 P.M., and asked Carole Melis, who was absent the previous day during the Select Board's visit to view the ancient road on her property for any input she might offer about that road. Melis reiterated the facts she had already provided in writing and urged the Board to discontinue that road.

2. Approval of Minutes: Martin made a motion: **To approve the Minutes of May 7, 2012, as corrected to include reference to FEMA's continuing non-reimbursement of Irene-related costs, and notice to the Select Board about the Town phone system having been hacked into,** seconded by Dezendorf, and carried by those present.

3. Additions and Deletions: Hunt requested adding to Correspondence a request from Rick Hege to post the video record of the Select Board's meetings on the Town website, and notification from VLCT about a grant award for Town Hall. Also added under Old Business was discussion of Ancient Roads, and, under New Business, discussion about construction at Messenger Valley Pharmacy.

4. Warrants: Martin made a motion: **To approve the Warrants of May 21, 2012, excluding the \$900.00 return freight charge from Contech,** seconded by Russ, and carried by those present.

General Fund	\$ 11,100.95
Highway Department	\$ 9,790.60
Payroll	\$ 13,961.92

5. Reports: Law Enforcement Report: Sheriff: Windham County Sheriff Clark presented 2012-2013 contract proposals for the Select Board to consider and recommended adopting the one similar to last years contract, which guaranteed forty hours of coverage per month, as opposed to flat-rate billing. Lengthy discussion followed, especially regarding staffing issues under the COPS grant program and the Sheriff's commitment to continue providing services to Townshend before that expires.

Martin inquired whether the municipal contract included services to Grace Cottage Hospital, Leland & Gray, and Townshend Dam, and Clark replied that those organizations have separate contracts with the Sheriff's Department, billable at an hourly rate.

Beattie asked whether the generation of revenue from traffic fines came primarily through the general contract or the COPS program, and Clark responded that both contributed equally, and more-than offset law enforcement costs incurred by the municipality.

Discussion continued about the up-coming Tour de Grace bicycle rally sponsored by Grace Cottage Hospital and the need for Emergency Management and law enforcement services.

Law Enforcement Report: Constables: First Constable Novick and Second Constable Beattie were welcomed by the Board and reported on coverage of Grace Cottage Hospital's 5K Run held the previous Saturday. Discussion then focused on whether the Select Board would issue the Warrant to the Constables to seize and destroy unregistered dogs in Townshend. Subsequently, Martin made a motion: **To request that Townshend's Constables contact and/or visit those dog owners who have not yet registered their animals, and report their findings to the Select Board at the June 4th meeting,** seconded by Dezendorf and carried by those present.

Town Clerk's Report: The Board reviewed the Town Clerk's cash-journal reports from the prior two weeks.

Bookkeeper's / Treasurer's Report: Ellison and Daigneault provided the Select Board with a proposed contract from People's United Bank for a \$500,000 municipal line-of-credit collateralized by FEMA's promises to reimburse costs from Tropical Storm Irene. Ellison explained that the Town has incurred \$867,221.34 in storm-related expenses, of which \$796,492.49 is supposed to be reimbursed and \$405,000 is definitely forthcoming. Still

to be determined with FEMA is how much of the expense for the Dam Road culvert will be covered.

Half of that \$500,000 would immediately be used to pay off last years line-of-credit, Ellison said. She also reported that about \$100,000 was still outstanding in property tax payments.

Martin reminded the Board that none of this includes any money for East Hill Road or other costs from Irene that weren't budgeted for but will have to be paid from somewhere.

Ellison confirmed that even with all promised payments received, and with 95% of the costs, rather than 90% now supposedly being covered, the Town's cost will exceed about \$70,000 just for work done to date.

Martin made a motion: **To have the Select Board sign the \$500,000 Line-of Credit agreement with People's United Bank at an interest rate of 1.65% and a termination date of December 31, 2012, as outlined in Note #1, and authorize the Treasurer to countersign the agreement**, seconded by Dezendorf and carried by those present.

Dezendorf then made a motion: **To set aside the rules and postpone Highway and other reports to accommodate members of the public waiting to speak with the Board**, seconded by Martin and carried by those present.

6. Members of the Public:

Bids Received: Dezendorf asked if anyone was present in response to bids for re-paving of Route 35 and for the Dam Road, one sealed bid for each of which had been received in the Town Clerk's Office on May 21, 2012. Fred Cheney from Lane Construction said that he was.

Dezendorf and Greenwood explained, as Townshend's Highway Commissioners, they were unaware of any Bid Requests having been sent out by the Highway Department. Other Board members said that they were also unaware, and Dezendorf apologized to Cheney for what must be a misunderstanding that would have to be taken up with the Highway Foreman.

Dezendorf then asked that the sealed bids be set aside and remain un-opened until the matter could be cleared up.

Southern Vermont Trail Riders Association: Jon Michael Muise, Michael Charles, Lloyd Church and Robert DeRoss were welcomed and requested permission of the Select Board to ride ATVs on two-tenths of a mile on Robin Road, two-tenths of a mile on Winslow Drive, one-quarter of a mile on Steifel Road, and eight-tenths of a mile on Simpson

Brook Road. They then presented the Select Board with a map showing how these portions of Town roads connect to a network of more than twenty-five miles of riding trails that the Association currently uses and maintains.

Discussion ensued, with Church emphasizing that the 107 members of the local Association responsibly adhere to strict environmental concerns and regulations.

Martin asked that the Board be allowed to study the proposal and have discussions with the Highway Foreman and residents on these roadways.

The Association then presented the Board with sample Ordinances from other municipalities permitting, but regulating the use of ATVs on public thoroughfares.

Waste Management Study Committee: Ryan Hockertlotz reported to the Board that the Waste Management Study Committee would be meeting again, soon.

Reports, continued:

Highway Department Report: Dezendorf informed Board members that the Highway Foreman was attending an ICS training session in Manchester this evening, but had reported to him that the Highway Department was planning, in the next two weeks, to finish scraping roadways, planning to replace a culvert and repair three culvert headers on Route 35, and would be working with the Windham Regional Commission to complete the Town's sign inventory.

Martin asked about the status on the \$900 freight charge from Contech Construction, (withheld from the Warrants a second time), which Bostrom was going to try and resolve. A question also arose about surveying a pile of trash on Manning Road which Linda Cyrz had offered to clean up, but the Board wanted the Foreman to look at first.

Dezendorf said that he would check with Bostrom on these, and also try to find out what happened to cause Lane Construction to enter repaving bids against what Lane understood to be a deadline, when those projects were not yet fully determined and requests for bids had apparently not gone out.

Martin reminded the Board again that it needed to decide what to do on the East Hill Road project and begin doing it very soon.

Emergency Management Report: Dezendorf briefly summarized activities during Grace Cottage Hospital's May 12th 5-K run, and informed the Board that an application for a grant to install a radio repeater on the CVPS tower on Crane Mountain would be submitted this week. He

requested that Board members consider the offer of a 50% of cost grant for a generator for the Town Hall. A generator, he said, would be desirable if the Hall was to be used as a shelter or an Emergency Operations Center. Dezendorf also relayed that a permit had been received from ANR to dredge the channel to the village fire pond.

Lengthy discussion then ensued regarding the extent to which Townshend's Emergency Management team should be involved in private affairs, such as business fund-raisers that use public facilities. Martin expressed his concern that public safety considerations should be the responsibility of the sponsoring organization and not a cost or burden to the Town. Russ expressed his feeling that local government should not try to overly-control these events.

A question was left unanswered as to whether active involvement by the municipality, or a lack of involvement increased the Town's liabilities if something went wrong. Dezendorf tried to explain that the Town's Emergency Management role was that of assistance and coordination which private organizations did not always, or could not always adequately provide. The use of Town facilities, such as roadways or the Common, Dezendorf said, since they were being allowed by local government, made the Town legally involved in that function, whether Town personnel were acting in some capacity or not.

At the request of Board members, Dezendorf said that he would research what other municipalities require in issuing assembly permits.

7. Correspondence: In response to a request from Rick Hege about posting the video recording by BCTV of the Select Board meetings on the Town website, Dezendorf made a motion: **To request that Hege post the video recording of the Townshend Select Board meetings to the Town website,** seconded by Greenwood and carried by those present.

The Board then reviewed a letter from VLCT, in response to a grant application, a promise of funding that could be applied to the installation of fire doors in the Town Hall. Following discussion, the Board requested that the Town Hall Renovation Committee, through architect Wesner, begin to draft a request for bids for the doorway construction. Martin felt that the Board needed to know just how much this construction would cost before it could proceed further, and he and Russ agreed that any award of a contract should favor local contractors preferentially.

8. Old Business: Dezendorf briefly summarized the draft Basic Emergency Management Plan, which Board members had previously reviewed, emphasizing the acceptance of it as important not only to operations, but in establishing that the Town is compliant with Federal requirements, and made a motion: **That the Select Board have the chair sign the Emergency Management Plan for the 2012-2013 fiscal year,** seconded by Martin, and carried by those present.

The Board postponed discussion about work to be done at the Fire Department, about the metering of fuel at the Highway Garage, and about an asset accountability agreement until the next meeting.

Harris updated the Board on discussions with Marchant regarding the establishment of legal rights-of way to certain cemeteries.

Martin requested that the Board hold a workshop to informally discuss the ancient roadways visited on May 20th, and by general consent, Board members agreed to meet on May 23rd at 6:00 P.M. in the Town Hall.

9. New Business: Martin made a motion: **To accept the resignation of Susanna Palmer as a Townshend Lister, seconded by Dezendorf,** and carried by those present.

Following brief discussion, Hunt was requested to contact Delores Kuhns at the Wastewater Division and assure that the septic field at Messenger Valley Pharmacy was not being disturbed by construction activities.

10. Executive Session: None at this time.

11. Meeting Schedules:

Ancient Roads Workshop:

May 23, 2012 @ 6:00 P.M.

Select Board Meeting: June 4, 2012 at 6:00 P.M.

12. Adjournment: Martin made a motion: **To adjourn at 9:26 P.M.,** carried by those present.

Respectfully submitted:

Craig K. Hunt, assistant