

**MINUTES
ST. JOHNSBURY SELECTBOARD
MONDAY, DECEMBER 15, 2008**

The St. Johnsbury SelectBoard held their Regularly Scheduled SelectBoard Meeting on Monday, December 15, 2008 beginning at 7:00pm in the Municipal Board room.

SelectBoard Members Present: Chairperson Bryon Quatrini, Jean Hall Wheeler, Jim Rust, Daniel Kimbell, and Gary Reis.

Others Present: Stan Wilkins, Russ Hutchins, Claude Donna, Jon Beck, Diane Beck, Leonard Hychalk, Bernard Timson, Gary Lunderville, Jerry Rowe, Jay Wood David Redmond, Matt Choate, Taylor Reed (Caledonian-Record), KATV-Channel 7, Fire Chief Troy Ruggles, Health Officer Tim Angell, Town Clerk Sandy Grenier, Secretary Ida Rainville and Town Manager Mike Welch.

CHECK WARRANTS:

The following check warrant reports were signed by the Board:

12/15/08	JayLyn Fund Check #43\$	820.00
11/26/08	Check #60616-60693	\$ 125,975.90
12/04/08	Check #60694-60743	\$ 196,407.51
12/10/08	Check #60745-60804	\$9,257,839.26
11/06/08	Check #2143	\$ 280.00
12/04/08	Check #2144-2145	\$ 5,019.05
12/08/08	Check #2146-2147	\$ 16,188.41

GRAND LIST AMENDMENTS – The Board signed Grand List Amendments #08-21, 08-22, 08-23, 08-24, 08-25, and 08-26.

CALL TO ORDER – Chairperson Bryon Quatrini called the meeting to order at approximately 7:00p.m.with the Pledge.

PUBLIC COMMENT - Chairperson Quatrini asked for Public Comment on any items not appearing on the agenda. Bernard Timson asked if the Development Review Board’s decision to allow dispensing of drugs on Railroad Street might also change the dynamics of the office on Portland Street so BAART would also be dispensing drugs from that location. Chairman Quatrini said he wasn’t aware how that would be affected, but that they would also have to go through the permitting process. Mike Welch indicated that they are two different scenarios, in that the Railroad Street location is a private practice and not subject to the same controls as the dispensing of methadone out of the BAART office, which is controlled by the State and a local advisory board.

MINUTES – November 24 and December 8, 2008 – It was moved by Daniel Kimbell seconded by Jean Wheeler and unanimously voted (5-0) to approve the Minutes as presented from November 24 and December 8, 2008. Mike Welch told the Selectboard that the minutes of December 8 were necessary for a continuance of the public hearing on the subdivision by-law amendment, rather than having to re-warn another public hearing.

PUBLIC HEARING (continued) – SUBDIVISION BY-LAW AMENDMENT

Mike Welch reviewed the proposed amendment to subdivisions as follows:

1. *Amend the heading of Section 604 of the Subdivision By-laws to read “Deferral of Permits and Boundary Line Adjustments”.*
2. *Add Section 604.3 to the Subdivision By-Law to read as follows:*

604.3 Boundary Line Adjustments.

When a portion of a lot is proposed to be conveyed to the owner or owners of an adjoining lot, such conveyance may be made without subdivision approval, upon the issuance of a boundary line adjustment permit, upon a finding by the Administrative Officer that such conveyance will not result in either: (i) the creation of a lot which violates any provision of the St. Johnsbury Zoning By-law; or (ii) the expansion of the degree of non-conformity of any pre-existing non-conforming lots or structures.

There were no other comments from those in attendance. On a motion by Daniel Kimbell, seconded by Gary Reis, the Board voted (5-0) to approve the amendment.

AUSTRALIAN BALLOT VOTING – Russ Hutchins and Claude Donna presented a history of Town Meetings and percentage of voter participation. Mr. Hutchins said he felt that the Australian ballot would give all voters the opportunity to participate in deciding the town budget, although he also said he did not think it would affect the ultimate outcome of the voting. Mr. Hutchins and Mr. Donna presented a petition signed by over 600 people requesting the Board add the following item to the 2009 Town Meeting ballot:

We, the undersigned voters of the Town of St. Johnsbury, pursuant to 17 V.S.A. §2645(a)(1) hereby propose an amendment to the Town of St. Johnsbury Municipal Charter to delete 24 F.S.A., Appendix Chapter 151 § 16(a) and replace it with the following:

“§16. Preparation of budgets and Australian Ballot.

(a) The selectmen shall prepare an annual budget for the Town including a Town annual budget, and a former village district special services budget. The school director shall prepare an annual school district budget. The annual budgets, other articles providing for the appropriation of funds, and public questions shall be voted by Australian Ballot.”

Mr. Donna expressed his opinion that by not having an Australian Ballot for budget items, and therefore not the option of absentee balloting, the Town discriminates against people who are not able to attend town meeting.

On a motion by Jim Rust, seconded by Gary Reis, the Board voted (5-0) to warn the question for 2009 Town Meeting. Stan Wilkins interjected that he had read some of the history of the Town and in 1891 the Town had voted to have Australian Balloting on budget issues and it had worked out very well.

BREEZY HILL ROAD - Leonard Hychalk addressed the Board with his complaint that since the road was paved several years ago, he has had problems with his driveway being much lower than the road is now, and pot holes forming because of drainage problems. Mr. Hychalk requested that the Board put the Breezy Hill Road in the 2009 budget for repairs. Chairman Quatrini agreed that the Board would look into the issues with Breezy Hill Road in the spring.

MUNICIPAL BUDGET 2009 – Town Manager Mike Welch distributed copies of the initial draft of the 2009 budget. Members of the Finance Committee including David Redmond, Daniel Kimbell, and Larry Sharer, indicated they would like more direction from the Selectboard. The initial budget indicates an

approximate 5% increase. Jean Wheeler and Bryon Quatrini said they had met with the department heads and feel that they have done a good job trying to hold the line with the numbers that they could control. Wages dictated by union agreements, health insurance and some other expenses cannot be controlled, and other expenses, such as gasoline and fuel oil, cannot be predicted. Daniel Kimbell suggested that the Town try to maintain a zero increase, which would be much more realistic than trying to cut 5% to 10%. A decrease of 5% would be approximately \$355,000, which could seriously impact some services to the Town.

Jay Wood expressed his concern for the smaller entities that have been asked to cut special appropriations by 10% this year. Jay felt that an earlier notice would have been helpful so the organizations could better plan their own budgets around the cut. Bryon Quatrini agreed and said perhaps the Board could meet with representatives of the organizations in the fall to discuss the Town's intentions.

Town Manager Mike Welch emphasized the difficulty in cutting departments without cutting services. Unlike larger municipalities that may have middle management and upper management positions, the Town of St. Johnsbury employee base is comprised of working individuals and working management. Mr. Welch felt that considering the number of water and sewer connections in town, the road mileage to be maintained and the 24/7 police department coverage, along with full time fire protection, the Town is pretty well covered with the employees currently in place.

Jim Rust agreed that the Town has operated on a tight budget for several years. Asking the departments to cut budgets by 5% or 10% could mean cutting jobs or whole departments. Stan Wilkins said that cutting the budget is never popular, but the citizens of St. Johnsbury have not been able to cut their budgets and their expenses are rising, so perhaps the Town can help by cutting some from their budget. Diane Beck suggested that since the State is cutting salaries for some upper management, perhaps the Town should consider something similar. It was also noted that the State cuts will eventually affect the Town budget in funding projects. Bernard Timson suggested the Fire Department and CALEX re-visit the medical responses from both departments and cut back on some responses from the Fire Department. Jay Wood indicated that, since the Fire Department and CALEX are already on call, the actual response cost is minimal.

Mike Welch said one area that has been discussed would be to consolidate the public works departments, so the Water/Sewer Department would move its base of operations to the Highway Department location on Alms House Road. This would be feasible for 2009 and Bryon Quatrini suggested it could be implemented by July, 2009. Mike Welch said he has also looked into staffing for police and fire departments, consulting with other towns in similar situations, and finds that St. Johnsbury has cut the personnel about as far as it can without affecting services. Bryon Quatrini suggested the Town could postpone funding the reserve fund until next year, which would equal approximately \$80,000 from the Fire Department and \$50 - \$60,000 from Public Works. A special SelectBoard meeting was scheduled for Wednesday, December 17 at 6:45am to continue discussion on budgets.

SURVEY RESULTS – Tim Angell reviewed the results from the community survey that was available to voters in November. Mike Welch said he thought some of the responses were a little surprising – indicating the Recreation Center, Bike Path, and Water/Sewer are on peoples' priority list. Out of 927 responses, 50% were in favor of night parking except in case of snow or snow removal. Budgets and taxes are a major concern – and lack of communication with the public.

EMERGENCY RAPID RESPONSE PLAN – Fire Chief Troy Ruggles presented the update to the Rapid Response Plan, and explained it was important to have it in place for emergencies such as the ice storm in southern Vermont and New Hampshire. On a motion by Jim Rust, seconded by Daniel Kimbell,

the Board voted (5-0) to approve the updated Rapid Response Plan, and it was signed by Chairman Quatrini.

TAX COLLECTION POLICY – Town Clerk Sandy Grenier reported that the 2008 tax collection is at 96.8% as compared to 97.8% in 2007. Sandy is encouraging all taxpayers who are delinquent at this time to come in and make a good agreement to get their taxes paid. Sandy also reported that the Town has always accepted a “legible postmark” as proof of mailing tax payments on time. However, now with electronic payments coming from bill pay sources that do not include postmarks, this is creating a problem with trying to determine when a tax payment was sent. Sandy is compiling data from other towns to determine if the Town of St. Johnsbury should no longer accept postmarks, or come up with another solution.

On the matter of installment payments, Town Clerk Grenier is also gathering information from other sources to determine the feasibility of setting up a quarterly pay plan. The 8% penalty would not be enforceable on each quarter, so there is not as much incentive to pay on time, so this option may not increase cash flow for the Town. There is also the matter of uncertainty on amounts due after the State prepares rebates, and property owners moving during the year. Questions came from the audience about paying on line and Sandy said she would look into that also.

GRANT RESOLUTION – COMMUNITY CENTER – On a motion by Daniel Kimbell, seconded by Jean Wheeler, the Board unanimously approved and signed a grant agreement resolution with the Agency of Commerce and Community Development for the study grant on the Community Center, authorizing Town Manager Mike Welch to sign grant documents.

CONSECUTIVE WATER SYSTEM AGREEMENT – Mike Welch explained to the Board that the Green Lantern Mobile home Park and Mt. Pleasant Mobile home Park have had to do their own water testing and submit reports to the State the same as the Town currently does, even though the parks purchase their water directly from the Town supply. The law has been changed so that the parks will no longer have to do their own testing, but rather rely on what is done by the Town. There was no perceived benefit to the Town, but would take the responsibility off from the Trailer Parks. Dan Gray takes samples for test on a regular basis anyway. It would not increase any work or expense to the Town. General agreement that Mike Welch should go forward with the agreement with the mobile home parks for the Town to test.

MANAGER’S REPORT – Town Manager Mike Welch presented a letter from Bob Dufresne of Dufresne Associates on the alum study engineering agreement. This was required as part of the water system upgrades to insure that piping the alum sludge to the wastewater treatment plant would not cause undue hardship on the plant, and entailed a \$28,000 unanticipated expense, required by the State and covered by the planning loan and construction grant. On a motion by Gary Reis, seconded by Daniel Kimbell, the Board voted (5-0) to authorize Mike Welch to sign the agreement with Dufresne.

Union contracts were not ready to be reviewed. On a motion by Gary Reis, seconded by Daniel Kimbell, the Board voted to adjourn at 8:30 pm.

Respectfully submitted,

Ida W. Rainville
Executive Secretary