

**MINUTES  
ST. JOHNSBURY SELECTBOARD  
MONDAY, JUNE 8, 2009**

The St. Johnsbury SelectBoard met beginning at 5:00p.m. in the 2<sup>nd</sup> Floor Conference Room, Passumpsic Savings Bank, Main Street, for the purpose of the Annual Evaluation of the Town Manager.

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

It was moved by Gary Reis, seconded by Bryon Quatrini, and voted (5-0) to enter into Executive Session for the purpose of evaluation of a public officer or employee. It was moved by Jean Hall Wheeler, seconded by Gary Reis, and voted (5-0) to return to Regular Session and reconvene at the Board Room of the Municipal Building at approximately 5:50p.m.

The St. Johnsbury SelectBoard held their Regularly Scheduled SelectBoard Meeting on Monday, June 8, 2009 beginning at 6:00 p.m. at the Board Room in the Municipal Building.

**Others Present:** Mike Welch, Sandy Grenier, Ida Rainville, Priscilla Messier, Diane Beck, Jon Beck, John Goodrich, Joel Schwartz, Tim Upton and Ryan Johnson (CVPS), Al Dunn, Stan Wilkins, Duayne Keach, Ann Lawrence, Bruce Corrette, William Neylon, Ray LaBounty, Jr., Nancy Cohen, Tina Wood, Will Rivers, Bob Morey, Kevin Oddy, Pam Smart, Jay Wood, Mike O’Hara, Chris Martel, Laurie Zilbower, Ken Newell, Monica Franz, Robert Mayhew, Howard Bennett, Elaine Nichols, Darcie McCann, Steve Patterson, Len Girardi, Bruce Corrette, Justin Crocker, Sally Cook (Caledonian-Record), and KATV-Channel 7.

**CHECK WARRANTS:**

The following check warrant reports were signed by the Board:

General Fund	Check #61933 – 62004	\$ 150,714.88
	Check #62005 - 62054	\$ 50,893.46
Grant Fund	Check #2197	\$ 952.50
	Check #2196	\$ 6,588.14
Jay Lyn Fund	Check #34722	\$ 3,427.68

**Liquor Licenses were approved for Spice of Life Catering, St. J. Food Coop, and St. J. Elks Lodge #1343 (outside).**

**CALL TO ORDER** – Chairperson Daniel Kimbell called the meeting to order at approximately 6:00p.m.with the Pledge.

**MINUTES – May 26** – Gary Reis made a correction to the minutes of May 26, where he was quoted as having spoken to the Agency of Transportation. Mr. Reis said he was talking to the members of the House Transportation Committee. It was moved by Jim Rust and seconded by Gary Reis and voted (5-0) to approve the Minutes from May 26 as corrected.

**PUBLIC COMMENT** – Chris Martell questioned the “No Smoking” signs in public parks. He was informed that several months ago the SelectBoard had voted to allow the signs to be placed in parks and other public places “Thank You for Not Smoking”, but not prohibiting smoking in public places.

**TOWN-WIDE POLICE** – Chairman Daniel Kimbell reported that the Finance Committee was looking at the possibility of instituting town-wide police coverage, only in the very preliminary stages. The reason behind it was a report from the State of Vermont that indicated State Police coverage could be discontinued in certain towns depending upon size and other police coverage available. St. Johnsbury was mentioned several times in the report. Nancy Cohen, a resident outside the police coverage area of town, indicated she didn’t think it would be necessary because they rarely require police assistance, and the tax burden would be too difficult for some people to bear, and could influence some industries that have their own security system to leave the area because of the increase in taxes. Daniel Kimbell agreed this is a controversial topic, saying he has heard from many local citizens both for and against expanded police coverage and it seems to be a 50/50 divided issue. Mr. Kimbell reported over 10,000 calls just in St. Johnsbury for 2008 for combined state and local police. Bruce Corrette and Stan Wilkins both indicated they were not in favor of expanded police coverage. Board member Jim Rust reiterated that the Board is not planning any change soon, but felt they needed to examine the issue because of the report from the State.

**DRB/PLANNING COMISSION & SELECTBOARD – CVPS HIGH VOLTAGE LINE AND SUBSTATION – WEIDMANN ELECTRICAL TECHNOLOGY** – John Goodrich, president of Weidmann Electrical Technology (WET), presented their plan to erect a substation and run High Voltage Transmission Line from the New Boston Road to the new substation. Mr. Goodrich pointed out that Weidmann is a global industry that needs to stay competitive in the global economy, and electrical power is one of its largest expenses in Vermont. He indicated that the company could save conservatively 15% in energy costs with the construction of the substation. Tim Upton and Ryan Johnson were available from CVPS to discuss the proposed positioning of the power lines, and the reasons for their location. Chris Martel questioned other possible locations for the lines and how property owners would be compensated for the easements. Mr. Martel was under the impression that once a property owner signed permission for a survey, they would be locked into a certain price to be determined by the Utilities Board. He was assured by the CVPS representatives this would not be the case and the property owners would be contacted soon to negotiate property values and set appointments for surveys.

The project must post a 45-day notice before going before the State Public Service Board, and the Public Service Board will be considering the public good and input from local citizens and the SelectBoard. Joel Schwartz pointed out that the creation of this substation will benefit the area in that other industries might be able to tap off the line, and could also benefit the Industrial Park. Others in the audience who spoke in support of the project were: Stan Wilkins, Nancy Cohen, Chamber of Commerce Director Darcy McCann, Steve Paterson from NVDA and Peter Crosby from the St. Johnsbury Development Fund.

John Goodrich asked for the support of the SelectBoard for construction of the substation and transmission lines. On a motion by Gary Reis, seconded by Jean Wheeler, the Board voted (4-0) to write and sign a letter of support for the project. Bryon Quatrini recused himself from the vote.

**PUBLIC HEARING – PROPOSED DISCONTINUANCE TOWN HIGHWAY #71 AND PORTION OF THE OLD BRADLEY ROAD** – Priscilla Messier and Michael

Welch quickly reviewed the previous meetings and showed the map with the two sections of ancient roads outlined. Attorney Bill Neylon, representing the Dolan and Healey abutting property owners, reiterated their request to discontinue the portion of the Old Bradley Road in question. Mr. Neylon said he understood that the Langmaids and Mrs. Charlotte Simpson, also abutting property owners, wished to have the road discontinued as well. Mr. Len Gerardi, a resident of the Old Bradley Road area, read a letter to the SelectBoard in favor of maintaining the Town’s right of way as it exists. He pointed out that once the right of way is given up, it would not be easily re-opened. Priscilla Messier informed the Board that abutting property owners of both roads had worked closely with the Zoning office from the start of the Ancient Roads project, and had indicated their desire to have the roads discontinued by the Town. Mike O’Hara, representing local snowmobilers and VAST, said he had met with the Lawrences, whose land is divided by the Town Highway #71, and indicated that if the snowmobile travelers wished to develop a trail system in that area in the future, there appeared to be other options, and he had reviewed other options at the Old Bradley Road location also, and VAST has softened its position in opposing the discontinuance of the roads, finding alternatives in the event they wish to develop trails in either location. Priscilla Messier also read portions of a letter from the Vermont Agency of Natural Resources, Department of Forests, Parks and Recreation, which stated in part (referring to the discontinuance of these two roads) “The Department of Forests and Parks has reviewed the proposal and finds that this will not affect any existing trail corridors and therefore has no objection to the proposed discontinuation. For your information, it has been the policy of this Department to encourage towns to continue ownership of highway rights-of-way where they are of sufficient length or location to be of value to recreational users. Such existing rights-of-way can be valuable recreation resources for our growing population.”

Alan Langmaid read a letter to the SelectBoard stating that he had reviewed old maps and found only sketchy references to these two roads in maps just prior to 1900 and not on some maps after 1900. Andy Dussault spoke in support of Ardys Wheeler’s request for the Town to discontinue Highway 71, and Justin Crocker, who owns property next to the

Lawrence Farm, spoke about the problems the Lawrences face from trash and people damaging their property.

On a motion by Gary Reis, seconded by Bryon Quatrini, the Board voted 3-2 in favor of discontinuing the portion of the Old Bradley Road. Jim Rust and Jean Wheeler voted against. On a motion by Bryon Quatrini, seconded by Gary Reis, the Board voted 3-2 in favor of discontinuing Highway #71 connecting Lawrence Hill Road with West Hill Road. Jim Rust and Jean Wheeler voted against.

**JUNK** – Priscilla Messier reported that she has reviewed several areas of town that have been reported as having an excessive amount of visible junk and trash that needs to be cleaned up. Priscilla has been working with Health Officer Tim Angell in several cases because of possible health issues involved with garbage that may attract rodents. In some cases Priscilla said she is working with mental health facilitators, and trying to take into consideration the financial situation of the offenders. Ms. Messier plans to send letters to some property owners in the coming week to notify them of violation, and they will be given 30 days to clean up the area. After the allowed clean up time, violators can be charged a fine of \$100 per day or an immediate fine of \$500. Gary Reis asked how that would be determined and Priscilla said that there are specific guidelines in the State Statutes as to how fines are meted out. Priscilla distributed pictures of some of the offending sites, located on Sunset Drive, Rabbit Plains, Crepeault Hill and Duke Street. Nancy Cohen asked if people could be fined for dumping trash, garbage, or household debris on other people’s property along the roadside. She was informed that they could be fined, but there would have to be some very definitive proof of who did the dumping. Jay Wood asked about living conditions inside the home, and Priscilla said her department has no control over that.

**ELECTION COST SHARING** - Town Clerk Sandra Grenier reported that she has been investigating the possibility of sharing town/school meeting expenses, Australian Balloting, and the Town Report between the Town and School District. She estimates this could amount to about \$5,000 per year. Some towns are initiating cost sharing policies, and with the Australian ballot for budgets, it could increase costs. Sandra brought up the subject for consideration.

Sandra Grenier also reported progress on delinquent tax collection – receiving \$24,000 in the last 11 days and currently with 41 good agreements in place. There are still 101 delinquent properties but owners have been coming into the office to work out payment agreements. Sandra Grenier urged anyone with delinquent taxes to call the office.

**WEBVIDEO – MAYOR.TV** – Joel Schwartz explained a little more about the Mayor. TV video prospect, and some comments from the Barre City Manager were reviewed. Joel said he had discussed the proposal with St. J. Works coordinator Linda Fogg and she supported the idea. On a motion by Bryon Quatrini and seconded by Jean Wheeler, the Board voted (5-0) to support the proposal and go forward with it.

**MANAGER'S REPORT** – Mike Welch asked if the Board would meet at the Len Hychalk property on Breezy Hill for a site visit before the next SelectBoard meeting. Time was set for a site visit at 6:30 on June 22.

Due to a conflict Jean Wheeler said she would not be able to make the July 13 and August 10 meetings. There was general agreement that the Board could all attend adjusted meeting dates of July 20 and August 17 at 7:00 pm.

Town Manager Mike Welch recognized Fire Chief Troy Ruggles as recipient of the Dwayne B. Sherrer Community Service Award at the St. Johnsbury Academy Alumni Banquet.

Mr. Welch reviewed bid results and recommendations by Dufresne Group on the Clear Well Contract #2008-7 bid. Dufresne Group recommended that the Town award the project to Kingsbury Companies LLC of Waitsfield, VT, subject to USDA approval. On a motion by Gary Reis, seconded by Jean Wheeler, the Board voted (5-0) to so award the contract.

Mike Welch presented a request for easement from CVPS on lands between Stiles Pond and Lee Farm Road, that would place a pole on the corner of Lee Farm Road next to the Water Filter Plant. A letter from Town Agent Ed Zuccaro confirmed that the deed looks okay. On a motion by Bryon Quatrini, seconded by Gary Reis, the Board voted (5-0) to authorize Larry Donna to sign the deed in his capacity of Agent to Convey Real Estate for the Town.

Mike reported that Tower 4 repairs were finished and the Fire Department planned to retrieve the truck on June 9.

Mike Welch presented a copy of a letter from Joel Schwartz to Jon Freeman of NCIC dated February 2007, concerning the repayment discharge of an interest-bearing note on Canterbury Inn Property on Cherry Street. The town discharged notes in the amount of \$343,500 in exchange for a \$100,000 payment, to be used for the Welcome Center renovations. This information was brought to the attention of the SelectBoard for action at a future meeting.

On a motion by Jean Wheeler and seconded by Bryon Quatrini, the Selectboard voted (5-0) to sign a letter requesting that CVPS donate their ROW for use by the 3-Rivers Transportation Path, rather than having to pay fair market value.

The Community Center Forum is scheduled for June 30 at 7:00 pm at Catamount Arts.

Mr. Welch presented a notice from the “Burlington Vermont Celebrates Champlain 1609-2009” festival, requesting a representative from each town in the State to participate in the Champlain 400 Parade. Jean Wheeler suggested her daughter, Michelle Bouffard would be a good candidate to represent the Town. Michelle was recently crowned Miss Vermont National Teen. On a motion by Bryon Quatrini, seconded by Gary Reis, the

Board voted (4-0) to name Michelle Bouffard as St. Johnsbury's delegate to the Champlain 400 parade. Jean Wheeler abstained.

On a motion by Gary Reis, seconded by Jean Wheeler, the Board voted (5-0) to enter into Executive Session at 8:10 pm. For the purpose of discussing Civil Actions, and a Real Estate Purchase Option. Town Attorney Edward R. Zuccaro and Zoning Administrator Priscilla Messier were included in the Executive Session.

On a motion by Jean Hall Wheeler, seconded by Bryon Quatrini, the Board voted (5-0) to return to regular session at approximately 8:40p.m. It was moved by Gary Reis, seconded by Jim Rust, and voted to adjourn at approximately 8:40p.m.

Respectfully submitted,

Ida W. Rainville  
Executive Secretary