

**MINUTES
ST. JOHNSBURY SELECTBOARD
MONDAY, SEPTEMBER 14, 2009**

The St. Johnsbury SelectBoard held their Regularly Scheduled SelectBoard Meeting on Monday, September 14, 2009 beginning at 6:30 p.m. with site visits to property owned by Sidney Achilles on South Main Street. Present: Vice Chair Gary Reis, Jim Rust, Bryon Quatrini, Jean Hall Wheeler, Sid Achilles, and Mike Welch.

The members of the Selectboard returned to the Municipal Building at 6:45p.m. and on a motion by Jean Hall Wheeler, seconded by Bryon Quatrini, the Board voted (4-0) to enter into executive session for the purpose of discussing real estate options. It was moved by Bryon Quatrini, seconded by Jean Hall Wheeler, and voted (4-0) to return to regular session at approximately 7p.m.

Vice Chair Gary Reis called the meeting to order with the Pledge at approximately 7:00p.m. Selectboard members present: Vice Chair Gary Reis, Jim Rust, Bryon Quatrini, and Jean Hall Wheeler; Chairman Daniel Kimbell was excused.

Others Present: Mike Welch, Sandy Grenier, Ida Rainville, Jon Beck, Bernard Timson, Jr., Al Dunn, Stan Wilkins, Kimberlie Buxton, Denise Hindle, Jamie Ryan, Kevin Russell, Laurie Zilbauer, Joyce Littlefield, Anne Baker, Klari Emmons, Jo Guertin, Joe Fox, Jay Wood, Tina Wood, Taylor Reed (Caledonian-Record), and KATV-Channel 7.

CHECK WARRANTS:

The following check warrant reports were signed by the Board:

General Fund	Check #62724 - 62745	\$ 208,342.36
	Check #62746	15,008.55
Grant Fund	Check #2215	\$ 1,324.10

Liquor License was approved for Sodexo VT Inc. for catering on 10/03/09 at the Black Bear Tavern.

MINUTES – August 17 and September 8, 2009 – It was moved by Bryon Quatrini, seconded by Jean Hall Wheeler, and voted (4-0) to approve the Minutes as presented from August 17 and September 8.

PUBLIC COMMENT - There was no public comment on matters other than what appeared on the Agenda.

ANIMAL CONTROL – SHELTER AND DOG WARRANT – Joyce Littlefield, representing the local Kingdom Animal Shelter, reported that for several years a group of dedicated citizens have been unable to raise the funds for a local/regional animal shelter.

The area has become particularly overcrowded with cats, and though Morrison's Feed Store has tried to help with adoptions, there remains a constant population of at least 20 cats and kittens, mostly in St. Johnsbury, that need foster homes. The Lyndonville pound will only take Lyndonville cats, and there is no place for additional cats in St. Johnsbury as of September 1. The Animal Shelter committee has spent between \$8,000 to \$8,500 on this problem alone over the last year for an average cost of \$265 per animal. Adoption fees are only \$50.

Property at 1664 Memorial Drive is available for use as a shelter, which could house approximately 20 cats at a time, and the Animal Shelter Committee requested support from the SelectBoard to go forward with leasing the space.

Animal Control Officer Jo Guertin addressed the issue of the "Dog Warrant" which was signed by the SelectBoard at the meeting on August 17. The general public has responded negatively to the idea of giving Jo Guertin the authority to destroy unlicensed dogs, even though it is written in the State Statutes as a control measure for licensing dogs. Jo Guertin explained that she has used the Dog Warrant as an enforcement tool for many years in several towns without ever having to take a dog to be euthanized, and the image of her or any animal control officer "walking down the street and shooting unlicensed dogs" is ridiculous. To soften the language in the dog warrant, Mike Welch presented a new version for the SelectBoard to consider, which would involve the SelectBoard having to review any case where an owner refused to license a dog, before giving the animal enforcement officer the authorization to confiscate an animal and/or have it destroyed. On a motion by Jean Hall Wheeler, seconded by Bryon Quatrini, the Board voted (4-0) to adopt the new warrant.

CERTIFICATE PRESENTATION - Kimberlie Buxton, assistant Rec. Department Camp director, was presented with a Certificate of Meritorious Service for actions taken at day camp. When a camper choked on a piece of orange peel Kim was able to dislodge the orange and save the child from choking, and handle the situation with calm and deliberate action.

RECREATION COMMITTEE VISION/FACILITIES – Recreation Director Joe Fox and Recreation Board Chairman Jamie Ryan were present to discuss the current position of the Recreation Board on developing the Rec. Center. After holding a public meeting on the current Recreation Department situation, general agreement is that there is a need for the Recreation Department but that the current armory location is not a good location and will require too much money for renovations to make it usable. The Community Justice Center will re-locate to Cherry Street from the Community Center building, and the Community Building at 1249 Main Street will be closed for the winter. Having the office for the Recreation Department in the St. Johnsbury School has worked well for many programs, but anything that could go on in the daytime for home schoolers, pre-schoolers, or seniors, is limited because of school hours.

MUNICIPAL BUILDING FIRE STATION – Jim Rust reviewed feed back he had received from his proposal for expanding the Municipal Building to accommodate the Fire Department. There was general discussion of previous meetings and review of perceived problems with exiting through the parking lot on Jim Rust’s proposed plan. Jim indicated he intends to get a petition circulated for 500 signatures to put the decision before the voters. Representatives of the Fire Department indicated they will pursue other options and bring a report back to the Building Committee on December 1.

THREE RIVERS TRANSPORTATION PATH – Kevin Russell reviewed the latest activity on the Three Rivers Transportation Path, including approval from the State Right of Way division to go forward with property owners. The Town has received a letter of support from CVPS and will be seeking donations from the largest property owners for right of way across their land. Kevin Russell said he needs the Board’s authorization to start negotiations with property owners. Kevin also indicated that work done by the Town and property donated to the project could be counted against the town portion of the cost of the path.

The State has recommended a 3-way stop sign at the intersection of Mt. Vernon and High Street, especially with the bike path cutting through that area. There has also been concern expressed about traffic congestion and speed on Bay Street near Allen Lumber and under the bridge.

Bryon Quatrini volunteered to serve on the negotiations team with Mike Welch and Kevin Russell.

On a motion by Jean Hall Wheeler, seconded by Bryon Quatrini the Board voted (3-1) to proceed with negotiations for Right of Ways with property owners (Jim Rust voted against).

On a motion by Bryon Quatrini, seconded by Jean Hall Wheeler, the Board voted (3-1) to amend the ROW budget in the financial agreement with the State, from \$100,000 to \$170,000. Jim Rust voted against. Vice Chair Gary Reis asked Mr. Rust why he didn’t make any comments when asked if there was any discussion, and then voted against the motion. Mr. Rust indicated that he was against continuing with the transportation path project as it now stands, and will continue to vote against any action that would indicate a continuation of the project. Mr. Rust also wanted to have answers to his questions concerning cost of future maintenance, and the amount of money the Town would be charged if the project was dropped. Others in the audience said they continue to support the path and it will eventually connect to the 96-mile Trail that will extend across the State.

NOISE CONTROL – Mike Welch reported that at least one person had complained about the trash haulers picking up trash too early from a dumpster that happens to be quite close to the individual’s window. Mr. Welch had talked to the trash company and they changed their hours for a short time, but had to re-arrange their schedule so they are again picking up early. The one complainant has indicated he will get a petition from his

neighbors to ask the Town to pass a noise ordinance that would limit certain vehicles and noise during certain hours. Mr. Welch reminded the SelectBoard that the Town also has vehicles that must work at night (street sweeping and plowing, fire trucks etc.). The Board's general consensus was to wait to see if a petition is submitted.

EPA GRANT – Joel Schwartz reported to the SelectBoard that Laurie Zilbauer from NVDA has been working with the EPA on creating more green space in and around St. Johnsbury, including the river front area. Phase I of Laurie's project has been completed in reviewing the environmental history of the river front property. Joel Schwartz suggested the Town should apply for a grant to further investigate the environmental conditions on the river front and in other areas of town that could be developed for green space. Joel also indicated that the Dead River Tank plant may be moving to the Industrial Park, which would get rid of a major hurdle to developing the riverfront area. Joel said that NVDA could manage the hazardous assessment grant (up to \$200,000) and the Town would not be required to match funds. Overall it would mean a great benefit to property owners and the Town, clearing up the area for future recreation and/or retail space, or other mixed use of the property. On a motion by Jim Rust and seconded by Jean Hall Wheeler, the Board voted (4-0) to authorize Mike Welch to sign on behalf of the Town to pursue this project.

VLCT – TOWN FAIR – On a motion by Bryon Quatrini and seconded by Jean Hall Wheeler, the Board voted (4-0) to appoint Sandy Grenier as voting delegate to the VLCT Town Fair.

TOWN FOREST – Mike Welch indicated he had spoken with County Forester Matt Langlois to meet with the Forest Committee – set for November.

MANAGER'S REPORT – Mike Welch reminded the Board of the Household Hazardous Waste Day slated for September 19 and urged all to take advantage.

The annual contract with Cartographics of Littleton, NH was approved (4-0) and signed by a motion from Jean Hall Wheeler, seconded by Bryon Quatrini.

The Board signed a letter to Mary Dekoeyer of the Colonial Apartments, expressing their appreciation for the work she does to maintain the gardens and grounds around the apartment complex, and improving the site on Main Street.

Mike Welch presented a letter from operators of the Wastewater Treatment Plant, United Water (formerly Earth Tech) indicating the company would be willing to continue to operate the plant under their current agreement, which expires in 2009. Mr. Welch had asked for a new contract from them and received a general letter. Jean Hall Wheeler suggested, and it was generally agreed that the current contract should be signed for one more year, while the Town Manager and SelectBoard will examine the current contract and decide if they want to put the contract out for bid or look at other alternatives. After a brief discussion on the South Main Street property offered to the Town by Sid Achilles, the Board decided they should ask the school – either the St. Johnsbury School

or the St. Johnsbury Academy, if it was anything they would be interested in; otherwise, the Board had no interest in accepting the property. The Board authorized the Town Manager to write a letter to Mr. Achilles to that effect.

OTHER BUSINESS – Jim Rust asked to be signed up for the VLCT seminar on Contracting for Municipal Projects.

On a motion from Bryon Quatrini, seconded by Jean Hall Wheeler, the Board voted to adjourn at 8:20p.m.

Respectfully submitted,

Ida W. Rainville
Executive Secretary