

**MINUTES
ST. JOHNSBURY SELECTBOARD
MONDAY, OCTOBER 26, 2009**

The St. Johnsbury SelectBoard held their regularly scheduled SelectBoard Meeting on Monday, October 26, 2009, in the Board Room of the Municipal Building. The meeting began at 6:00p.m. with National Incident Management System (NIMS) Awareness Training conducted by Fire Chief Troy Ruggles.

Present for NIMS Training – Chairperson Daniel Kimbell, Jean Hall Wheeler, Jim Rust, Troy Ruggles, Richard Leighton, Danny Scott, Sandy Grenier, Priscilla Messier, Joe Fox, and Mike Welch. Daniel Kimbell called the meeting to order with the Pledge at 6:00p.m.

The Regular SelectBoard Meeting began at 7:00p.m.

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

SelectBoard Member Excused: Gary Reis

Others Present: Russ Hutchins, Laural Ruggles, Nelson Baker, Joe Fox, Kevin Russell, Joanne Brown, Maurine Hennings, Jon Beck, Diane Beck, Albert Dunn, Roy Vance, William Kennedy, Sandy Grenier, Jo Guertin, Bernie Timson, Larry Sharer, Carol Hodges, Tim Angell, Taylor Reed, KATV, LSC-TV, and Mike Welch

PUBLIC COMMENT – ***Joanne Brown*** – Informed SelectBoard members that she had a long-standing issue with Colonial Apartments over silverfish. She requested that the Building be inspected. Tim Angell, Town Health Officer, stated that he had only recently received the written complaint from Joanne Brown, and that he was not familiar with silverfish. Tim said he would be in contact with the Apartment Manager to follow-up on the concern.

Joanne Brown – Requested that the SelectBoard investigate the Town's authority to have towed her inoperable and unregistered motor vehicle from a Town Street. Ms. Brown stated that she did not believe that the Town Police had the authority to remove her vehicle. Ms. Brown stated that she had contacted the Department of Motor Vehicles and the Attorney General's Office. The Manager stated that the Police had informed Ms. Brown that she needed to register her motor vehicle, or it would be towed. The Manager stated that the Chief of Police even offered to allow Ms. Brown to store the vehicle on his property in Danville, to get it off from the Town Street. The Manager said he reviewed the statute and SelectBoard member Jim Rust said he reviewed the law. Jim Rust said he also contacted the State Police and was advised by the State Police that they would have had the vehicle towed. Chairperson Kimbell informed Ms. Brown that the SelectBoard would not be looking into this matter further.

Russ Hutchins – Requested that the SelectBoard consider printing the salaries and benefits of all Town Employees in the Town Report. Russ Hutchins said that he believes that the School Board will do this as well. Mr. Hutchins said he felt that this was critical information for the voters. Mr. Hutchins said that if the SelectBoard did not agree with this request, then he would petition for it. Chairperson Daniel Kimbell said that the SelectBoard would consider Mr. Hutchin’s request.

MINUTES – OCTOBER 13, 2009 – SelectBoard member Jim Rust said he wanted to make it clear that the St. Johnsbury SelectBoard did not agree or vote to use eminent domain for the Bike Path. SelectBoard member Jean Hall Wheeler stated that the Board agreed to set a date to try to acquire the Right-of-ways by agreement, and if that did not happen, then the Board would revisit the question of meeting with our legislative delegation to discuss the Bike Path. It was moved by Jean Hall Wheeler, seconded by Bryon Quatrini, and unanimously voted to approve the Minutes of October 13, 2009 as presented.

CALEDONIA COUNTY – ASSISTANT JUSTICE RESOLUTION – Assistant Justice Roy Vance and Assistant Justice William Kennedy were present to request that the SelectBoard consider supporting their resolution maintaining the positions of Assistant Justice. Judge Vance said that the side judges have received training in handling small claims and traffic tickets. Judge Vance said that having the side judges perform these roles has reduced court costs. Judge Vance said that there are areas that can be reduced in expenditures for the Court – including the new positions that have been added to the office of Court Administrator. Judge Vance said that Vermont is unique in having lay judges. Judge Kennedy said that many times having three folks to talk out a case in chambers, especially two local people, has made a big difference in decisions.

Judge Vance said he would be prepared to answer any questions about the County Budget – and the only item that has been changed since last year is the 2-year audit amount that has increased from \$3,900 to \$5,300.

It was moved by Jean Hall Wheeler, seconded by Bryon Quatrini, and unanimously voted to approve and sign the resolution proposed to support the continuation of the Assistant Justice positions.

THREE RIVERS TRANSPORTATION PATH – Kevin Russell stated that he has received verbal indication from CVPS that they will contribute the easement for the Three Rivers ROW. The area for the parking lot will be outside of the project, and will be subject to a separate licensing agreement. Kevin Russell said he has also had recent conversations with Bruce Ralston.

Laural Ruggles, NVRH, stated that she is a member of the Fit & Healthy Coalition, which was formed in 2004 as a subgroup of the St. Johnsbury Community Health Committee. Laural said that the Fit and Healthy Coalition actually went on a walking tour of the Three Rivers Path alignment. Laural said she believes that the path will be used by

many people once it is constructed – and that there are many great locations along the path. Laural said she sees a lot of potential for this path as a starting point. Laural said that she has heard that part of the concern about the path is the cost. Laural said that the SelectBoard can do a great deal to influence the health of people in the community by supporting a good water system, wastewater treatment, and good highway maintenance. Laural said that the Three Rivers Path is another way that the Board can help to provide opportunities for residents to improve their health. Laural said that 80% of all health care costs are attributed to chronic disease – which can be dramatically improved through healthy lifestyles. Laural said that a Doctor she met on the way to the meeting tonight described the Three Rivers Transportation Path as an investment in our future.

Nelson Baker, Green Mountain United Way, said that Green Mountain United Way supports the prevention of chronic disease, and it is important that we continue to work to expand this type of healthy activity.

Diane Beck asked about the total cost of the bike path. Kevin Russell said that the total project cost will be between \$2.25 and \$2.5 million dollars. Diane Beck asked how this cost compares to other bike paths constructed in Vermont. Jim Rust said that his research has shown that no bike path has spent as much money for such a short distance.

Bernie Timson said that no one has responded to his question about the cost of maintenance once the path is constructed. Kevin said that there are numerous opportunities for organizations, such as Friends of the Path, to take on responsibility in terms of assisting with maintenance. Kevin Russell said that in other communities they have seen concerns about security on the path go down – as people begin to use the facility on a regular basis.

Maurine Hennings said that she is representing herself as a business owner, and she is a member of the NEK Chamber of Commerce and on the Board for St. Johnsbury Works. Maurine said that she sees the path, and arts & culture, as an economic opportunity for St. Johnsbury. Maurine said that she is working with local organizations on a marketing cooperative for travel & tourism. Maurine said that if St. Johnsbury could attract 1% more of the travel & tourism dollars then you are looking at an additional \$16,000,000 coming into the community. Maurine said that when you look at the profiles of people who come to Vermont and spend money - 50% are interested in Outdoor Recreation and 50% are interested in Arts & Culture. Maurine said that recreational opportunities can be a win-win for the Town.

Joe Fox stated that the SelectBoard should also consider naming policies for the Recreation Department. Joe said that there are opportunities for maintenance and for fundraising for ongoing maintenance for the path. Parks & Recreation could allow sponsorship for a garden area, a rest stop, and benches. Create an endowment that can be used for maintenance.

The Manager provided members of the Board with updated information relative to the total expenses for the Path to date, and clarification of the Town's contractual responsibility to use eminent domain authority if necessary.

PROPERTY TAX DUE DATE – The Board received a copy of an updated opinion relative to changing the property tax due date, as prepared by Town Attorney Edward R. Zuccaro. Attorney Zuccaro has stated that in order to change the due date, the SelectBoard would need to send out another “notice” to the taxpayer. The notice was the property tax bill. Ed also stated in his opinion that interest would need to be assessed before December 1st. Sandy Grenier informed the Board that the cost associated with sending out new property tax bills would be approximately \$3,100 including new bills, printing, stuffing, envelopes, and postage. Sandy said that new bills would need to be ordered, and the NEMRC programmer would need to set-up the format. Sandy Grenier stated that as of this date there has already been \$1,700,000 in property taxes collected – and that traditionally the Town will receive about 96.8% of the total property tax billed by the due date. Bryon Quatrini said that he felt that the Board owed it to the voters to investigate this option. Jim Rust said that \$3,100 may be on the low side, and it could actually cost all taxpayers more than that to resend the bills. The Board did not take any action to change the property tax due date. The due date remains Friday, November 20, 2009.

Bernie Timson asked about paying quarterly. Sandy Grenier said that could be done, but the statute only allows collection of the penalty at the last collection. Sandy said that if people do not make the quarterly payments, as there is no incentive to do so, then she would still have to borrow money – as she could not count on receipt of the taxes. In order to actually collect each quarterly payment, a penalty would need to be assessed each quarter. That would probably require an amendment to the Town Charter.

DOG POUND – The Manager provided the Board with a copy of Concord's agreement with Riverside Boarding to serve as a shelter for stray dogs. The Manager and SelectBoard member Bryon Quatrini met with representatives from Riverside as they would like to offer this service to the Town of St. Johnsbury. Some of the concerns associated with this are having the animal control officer transport the dogs to Lunenburg, having a place to adequately house dogs if the folks from Lunenburg come here to pick them up (as it would be the next day), collection of fees and making certain that dogs receive their rabies shots and licenses before being released. Jo Guertin, Animal Control Officer, said that she works for the same amount she did 10 years ago – and she does not want to incur additional costs for traveling to Lunenburg to drop off dogs. Jo said that any young dogs that she houses now for St. Johnsbury are not kept outdoors. She said that 90% of the dogs outdoors are primarily outdoor dogs. The Manager said that the Town has supported efforts to get a shelter operational in St. Johnsbury – but, to date that has not been accomplished. Jo said that she meets people right at the Town Office with their dog to make sure that they license the animal. Jo said it would be helpful if they wanted to take the dogs after the 10 day waiting period for adoption – as Riverside probably has a better network for adoptions. Jo Guertin said that the way she keeps dogs is much healthier than having them all in an enclosed building – if there are

animals that are sick. Bryon Quatrini said that we should have a shelter here in St. Johnsbury. Jo said that if the Town wanted to have the work camp construct some new dog houses for stray dogs that would be helpful.

VLCT WASTEWATER PERMITTING REQUEST – The Board reviewed the request from VLCT relative to a \$300 contribution to support the legal fees associated with a filing of a Amicus brief in the City of Montpelier appeal of their Wastewater Treatment Plant permitting requirements. The court decision that is being appealed could have a significant financial impact on Vermont Wastewater Treatment Plants, according to VLCT. SelectBoard Member Jim Rust said he had reviewed the information and moved that St. Johnsbury contribute \$300 toward the VLCT filing of the Amicus brief, seconded by Jean Hall Wheeler, and unanimously voted.

EMPLOYEE HEALTH INSURANCE: The Manager presented the premium information from Blue Cross/Blue Shield for employee health insurance as follows, for the VT Health Partnership Plan that the majority of employees are enrolled in.

					5.5% Increase	26% Increase
10/23/09			86%	14%		
PLAN TYPE	PLAN MONTHLY PREMIUM	PLAN COST ANNUAL TOTAL	PLAN COST ANNUAL TOWN	PLAN COST ANNUAL EMPLOYEE	PLAN COST HOURLY TOWN	PLAN COST HOURLY EMPLOYEE
FAMILY	1,589.98	19,079.76	16,408.58	2,671.17	7.89	1.29
2-PERSON (-1/2 YEAR)	1,265.99	15,191.88	13,065.02	2,126.86	6.28	1.02
SINGLE	618.09	7,417.08	6,378.69	1,038.39	3.07	0.50
BUY-OUT	0.00	2,000.00	2,000.00	0.00	0.96	0.00

A quote was also obtained from the Vermont League of Cities and Towns for a comparable plan. The VLCT CIGNA premium was very similar to the BC/BS price. The Manager stated that he has requested additional information from Blue Cross and from VLCT about Plan options that can be considered when the Town Negotiating begins discussion with the Labor Unions for the agreements that all expire on Dec. 31, 2010.

SNOW REMOVAL – COMMUNITY CENTER – The Manager informed the Board that a request for proposals had been prepared and circulated to local contractors soliciting quotes for the removal of snow from the Community Center Roof. An advertisement was placed in the Caledonian-Record. No quotes were received. The Manager encouraged members of the Board to provide names of any vendors who should be approached.

ENERGY GRANT – Discussion tabled awaiting more information from Joel Schwartz.
MANAGER’S REPORT – *Liquor Control Board* – Members of the Board reviewed, approved, and signed caterer permits for Sodexo at Black Bear Tavern.

Expenditure Warrants: Members of the Board reviewed, approved, and signed the Expenditure Warrants as follows (note warrant out of sequence had not been previously signed):

General Fund	62748 – 62756	\$17,090.89
	62945 - 62986	\$328,978.74
	62987 – 63035	\$446,910.97
	63036 – 63036	\$190,534.86
Grant Fund	2219 – 2219	\$1,596.00
	2220 – 2220	\$1,429.44

Stan Wilkins – Has resigned as a member of the Planning Commission for health reasons. Stan has served on the St. Johnsbury Planning Commission for 28 years. Chairperson Kimbell expressed the Board’s appreciation for the many years of service that Stan Wilkins had dedicated to the community. Stan will continue as a member of the Building Committee.

Planning Commission Minutes – The Manager informed the Board that the Planning Commission held an informational meeting with representatives from the Department of Corrections, October 21st – copies of the draft Minutes were provided.

Recycling Solid Waste Committee – Is going to be exploring the permitting of a stump dump for leaves and brush for St. Johnsbury.

Liquor Control – The Board received the information from the State Department of Liquor Control relative to the shifting of permitting related costs from the State to communities.

EPA Grant Application – A copy of the EPA Grant application, as prepared by Laurie Zilbauer and Joel Schwartz, was included in the packet. The application contains some very good information about the community.

OTHER BUSINESS: Route 2 Park & Ride – SelectBoard member Bryon Quatrini asked for an update on the status of the Route 2 Park & Ride Project. The Manager stated that he would get an update from Wayne Davis at VTRANS.

Having no further business or requests, it was moved by Bryon Quatrini, seconded by Jean Hall Wheeler, and unanimously voted to adjourn at approximately 8:40p.m.

Respectfully submitted,
Mike Welch, Town Manager