

MINUTES
REGULAR SELECTBOARD MEETING
SEPTEMBER 27, 2010 – 6:30 P.M.
MUNICIPAL BOARD ROOM

ATTENDANCE: Chairman Jim Rust, Daniel Kimbell, Rodney Lamotte, Bryon Quatrini and Bernard Timson. The meeting was called to order by Jim Rust and the Board voted to go into executive session at 6:30.

At approximately 7:25 P.M. the Board came out of executive session and resumed the regular meeting.

Also present: Interim Town Manager Ralph Nelson, Secretary Ida Rainville, Brad Reed, Brian Christman, Gary Lunderville, Diane Beck, Jon Beck, Dan Scott, Bob South, Jay Wood, Sandy Grenier, Larry Sharer, Joseph Fox, Al Dunn, Russ Hutchins, Lisa Nelson, Nancy Cohen, Sean Jewell, Red Dufresne, Troy Darby, Kevin Montminy II, Lisa Rivers, Dan Ehlers, Kathy Pelow, Ryan Pelow, Mark Harpin, Mike Pelow, Bruce Corrette, Tim Persons, Gary Reis, Carol Callanan, Peter Whitney, Debbie Rousseau, Joanne Brown, Taylor Reed from the Caledonian Record, and the Channel 7 News team.

Public Comment – Carol Callanan informed the Board that she is concerned about the prisoner release program going on in the State. She stated that she did not believe that \$52,000 for the Community Justice office will help to protect the town from (perhaps) 60 early release offenders. Carol suggested the grant could be better used to pay for training in conjunction with local retirees that could volunteer to help with training and job skills. Ms. Callanan indicated she was concerned for her own safety because of housing developed for the released offenders across the road from her house. Jim Rust told Ms. Callanan that the decision for the release came from the State, and the grant was supplied to assist the Town with the integration of the parolees. Town funds are not paying for the grant, and the Town had very little say in the early release program. The point was also made that people be released back to the community in which they lived before incarceration, rather than St. Johnsbury.

Minutes- On a motion by Bernie Timson, seconded by Rod Lamotte, the Board unanimously voted to approve the minutes of August 25 and 30, and September 2 and 13, 2010, as presented.

Warrants – The following warrants were approved and signed:

General Fund	Check #65168 – 65206	\$ 62,134.00
	Check #65207 – 65259	395,971.79
Grant Fund	Check #2271	\$ 750.00
	Check #2272	556.00

Town Manager Announcement – On a motion by Bernie Timson, seconded by Daniel Kimbell, the Board voted unanimously to appoint Ralph E. Nelson Jr. as full time town manager.

Recreation Center MOU – Town Manager Ralph Nelson reported that the Selectboard had been in contact with the St. Johnsbury Academy earlier and made some suggested changes to the Memo of Understanding originally supplied by the Academy on September 7. The revised MOU was returned to the Academy on September 16, but no communication had been made since that time. Joe Fox reported that it is still being reviewed by the Academy.

Hotdog Cart – Mr. Dan Ehlers was present to request a vendor’s license at a reduced rate, or that would run for one year from date of issue, to operate a hotdog cart in the downtown area through foliage season. Mr. Ehlers reported that he and his partner have all state licenses in place. Concern was expressed about setting a precedence in either reducing the fee for part of the year or changing the current date of issue/expiration. Another concern would be the liability of the Town, even with insurance held by the Ehlers. Sandy Grenier indicated that the Selectboard had raised the fee to \$150.00 several years ago to make the competition with local retailers more equitable. The Board decided to consider the matter further.

Referendum – Chairman Jim Rust prefaced the discussion by saying he fully supports the individual’s right to petition for a vote on any article, even if it is unpopular for some. Mr. Rust confirmed that all petitions were turned in to the Town office on time with 261 confirmed signatures, which met the 250 minimum requirement. However, Mr. Rust continued to say that 17 people who had previously signed the petition had requested their signatures be removed. The requests were received within the required period of time, and reduced the number of signatures to below the required 5%. Mr. Rust said the Board had asked for opinions from the Secretary of State’s office and Attorney Kyle Sipples. Mr. Sipples opinion was that, for question #2, the Town could be held liable for legal issues either way. Question #3 was deemed a charter change issue and was incorrectly worded for that type of change. Jim Rust indicated that for question #1, the change in fiscal year, it has been previously discussed and they felt that it might be very difficult for people to pay an 18-month tax bill the first year.

Nancy Cohen addressed several points concerning the 3-question Referendum petition that she had presented to the Board. Ms. Cohen felt that, from talking to people around town and at the March 2010 Town Meeting, three areas came through as major concerns – school budget, fire department and the number of calls attended with unnecessarily large equipment, the assessor’s office with just one person, vs. three listers who used to man the office. Nancy mentioned the form letters returned by some citizens to have their names removed from the petition, and questioned where they came from. She thought the letters should have been written by the individuals. Nancy also compared the St. Johnsbury Fire Department with other, larger towns that get along just as well with a call fire department and medical emergency squad. Overall, Nancy Cohen said she understands the reasoning behind not having the referendum questions on the ballot because of the lack of signatures.

Town Clerk Sandy Grenier confirmed the verified signatures, and the letters requesting the removal of some names from the petition. Joanne Brown asked the Board to reconsider and give consideration to the people who put the petition together and those who chose to sign the petition. Debbie Rousseau pointed out consideration was also being given to those who did not sign the petition.

On a motion by Rod Lamotte, seconded by Bryon Quatrini, the Board voted unanimously to accept the letters from 17 people requesting their names be removed from the petition.

PUBLIC HEARING – VETERANS’ TAX EXEMPTION – Chairman Jim Rust read the warning for the special St. Johnsbury Town Meeting on November 1 and November 2, 2010 as follows:

*The voters of St. Johnsbury, Vermont are hereby notified and warned to meet as follows:
ON TUESDAY, November 2, 2010, BETWEEN THE HOURS OF 10 A.M. and 7 P.M. at
the Lively Center 506 Summer Street, St. Johnsbury, Vermont TO VOTE ON THE
FOLLOWING ARTICLE BY AUSTRALIAN BALLOT. ARTICLE 01. Shall the Town vote
to increase the Veterans Exemption under 32 VSA 3802(11) from \$20,000 to \$40,000*

effective with the grand list to be lodged on April 1, 2011?

NOTICE OF PUBLIC HEARING. The voters of the Town of St. Johnsbury are further notified that a public hearing will be held on Monday November 1, 2010 at 7:00 P.M. at the St. Johnsbury Municipal Building Selectboard Room to discuss the above article to be voted on November 2, 2010 by Australian Ballot.

Town Assessor Peter Whitney reported that the State has discovered that some veterans would not benefit from this increased exemption because of the manner in which the tax rebates are awarded. It could decrease the value of their property to the point where the veteran would not receive a rebate on taxes. Peter further stated that the State is trying to resolve this issue. On a question from Russ Hutchins, Sandy Grenier explained that the definition of a veteran who would receive the exemption is one who is 50% or more service disabled, determination made by the Veteran's Administration and transmitted to the Town by way of a letter to the individual. Bob South confirmed that there is a bill to go before the House that would reduce a 50% disabled veteran's property tax to zero. Sandy Grenier said that taxpayers can read on their tax bills the amount of their tax rate that is paying for these exemptions and other fees that come under the heading of "Local Share". On the 2010 tax bills this amount is .0006 per hundred-dollar value. Even if the increased exemptions doubled this figure it would only be .0012 per hundred.

Armory Update – Jim Rust read a letter from Natural Resources confirming no additional work will be required at the underground tank site. On a motion by Rod Lamotte, seconded by Bernie Timson, the Board voted unanimously to authorize the Town Manager to complete the information and keep the form on file.

West Side Project - Red Dufresne of Dufresne Group addressed the current status on the clarifier/filter tank replacement project. In March 2010 the voters approved a bond to pay 25% of the projected cost, with an expected 75% of the \$1.73 Million project coming from grant funds. Currently there is only 45% of funding available, so another bond resolution may be required. The schedule for this project has been delayed until the funding is secured. Red said the funding would only be granted if the State wrote a letter saying it was an emergency situation and the water system is a health hazard, which the State is unwilling to do.

The Westside Infrastructure Project (Contract 2010-2) final design and specifications are complete and set to go to bid with the opening set for November 10, 2010. Estimated construction for this project at \$5.9 Million, which is \$1.2 Million more than original cost estimate. If the actual bid comes in too high, the project may need to be reduced. Engineering design and specifications for the northern portion (Contract 2010-3) is approximately 80% complete and should be ready for bid in February, 2011 after easements are obtained.

Mr. Dufresne also warned that residents of Grandview Terrace, Harvey Street, Lynwood Terrace and Webster Street may want to disconnect the pumps they have had to install for additional pressure, since as a result of this project, their water pressure will increase by 36 psi.

Grant Updates – Ralph Nelson reported on several current Grants on which he and Jim Rust had met with State representatives in Montpelier on Friday.

- Safe Routes to School – \$66,500 on track for bid in the winter of 2010-2011, with construction to begin in the spring 2011.
- Park and Ride – State administered, and may be upgraded in 2013 if funds are available.

- Scenic Byway - \$340,000 with \$85,000 local match to upgrade area around the Welcome Center is on track for eventual completion
- Bike Path – All easements in place with final plans set for March or April 2011 bids, maybe sooner.
- St. Johnsbury Center Sidewalks – study completed.
- Railroad Street Enhancement - \$138,400 grant with 20% local match, improve lighting and streetscape. The St. Johnsbury Chamber is involved and VTRANS says this could be done next spring.
- Portland Street Bridge - \$801,420 original plan with 5% match, based upon 8-year old engineering study. There was not time for a new study to take advantage of stimulus money to help with further needed repairs, with 20% match from town – additional \$30,000.
- Weidmann Electronics sub-station – Started in July 2008 – needs easements from an estate, and as of September 30 the State has extended a six-month time frame. Important project for surrounding areas and possible manufacturing expansion.
- Brownfields – NVDA – Set to assess potential problems.

Ralph also reported that the Connecticut River Byway signage Project is underway, with the town's contribution of labor and materials to erect new signs for the Welcome Center and Downtown area.

The preliminary Energy Audit for the Municipal Building has been done and, on a motion by Bryon Quatrini, seconded by Bernie Timson, the Board voted unanimously to accept the \$40,000 funding, with a \$6,900 town match with actual work to be determined at a later date.

Manager's Report - The newly appointed Town Manager, Ralph Nelson, responded to his appointment by saying that he appreciates the opportunity to continue in this position, and the confidence the Board has placed in him. Mr. Nelson said he viewed the position and the town as a great opportunity. He vowed accountability for himself and asked for the same from the rest of the town employees and the Department Heads. He named several areas that he wished to address and said he was ready to take on the responsibility. Mr. Nelson said that Senator Bernie Sanders has expressed interest in helping the town with repairs to the Welcome Center, and the dispatch area will soon be upgraded with funds from an NVDA grant.

There was no further business to be conducted. On a motion by Bernie Timson, seconded by Rod Lamotte, the meeting adjourned at 9:05 P.M.

Respectfully Submitted,

Ida W. Rainville
Executive Secretary