

**MINUTES
REGULAR SELECTBOARD MEETING
MONDAY, MARCH 14, 2011**

The Board of Selectmen met at the Town Offices on Monday, March 14, 2011 at 7 pm for an organizational and regular Selectboard meeting.

Present were: Jim Rust, Bill Merrow, Rod Lamotte, Bryon Quatrini (by phone), and Alan Ruggles. Also present were Town Manager Ralph Nelson, Secretary Ida Rainville, Randall Northrop, Police Chief Richard Leighton, Deputy Chief Clem Houde, Carol Koukoutsis, Russ Hutchins, Public Works Director Dan Scott, Assistant Clerk Larry Sharer, Jon Beck, Clerk/Treasurer Sandy Grenier, Kevin Oddy, Lisa Carrere, Nancy Cohen, Donna Rowell, Avery Rowell, Gary Lunderville, Brian Christman, Bernard Timson, Fire Chief Troy Ruggles, Klari Emmons, James Impey, Thomas Cole, Bill Rodd, Sean Jewell, Cindy Robillard, Tim Persons, Mike Fortier, Stacy Perkins, Len Gerardi, Town Attorney Ed Zuccaro, Linda Colby, Cathy Goslant, Scott Beck, Joanne Brown, Jim Brimblecombe, Paul Olander, the News 7 Crew, and Taylor Reed from the Caledonian Record.

The meeting was called to order with the Pledge at 7:00 PM, by Jim Rust.

Reorganization – Rod Lamotte nominated Jim Rust as Chair. There was no second. Rod Lamotte nominated Bryon Quatrini for Chair, Bill Merrow seconded the nomination and Mr. Quatrini was elected unanimously. Alan Ruggles was elected vice-chair (Lamotte/Merrow). Since Chairman Quatrini was not physically present to chair the meeting, he requested Alan Ruggles chair the remainder of the meeting.

Meeting Schedule – It was noted that the recent regular Selectboard meeting schedule has been the second and fourth Monday of each month, with only one meeting scheduled in July and August. The Board voted unanimously to approve this meeting schedule (Rust/Merrow).

Directors' Orders --Alan Ruggles volunteered to come in to the office each week to sign the directors' orders for checks necessary to be mailed prior to a Selectboard meeting.

Public Comment – Cathy Goslant asked if Mr. Quatrini was going to be present most of the year to serve on the Board, since he was currently on vacation in Florida, to which Mr. Quatrini replied he would be returning to St. Johnsbury soon and was planning to be present 11 out of 12 months of the year.

Minutes – February 14, 21, 25, 2011. On the February 14, 2011 minutes, Ralph Nelson corrected the statement on Page 3 under "Accounting/Surplus/Tax Collection – that "the \$521,591 in tax receivable was recognized as an asset, not revenue." Jim Rust asked to correct a statement in the same paragraph to read, "The Town may have looked at a more aggressive approach . . ." Under the Town Manager's report on the same page, Mr. Nelson corrected the term "Welcome Center tenancy agreement to Welcome Center Agreement".

On the February 21, 2011 minutes, Jim Rust said that he had referenced two meetings instead of "several".

The Board voted (3-2) to accept the minutes of February 14, 21, and 25, 2011, as amended (Lamotte/Rust). Bill Merrow and Alan Ruggles abstained, since they were not on the Board at the time of the meetings.

Warrants – On a motion by Jim Rust, seconded by Rod Lamotte, the following warrants were approved (4-1) and signed by the present members of the Board. Bryon Quatrini abstained because he was not physically present at the meeting to review.

AP Checks:	#66169 – 66202	\$ 24,645.01
	#66203 – 66203	\$ 120.00
	#66204 – 66257	\$ 123,132.29
	#66258 – 66330	\$ 204,823.61
	#66331 – 66354	\$ 23,125.28
Grant Checks	#2289 – 2292	\$ 7,147.74

PSB Health Savings Account: Journal Entries of February 7, 2011 through March 13, 2011.

Liquor License – Moved by Jim Rust, second by Rod Lamotte to approve renewals of licenses for: Dawg House, Chill Zone, Elements, and Pizza Hut. Ralph confirmed with the Police Department that the Dawg House and Chill Zone had complied with stipulations from the Selectboard. Approved unanimously.

Dispatch Grant – Ralph Nelson confirmed that the Town has been awarded a grant in the amount of \$116,054 to upgrade the emergency services equipment. However, there was a misunderstanding of part of the grant application by the DPS, a portion was assumed to be programming, not implementation and not eligible. Therefore the corrected amount of the grant will be \$125,054 with a town match of \$31,000. Mark Gilleland will correct this matter to get the full amount. The new equipment must be in place by June 30, 2011. Ralph said the new equipment will be smaller and take up less space than the current equipment, so it can be installed in the current dispatch location as soon as delivered.

Vendor Permits – Scott Beck, coordinator of the upcoming World Maple Festival, requested on behalf of the Downtown to have vendor fees waived for this activity. The Board voted unanimously to waive all vendor fees for the festival (Rust/Lamotte).

Town Meeting Results – Town Clerk Sandy Grenier reported that the minutes from the Town Meeting and from the re-count are available at the Town Clerk’s office. In accordance with VT 24 § 1162, the Clerk has submitted certification on raising taxes as of March 4, 2011.

Voter Bill of Rights – Ralph Nelson pointed out a copy of the “Voter Bill of Rights” available to anyone who wished to read them. Nancy Cohen wanted to know if inmates of the corrections facility were allowed to vote. Kevin Oddy answered her question, that indeed the inmates are informed by the Corrections Department that they may request a ballot. However, they are not registered to vote in the town in which the facility is located, but rather in the town where they claimed prior residence. Nancy Cohen also wanted to know why the list of voter participation did not agree with the total number of votes cast. She said there was a discrepancy of two votes. Alan asked that this could be ironed out in the Town Clerk’s office at a later time.

Russ Hutchins wanted to know why there were over 500 blank and spoiled votes. Sandy Grenier explained they were mostly blank votes by voters who chose not to vote for every position that was available on the ballot. All spaces left blank had to be counted as “blank” ballots. Kevin Oddy confirmed that, to his knowledge, there were only four actually spoiled ballots that were counted, and re-counted. The rest were considered blank.

Municipal Charter Provisions – Ralph Nelson pointed out that there are numerous areas in the Town Charter that have been changed by vote, but not updated in the written charter. There are also points that are still included in the charter that should be updated to modern standards. For example, the Fairbanks Museum is granted an appropriation from the Town in the charter, but it is currently treated as a special appropriation which has to be voted upon each year. Ralph said another point that should be addressed is the appointment of a 3-member board of assessment that should be in place for grievance procedures, which was put into the Charter at the same time as the appointed assessor, as a second level of appeal.

Ralph suggested he post a notice of vacancy for board of assessment appointments. The Board unanimously approved the posting (Rust/Merrow).

Tim Persons said he wanted the ability to vote the board of listers or the assessor in or out of office. Ralph replied that the Charter says they are appointed positions. Nancy Cohen said that her experience with the listers for the town has been very positive.

On a question from Jim Rust, Town Attorney Ed Zuccaro said there was no exact penalty to the Town for not following the charter, unless it was a case of a violation against an individual, and then the individual could have a case for retribution. Mr. Zuccaro went on to say that, in the case of no charter, or areas that are not covered under a charter, the State laws will prevail.

Wastewater Treatment Facility –Paul Olander and Jim Brimblecombe from United Water talked to the Board about possible expensive upgrades to all Vermont facilities if certain requirements are imposed as requested by the States of Connecticut and New York. According to Mr. Olander, because of problems in Long Island Sound with excess nitrogen in the ocean from the Connecticut River, the EPA may require new treatment on all discharge from Vermont that would eliminate all nitrogen from wastewater, even though almost all of the pollutants originate in Massachusetts, Connecticut and New York. Paul urged the Town to get legislators involved to fight this possibility. Gary Lunderville asked if farm runoff was also a culprit, to which Paul agreed it is, but the EPA is going after the wastewater treatment facilities first, then the farms. Authority was unanimously granted to Ralph to draft letters of support to the local and state legislators and have the Selectboard come in to sign (Rust/Lamotte).

Internal Controls --Ralph discussed the Internal Control Checklist that was mentioned at the February 14 meeting – he said he had looked at the list and discussed it with the Town Clerk. Ralph said that nearly all points on the check list were addressed and he would give the audit the highest grade possible – only 4 or 5 of the points needed to be addressed. Mr. Nelson suggested an organizational chart to have more people in the office as back-up on accounting functions. Also, in the matter of property insurance for the town, Mr. Nelson said he saw several listings on the Town’s insurance that should be addressed for value which could decrease the insurance billing in the future.

Appointments – Mr. Nelson made note of the fact that the State appoints the director of Homeland Security, Health Officer and Deputy Health Officer, and Town Service Officer from suggestions given by the Selectboard. Ralph Nelson was nominated as Town Service Officer, a post traditionally held by the Town Manager.

Of the following positions that expired in 2011, these board members expressed willingness to continue and were nominated to serve:

Development Review Board - Kevin Oddy – 1 year
Ray LaBounty – 3 years
Will Rivers – 1 year

Alan Ruggles will resign his position on the DRB in order to serve on the Selectboard, leaving a vacancy.

Design Review Board - Robert Swartz – 3 years

Recreation Board - The Recreation Board has been disbanded by a change in organization and the Academy taking responsibility for operation. However, the Academy has requested an over-seeing group which will be addressed at a future time.

Industrial Park Board - Jim Impey – 3 years

Energy Coordinator - Jim Wurtele – to fill vacant position – 1 year

Tax Stabilization - Will talk to Anne Laferriere and Ed Magnus
Jay Lyn Fund - Leave for further information after the HUD investigation is complete
St. J. Development Board - Bryon Quatrini – 1 year
NVDA Board - Bryon Quatrini and Jim Rust – 1 year
Pension Board - Bryon Quatrini – 1 year
Water/Sewer Grievance - Bryon Quatrini and Bill Merrow – 1 year

On a motion by Jim Rust, seconded by Rod Lamotte, the above nominations were approved unanimously by the Board.

Manager's Report – Ralph Nelson reported that town employees had worked closely with State Environmental engineer Barry Cahoon, on the ice jam near Concord Avenue which was threatening homes in the area. Dan Scott and Troy Ruggles worked with homeowners to pump basements that may have taken on water as a result of the jam, and the Town hired Ray Heath to break up the jam with his back hoe. The Fire Department sand-bagged two homes with assistance from the Work Camp crew.

Police Chief Richard Leighton tendered his resignation on March 7 and will be on duty through March 25. Ralph reported that Deputy Chief Clement Houde will be assuming the duties of chief pending the possible search for a new Chief of Police.

The website is being developed by NEK Online, a local developer, who intends to meet with each department head to review their websites.

Will Rivers has been appointed 911 coordinator. Mr. Nelson is actively seeking funds to assist with the renovations of the Railroad Depot and will be in Montpelier all day March 16 for that purpose.

The Town will sign a contract with S.D. Ireland for the southern portion of the Westside Project.

Other Business – Mike Fortier asked about the HUD investigation into the JayLyn fund. Ralph said he has had no contact with them and no response from a phone call as of March 2. Carol Koukoutsis applauded the response of the town employees to the ice jam on Concord Avenue, but asked that in the future they could respond quicker. Jim Rust assured her that all department heads re-evaluate actions after the fact, and will do so from this experience. Bernie Timson asked about the process of appointing a new assessor, which Ralph said would be addressed in Executive Session after the main portion of the meeting.

On a motion by Jim Rust, seconded by Bill Merrow, the Board voted to go into executive session to discuss personnel and contract issues, at 8:20 PM.

The Board came out of executive session (Rust/Merrow) at 9:15..

Respectfully Submitted,

Ida W. Rainville
Executive Secretary