

MINUTES
REGULAR SELECTBOARD MEETING
TUESDAY, JULY 26, 2011 – 6:00 P.M.

The Board of Selectmen met at the Town Offices on Tuesday, July 26, 2011 at 6:00 PM for a regular Selectboard meeting.

Present were: Chairman Bryon Quatrini, Jim Rust, Bill Merrow, Rod Lamotte, and Alan Ruggles, Town Manager Ralph Nelson.

Also present: Jon Beck, Diane Beck, Al Dunn, Frank Landry, Bruce Corrette, Linda Colby, Laural Ruggles, Brad Ashley, Linda Garey, Martin Fortin, Bill Knopf, Bernie Timson, Gary Lunderville, Brian Christman, Mike Fortier, Nancy Cohen, Tina Lynn Case, Jim Jardine from the Caledonian Record and the Channel 7 News.

The meeting was called to order with the Pledge at 6:00 PM, by Chairman Bryon Quatrini.

There was no public comment.

Minutes – Minutes from 6/13/11, previously tabled, were approved as revised (Ruggles/Lamotte); minutes from 6/27/11 approved (Lamotte/Merrow) Alan Ruggles abstained because he wasn't present; minutes from 7/19/11 were approved (Rust/Merrow).

Warrants: The following warrants were approved by the Board (Ruggles/Lamotte) and signed.

Accounts Payable:

Check #67088 – 67108	\$ 10,341.56	#67170 – 67171	\$ 1,469.33
#67109 – 67123	\$ 149,453.76	#67172 – 67173	\$ 5,923.25
#67124 – 67167	\$ 77,392.39	#67174 – 67237	\$159,372.23
#67168	Voided	#67238 – 67283	\$339,929.56
#67169	\$ 125.16		

Grants: Check #2305 \$1507.50

Catering – There were three catering permits signed during the month prior to the meeting.

Open Meeting Law – Ralph Nelson reported that the Town's policy has been to warn the Selectboard meetings more than is actually required by the Public Meeting Law, which only requires that the dates of the meeting be posted one time at the beginning of the year. Mr. Nelson has an extensive list of individuals on email notification, and notice is always sent to local news outlets. After receiving a message from Dana Gray at the Caledonia Record, he added the news desk to notification list in addition to Taylor Reed.

Appointment to the Economic Development Council of Northern Vermont – Jim Rust volunteered to serve on the Council as representative of the Selectboard, following the resignation of Daniel Kimbell. Alan Ruggles volunteered to serve as alternate.

Appointment to the Board of Assessors – Mr. Nelson nominated three individuals to serve as the Board of Assessment, the first time the Board has been filled since its creation in 2007. Those nominated were: Martin Cherry, Don Pinard and Steve Berard. The Board of Assessment will hear and attempt to resolve grievances prior to the Board of Civil Authority. On a motion by Jim Rust and a second by Alan Ruggles, the Selectboard voted unanimously to appoint those nominated.

Proclamation – St. Johnsbury Health and Rehab – Mr. Nelson stated that he had received a request from the St. Johnsbury Health and Rehabilitation Center for a Selectboard Proclamation to celebrate the Center's 40th anniversary, August 22. Mr. Rust stated that he felt proclamations were an extremely unique honor and that the fact that a business in town had remained open for 40 years is an outstanding accomplishment, it did not reach the level of a proclamation. He cited the recent proclamation of Elwin Cross as an example of service at the proclamation level. Mr. Merrow echoed Mr. Rust's comments and suggested a different method of acknowledging St. J. Rehab's

accomplishment. Mr. Quatrini asked Mr. Nelson to look into this and publically acknowledged St. Johnsbury Health and Rehab's anniversary. No action was taken.

Biomass Energy Development – Brad Ashley – Mr. Ashley presented information on his company's (Kingdom Development Company Inc.) plans to create a Biomass Energy plant in St. Johnsbury on property that is currently owned by St. Johnsbury Academy, which would furnish heat and electricity for all of the Academy properties, the St. Johnsbury School (if they so desired) and much of Main Street. The projected \$11 Million plant would operate on long chips, unusable wood products and bi-products that could be obtained locally. Mr. Ashley took into consideration several suggestions and questions on location and use of materials and roads.

Budget Report – The Town Manager reported that, looking at the 30th week of current expenses for 2011, the Town appears to be at the right level or below expenses – General Fund average 47%, Special Services 55% (some of which will be made up from reimbursement from contracted job with S.D. Ireland), Public Service approximately 52%, to be reviewed in August.

Tax Sale Date – Mr. Nelson reviewed the proposed changes to the Town's Tax Sale Policy:

- Currently, anyone owing more than one year in delinquent taxes is required to pay off all but one year of delinquency before the Town will accept an agreement. Propose that an agreement can be made to pay off more than one year of taxes, provided 100% of delinquent taxes are to be paid off before the next tax bill is due, per the agreement.
- Generally, the tax sale policy has been to put a property on the tax sale list if there is two years or more of taxes outstanding. This is to be officially added to the Tax Sale Policy (see attached).

On a motion by Jim Rust, seconded by Bill Merrow, these two points to the official Tax Sale Policy were approved by the Board.

On a motion by Jim Rust, seconded by Rod Lamotte, the Board voted unanimously to set the date of the tax sale of October 26 at 10:00 AM.

Mr. Nelson reported that, of the \$500,000 delinquent taxes at the end of 2010, there remains \$336,000, averaging receipt of \$30,000 per month, with more already in agreements.

Catering Policy – After Mr. Nelson received a written opinion from Town Attorney Ed Zuccaro, Bill Merrow followed up with the State Liquor Control Board. Mr. Zuccaro's opinion was that the Selectboard does not have the ability to transfer authorization of its duties on to another individual, and if the Catering Permits were signed by the Town Clerk, it might not stand up in a court matter. The State Liquor Board told Bill Merrow that the liquor board does recognize a permit signed by the Town Clerk's office, and in fact "many" towns do submit catering permits signed by the Town Clerk. There was some discussion amongst the Board, and residents who support the Board of Selectmen continuing signing every catering permit. Bill Merrow made the motion to allow the Town Clerk's office to sign authorization on Catering Permits submitted only by companies that had a previously approved liquor license in place. The motion died for lack of second.

Vendor License – Ralph Nelson reminded the Board that last year they had discussed pro-rating itinerant vendor's licenses for people who only want to operate for a few months, rather than having to pay the full \$150.00 for a full year. Jim Rust pointed out that street vendors compete with local businesses, which was the original reason for assessing the fee. Jim suggested Mr. Nelson contact other towns to see how they handle the situation.

Arnold Park Fountain – Linda Garey and Martin Fortin presented an update on the fund-raising for "The Lady" of the Fountain. Total fundraising is \$12,332, and \$52,500 would still need to be raised for the entire repair. The basin and piping will also have to be replaced, which Danny Scott had previously told Linda, he and his crew would be able to help with. General agreement to wait until all the money is available for the renovations before sending the Lady out. The Board discussed asking voters through special appropriation to finish the project in March 2012.

Healthy Communities Grant – Laural Ruggles reported to the Board that, since she understands the Town is ready to implement a healthy living program, not just study, there is a \$10,000 implementation grant available, which she felt would fit with the current Town Plan. General discussion ensued on types of programs the grant could be spent on. Laural said the hospital would implement the grant, but the Letter of Intent had to be sent by August 26. Brian

Quatrini suggested Mr. Nelson meet with Planning Commission Chairman Tim Angell to come up with some ideas for possible use of the grant.

Manager's Report – Ralph reported that he and Chief Troy Ruggles met with FEMA representatives and suggested the Town may get reimbursement of 75% from FEMA and possibly 12 – 15% from the State as a result of damage from the May 2011 floods.

Mold and asbestos have been found in the basement of the Community Building, and an investigator from VLCT will be in to assess the clean up. Ralph said there is money in the building fund to complete some of the clean up at this time and it should be addressed.

The Town Manager reported that Assessor Linda Colby is in the midst of hearing tax grievances and has approximately 22 remaining. The Bike Path construction is underway and on schedule. The Town has received the \$1.4 Million bond for the construction at the Pomerleau Building and a crew from the work camp is already working to clear the third floor for construction.

A special Selectboard meeting will be held on August 2 to discuss the sidewalk/construction situation on Spring Street. Mr. Nelson had consulted with Fire Chief Troy Ruggles on minimum width requirements.

The Town Plan is nearly complete after adapting for a change in format.

On a motion by Jim Rust, seconded by Bill Merrow the Board voted unanimously to go into executive session at 8:15 to discuss legal and personnel issues.

On a motion by Bill Merrow and a second by Rod Lamotte, the Board voted unanimously to come out of Executive Session and adjourn at 8:45

Respectfully Submitted,

Ida W. Rainville
Executive Secretary