

ST. JOHNSBURY BOARD OF SELECTMEN
Wednesday, August 8, 2012

The St. Johnsbury Selectboard met on the First Floor of the Pomerleau Building on Wednesday, August 8, 2012 at 700pm for its Regular Meeting of the Select Board. Present were: Chairman Jim Rust, Vice-Chairman Alan Ruggles , Rodney Lamotte, Bernard Timson, and Kevin Oddy.

The meeting was opened with the Pledge of Allegiance at 700p.

PUBLIC ATTENDANCE

Also present: Special Assistant in Town Manager's Office Dawn McPhee, HR Manager Courtney Daniels, Town Clerk/Treasurer, Stacy Jewell, Janet Quatrini, Tony Greenwood, Nancy Cohen, April DeLuca, Bob DeLuca, Theresa Stevens, Gary Lunderville, Brian Christman, Frank Landry, Al Dunn, Cindy Robillard, Mike Fortier, Tim Persons, Ray LaBounty, Bill Vermeulen, Lisa Briggs, Jeanne Patoine, Michelle Fay, Dinah Yessne, Bruce Corrette, Kyle Sipples, Pam Parker, Lisa Viles, Margaret "Ranny" Bledsoe, Caroline Noel, Jo Braman, Steve Kline, Lallie Nambourg, Tracie Robillard, Maureen Robillard, Kay Clifford, Aaron Schwartz, Sharon Heidemann, Werner Heidmann, Isabel Swartz, Bob Swartz

PRESS ATTENDANCE

KATV and Todd Wellington of Caledonian-Record

PUBLIC COMMENT

Bill Vermeulen inquired into the construction at Arnold Park as well as rumors of errors in engineering.

Janet Quatrini requested agenda #13 and 14 be moved up after public comments as its important to the audience.

Werner Heidemann questioned who would pay for utility pole movements at Arnold Park, as it may be an expensive task.

Pam Parker reiterated the funding request for the Polly Park.

Steve Kline asked about Church Street and access to residents.

Frank Landry inquired into the narrowing of Summer Street which is causing parking issues.

Lisa Briggs requested information about the audit. She also requested the final budget on Pomerleau Building. Inquiry was also made into the Arnold Park funding which went up to 125k.

Mike Fortier made a statement on the Community Advisory Group as he was elected the spokesperson. The first issue was about transparency in government and requested Jim Condos to come to the Town and present his Transparency Seminar. This will take place on Tuesday, August 14th at St. J School for 7pm for this seminar and will be open for the public. He implored the board to attend.

MINUTES

Rust clarified the last meeting minutes and comments made by Jim Condos were on minutes not yet reviewed and approved by the Board. Lamotte motioned to approve minutes with following amendments: Sorrell was quote (and not an invoice) and last page should read that the Board ratified the decision made by Town Manager's staff. Tony Greenwood inquired into draft minutes versus final draft. Quatrini inquired into website and updating minutes on the Town's website.

On a motion by Oddy, seconded by Lamotte, the minutes of the regular meeting of July 16, 2012 was unanimously approved.

Steve Kline asked about Condos retracting his comment. Rust confirmed that Condos would not.

Dinah Yessne recommended names being used for minute taking.

Mike Fortier inquired into accuracy of minutes and how they should be recorded.

Ray LaBounty commented on Condos' opinion about the lack of transparency in the Town.

On a motion by Lamotte, seconded by Timson, with Ruggles abstains from the vote as he was absent, the Board approved the minutes of the Special Meeting of July 19.

LIQUOR AND CATERING LICENCES

On a motion by Timson, seconded by Ruggles, three licenses were approved.

ST. JOHNSBURY SCHOOL SUPERINTENDENT

Rust introduced the new superintendent, Margaret "Ranney" Bledsoe who spoke to the audience. Since July, she has been in Town and working toward the new school year. She is glad to be a part of this Town and invited those in the audience to attend the next School Board Meeting of August 13th at 6pm.

DOG MOUNTAIN

Gwen Huneck of Dog Mountain has given her intentions to the Board about a potential legal action against the Town. Tony Greenwood inquired into type of legal action which was confirmed that it was tort action against actions made by the former Town Manager.

TAX RATE

Chair put forth a request to set the tax rate by August 15th and due by November 16th. Chair read rates for each fund. On a motion by Ruggles, seconded by Lamotte, the Board unanimously approved the new rates.

TAX SALE

Rust requested to set date for tax sale for December 4th which also works for Town Counsel. Ruggles questioned the timing of the sale given the holidays. Timson, the Board liason for tax collection, would like to include as many years on the tax sale. Tony Greenwood inquired into the tax collector and who is in an acting capacity? He inquired into delaying a sale due to economic times. Mike Fortier asked about the 2010 reassessment and its impact on the delinquent list. Ray LaBounty confirmed that Timson is not talking to residents but rather the Town Clerk. Ruggles suggested a date in March. On a motion by Timson, Lamotte. With Ruggles opposing, the Board approved the tax sale date of December 4th.

INFORMATION TECHNOLOGY

A presentation was made by Town Clerk on record keeping technology and a contract for the next 5 years. The State is moving toward electronic record keeping of land records, etc. and she would like to make sure the Town is at the forefront of this project. Quatrini asked about the bid process and would have liked a 3rd quote. Mike Fortier expressed concerns about the magnitude of this project and the lack of capacity to sustain this project. Ruggles questioned who would scan the volumes of documents which can be done by Town staff or the contracted vendor but which would come at an additional cost. On a motion by Lamotte, seconded by Timson, the Board authorized to contract with ACS.

NEPOTISM POLICY

The nepotism policy was presented to the Board for review and approval. Mike Fortier inquired into changes, if any, from last meeting which was very little. This policy would change the current one in place where no relative would be able to work for the Town. The new policy would allow family members to work for the Town albeit in different departments so there is no direct supervision. A waiver, which was taken from the State, is in place under this policy for extreme circumstances. Cindy Robillard would like to review a recruitment policy. Dinah Yessne requested information on the process. Ruggles inquired into the grandfather clause for current employees who may be in violation. Rust confirmed that Board would not discipline current violators but rather grandfather current employees. Policy would not allow employees in same department to advance unless a waiver is granted by Town Manager.

Oddy would like to amend the policy to include a grandfather clause and employees would not advance unless through attrition.

COLGROVE PROPERTY, 37 AUTUMN STREET

The property at 37 Autumn Street was approved by DRB for site demolition; however, the Town is awaiting USDA final approval for the agreement. Motion to accept change order pending USDA approval. On a motion by Lamotte, seconded by Oddy, the Board approved the change order request pending USDA approval. Ruggles confirmed that if RD refuses the agreement, the Board will review the change order request again.

ENHANCEMENT GRANTS

Rust provided an update on grants being submitted as Transportation Alternatives rather than under the label of "enhancement". Mike Fortier confirmed that the platform funding request will be entered as a transportation alternative grant. In prior years, RCT made the request was denied and the State is disallowing non profits to apply for this grant.

ASSISTANT TOWN MANAGER

The job description for an Assistant Town Manager was presented to the Board review and approval. This would be to create a succession plan without any budgetary ramifications but provide a plan for continuity of the duties and responsibilities within the Town Manager's office. Mike Fortier and Janet Quatrini requested to table this issue until a Manager is selected who should be able to select his/her own assistant. Lisa Briggs would like the Town Manager to supervise any assistant. Cindy Robillard would like to know how this complies with Town Charter and Town Plan. Ruggles points out areas of responsibilities as well as assistant being under the Town Manager. Al Dunn would like the Board to consider the methods in which it operates. Ray LaBounty would like the process to hire employees with integrity and would like the citizens to be involved in the hiring process. Lamotte made a motion, seconded by Timson, to accept the description. Oddy and Ruggles opposed. Rust broke the tie to accept the job description as written.

Oddy confirmed the confirmation of a job description and awaiting the contract language from legal counsel which will be considered at the August 27th Board meeting.

TOWN MANAGER SEARCH

Board was provided a packet from VLCT for a town manager search. On a motion by Oddy, seconded by Timson, the Board approves to use VLCT process. Ruggles would like to amend the motion to utilize a Citizens Group as advisory group. Timson withdraws his second. Ruggles then seconds motion made by Oddy. Timson and Lamotte oppose. Rust opposes; therefore motion does not pass.

On a motion by Ruggles, seconded by Oddy, the Board approves to use VLCT in its search for a town manager without the participation of a Citizens Group.

OFFICE OF TOWN MANAGER

- a. Police Department staffing – Chief Houde requested to fill the vacancy left by Sgt. McGarvin with Kevin Barone. This would not impact the budget as it's a replacement. On a motion by Ruggles, seconded by Lamotte, the Board unanimously approves this request.
- b. Efficiency Vermont Agreement - Rust requested to execute document to obtain reimbursement for efficiency upgrades to Pomerleau Building. On a motion by Ruggles, seconded by Oddy, the Board approved the Chair to execute this document.
- c. Fundamentals of Asset Management is a 2 day seminar to be held in late August. On a motion by Oddy who also recommended sending 2 people, seconded by Timson, the Board approved the seminar which is to be attended by two employees.
- d. USDA Funding – Rust gave the Board an update that the Town was not eligible for 75k loan previously presented to the Board.
- e. Caledonia Fish & Stream – Rust presented requests for signs on bridge near Lydal Building which needs approval from Town. Ruggles would like to see the sign design. Oddy would like more specifics on the sign such as attachment and possibility of stand along sign. Oddy motions to have a representative with mock up of sign or send design concept to the Board for consideration. Ruggles seconds and Board agrees to wait for a representative and information.
- f. Parking Lot Issues (Cohen & Gilman Housing) – a request for overnight parking accommodation was made by Gilman Housing residents to be closer to front of Railroad Street. Ruggles would like to allow the spaces. Rust would like to seek clarification from Diane Perkins. Motion by Ruggles to allow spots as requested, which Oddy seconds. Timson adds to allow spots if available, and if not, for Gilman to return to Board with request. Board approves the request.
- g. Cohen Parking Lot Property by Movie Theatre – owner would like to have State to lease the lot; if not, the Town can begin negotiations about the condition and use of the lot.
- h. NECKA is hosting an open house on August 14 from 3-6pm.
- i. Delta Dental plan renewal – Rust put forth a request for the Chair to sign renewal. No changes were made to the plan. On a motion by Ruggles, seconded by Oddy, the Board approves the Chair to execute the renewal.
- j. Change Order 3 – Rust recommends to table this request which Oddy seconds and Board approves.

OTHER BUSINESS

Brian Christman outlined various requests with respect to records and transparency that he has presented in the past. He is promoting that current Board is honest and transparent.

Mike Fortier requested information on funding from prison which has not been brought up to the Board yet and clarification on COBRA issue. Rust confirmed that the Town is not being penalized as it did not violate any laws.

Lisa Briggs sought information on Gil Roberts doing ticket enforcement. Rust confirmed that it is a accommodation to Roberts.

Ray LaBounty requested information on DPW employees not being allowed to do their jobs. He sought leadership in public works so as to avoid potential grievances. Rust requested more information on some incidents in order to confirm them for the Board.

Nancy Cohen requested information on the Dog Mountain packets for the audience. Rust confirmed that it was a public document and copies were made available to the public.

Janet Quatrini commented on the inappropriateness of a member's comments about Chairman Quatrini's actions in the past.

Caroline Noel commented on her issue with respect to the lack of permit to use a part of her land to fill. Rust and Tim Persons, a member of the DRB, confirmed that she would need to resolve her violations with the State prior to the DRB reviewing her request for a permit to dump.

Mike Fortier commented on the lack of substantive material provided by Gwen Huneck.

Al Dunn inquired into the cost of the fountain restoration.

EXECUTIVE SESSION FOR CONTRACT, LEGAL, PERSONNEL

At 1203am, on a motion by Timson, seconded by Lamotte, the Board unanimously approved to move into executive session on a legal matter which came at the request of Town Counsel, Edward Zuccaro and Kyle Sipples.

ADJOURNMENT

At 200am, on a motion by Timson, seconded by Lamotte, the Board unanimously approved to move out of executive session and adjourn the regular meeting of the selectboard.