

**Town of Moretown
Office of the SELECTBOARD**

Unapproved minutes of the January 7, 2008 Selectboard meeting

Members present were: Paula Mastroberardino, Rae Washburn, Stephanie Venema, Don Wexler, John Hoogenboom

Guest present were: Paul Gillies-Attorney for the Town, Wilma Maynard, Sheila Griffith, John Williams-Channel 44, Kara Herlihy-Valley Reporter, Firemen: Shane Grace, Eric Howes, William Houghton, Johnny Summers and Gary Webster, Hoover Austin, Doug Reed and Cheryl Brown-clerk for the Board

Buttolph petition - Paula moved to enter into Deliberative Session to discuss with Paul Gillies a petition from Edward Buttolph Trust requesting that the Selectboard layout a right of way through Mary Ronner's property to be used for logging by Mr. Buttolph. John seconded. All were in favor.

Paula moved to come out of Deliberative Session. John seconded. All were in favor.

Paula moved that the Moretown Selectboard deny the request on a petition of Edward E. Buttolph for a layout of a logging easement over land belonging to Mary Ronner. John seconded. All were in favor.

Moretown Landfill Inc. (MLI) purchase & sale contract – Paul presented paperwork for signatures, of an amendment to the purchase and sales contract for the conservation easement. He said the only amendment from the previous contract is the name of the group that will hold the easement.

Paula moved that the Selectboard sign the amended Purchase & Sales contract as presented tonight by Paul Gillies. Rae seconded. All were in favor.

Paul will contact John Schmeltzer for the signatures of the School Directors on the amendment.

On another MLI note – **Gas to energy** - MLI is pursuing town and state permitting for turning gas waste from the landfill into energy. Paul is aware of the Act 250 permit and sees no need for an attorney to get involved at this point. MLI has an application before the Moretown Development Review Board and a hearing is scheduled for January 17th at 6:30 p.m., at the Moretown Town office.

PUBLIC COMMENT

Wilma Maynard – asked Paul Gillies – if a Town Treasurer is requested in writing to supply information and failed to supply that information in a timely manner, would that be grounds for that Treasurer to be ineligible for reelection?

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Paul said there is a statute which applies to the negligence to perform duties of the Treasurer as they are defined by the State, but it is not up to the Selectboard, or any town officer, to enforce the statute as it currently reads. If any citizen(s) were to challenge the qualifications of an officer's eligibility for reelection, that challenge would be in the form of a lawsuit that would be presented before the next election, and the question of whether or not the person was qualified to run for office would then be a court decision. If the court determined the person was not eligible to run for office, the person's name would be stricken from the ballot or if it was too late to strike the name from the ballot and they were elected, the second person with the most votes would then take the office after being appointed by the Selectboard. Simply, any taxpayer, voter or landowner in Moretown could make the request/complaint via lawsuit and the court would look at the evidence presented with the claim very seriously before making a determination that a person was ineligible to run for an office. Willful neglect would also be question for the court.

Wilma asked if the failure to have reports ready for audit by a certain date prior to Town Meeting would make a Treasurer ineligible for re-election.

Paul said that would be a determination the court would have to make, but there is a statute which addresses the issue.

Sheila asked Paula if she had received all of the account balance and financial information she requested of Susan last month?

Paula answered no I have not.

Paul said the Selectboard could go to the court, under the grounds that several citizens have questions and concerns, and ask how they should proceed. He said that is not uncommon for a town to do that.

Kate O'Neill came in tonight to make the town aware of a funding opportunity from the Agency of Transportation called Safe Routes. Basically the program offers funding for the town and school in partnership with other town boards to create safe routes to school. Kate will notify the school also of the program and left an application for the school and town to jointly apply for grant funding which would pay for things such as planning for traffic control, training for volunteers/parents about safe bicycling or walking to school and secondly infrastructure such as sidewalks, traffic calming improvements, bicycling facilities such as bike paths etc. All grants are for 100% funding of non-infrastructure and infrastructure phases.

Kate is willing to make the same presentation to the School Directors at their next meeting and will call John Schmeltzer to get on the agenda.

Don will call Roberta and let her know of the Selectboard's support for pursuing an application for grant funding.

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E911 Coordinator – Shane Grace came in to continue discussions with the Board about becoming Moretown’s E911 Coordinator. Same said he spoke with Vermont’s E911 Coordinator who said he needs to be appointed by the town before he can get the paperwork and training he needs to become a Coordinator.

Paula moved to appoint Shane Grace as Moretown’s E911 Coordinator. Stephanie seconded. All were in favor.

Shane will get back to Cheryl with an idea of how much the Selectboard should budget for the E911 work.

Paula will call George Moulton and let him know of Shane’s appointment.

Eric Howes – Fire Department’s request for a new first response vehicle – Eric asked the Selectboard what their plan is regarding the Fire Departments request to have an article for a new fire truck?

The Board told Eric that they still in the process of working on the town budget and articles for Town Meeting.

Members of the fire department spoke, that regardless of a grant being applied for and/or received, they would still like there to be on an article at Town Meeting for the purchase of the new fire truck. Eric said he thinks this request has been part of the planning process since the last truck was purchased. Eric said the next request for a fire vehicle would not be until 2019 when the pumper truck would need to be replaced.

Stephanie said federal money is allocated to every state each year and she thinks the Fire Department should pursue grant funding to help pay for the fire truck.

Eric agrees that Will would pursue grant funding, even though some of the fire department thinks the Selectboard should be the ones pursuing the grant, but feels there should still be a Town Meeting article.

Will said he will call FEMA and ask about the purchasing process and to ask, if the Town applies for a grant, purchases the fire truck and then was awarded the grant, could the grant funding be used to reimburse the town for the purchase of the vehicle or would the Town need to wait to purchase the vehicle until after the grant was awarded.

Minutes:

12/17/07 - Paula moved to approve the minutes of 12/17/07 as written. Rae seconded.

Discussion – Jennifer Champney continues to exchange emails with Paula and is working to provide additional information which Paula will then share with the Board.

Vote – All were in favor.

Town Clerk/Treasurer business – The Board received a letter from Susan. The letter will be discussed when they continue with the budget work.

Warrants and invoices were approved as submitted.

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OLD BUSINESS:

Personnel/Benefit plan – Stephanie provided an updated personnel and benefit plan draft. The Board reviewed the draft and made revisions which Stephanie will incorporate for the next meeting.

Health insurance benefits were discussed at length. John feels each employee should contribute at least 10% toward the cost of their health insurance as well as cut the amount the town contributes to the employee's Health Savings Account (HSA) (which is meant to cover deductibles), from \$1500 to \$1000 for a single plan and from \$2250 to \$1500 for 2-person plan. There was much discussion about this change.

Paula moved to fund the Health Savings Accounts the same as last year \$1500 per year for a single coverage health policy and \$2250 for a 2-person plan. Stephanie seconded Paula's motion.

Discussion followed that the full amount of the town's contribution would not be deposited as a lump sum this year but rather as 1/12th of the yearly total deposited each month. There was discussion.

Paula amended her motion to fund the HSA's with the same amount as last year - \$1500 per year for a single plan and \$2250 for a 2-person plan, but deposit 1/12th of the yearly total each month into the HSA's. Rae seconded the amended motion.

Discussion followed that every person eligible for health insurance should contribute 10% of the premium cost and that deduction be via payroll deduction. Discussion followed about this change happening immediately or as of 4/1/08.

Vote – Those in favor of funding the Health Savings Account's with the same amount as last year, \$1500 per year for single plan and \$2250 per year for 2-person plan, but deposit the funds on a monthly basis in the amount of 1/12th of annual contribution in the amount of \$125 each month for single health plans and \$187.50 per month for a 2-person health plan. Paula was in favor. John, Rae, Don and Stephanie opposed. Motion failed.

Stephanie moved to fund the Health Savings Accounts with the same amount as last year - \$1500 per year for a single health plan and \$2250 per year for a 2-person health plan and deposit funds to the accounts on a monthly basis at the rate of \$125 to a single person health plan and \$187.50 to a 2-person health plan for the first quarter of 2008. John seconded the motion.

Vote – Don, John, Stephanie and Rae were in favor. Paula opposed. Motion passed.

Paula will email Susan and ask that she have a warrant ready for 1/14/08 for the Board to sign so deposits can go into the employees HSA accounts.

Audit of town finances – Paula said we are waiting for year end reports and fund balances before the year end audit can begin.

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NEW BUSINESS:

Assign Selectboard reports for the Town Report – Tabled until 1/14/08

Moretown Landfill Inc (MLI) – MLI has submitted and application to Act 250 and a zoning application to the Town of Moretown DRB, requesting permitting to convert the gas waste from the landfill to an energy source. The Selectboard received engineering plans from PPL Engineering for the conversion system which they are individually reviewing. A DRB hearing is scheduled for January 17th.

More Old Business:

New Town Garage project – The Selectboard received a letter from Frank Piazza, of questions and concerns about a new town garage remaining in the Village. Hoover Austin has the letter and will meet with Frank and talk about his concerns and review the project in general.

Doug Reed met with the DRB at the town garage and addressed issues the DRB raised at a site visit, via a letter submitted to the DRB on 12/31/07. The DRB minutes reflect that they received and accepted Doug's letter at their 1/3/08 meeting and will reconvene on 1/17/08 to continue review of the zoning application.

Selectboard members intend to attend the 1/07 DRB hearing.

Doug will work on getting a firm cost for a new facility. The Selectboard approved Doug to spend \$400-\$500 if need be to get a firm cost.

Hoover will talk with Frank Piazza and two other neighbors in the project area.

Reports & Communication, Mail

Tax Abatement – Otto & Herta Kuczynski - a letter from the Listers to the Selectboard regarding a \$114.44 tax abatement for the 2007 tax year for parcel # 5B-003.000.

John moved to abate \$114.44 for the 2007 tax year for parcel ID #5B-003.000, of Otto and Herta Kuczynski. Paula seconded. All were in favor.

Cheryl will notify the Listers of the motion to approve the abatement.

Leslie Logan – A letter from Leslie and Nick Logan of Pony Farm Road, addressing two concerns to the town for misuse of their property by the highway crew. The Logan's claim that

1. the while plowing moved snow with the wing of truck in an area adjacent to an apple tree and landscape and clearly went into the ground with excessive clearing unlike what they see on any stretch of road from their house down to Hoover Hill.
2. their lower quad is not available to the town for using as a snow dump as the snow might be harmful to landscape and in many cases not melting until into May and furthermore the thought of moving of snow uphill to melt downhill is not practical, efficient or cost effective and might create an ice slick on Route 100B.

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Stephanie spoke with Craig about the Logan's letter earlier this week. She said Craig is aware of the issue and agrees the Chris might have plowed the snow farther off the town road than was necessary but certainly remained within the town right of way and was part of the normal snow removal maintenance. Craig said he would speak with Chris about not going overboard when pushing the snow banks back.

John will call Leslie and let her know Craig is aware of the complaint and that he will speak with Chris about being careful not to overdo when pushing back snow.

VLCT – reminder of a Grant Workshop and Tradeshow – 1/17/08 at the Montpelier Elk's Lodge.

Vermont Coalition of municipalities – request to be on the ballot at Town Meeting that Moretown will join the Coalition or the Selectboard at least move to join the organization. Paula has the paperwork to review and will report at a later meeting.

Sheila Getzinger – is requesting the Selectboard consider adopting a policy to “grandfather” any access that served a residence prior to 1990 if the resident can prove that they have used the access. 1990 was chosen because before 1990 Moretown files do not include curb cuts for most residences in Moretown. This adoption would eliminate the need for getting an “existing curb cut” permit if a curb cut is not in the Town files, as long as the resident can prove they have been using the road to access their residence.

Paula has the letter and will talk with surrounding towns to see how they are handling the similar request of the valley towns from attorney's working for residents.

AIG – is requesting additional information from the Town before they can proceed with a disability claim for Susan Goodyear. AIG is requesting a Fraud Statement and Authorization for Release of Information.

John will follow-up and bring in the forms for the 1/14/08 meeting for the Board to review.

Work on the 2008 budget and Town Meeting Articles was tabled until 1/14/08. Paula said before going forward with budget preparations she will email Susan to be sure the report and information the Board currently has, reflect actual year end account balances.

John will check to see what figures he might have from Susan.

Paula moved to adjourn at 9:35 p.m. John seconded. All were in favor.