

**Town of Moretown
Office of the SELECTBOARD**

Notice of unapproved minutes of the April 21, 2008 Selectboard meeting

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

Guests: Charlene Lathrop, David Kingsbury, Hoover Austin, Cherilyn Lamson, Donna Centonze, Amy Deutl, Kara Herlihy-The Valley Reporter, Karen Horn, Steven Jeffrey-VLCT, Mike Gilbar-VLCT, John Cushing-President of the Clerk & Treasurer Association, Eric Howes, Shane Grace, Will Houghton, Larry Dingie, Carl Wimble, Cheryl Brown-Admin. Asst

Don called the meeting to order at 6:00 p.m.

Public Comment:

Charlene & David re: Kuczynski law suit – When the Selectboard agreed to abate Kuczynski’s taxes by \$114.44 via a letter from the Lister’s to the Selectboard on 1/7/08, the Board’s decision was not passed along to the Treasurer therefore, the abatement was never credited to Kuczynski’s 2007 taxes. The Town has received documents from small claims court in the amount of \$156.31 which includes interest and court fees.

After discussion about procedures for abatements should be handled, Paula moved to approve the Small Claims Court documents and pay the \$156.31. Don seconded. All were in favor.

The documents were given to Amy so she could prepare a warrant.

Old Business:

Town Office use – Don reported that he, John, Deborah, Amy, Cherilyn and Cheryl met on 4/14 to discuss how best to use the town office space. All who use the town office for meetings were identified and discussed the possibility of using other town buildings for meetings since the town is outgrowing the town office. The decision was to clean out the two back rooms and Amy will use one of them for her office. A large box container will be used to store the files until they can be sorted through and either destroyed or stored. All unused file cabinets will be either given away or destroyed. April 25 has been the date set to clean out the back office so Amy can use it.

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New town garage – (some of this discussion happened later in the meeting)
Hoover said as far as he knows, the engineer is lined up to come to the 4/24 DRB hearing. Hoover brought in photos showing runoff after a large storm. He said the photos show the runoff was minimal and most of the runoff was coming from the direction of the Mays property, not from the town garage.

Rae said we need to purchase the property now, get the drawings done, have the old garage inspected for asbestos and tear it down or we are going to be doing construction late into the summer.

Don suggested waiting until after the DRB meet on Thursday to make the decision to purchase the Ward land.

Rae said the after Thursday's hearing, the DRB may not have their written decision for another 45 days which would definitely hold up the project. If we purchase the land we can at least have that site ready for our winter sand, septic etc.

Rae said the Selectboard needs to recognize the need to get this project going now and not wait until the DRB's final decision. He said we need to get the asbestos assessment, have Doug Reed start on the structural drawings if he can, purchase the property so we can start moving the sand pile and prepare the site and get a storage trailer and start cleaning out the old garage so we can tear down the old building as soon as we can.

Stephanie mentioned a company in Burlington that might tear down the garage for free if they get the old timber.

Rae said that was a good idea as long as they can do it quickly. Stephanie will forward Rae the name.

Discussion followed about finding someone to oversee the project. The board will talk with Hoover and Doug on Thursday about this. The Board also needs to get an hourly rate to prepare the structural drawings and a rate for the construction manager.

Cheryl will check with Paul Gillies to be sure he has the latest Purchase & Sales Agreement from Rick Darby so the town can go forward with the land purchase.

The DRB meets again on this application on 4/24/08 at 6:30 p.m.

Steven Jeffrey, Executive Director and Mike Gilbar, Chief Financial Officer of VLCT and John Cushing, President of the Town Clerks & Treasurers Association were in to talk with the Selectboard, Amy and Cherilyn to define the Treasurer/Clerk duties, Town Manager versus Town Administrator authority, mail opening procedures, proper Selectboard order preparation and a formula to set the tax rate.

Steve said the Vermont League of Cities and Towns (VLCT) has a number of services available that the town could utilize. VLCT will also provide on site work shops to train town officials.

Mike Gilbar – Steve said Mike will be leaving the League and Bill Hall will be taking Mike's place soon. Some of the things Bill can help with are: Internal Control procedures to maintain appropriate checks and balances, update and document policies and/or procedures so there is a standard to follow, train the Treasurer on basic fund accounting and/or answer questions on financial reporting, help with the recommendations made by Sullivan, Powers and help with Capital budgeting. His rate would be \$80-\$85 per hour, significantly less than private CPA's.

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John Cushing – Steve said John is also the Town of Milton’s Town Clerk. John can help with day to day questions that come up. Steve recommended adopting policy and procedure standards for all areas that relate to town business ie: opening mail/invoices, bank reconciliations, warrant preparations etc., wherever you can have checks and balances it is good. John said, things done by one person is where you could have issues so anytime you can separate duties, it is good.

Mike said the same person who is preparing deposits should not be the same person depositing the money. He suggested a second person should verify any deposits made.

Amy said Kelly Wood has volunteered to be a “professional volunteer” to help with bank reconciliations. Paula said unpaid professionals such as Kelly Wood, should have the Selectboard’s approval. Amy said she will call Fred Duplessis for his opinion.

Warrant/Selectboard order preparation – Amy suggested separating the invoices and placing them in folders by department and the individual departments would place the general ledger codes on the invoices so the proper budget account is charged.

John H. said for 20 years the Selectboard clerk opened all the mail that was addressed to the Selectboard or the Town of Moretown and prepared the Selectboard orders so the Board could review the invoices before they were paid. Then when the Treasurer started using NEMRC the Selectboard clerk was not allowed access to the computer to enter the invoices onto warrants and the entire mail opening/Selectboard order process changed. John added that Cheryl knows how the invoices should be coded.

John C. said a procedure policy in place would state exactly how the procedure would work and would also ensure checks and balances.

Town Manager vs Town Administrator – Steve said State Statutes set forth the duties of Town Manager. He said a Town Manager is voted by the town and would take over most of the duties of the Selectboard. Town Administrator duties are set forth by the Selectboard and the power and responsibilities of the Administrator lies with the Selectboard. Steve said about 60 Vermont towns now have a town administrator of which the Selectboard clerk has morphed into the position.

John C said with a town administrator, the Treasurer’s financial duties stay with the Treasurer, with at town manager he/she has the Treasurer’s financial duties and is voted into the position by the taxpayers.

Tax rate preparation – Steve Jeffrey said the Lister’s, Selectboard, Treasurer, everyone, should be involved in the tax formula to be sure all expenses have been considered. Any surplus should most likely be subtracted from the tax request. The delinquent tax amount should not be considered in the formula.

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Fiscal year end – John C. said the best asset to having a June 30 fiscal year end is for the year end audit process. You also have a better assessment for highway budgeting. When the change is made, you would have an 18 month tax bill, but the payments could be made in installments to have less of a financial impact on the taxpayers.

Overview of the Town Clerk and Town Treasurer duties – John C. said the Town Clerk's duties are to keep the town's records with the exemption of the Lister's and Treasurer's duties. The land records are under the Town Clerks control. The Town Treasurer is responsible for the receipts and disbursement records.

Donna Centonze – said when she came to help with the recording, it was a year behind and property transfers along with checks, have not been sent in to the State.

John C said stale dated checks (6 months old) will probably be sent back by the State. He suggested taking a copy of the check and keeping all checks together in one deposit so they could be easily identified if they are returned. John C suggested calling the Tax Department and possibly the property owners to let them know the check/doc are forth coming. He said the Clerk should definitely keep a file of old check documents forwarded to the State so if there is a question, you have a source to look at. He said this is a very important issue that the Town Clerk is having to deal with.

Cherilyn said there are also survey maps that are not recorded but she is dealing with the deeds and mortgages first.

Don asked how many towns have full-time Clerks and Treasurers?

John C said he isn't sure but the Clerks and Treasurers need assistants especially during election time.

Conflict of Interest policy – **Carl Wimble** asked if we have a conflict of interest policy in place and if not how it would be enacted.

Stephanie said we follow the conflict of interest criteria listed in the Selectboard handbook.

Steve said it is a good idea to adopt a conflict of interest policy. He said there is one on the VLCT website that could be further defined to meet specific needs. Steve said a petition of 5% or more of the registered voters could file a petition to adopt a policy. Steve suggesting talking with Jim Barlow for more specifics.

Paula suggested following the Statute standards listing the five criteria we all abide by.

Steve said the statute is pretty vague for a municipality setting.

Karen said it is not a bad idea to have a policy spelled out for municipal officers.

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Public Comment:

Larry Dingie, Eric, Will & Shane came in to discuss ordering the new fire truck. Larry said he brought a sample generic contract, to run by the town's attorney and modify if necessary. Larry said there is some urgency on the contract because the bid is nearing six months old and prices are increasing. He said he may need to increase his bid on the plastic body because of the petroleum industries. Larry also questions whether or not a 2007 or 2008 medium truck body can be found if we wait too long which might also increase the price of the fire truck.

A FEMA grant application has been submitted but the fire truck can not be purchased before the grant has been awarded, if it is awarded.

Discussion continued regarding whether or not it was appropriate to sign the contract, and have the truck building start, before the grant has awarded which may be in September.

Larry said the number of grants being award is declining. He said he is willing to hold the bid price for one month to give the town time to investigate.

Eric said the voters approved \$160,000 to buy the truck.

Over the next couple of weeks:

1. Erick will call Cody's Chevrolet regarding the availability of a 2007-2008 truck.
2. Stephanie will call FEMA-regarding grant purchase guidelines to see if it the Board can sign the contract to hold the price of the vehicle.

The Board will give Larry a decision no later than 5/19/08.

Old Business:

Tax anticipation note – Amy provided cash flow shortage documentation so the Board could determine how much of a loan is needed to keep the town running until tax dollars are received in November. The Cash Flow Certificate worksheet shows a deficit of about \$588,000. The Town will ask for a \$600,000 tax anticipation note.

Year end audit – Paula said she spoke with Fred Duplessis. He is thinking the year end audit will begin in mid June. The Board has an agreement with Sullivan, Powers for the January 1, 2007 – December 31, 2007 finances and Paula will remind Fred to mail the agreement for the Board to sign for Sullivan, Powers to audit for the period of January 1, 2008 – March 3, 2008.

IRS penalty – Amy said she has seen no invoice from the IRS for penalties they claim the town owes for failure to submit the federal deposit for the 4th quarter of 2007. She thinks when the invoice arrives she will be able to get the penalties waived. No one has seen the invoice but will be sure to give it to Amy when it arrives.

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BCA – Cherilyn said she will be scheduling a BCA hearing soon to go over procedures and so she can give an overview of her recent training. She said after the meeting if any members have questions or would like additional training, VLCT offers in-house training re: tax appeals, BCA duties etc.

Town Office use schedule – Cherilyn suggested having a sign-up sheet or log so all would know when the office is in use or available. She suggested sending all department chairs an email asking that they sign-up for meetings at the town office.

Library and Fire Department association to the town – Amy said both departments are using the town's federal tax ID number yet they have their own checkbooks and bookkeeping records and are audited by the town auditors not the CPA's.

The Board is aware of this as it was a recommendation of Sullivan, Powers that a determination should be made to determine their association to the town. Paul Gillies has done investigative work regarding their association to the town and the Selectboard realizes at some point they must make a determination about what should be done. Both are funded for the most part, through the town budget.

Librarian hourly pay – It was brought to the Board's attention that the Library Commissioners thinks Polly Bentley is being paid \$13.35 per hour. The Selectboard approved the Librarian's pay as \$10.23 per hour. Amy said Polly is being paid \$10.23 per hour by the town.

Town hall repair/renovation – Don will organize a meeting of the town hall committee to review the latest correspondence from Tom Keefe which includes estimates for phase I.

Town Garage – was discussed earlier tonight.

Personnel Policy adoption – Tabled until 5/5/08.

2008 Selectboard work plan – Those given an assignment should plan to give a brief report on 5/5/08.

Capital Budget – Stephanie will organize a committee meeting this week to begin work on a capital budget.

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NEW BUSINESS:

Town office – clean out old records was discussed earlier tonight.

Mowing of town/school property – Don said Meriden Nelson is definitely done mowing and snow blowing. He said Meriden recommended Shane O'Brien to take over. Don wonders if the road crew could do the mowing. Stephanie said she asked Craig and he said it was a possibility depending how often the mowing needs to be done and depending what the highway crews role will be for the town garage project.

Paula asked if the road crew could help out in May until they found a replacement for Meriden? Stephanie will ask Craig.

Shane O'Brien and Ben Abare will be asked to come to the 5/19/08 selectboard meeting.

Mud trucks – Report from Fountain Forestry that mud trucks are destroying public property. Rick Dyer of Fountain said six or so individuals are traveling off Hog Hollow Road onto private property and causing sever soil erosion issues.

The board wonders if they could meet at Leo Ciampi's gravel pit on Jones Brook, invite Rick Dyer, Fish & Game, neighboring parents of adolescents reportedly riding on town highways and the Constable, to discuss the importance of respecting public highways and public property.

Constable – workshop on 4/30/08 at 7:00 p.m. at the Waitsfield town office.

Animal Control Officer – Rae, Stephanie and Paula are sharing the Animal Control Officer duties until an ACO can be appointed. The Valley Animal Hospital is the drop off for stray animals. The Valley Animal Hospital will drop off a procedure about how drop off's should be handled.

REPORTS & COMMUNICATIONS, MAIL

Road report – Stephanie reported meeting with Green Mountain Power and Verizon personnel about moving the poles in the phase III River Road area. She said at the meeting they said they would not move the poles until we have a definite project start date but since then Zack (GMP) called her and he thinks they are going to move the poles anyway.

Road inventory – Craig and Cheryl recently did a survey of all town roads. The information will be entered into the RSMS system. VTrans requires town to keep an inventory of road (conditions, problems etc) and an inventory of all culverts in town, that is less than three years old, in order for the town to receive 80 %-90% reimbursement from the State of Vermont for road projects. The culvert update will be done later this spring and passed along to CVRPC so they can include the changes of a full-sized map.

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Storm Water grant agreement – to repair erosion problems on a portion of the Mountain Road near the Butsch residence.

Stephanie has the agreement to review and fill out.

Don moved to allow Stephanie to sign the Storm Water grant agreement for the Town. Rae seconded. All were in favor.

Firestation siding – the siding on the DiCarlo side of the firestation is falling off and the paint is peeling. Don will write a letter to Hardie Plank and copy VLCT-Kelly Kindestin and Russell Construction.

Sweeping Route 100B – Don said he went to the Middlesex highway garage and asked if they could sweep 100B, because of loose gravel in the bike/ped lane. He said today they sweep from the Green Mountain Power dam to the Ward Fishing hole. It is appreciated.

Don moved to adjourn at 10:15 p.m. Paula seconded.

Rae said the minutes are not approved. The Board will approve the minutes on Thursday evening when they get together for the DRB hearing so they can be posted to the website.

All were in favor.