

UNAPPROVED

Selectboard Meeting Minutes

June 25, 2014

This meeting was called to order by Zeke Goodband at 6:00 p.m. at the Town Offices in Dummerston, Vermont.

Members present: Joe Cook, Steve Glabach and Zeke Goodband.

Not present: Gurudharm Khalsa and Lewis White.

Also present: BCTV, Lee, Archie Clark, Mike Faher from *Brattleboro Reformer*, Pam McFadden, Jean Newell, Harold Newell, Gail Sorenson, and Claudia Teachman.

On a motion by Joe and seconded by Steve, the Board voted 3-0 to approve the meeting minutes of June 11th.

Steve disclosed that a warrant payable to Glabach Contractors in the amount of \$765 for work performed on the Middle Road ledges was included in the warrants to be considered, and offered to recuse himself from the consideration of that warrant if any of those present wanted him to do so. None of those present asked Steve to recuse himself from that vote. On a motion by Joe and seconded by Steve, the Board voted 3-0 to approve the payment of Warrants 26 and 26P, Recreation Board #10, and Cemetery Fund #4.

Gail Sorenson reminded the Board of the recent amendments to the open meeting law that will take effect on July 1, 2014, and asked where notices of Town meetings would be posted during the summer when the school is closed. Pam McFadden and Laurie Frechette will address the posting of those notices.

Harold Newell raised a question about the Board's use of executive sessions, and said that after meetings were held in executive session the Board needs to state whether a decision was made in those sessions.

Lee Chamberlin opened the bids for paving on Middle Road, and recommended that the contract be given to Lane Construction, which handled the Town's last paving project. Although Whitcomb Construction proposed charging a lesser amount per ton of asphalt, that company did not attend a pre-bid meeting. Following a motion made by Steve and seconded by Joe, the Board voted 3-0 to grant the contract for the paving project to Lane Construction.

Six contractors were asked to bid on the Quarry Road project. Four of them attended a pre-bid meeting. Clark Contractors submitted the only bid in the amount of \$140,284. Lee thought that it was for an appropriate amount. Following a motion made by Steve and seconded by Joe, the Board voted 3-0 to grant the contract for the Quarry Road project to Clark Contractors.

Lee, Steve and Zeke were with residents of Polpar Commons during recent blasting at the Renaud Gravel Pit. Although monitors confirmed that the intensity of the blast was consistent with prior blasts, those residents thought that it was of a smaller magnitude. All of the blasts to date have measured well under the standards that are specified in the blasting permit. Claudia Teachman spoke on behalf of several residents, who complained that a subsequent blast rattled their homes and dishes, and woke them up. She said that one of the blasts took place after 5 p.m., and was therefore not in compliance with the terms of the permit. Zeke has discussed this matter with representatives of Vermont's Agency of Natural Resources, and asked them why neighbors have complained about blasting when monitors have shown the magnitude of those blasts to be well within permitted limits, and why only a few homes have been affected. Zeke will be discussing this matter further with the state's geologist. Claudia and Zeke agreed that Mike Renaud is doing his best to comply with permits for his gravel pit, and wants to be a good neighbor.

The Board received an e-mail from Jean Newell asking that a sign be placed at the east end of the Covered Bridge asking motorists to turn on their lights to improve visibility. Although Lee expressed some concern about too many signs, he agreed to have such a sign installed. Zeke will ask Stan ("Smokey") Howe why the lights inside the bridge do not turn on occasionally when it is relatively dark outdoors.

The Board also received an e-mail from Gail Sorenson expressing concern about the legal fees that are attributable to the Learning Collaborative's tax appeal, and the process of that appeal. \$6,529 has been spent on that appeal, which was recently decided in favor of the Learning Collaborative. Pam McFadden said that pursuant to 32 V.S.A. § 3802, properties owned by tax-exempt organizations are not included on the education grand list. Joe agreed to speak with the Town's attorney concerning how the Town should proceed with this matter, and relay his findings to Steve, who will in turn discuss this matter with representatives of the Learning Collaborative. During prior negotiations the Learning Collaborative offered to give the Town \$3,338 annually in lieu of property taxes.

Zeke noted that the FY 2013 final audit included some minor recommendations which the Town is adopting. At Jean Newell's suggestion, Pam McFadden agreed to see that the audit is posted on the Town's website.

The Board considered the proposed FY 2015 contract with the Windham County Humane Society. That contract calls for a \$350 flat fee, and encouraged the Town to authorize the Humane Society to collect \$30 from Town residents to retrieve their animals when they are impounded. The Humane Society then pays that fee to the Town. Upon a motion by Steve, and seconded by Joe, the Board voted to approve the contract with the Windham County Humane Society, and raise the fee for the return of animals from the Humane Society to \$30.

It appears that the Board may not have a quorum for its meeting on July 9th, and will therefore be unable to approve warrants. Following a motion by Steve, and seconded by Joe, the Board authorized Zeke to sign warrants at that meeting.

If the educational tax rate is received in time, the Board will have a special meeting on June 30th at 4 p.m. to set the tax rate for the next year. Pam McFadden asked the Board to approve the payment of up to \$2,000 to Kofile for the restoration of the Town's land records. Upon a motion by Joe and seconded by Steve, the Board voted 3-0 to approve that payment.

At 7:30 Steve moved to enter executive session to discuss a legal matter. Joe seconded that motion, and it passed 3-0.

The Board came out of executive session at 7:48, and took no formal action. Joe agreed to advise the Town's counsel of a possible suit against the Town, among others.

There being no other business to come before the Board, the meeting was adjourned at 7:50.

Approved

Zeke Goodband, Chair

Joe Cook, Clerk

Submitted by: Joe Cook, Clerk