

Town Of Groton, Vermont – Selectboard Minutes, December 3rd, 2015 (Approved)

The duly warned meeting of the Groton Selectboard of December 3rd, 2015 was held at the Groton Community Building, 1476 Scott Highway.

Attendance for the meeting included Linda Nunn, Brent Smith, Dorothy Knott, Henry Knott, Shawn Crown, Kitty Diggins, Paul Berlejung, Bruce Genereaux, and Dan Robinson.

The Following Selectboard Members were in attendance: Peter Lyon, Andrew Dorsett, and Mary Grant

The Meeting was called to order at 7:00 PM

Updates/Adjustments to the Agenda:

Peter Lyon made the following adjustments to the agenda: Efficiency activities with Kitty Diggins, Recreation Committee activities with Paul Berlejung, Harv Orr Road update with Shawn Crown, Review gym ceiling insulation bids. Loose poultry complaints with Linda Nunn, Fire Dept with Dorothy Knott.

Public to be heard:

None.

Poultry Complaints:

Linda brief the board on complaints she has received from residents at Clarks Landing about chickens from the neighbors that are “free ranging” in the drive way and yard eating all of the bird food and that residents and visitors have stepped in the chicken’s waste and tracked it into the building. Linda said that other townspeople have also seen the chickens roaming in that area. They also made a complaint of vehicles parking along the roadway which is against town ordinances. Kitty Diggins also made a complaint about her neighbor’s chickens in her yard as well on her porch and in her garage and eating her bird seed. The Board’s recommendation was to turn the complaints over to the animal control officer and have her look into the complaints. Linda said that chickens are technically agricultural, but the dog ordinance says “animal” so she believes this would apply to chickens as well and they should be fenced in. Peter asked Linda to notify animal control and have her look into it further.

Recreation Committee activities:

Paul Berlejung submitted a memo to the Select Board announcing the Ireland Holiday concrete mixer will be at the Library from 6pm to 7:30pm on Friday December 18th. They have scheduled an inclement weather date of December 19th. There will be snacks, hot cocoa and coffee available. They have scheduled advertising in the Bridge Weekly Sho-Case, (\$50) and WYKR (\$80).

Paul also briefed the Select Board on a proposal to create a Recreation Committee Director. In 2015 the town lost the music in the park and the Halloween party. In previous years, the Children’s fishing derby and Fun Run have fallen by the wayside. The proposed position would allow for 3 hours per week x 52 weeks @ \$15.00 totaling \$2,340 added to the Recreation Committee budget. This position would include program development, advertising, attending select board meetings and conduct Recreation Committee meeting. Events would focus on gym use and include as an example, kids vacation activities, holiday events, and adult athletic activities. Some activities generate revenue which would offset a portion of the money requested to fund this position.

Peter asked Paul what he thought the next steps would be and suggested presenting the proposal to the Recreation Committee and having them make a recommendation to the Select Board. Paul said, if the Town doesn't have room in the budget, then not to worry about it. Mary said that if the Recreation Committee makes a recommendation, the Select Board will take it under consideration when the Board finalizing the budget and see if there is room to add it to the Recreation Committee's budget. Andrew agreed with Paul that some activities would help offset the cost of funding the position. The Board thanked Paul for his time.

Efficiency Activities:

Kitty briefed that LED out side lights were available for \$148 and there was a rebate available from Efficiency Vermont for \$100. Previously that rebate covered the entire cost of the light but they have since lowered the amount to \$100. Kitty gave Lisa Hart, Treasurer the P.O. and Invoice for the light and it will need to be installed prior to December 31st 2015 to qualify for the rebate. Mary moved to have the light installed and complete the paperwork to receive the rebate, Andrew 2nd the motion. Peter asked Brent if he would be able to install the light on the side of the Community Building. Brent asked if there were any existing wires for it. Kitty replied that she didn't know and thought it would probably need to have wire ran to where it would be installed. Brent felt with his Highway Department schedule and being short handed, he would not be able to find the time to do it. Andrew added background information on the cost savings of switching to this light fixture. The Board asked Kitty to research another electrician. The board passed the motion unanimously. Kitty offered to take the produce crates back to 4 Corners Farm for the Fall Foliage Committee on Her way to Bradford.

Fire Department:

Dorothy briefed that the Fire Department had their annual meeting and voted unanimously to keep Wayne Knott as the Fire Chief. Dorothy submitted a letter to the Board that reflected the Departments vote. Dorothy also presented the PO's for the purchase of 10 pagers for the Fire Department and FAST Squad. The purchase was made through a bid process with the Fire Department making the decision based on best price and service. Peter asked if this was from this year's budget and that it was within their budget, Dorothy answered yes. Dorothy said that the Department was hoping to get the Board's signature so she could submit the packet to Lisa. Andrew wanted to ask a follow-up question about the Communications update from the previous meeting. Peter answered that at some point the Fire Department will at some point need to update to digital, but that the pagers were a separate device and not affected. Additional comments were made to update Andrew on the previous meetings communication briefing. Mary made a motion to accept the low bid from Hoffman Radio Network, Andrew 2nd the motion. The board voted unanimously to approve.

Mary made a motion to appoint Wayne Knott as the Fire Chief for the next year, Peter 2nd the motion. The Board voted unanimously to approve. The Select Board congratulates Wayne Knott. Brent wanted to add that the Fire Department wants to put the old truck out to bid with a minimum bid of \$5000.00. A condition of accepting the bid would be that they can use the old truck until the new truck is in service. Dorothy wanted to add that she is working on getting the new truck registered and new plates. She said that Linda was helping her with that paperwork. And she would be going to Montpelier next week. Mary asked about insurance, Dorothy answered that the carrier is ready to switch from the old truck to the new one when it goes into service. Andrew moved that the Fire Department be allowed to put the old excess truck out to bid, Mary 2nd the motion and the Board voted unanimously to approve.

Harv Orr Road Update:

Shawn Crown Briefed that it has taken over a month for Brent to fix the oversized ditches on the Great Road end of Harv Orr Road. The ditch is still too deep on the left side and is an issue accessing his Father's pasture. Mary indicted that there has been some stone put in the ditch and that Brent had taken some vacation time. Shawn was questioning whether or not any stone had been put in the ditch, Mary asked Brent and Brent Responded that they had put a load in that ditch. Shawn asked why it was that he could still lose his truck in there. Mary asked Shawn if there need to be more stone in there, Shawn said yes. Mary asked Brent how many loads he put in there, Brent responded 14 yards, one load and thought that would be enough. The ditches still have to drain water out of the road. Mary said for the record that the ditches were deep and Brent agreed to put some gravel in one side to make the ditch more shallow and less of a hazard. Brent put 14 yards in assuming that would be enough. The residents that travel Harv Orr Road are saying that the ditches are still too deep and are concerned about winter travel. Mary said that now there is a concern for the Crown Farm who can't get into a pasture because of the depth of the ditch they have to cross. Shawn said right now it's like a wall and the tractor can't cross it. Shawn also added that Brent sat in on the meeting when they decided that the road width would be the class 3 standard, and wanted to know why the ditches were dug at the class 4 width. Brent asked when it was decided that Harv Orr Road was a class 3 road. Shawn said they have always talked about doing class 3. Mary added that the Harv Orr Road residents want that road to eventually become class 3 so any work done on the road done at the class 3 standard. Mary added that there are a lot of class 4 miles in Groton and there wasn't money enough to do anything other than grade them in the summer months. Peter acknowledged that the agreement was that the town would supply culverts and the Harv Orr volunteers would do the work. Andrew added that included culvert installation and ditching and everything that was done would lead to a class 3 road, not necessarily reclassifying the road, but the road would meet that standard. Mary continued, Brent went up there and ditched the Great Road end of Harv Orr, they were deep with big banks on them and now they can't access the pasture. Mary and Brent went up and met with Rusty Crown to clarify what needed to be done to fix the access issue. The goal was to haul in some stone to lessen the depth of the ditch and then to have a meeting this winter to map a path forward on the project. Mary said the town is not going to build a class 3 road. Andrew said that the Town ordinance says it is the abutting property owners to improve class 4 roads. Shawn said that Brent had to get the ditch below the natural water line to control the water flow, but he had to go almost 4 feet to do it. Shawn said that his father had dug a shallow ditch for the water and it was working, and was unhappy that Brent had dug the ditches as deep as he did and was nothing like the 2 foot by 2 foot by 2 foot he was shown. Mary said because he had disturbed the natural water line and needed to go deeper to drain the water properly. Andrew asked why installing a culvert at an access point wouldn't work. Mary asked Shawn if that was what he needed to be able to have access. Shawn asked if the Board could tell him where the next mud hole was going to pop up. The whole thing started because of a mud hole. Mary said the best solution is to fix what's broken and walk away. If the Harv Orr Road volunteers want to work on that road, then they can continue the work under the agreement they signed. The Town has a limited role in maintaining class 4 roads. Peter said we have to fix what is wrong, Mary added that we will have to go back in the spring and pull the banks back, because they are so high, Brent said, sloped back. The Boards concern is putting too much stone into the ditches will block the flow of water. Andrew again suggested installing a culvert to allow access to the pasture. Shawn said this was damage Brent created. He was supposed to meet with the volunteers, show them how the ditches were to be done and let them do it, however, Brent did the work himself and now the ditches need to be redone. Shawn said that Brent dumped over 20 loads of fill on his property from those ditches, he should be able to go down there and haul some back. Peter recommended having another meeting on site so that the Select Board can have a better understanding of the work that needs to be done and Andrew concurred.

Peter said one of the reasons he would like to meet on site is to get an understanding of why a culvert wouldn't work. Brent said that's it's December and not the time of year to do road work. Mary said bottom line it that Rusty Crown needs access to his property which he had before work started. The Board settled on Thursday at 7:00am to meet at the Great Road end of Harv Orr Road.

Open Bids for the Gymnasium Ceiling Insulation:

Peter indicated that only one bid was received and that was from Vermont Foam Insulation Inc. The work items included in this bid are: Gym and Stage floor, closed cavity slopes, open wall bays and transition wall. Total amount of the bid was \$12,994. There is a grant application submitted to do the insulation. Mary said we should hear this month if we are going to receive this grant. She recommended that we hold this bid to see if indeed we get the grant. Peter indicated that this bid was for R60 insulation, the Efficiency Vermont recommended R-value. Peter added that Efficiency Vermont has committed to \$1,650 to insulating the gym. Kitty asked if the contractor that submitted the bid was accredited by Efficiency Vermont. Peter answered that Request for bids were only submitted to those companies on that list. Andrew asked if there was an expiration date on the bid, Peter answered that it was good until second quarter 2016.

Review VLCT Facility Use/Rental Policy for Community Building:

Peter had the other Board members review the VLCT packet which included 2 models of a rental agreement. The board was addressed the drinking policy and insurance requirements. The preference was Model two which identified the Facility as a no smoking/no alcohol building. Andrew made a motion that the Board adopt Model 2 as the Building rental agreement. Mary 2nd the motion. Peter wanted to fill in the blanks to finalize the document. Andrew asked about the typical length of a rental. Linda said that it varies greatly. The Idea was brought up that residents should pay a lower rental rate than outside groups or persons. Linda said there are a number of non-profits that use the building as well. Andrew suggested that there be a way for those entities request a waiver of the fee. Linda would have to handle that process because of the number of rentals that she does each month. Linda was concerned about how deposits were handled and would like to see a change. Peter said that the town is spending a lot of money bringing the Gym and Community Building up to code and making it more user friendly. He said that he feels we must take care of that investment. Andrew recommends that a \$50 deposit be the standard even if the fee is being waived and be made as a separate check. Mary suggested that the town has always needed a facilities manager to take care of the facility maintenance needs to include rentals, painting, minor repairs, and managing other town facilities. Andrew suggested changing the Highway Department to a Department of Public Works that this position would fall under. Peter suggested that this be a topic for future discussions. Peter added that at this point a \$50 deposit had been decided on and asked for suggestions for a rental rate. Andrew felt that non-residents pay a higher rate. Mary suggested \$5 for residents and \$10 for non-residents. Linda was concerned that a resident may rent the building for a non resident to get a lower fee. After some discussion the Board settled on \$10 per hour for resident and \$15 per hour. The next item was to set a capacity limit for the building. Peter said that Fall Foliage the building held 275 and we should use this number until the Fire Department can set a final number. Mary asked Linda how many days notice she wanted for cancellation, Linda was unsure because she has a lot of short notice rentals. The Board ask if she felt 7 days was a workable timeframe and she agreed. So the deposit will be returned, the rental fee will be returned if the rental is cancelled 8 days or more before the rental date. Linda asked the board to review Item 6 which covers a requirement for insurance. Andrew stated that most school activities or activities conducted by non-profits are covered by the parent organization. Linda added that a lot of families renting the gym for birthday parties, don't carry insurance enough to meet the \$1,000,000.00 requirement, and that they wouldn't be able to rent the building.

Bruce Genereaux added that he was a business owner in Norwich and rented space for family functions and gatherings. He said that a home owner's policy does cover activities at facilities outside of their property. Andrew asked if he would get a copy of their policy, Bruce said no, he would ask if they owned their home and take it on faith that they were being truthful. If the prospective renter did not own their home he stated that he would use another path. Andrew asked what path, and Bruce responded he would decide based on the event whether it was worth taking the risk of renting without the insurance. Mary asked if anyone has spoken with the Town's insurance carrier. Linda said she has and said that they suggested that the renter sign a waiver relieving the town of responsibility in the event of damage or injury. Peter said that VLCT said this was an important part of renting Town facilities, Andrew added that he thought VLCT had an insurance product that covered facility renters specifically. Peter wanted to go back to VLCT for their recommendations before the policy was changed. Mary also suggested that their recommendations be reviewed by VLCT. Dan brought the last paragraph of the cover letter to the Board's attention, Peter asked that it be read.

"We believe these basic models should be reasonably easy for Vermont municipalities to adapt to their particular needs. Nevertheless, we encourage you to give careful consideration to each element of the models in light of your community's expectations. It should be remembered that a model is a starting point, not a final product. We recommend that you have your municipal attorney review any rental agreement before it is adopted."

Peter asked the other Board members if they wanted him to give it to Paul for review. Andrew said yes and asked if there was money left in the legal budget. Peter said yes. Andrew said if Paul could suggest language for the insurance section that would be helpful. Peter said the board would table the motion until the legal review and recommendations were done.

Lease review for the "Old Town Dump" Site Solar Project:

Bruce Genereaux briefed to lease proposal for the solar project off Goodfellow Road. His team has looked at the site and project recommendations. The project would start as a 150kwh site. Currently the property is un-used and not productive. The lease payment to the town would be 6% of the total output of the solar farm. Initially this would be broken down into the following components: \$3000 per year, adjusted annually according to the CPI-U Northeast paid to the town, Assignment of not less that 2% of the output to the town GMP account, additionally and separately the town assessor will bill the property for municipal taxes caused by the value of the solar array on the site. No payment will ever be required by the town. Initially Green Mountain Community Solar briefed just dollar amounts, but recent changes with GMP and the Public Service Board require that a percentage of output go to the customer. Bruce added that there is good access to the sun and the site is not easily viewable by the public. The process to move forward is to review and sign a lease option which allows Green Mountain Community Solar to move forward with the permit process. If the permits are approved then they would enter into a lease agreement with the town. The final lease would outline specifics of duration, renewal options and plans for expanding the farm. Expanding the size of the farm has been placed on hold by the Public Service Board, but may reopen in the future. Bruce said that initial talks with Peter that he was planning to build the array further into the lot to allow for expansion of the array as the PSB allows. Peter wanted the board to know that there had been quote requests made from competing solar installation companies and either the companies were larger companies that don't do small projects or companies that specialize in residential installations and weren't interested in giving an estimate for this project. Discussion continued around the life expectancy of the panels. Andrew made a motion that the Board sign the lease option Mary 2nd the motion. Paul Berlejung suggested that the town put the project out to bid, Peter said that the town has been working on this project for going on 5 years. A number of companies had been contacted and Green Mountain Community Solar was the only local company that can compete in a project this size.

The board voted unanimously to approve the motion. The board signed the lease option and Bruce indicated that he will stop by the Town Clerk's office and drop off the check in the morning.

Railroad Street Drainage Status:

Andrew said that he and Brent are going to meet to draft a letter to the property owner that is discharging water onto the road causing potential problems. Brent added that is a problem during the winter months. Mary added that the property owners have limited resources, so the letter should be cordial so that the two parties can work together for a solution. Peter wanted to ensure that this was done before the next board meeting.

Review Capital Plan for Highway Department: Equipment, Paving & Road Improvements:

Brent said that he was looking to get a template that he could use to develop a capital plan. Andrew said he had a template he could get and distribute to the Highway Dept and the Fire Department and any other department that may need one. Peter asked that Andrew send it to Dan to distribute to departments that would need it. Mary indicated that the Building committee would find it useful in developing their long range plan for upkeep of the community building and other town facilities. Peter said the next meeting would have to be a serious budget meeting with all the information the board has collected to date. Brent asked if the CIP was pretty self explanatory. Andrew said he would send a completed copy as a reference. Brent asked what the Boards expectation was for a sidewalk plan, Andrew added that he should look at the sidewalks and make recommendations as to whether they meet a standard and are ADA compliant, need complete rebuild or just resurfacing.

Round The Table:

Peter asked Brent if he had any other business to pass around the table. Brent asked the board if he would be able to temporary hire an on call road crewman while Phillip was out sick. Peter asked how long he anticipated the hire would be for. Brent said until Philip is cleared to come back to work. He also indicated that this wasn't full time. He had an individual that agreed to work on a part time on call basis. Peter asked who the person was, Brent answered Fred Grant. Mary (Grant) abstained herself from the discussion. Brent indicated that Fred has all of the required licenses and permits. Andrew made a motion to allow Brent to hire Fred Grant on a on call basis to cover until Phillip is cleared for work. Peter 2nd the motion. The motion passed with 2 votes, Mary abstained.

Linda wanted to find out from the board if they needed to approve the rental checklist on the back of the form she created. The board reviewed the check list and agreed that it looked good and she should add it to the back of the form.

Kitty informed the Board that she is going to purchase a laser measuring device to make property checks easier and more accurate. The cost was minimal and would come out of this year's budget if possible.

Linda announced that the end of year "holiday" gathering will be on the 17th. She added that everyone brings in food and everyone brings an appetite and the celebration continues until the start of the Select Board Meeting.

A sign was stolen from the Highway Department and Peter wanted to purchase another with the template made by Charlie Frost, but wanted to review the budget to make sure that there was money enough. Brent added that he may be able to get the sign less expensive through Prison Industries. Peter asked Brent to give him a price quote and then they could compare and select the best price.

Peter announced that the Planning Commission grant for \$8,000 was approved. This grant was for 100% of the fund and requires no matching funds from the town. This grant is for the municipal plan update which the town needs to continue to apply for grants.

Mary was reviewing the Town Clerks office remodel and looking at the remainder in the budget. Peter was unsure if this project would be funded end of year or would need to wait until the next budget is approved.

Mary asked what the status of the recycle bin was and where the Board stood with the invoice sent to Matt Nunn. After reviewing the minutes from previous Select Board meetings as well as talking with Linda, the Board recognizes that the recycle bin rarely produces any revenue and Matt does a good job keeping the area around the bin picked up as well as making donations to the town as he is able. Over the past year Matt installed a hand rail at the entrance to the Community Building. The cost to Matt for the hand rail was \$129.00 plus the stain and the donation of his time to install it. Matt also purchased flowers for the flower beds around the sign out front of the Community Building to help get the build ready for Fall Foliage. Linda also showed the Board photos of the amount of trash and non-recyclable materials that Matt has to dispose of at his cost. The consensus of the board was that those donations compensated for the recycle bin and He should not be sent any more invoices.

Andrew asked Brent if he has removed the recycle bins from the recreation field. Andrew asked where they should be located. Peter asked that they be set behind the community building and he would research a use/place for them

Mary asked if everyone has had a chance to look at the Personnel Policy. Andrew wanted more time to read the policy, before he committed to adopting it. Mary said we should look at it again at the next meeting.

Peter reported that the Library building is moving forward however at a snail's pace. They have a housing Vermont attorney looking at the paperwork. Peter asked if anyone had a problem with him giving Paul the paperwork to review so he was familiar with that project. The board was in favor of having Paul look it over. Peter elaborated on the library building project to update Andrew.

Mary asked what the status of Non-Profit petitions was. Peter reported that the town asks them to fill out the forms so they are available at town meeting for the voters to review. Linda added that they are required to petition every three years to have their request included as an article. Mary explained how these requests are a small portion of what these agencies need to operate. The money received from each town is a fund raising activity so that they can show community support when they apply for funding grants at the state and federal level. Andrew asked if these agencies report how many residents they provide services for. Linda said yes, however sometimes they are included in the town report and in the last few years they have been on a table at town meeting for residents to review. Linda said that she has sent out a form to all of the agencies asking for support, Peter asked if she could have them for the next meeting.

Lisa asked Linda to show the Board a letter from a resident that received their tax bill late. The owner of the property had deceased so the family received the bill late. The board suggested that Lisa and the collector of delinquent taxes handle it through proper channels. This would ensure that all parties are satisfied that the matter was handled appropriately.

Peter said that there was a PO to pay for Christmas lights. Andrew made a motion to pay for the Christmas lights from the recreation committee budget Peter 2nd the motion. The motion passed with Peter and Andrew voting for the motion and Mary voting against.

Approve Previous Select Board Meeting Minutes:

Mary Moved to approve the minutes from the November 19, 2015 Select Board Meeting, Andrew 2nd. Peter asked that the Secretary review the Sidewalk Grant question from Brent to make sure it is included. Andrew asked where the town was with starting the sidewalk project. Peter said he was in touch with John Kaplan and he was looking into next steps. Peter said he needed to stop in John's office to find out what the next step is to receiving the money. The Board voted unanimously to approve the minutes.

Mary wanted to revisit the time Select Board meetings are held. The time that seemed to work for everyone is 6:00pm. Peter said that the next meeting was going to be heavy on the budget. Mary made a motion to move the meeting time to 6:00pm, Andrew seconded the motion and the motion passed unanimously.

Peter announced that the Christmas tree was up and it was donated by Leon and Brenda Darling, trucked by Tristan Vaughan, and will be decorated by Emil Bedard and Bill Kane.

Linda wanted to pass along to the Select Board the good comments that she has received about the fast and professional response of the Groton FAST Squad to the vehicle accident in Groton on Thanksgiving morning. They were first on the scene and had matters well in hand by the time other agencies arrived. The Select Board asked Dorothy to pass along their congratulations a on a job well done and thanked Linda for bringing it to their attention.

Select Board Meeting was adjourned at 9:20 pm.

Minutes prepared by Dan Robinson, Select Board Secretary