

Town of Groton, Vermont - Select board Minutes September 7, 2017 (approved)

Select board Members in Attendance: Wade Johnson, Sr., Deborah Jurist, and Mary Grant

Attendance for the meeting included: Debra Johnson, Brent Smith, Lise Shallberg, Mark Shallberg, Carrie Peters, Lisa Hart, Jim Cilley, Kitty Diggins, Gary Lamberton, Donald Pinette, David Boyce, Mary Ellen Boyce, Phillip Palmer, Mark Simakaski and Dave Spencer.

Mary called the meeting to order at 6:30 pm.

Deborah moved to approve the minutes of August 3, 2017, Wade seconded and motion passed.

Railroad Bed/Dave Spencer, Kitty Diggins, & Brent Smith

Dave Spencer spoke and said that the Select Board asked him to formally look into making the Railroad Bed a trail. Dave passed out the definitions for the Railroad Bed that he has put together. In making the Railroad Bed a trail, Dave Spencer has been working on the definitions which he handed a copy to each Select Board member. The process to make the Railroad Bed a trail is that the Select board sets a date and time for a hearing, give 30 days of notice to interested parties and abutters, post a notice at the town clerk's office, post a notice on the website and a notice in the local newspaper ten days prior to the hearing. Then the board receives input and then makes a decision on designated the Railroad Bed as a trail. Dave briefly went over some of the definitions that he had been working on. Deborah asked Dave Spencer what the next step was. Dave answered by saying that the Select Board needs to agree on the definition, notify the abutters and then have the hearing. Once the definitions are done, Dave said that there needs to be a copy at the town office for anybody to get a copy of. Deborah stated that the Railroad Bed was deeded to the Town of Groton by the State of Vermont. Deborah also said that it is up to the Select Board to make the decision on the definitions of the Railroad Bed. Mary said that the Railroad Bed has been discussed for many years by previous Select Boards in the Town of Groton. Mary said this is why the Select Board had the Railroad Bed researched and found out the State of VT deeded it to the Town of Groton. Deborah spoke up and said that the Railroad Bed is a really important recreational piece of Groton and it's the town's interest to enhance that, it's very valuable to the town and it brings people who want to recreate on it. So it is the town's advantage to maintain the integrity of this special part of the town so for that reason, it is important to not allow much development on it. There was much discussion with David Boyce, Mary Ellen Boyce and Donald Pinette on issues dealing with the Railroad Bed being made a trail. With the discussion getting out of hand about the Railroad Bed, Wade Johnson had to speak up and say Point of Order and said this is an issue to approve something that is not set in stone and can be adjusted at any point by the Select Board. This is just a discussion to get things going and that's why we are having a public meeting about the Railroad Bed being made a trail in the near future and that is when the discussion can take place. Wade said this discussion is going to end now due to many more things on the agenda to go over. Mary spoke up and said these are proposed definitions and we need more facts, would like to see the Act 250 permit that was issued, when the property was sold with the 5 lots and where the road is because from what she recollected is that there was a road through the lots that connect each one of them which means that is a clear definite right of way, legal issue when the Railroad was turned over to the town, and if there are

more rules, and what are they. Mary said there is more research to be done before it is brought to a vote because the Select Board does not have all the answers. At the next Select Board meeting, the special meeting for the hearing needs to be scheduled and the Definitions of the Railroad Bed need to be changed or approved by the Select Board.

David Boyce asked if this issue with the Railroad Bed has anything to do with him getting their 911 address. Brent Smith said that their 911 address has been turned into Linda Nunn, the Town Clerk in Groton. There was discussion on the 911 address and whether or not the Fire and FAST Squad can get to their home if needed. The 911 address was given to the Boyce's based on their Right of Way.

Mark Simakaski - Special event permit for Fall Foliage to serve drinks at the Artesano

Mark asked the Select Board on fall foliage day he would like to do some outdoor serving of some of his products on his property. So in order to do that, the State requires that Mark has a special event permit which is approved by the Local Licensing Authority. The permit will be just for the one day. There will be a roped off area which will be controlled by him and Mark said he will be serving by glass. This is on private property so all the liability is on Mark, the owner of the Artesano. Deborah made a motion that the Select Board approved this special event permit which is only good for this one day which is Fall Foliage and the access will be controlled by them and will be on his liability, Wade seconded and motion passed. The Select Board signed the permit.

Peter Lyon/Rusty Reader - Lake Groton Association/Towns policy for liability purposes.

Either Peter Lyon or Rusty Reader was present at this meeting. Lisa contacted Vicky Abare at VLCT who answers Lisa's questions on insurances. Vicky said they will need their own insurance since the Groton Lake Association is a separate non-profit corporation. They are not eligible to be covered under the Town of Groton. There was a short discussion on why they wanted to be covered on the town insurance. Mary said a letter needs to be sent to them telling them what Lisa found out from Vicky Abare at VLCT and find out why they wanted to be covered on the town insurance.

Highway/Brent Smith - letter to Jon Kaplan for refusing grant, complaints on work on sidewalks

Brent said the culverts are in on Harv Orr Road is completed, the Better Roads project on Glover Road has been started and waiting on Chief Excavating with his hydraulic hammer to do part of that project, continue with that project and continue to get roads graded. In getting winter sand, Topsham is having a meeting next Monday and have concerns how bids went out last year for sand. Brent told them we have done it this way for a number of years. After the meeting on Monday night in Topsham, Brent will be contacted about this situation with getting the winter sand. Winter sand bids needs to be on the next Select Board agenda.

The letter to Jon Kaplan for refusing the grant was discussed and the Select Board decided to have the letter sent to him.

Mary had discussed with Brent about the complaints on the sidewalks and these issues have been addressed and taken care of.

Wade Johnson had received a letter of complaint a few weeks ago; Mary opened and handed the letter to Brent Smith to take care of.

Town Clerk/Linda Nunn - Porta Potty Update, Feral Cat update

Linda Nunn was not present due to being on vacation. These issues will be discussed at the next Select Board meeting.

Maintenance/Mark Shallberg - ADA

Mark has washed the community building, the roof is done, and the new gutters are up and are now in the process of cleaning windows. Lisa mentioned that Clear Water Filtration came on August 25th and fixed the trouble with the smell from the water. Lisa said there were a couple cracked fittings which was \$110. Lisa asked them if they could service the town 4 times a year and what would be the cost. Clear Water said it would be \$85 a visit. Lisa said it would help if they come and every 3 months on the first Friday of each quarter so Mark is there, to check the system to prevent the smell issue. Mark said when they were here they reprogrammed the system and he has more of a knowledge of the chlorine system now. Mark suggested that it is a good idea to have them come quarterly to check the water filtration system. So Deborah made a motion to go ahead with the quarterly service call with Clear Water Filtration at \$85 a call, Wade seconded and motion passed.

Financials/Budget Update - Purchasing Policy Change, financing for purchasing Cilley Property

Lisa had handed out the budgets on Aug. 3rd and asked if Select Board if they had any questions. Lisa handed out the budget to the end of August which is at 67% and asked the Select Board to review them and email her any questions that they may have before the next meeting. Lisa said she will not be able to be at the next Select Board meeting and that Carrie Peters will sit in for her.

Lisa said that she had the old and new Purchasing Policy with the change on the bidding process change from \$2500 to \$5000 and template from VLCT that had a lot more information in it which Lisa incorporated into the new Purchasing Policy. Since there is a lot of new information in the policies, Mary suggested that the Select Board review these policies and be ready to discuss at the next Select Board meeting.

Lisa said the Select Board needs to set a wage for Harold Hatch and Chub Bruleigh who are temporarily workers for the road crew. Lisa said when Jim Downing works; he gets \$20 per hour. Brent said they have kept their temporary workers at the higher rate due to that they do not get holidays or vacation and can be asked to work during early hours or on weekends. Brent said that the temporary workers are not used very much. Deborah made a motion that the Town of Groton pay Harold Hatch and Chub Bruleigh each \$20 an hour for temporary work, Wade seconded and motion passed.

Lisa mentioned about an open purchase order from McCullough's that was for \$3000 but due to the previous rain storm damage, the material used has increased. Deborah made a motion to increase the McCullough's purchase order from the \$3000 to \$8000 and will be holding on \$20,000 set for crushing the gravel to keep within the budget, Wade seconded and motion passed.

Lisa also mentioned that she never received a contract from BlakTop for the work they did on the sidewalk and Minard Hill, but has the invoice. Brent is going to contact BlakTop to get the Contract filled out so the invoice can be paid and contract signed by the Select Board. Lisa also needs a W-9 from them.

Lisa emailed Vicky and Garret Baxter on the financing for the purchase of the Cilley Property. Lisa also contacted Chris Winters from the Secretary of State's office and has not heard back from him.

Below is the following information that Lisa has got from three different banks on the loan for \$98,000 for a 5 year term on the purchase of the Cilley Property:

Community Bank

This is where we have most depositing accounts. This would be an unsecured loan due to we are a Municipal. Once towns people vote and SB approves we need to wait 30 days then loan process can begin. The current rate is 2.3%.

Union Bank

This is where our Tax Anticipation Note line of credit is, this would be an unsecured loan. We are a "Taxing Authority" and we are able to raise the tax rate to cover this payment. The current rate is 2.15%

Passumpsic Bank

The town currently has their own credit card with this bank, no deposit relationship with them. The town may need to mortgage or secure the loan??? The bank will determine once we start application process. The current rate is 3.35%

Tax Rate Scenario's on \$98,000 (Cilley request price)

Loan Rate is 2.3%; annual payment for 5 year would be \$20,767.32. The tax rate increase would be .017 which would be an increase of \$17.00 per \$100,000.00.

Tax Rate for \$86,800 (Value of Property Per List Card)

The rate would be 2.3%; annual payment for 5 years would be \$18,393.84. The tax rate increase would be .015 which would be an increase of \$15 per \$100,000.00

\$98,000.00 + \$15,000 (with Actual Excavating estimate) = \$113,000.00

The rate would be 2.3%; annual payment for 5 years would be \$23,946.00. The tax rate increase would be 0.198 which would be an increase of \$20.00 per \$100,000.00

Lisa contacted the insurance company to see what the annual liability insurance would be on the Cilley Property which would be \$230.

Cilley Property Update

Mark Shallberg said they are all ready for the special town meeting about the Cilley Property next week on Sept. 14, 2017. Brent Abare is going to be the Moderator for the special town meeting. Deborah mentioned that we should start thinking about who we are going to be using for a lawyer. Mary suggested the Select Board wait until after the meeting to choose a lawyer.

Phillip Palmer spoke up and said that the Gibney's approached him asking why there hasn't been a notice to all the people that are abutting the Cilley Property. Mary suggested the committee needs to send a letter to all the abutting properties, a notice of hearing and copy of the letter.

Town Report for 2017

Debra Johnson received an email a few weeks ago from Mary at Repro in Williston, VT with a quote for 600 copies of the town report. Debra sent this email out to the Select Board members and Lisa Hart. Lisa emailed Debra and told her there were 2 boxes of town reports left from last year so the decision was to only have 500 printed for this year since the town is only sending a copy to people on the voter's checklist. Mary from Repro was emailed and asked to send Debra another quote for just 500 copies of the town report for the year 2017. The quote from Repro for 500 copies at 80 pages is for \$1,320.00 which would make each copy \$2.51. There was a short discussion. Deborah made a motion to accept the bid from Repro for \$1,320 for 500 copies for 80 pages, Wade second and motion passed. Wade Johnson signed the contract.

Set a date for Tire Removal for Vermonters helping Vermonters to pick up tires at \$2.75 per normal tire.

Lisa suggested when you have this; you need to specify what type of tires can be brought in. Mary said the Select Board needs to pick a date to do this tire collection, put notice in paper with details. There was discussion on this issue. The date of Saturday, October 14th was chosen to have this collection of tires. Deborah Jurist will bring notice to the next Select Board meeting for the tire collection on Sat., Oct. 14, 2017.

There was some discussion on having a roll off for scrap metals in the future.

Mary mentioned that a letter be sent to the Agency of Transportation with regards to vehicles along the road in their right of way.

Zoning Bylaws

Deborah Jurist handed out some zoning bylaws from other towns. Deborah mentioned that the zoning bylaws in the Town of Groton need to be redone. Gary Lambertson suggested getting help from Alison from the NVDA since people are not educated on zoning laws. Wade asked Carrie if the Zoning was looking at doing the Zoning Bylaws in the near future. Carrie answered by saying that the Zoning is working on the Village Designation at the present time.

Open to Public & Other Business

Mary Grant mentioned that some outlets in the gym are not working properly.

There was discussion with Dave Boyce regarding his 911 address given to him. He can't get to his property with the 911 address given to him. Due to this discussion, Mary Grant is going to contact Jeff Taylor, and Tom Otterman lawyers involved with this property/house to get information needed for the town.

Sign Orders & Open Mail - letter received

Orders were signed and mail was opened. Mary asked if anybody wanted to go to the Annual Meeting and Town Fair.

Letter was given to Brent Smith to take care of.

Set Agenda for next Select Board meeting on Sept. 21, 2017

Meeting called to order

Review/Approve Minutes - Sept. 7, 2017

Railroad Bed - definitions, date for special meeting

Cilley Property - Update on Special Town Meeting on 9/14/17

Department Updates - Highway/Brent Smith - sand bids; Town Clerk/Linda Nunn - Porta Potty Update, Feral Cat Update

Zoning Updates

Financials/Budget Update - Purchasing Policy, possibility of financing purchasing Cilley Property

Tire Removal Notice/Deborah Jurist

Open to Public & Other Business

Sign Orders & Open Mail

Adjourn

Wade made a motion to adjourn at 8:30 pm, Deborah seconded and motion passed.

Respectfully submitted,

Debra Johnson

Select Board Secretary

Mary Grant, Chair

Wade Johnson, Sr.

Deborah Jurist