

DRAFT Minutes for SELECTBOARD MEETING March 10, 2014

PRESENT: Dick Charland, Mo Lavanway, Maureen Harvey, Marty Wells, Amy Scharf, Adam Magee, Kym Andrews, Jeff Poitras, Shawnee Perry, Steffan Defeo, Stacy Gibson-Grandfield, Lars Dickson, Ty MacWalters, Ashley MacWalters, Sheila Russell

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

Maureen made a motion to elect Dick as Chair to the Selectboard. Marty seconded, all in favor.

MINUTES -

- Motion by Maureen to accept minutes from February 10, 2014 with changes, seconded by Marty, all in favor.
- Motion by Maureen to accept minutes from February 20, 2014 with changes, seconded by Marty, all in favor.

Dick inquired if there were any citizens or visitors who wanted to address the board. Lars addressed the board with his camera, taking a photo of Selectboard for the website.

HIGHWAY FOREMAN REPORT provided by Adam -

- Roads are holding together nicely so far.
- They are preparing for this week's upcoming snowstorm.
- The 2003 Tandem has a noise in the transmission. It has an appointment for service on Wednesday.
- The plow on the 2003 Tandem is broke. Marty questioned how it got broke and Adam was unable to answer. It is twisted. They have a spare plow they are using at this point.
- When posting the roads, Towns now must register the posted roads with the State of Vermont, otherwise it is not enforceable. This is an all or nothing deal, you either post them or you don't. Marty and Mo questioned if it was per road and Adam indicated it was per road. Roads are generally posted from March through May 15th.
- On behalf of the Road Crew Adam thanked the Town for their support at Town Meeting.

TOWN TREASURER REPORT provided by Kym -

- The Budget Status Report was provided to date. The Delinquent Taxes remaining for 2012 are \$13,317, which will primarily be cleared up after Tax Sale proceeds come in. The 2013 remaining Delinquent Taxes is \$55,026.62.
- After the final Audit is in and Kym can work with Bonnie more financials will be provided for review.
- Monday Kym, Dick and Annette are meeting with the Town Attorney to tighten the process of delinquent tax collection.
- Maureen questioned the Delinquent Taxes collected to date appearing as Revenue on the Budget Status Report.
- Dick requested to see the prior year figures as well, which is an available report Kym will provide going forward.
- Maureen questioned line 1-7-158-0 Short Term Note Interest and if it really belongs as a 2013 expense. Kym indicated this was an expense which occurred in 2014 and will discuss with Batchelder's to see if this should be a Journal Entry with the audit to reclassify.
- Dick mentioned Batchelder's would also like to expense the \$36,000 against the 2013 Budget. This is pending the audit process as well.
 - Steffan inquired about the Audit and if it reflects a worse financial position what is the next step? Are we looking at a tax increase? Dick stated in June we must come up with a long term plan for the balance of the \$228k loan and that we do not have the final audit at this point so we do not know what the tax increase will be.
 - Steffan inquired if a motion can be made at the Special Town Meeting from the floor and provided the example of changing the Clerk term to a 1-year term. Lars was able to answer this as he has done some research and No, you cannot have a motion from the floor, this must be done at a regular Town Meeting.
 - Steffan inquired about where the accountability was? Stacy also inquired whether the errors made are more than clerical errors or if the previous Treasurer was really just in-over-his-head? Dick reminded everyone we don't have the answers at this point. There are no indications of malfeasance, just a poor job at recordkeeping, and again, once we have the final audit we can make a plan and provide recommendations. Lars indicated there is another Town which had difficult times with their Treasurer, Westford, and they voted to change the Charter so the

Treasurer is appointed by the Selectboard. Dick also had received prior recommendation that the Town hire a financial person to do the job, but that would mean paying double for the position and there would have been a hesitation of cooperation. Stacy inquired if there has ever been a discussion to approach the Legislature to get this changed. Maureen referenced Lars' research of being able to change the Charter. Steffan indicated the Treasurer is not the issue at this point as we have a new Treasurer, it is the Clerk and are we in trouble in that position. Steffan also pointed out, upon reading the Treasurer's Handbook on the VLCT website the Treasurer can be fined \$100 per finding. Again, Dick indicated everything is pending the final audit.

- Sheila questioned if the money is in fact here somewhere, just mis-located. Dick confirmed we do in fact owe the \$228k. Sheila questioned the reports previously provided to the Selectboard for review. Maureen confirmed the Selectboard continually was assured by the prior Treasurer the money would be there.
 - Christy Caforia is now a check signer on the bank accounts.
 - Kym is in the process of creating a Binder with Policies & Procedures for the Town Treasurer position.
 - Kym presented the Selectboard with an authorization form from the Merchants Bank which needs to be approved by the board to establish Direct Deposit.
 - Direct Deposit is now an available benefit for employees. This has changed the paydate from Monday to Wednesday effective with the next payroll.
 - Kym is attending a Treasurer's Training on March 25th in Fairlee put on by VLCT.
- Motion made by Mo to accept the Treasurer's Report. Marty seconded, all in favor.

ROAD COMMITTEE REPORT provided by Mo -

- No report this month
- Stacy inquired whether or not there was a Road Committee, as she was informed recently by Ken Scott there was no longer a Road Committee. Mo confirmed there is in fact still a Road Committee. The only recent change is that Harry Rook retired from the Committee. The Road Committee meets the Wednesday before Selectboard Meetings.

EMERGENCY MANAGEMENT COMMITTEE provided by Lars -

- Bob was not responding to contact so the committee is at a standstill.
- Nothing further to report at this time.

SIGN BILLS -

Dick reminded the Selectboard Members of the Check Warrants on the table which needed their review and approval.

MAIN ST. SCHOOL/TRAFFIC ISSUE -

Dick reported Tina, Director at the Childcare Center, has sent out the letter and has included this as part of the application process for new families at the Children's Center.

AUDIT UPDATE -

Dick reported we should have the final audit this week or beginning of next week. The Auditor will then provide a report to the Selectboard and then we will schedule a Special Meeting with the results.

TOWING CONTRACT -

Dick reported that Adam has not been successful in finding a replacement towing company due to distance. Kym and Mo reported Bob's in Waterbury Center is being bought out by Handy's. Adam will look into that.

TOWN CLERK HEALTH INSURANCE DISCREPANCY -

Dick reported this issue goes back to 2008. A letter was mailed in January, requesting response by the February Selectboard meeting, with no response by Ken. The Town Attorney mailed a letter dated February 28th, which Dick read aloud. Dick spoke with the Attorney today who confirmed there has been no response to date. Sheila wanted to know what happens next. Marty wanted to know if we have grounds to get the money back. Mo questioned being reimbursed for legal fees as well. Dick recommended we wait until the end of the week and then pursue further with the Attorney. Jeff questioned if it would cost more money in court. Dick confirmed Ken has not denied anything and he will wait until the end of the week and then take further action. Amy questioned if this was pre-taxed money and the answer was Yes. Shawnee questioned if the Town Clerk has received the letter and Dick confirmed the letter in January was not sent returned receipt and he did not know what the Attorney did but this has been discussed at Publicly documented meetings as well.

UNIFORM CONTRACT -

Mo has a list of issues Adam provided with the existing contract. Mo will bring this list with him on Monday to the Town Office around 10:30am when the Town Attorney will be present and they can ask him for advice.

PERSONNEL POLICY -

The personnel policy will be reviewed at the April Selectboard Meeting. Dick requested for everyone to have reviewed the copies provided and come to the April meeting prepared to discuss.

SET DATE, TIME AND LOCATION OF BOARD MEETINGS -

Maureen made the motion to hold regular Selectboard Meetings the second Monday of every month at 6pm in the Town Garage Meeting Room. Mo seconded, all in favor.

LIST NEWSPAPERS OF RECORD FOR TOWN BUSINESS –

Maureen made the motion to list the Waterbury Record and the Valley Reporter as the newspapers of record for Town business. Marty seconded, all in favor.

APPOINTMENT OF TOWN OFFICERS/PLANNING COMMISSION –

Maureen made the motion to accept the following Officers/Planning Commission, seconded by Marty, all in favor:

- Health Officer: Ty MacWalters, 1-year term
- Service Officer: Shawn Perry, 1-year term
- Zoning Administrator: Al Quesnel, 1-year term
- Planning Commission: Trevor Cole, 3-year term
- Development Review Board: Ken Griffith, 1-year term
- Regional Planning Commissioner: Brian Fitzgerald, 3-year term
- State Police Advisory Board: Steffan Defeo, 1-year term
- Solid Waste District Representative: Diane Lynch, 1-year term, and Todd Hill as Alternate, 1-year term
- Fence Viewer: George Welch, Zeb Towne, and Mo LaVanway, all 1-year terms
- Fire Warden: Charlie Pelkey and Scott Woodard as Assistant, both 1-year terms
- Tree Warden: Eric Potter, 1-year term
- Emergency Mgmt Officer: Mame McKee, 1-year term
- E-911 Coordinator: Dan Cardozo, 1-year term

GRAVEL PIT –

Dick reported he has met with SD Ireland who has clean fill which could potentially be used in the Gravel Pit. Mo made the motion the board approve moving forward with the potential of fill received from SD Ireland. Maureen seconded, all in favor.

APPOINTMENT OF WATERBURY FIRE CONTRACT COMMITTEE –

Dick appointed Mo to Chair this committee with Marty to assist him. Mo asked Jeff if Dawn had any interest in participating and Jeff confirmed she did. Mo made the motion to form a Committee consisting of himself, Marty and Dawn to review the Waterbury Fire Contract. Marty seconded, all in favor.

APPOINTMENT OF CALENDAR/FISCAL YEAR CHANGE COMMITTEE –

Mo made the motion to appoint Maureen as Chair of the committee to review the Calendar/Fiscal Year change and Kym, Amy, and Mark Morse to participate on this committee with Maureen. Marty seconded, all in favor.

SET SPECIAL SELECTBOARD MEETING –

- Dick will confirm with Batchelder's to see if April 2nd at 6pm works for a Special Selectboard Meeting to review the Audit results.
- Dick will check all the requirements. He is looking at the first week of May for the Special Town Meeting.
 - Stacy inquired what the plan was if a replacement Dump Truck was needed. Dick responded that it is pending the audit results before decisions like that could be made.

SET ROAD POSTING –

Marty made the motion to Post Town Roads, with the exception of Ryan Road at this time, and for Dick to send a letter to Griffin & Griffin of the conditions, effective March 11th through May 15. Maureen seconded, all in favor.

MISCELLANEOUS COMMUNICATIONS –

- Dick provided handouts on how to read Financial Statements so they are prepared to better understand the Audit Results. See Kym for a copy of these handouts, if interested.
- Dick provided information about a meeting in Waterbury being held at St. Leo's Hall on March 13th from 6 p.m. – 8 p.m. as a Waterbury Community Kick Off event for upcoming construction.
- Dick provided information on a Bill put forth by the Vermont Local Roads to be taken over by A.O.T. Dick confirmed with A.O.T. they knew nothing about this.
- Dick shared information from a letter from Kate Warner, of the Vermont Land Trust, in regards to the Dowsville Headwaters.
- Dick provided information regarding a Professional Liability Insurance we have which provides legal counsel.

- Dick provided information received from the State Parks indicated Duxbury will not be receiving funding for traffic to park at Camel's Hump as we are not eligible.
- Dick has a request for the 100 on 100 Race to run over Route 100 on Saturday, August 16, 2014. Marty made the motion to approve the request for the 100 on 100 Race on Route 100 on August 16, 2014. Mo seconded, all in favor.
- Maureen made the motion to accept the request to establish Electronic Transfer of Funds with the Merchants Bank. Mo seconded, all in favor.
- Mo made the motion for all correspondence from the Clerk to the Selectboard to include all five Selectboard Members. Marty seconded, all in favor.
- Mo has an email from Audrey Quackenbush indicating they hope to close within the month on the State Farm property.
- Mo requested they review the Proposal for Structural Maintenance to the Town Garage be reviewed at the next Selectboard Meeting.

APPROVE 2014 AOT CODES AND STANDARDS –

Mo made a motion to approve the 2014 AOT Codes and Standards. Marty seconded, all in favor. Dick indicated this could provide additional funding by complying with road and bridge standards.

Maureen made the motion to adjourn the meeting at 7:42 p.m. Marty 2nd, all in favor.

Submitted by Kym Andrews 3/19/14.