

**Minutes for SELECTBOARD MEETING
July 14, 2014**

PRESENT: Dick Charland, Mo Lavanway, Maureen Harvey, Marty Wells, Kym Andrews, Jennie Brinkman, Shawnee Perry, Jeff Poitras, Adam Magee, John Murphy, Wendy MacKinney, Benjamin MacKinney, Ben Scribner, Brian Fitzgerald, Mame McKee

Dick called the meeting to order at 6:00pm.

APPROVAL OF MINUTES

- June 9, 2014. Maureen made the motion to accept with minor change. Mo seconded, all in favor. Change was to correct the notation of a Special Meeting to a Reconvened Meeting for Thursday, June 11th.
- June 11, 2014. Maureen made the motion to accept with no changes. Mo seconded, all in favor.
- June 24, 2014. Maureen made the motion to accept with no changes. Mo seconded, all in favor.

CITIZENS AND VISITORS TO ADDRESS THE BOARD

John Murphy announced he will be recording the meeting.

Jeff Poitras asked if mowing along the side of the roads will happen this summer. Dick responded not this year and Mo furthered that with the reason being the expense of renting the excavator has put off mowing.

Jeff Poitras requested the stop sign to be put back up on Main Street. Adam has the sign and will put it back up, which was taken down by a vehicle.

HIGHWAY FOREMAN

Adam reported they only have resurfacing left to do from the April storm which did a lot of damage to town roads. He is also busy doing site visits with FEMA. Equipment is going good. The '03 Tandem is needing extra cleaning and greasing due to the chloride. Adam requests the part-time guy continue on for additional time. Maureen indicated we will know if this is possible once they receive confirmation from FEMA on the coverage because the part-time guys time will then be reimbursed and we will be able to continue with him on staff. Adam indicated the North End is in need of grading this week and it is also on his list to peel some sand off Turner Hill and lay down gravel.

TREASURER FINANCIAL REPORT

Kym presented the Budget Status report and stated she was working with Bonnie Batchelder in regards to the Balance Sheet and creating a Monthly Reconciliation process. Kym also reported that Annette was in today with a deposit and the Delinquent Taxes are down to \$8,172.92 for 2012 and \$38,144.11 for 2013, for total of \$46,317.03, of which approximately \$11,000 is expected to come in prior to the tax sale in two weeks and an additional \$2,000 was just

received today. Annette has payment arrangements in place for the remaining outstanding. Tax Sale is set for July 28th and as of today there is one set to go up for tax sale. Kym announced the town has approximately negative \$150k in the operating account, which means we are utilizing the Reserve and Escrow accounts at the current time, with an additional \$50k in expenses this month already. Kym presented the Accrued Time report for the Road Crew and Dick asked Adam for a plan next month for some of his vacation time to be used. Kym also reported she is researching the ability to accept credit card payment for taxes.

Motion was made by Mo to accept the Treasurer Financial Report as presented. Seconded by Maureen, all in favor.

ROAD COMMITTEE

Mo reviewed the minutes of the last road committee meeting, which he will forward to Lars to put on the town website. The culvert by Donny Byrd's is on schedule to be replaced no later than the seconded week of August.

EMERGENCY MANAGEMENT

Mame reported she is in contact with Emily Harris at the Emergency Management & Homeland Security regarding the Statewide Exercise and anticipates a wrap up in August. Mame is still researching safety vests for zone captains and Lars is researching the possibility of receiving used vests. Mame continues to be in research of a thawing system for culverts.

PERSONNEL POLICY

Motion was made by Mo to set a Special Selectboard Meeting just for the purpose of working on the Personnel Policy on Wednesday, July 30th, at 6pm. Seconded by Marty, all in favor.

TOWN CLERK HEALTH INSURANCE DISCREPANCY

Dick reported the town attorney has not received a response and is reaching out to the Clerks attorney.

RYAN ROAD

Mo read a letter he sent to Benjamin MacKinney, as well as the response received from Benjamin. See below. Jennie Brinkman asked how many residents live on Ryan Road (9) and she felt it was nice that Benjamin forwarded the information from the Selectboard to other residents but should not have had to. Ben Scribner encouraged the Selectboard to do another site visit, as quite a bit of work has been done to the road. Ben Scribner also indicated he still does not feel good about how it all went down with gravel being given to Scrabble Hill, although he is happy to hear payment has been received for that gravel. Further discussion ensued about the conditions and requirements of the Class 4A road. Dick set a site visit for Tuesday morning, July 15th, at 7:45am and all agreed that Dick or Mo would then communicate with Ben MacKinney via email.

July 5, 2014

Dear Ryan Road Taxpayers

Adam Magee, Dick Charland and Mo LaVanway did a drive up Ryan Road. We were asked to evaluate the Class 4 portion of the road, to move from a Group B to a Group A status.

These are the items that need to be addressed:

- 1) All trees, brush and limbs need to be cut as to not scratch, dent or break glass; which has been done except at the turnaround;
- 2) The ledge exposed needs to be lowered by 18" and 12" of gravel applied over the ledge, stones and stumps;
- 3) The Class 4 road ends before the driveways disperse. There would need to be a 60' diameter cul-de-sac prepared for a turnaround;
- 4) This cul-de-sac needs to be licensed to the town from the appropriate landowners;
- 5) There is minimal ditching that needs to be addressed;
- 6) The existing road needs to be shaped which will reveal approximately 4-5" of gravel. There would need to be 3-4" of processed gravel applied to topdress;
- 7) It is of our opinion that the top part of Class IV Ryan Road will continue to be washed out if the intersection above the Class IV is not fixed properly for rain runoff.

These items need to be done before upgraded to a Group A status.

Thank you.

Town of Duxbury Selectboard

Mo,

Thanks for sending this in advance of the meeting. I did notice some additional requirements:

2. Original language was "...ledge needs to be lowered by 18" or gravel applied 18" over..." now it is "...ledge needs to be lowered by 18" **AND** 12" gravel applied over ledge..."

5. Ditching requirement is new.

6. 3-4" of gravel applied over the whole road is new and to be honest is a little extreme. To apply 4" of gravel over 24 wide on the 1600' of the class 4 portion is 470 yards of material. Using an average historical unit price of \$27/cy in place for bank run gravel this is over \$12,675 that we would have to pay a contractor.

7. Control of water from above road is new.

Our response is:

We will lower the ledge by 18" **OR** add 12" gravel on top or a combination thereof (IE lower 9" add 3") as per the original letter. We need flexibility here as the ledge would appear to be quite hard. We can hire a Ho-Ram (Pecker) to do this work but blasting would be prohibitively expensive and it could damage the adjacent structure. We can provide 12" of cover one way or another as required.

- We will construct/maintain a proper turn around with full permissions of its use by the town giving up any rights to hold the town liable for damage via notarized letter from an attorney representing abutters.
- We will clean up the ditches as needed on the North side of the road.
- We will **NOT** add 4" of gravel over the whole road but we have recently (this week) reshaped the road and it is in better shape than when the town last saw it. We are requesting, again, that the town assist us with the addition of gravel like they did with Scrabble Hill. By reshaping the road we have isolated a few spots that could use extra gravel, most of the road is smooth and loose and ready for a grader blade. We understand the removal of rock is necessary to protect town equipment but no one is in a position to shell out \$12k on a new surface coarse nor is this necessary from a maintenance or engineering standpoint.
- We will install and maintain a waterbar up top to protect the road.

I think this is fair and preserves the interests of all parties. Please note that Ryan Road Taxpayer's financial commitment to bringing this up to Class 4A is substantial. We are doing our part to work with the town to come to an agreement everyone can live with. We would obviously prefer to receive nominal maintenance and do nothing to get it, but we are compromising and complying with most of the town's requirements. Please continue to work with us so that we can all be content with the 4A requirements for our road and so that we can get to work on this and get this issue behind us.

*Thanks,
Ben*

WILDER ROAD

Dick reported this project is pending the culvert, which he will check the status on. Jennie Brinkman has a concern over the trees being removed, exposing the back of the Duxbury Store. There is a site visit Tuesday morning, July 15th, at 8am with Grenier to review the project specs.

ACT250 HEARING ON GRAVEL PIT FILL PERMIT

Mo provided an update on the site visit with the Green's & Grace's, abutting neighbors, in the pit as well as at the public Hearing. Everyone is of the same opinion they do not want to see a mountain left. The noise issue was also addressed. SDIreland dug six test pits and had an engineer test and report there is no value for the town left in Phase 2 or 3. They anticipate hauling 25-30 loads per day for approximately 3 months for a total of 20k-25k yards. This fill will go into Phase 2 to reclaim that area. Dick reported the abutters do have a legitimate concern over testing the soil coming in, which remains unresolved at this time.

DAVIS PROPERTY DITCH WORK (RIVER RD)

Dick reported that he and Adam met with Ralph and the ditch work has been resolved to everyone's satisfaction. Adam will take some angle off and leave a slight grade, leaving the material which Ralph will spread.

PLANNING COMMISSION UPDATE ON TOWN PLAN

Brian Fitzgerald was present to provide a brief update of the Town Plan. The public comment meeting had no residents show up with concerns or questions. The final revisions of the Town Plan are based on recommendations from the Regional Planning Commission. The Draft must have a hearing within 30-120 days once presented. The Selectboard may elect to make changes and bring it back to the Planning Commission. There is also the option of a 2nd hearing for public input. The Selectboard votes adoption of the plan and Brian reported there has been significant revisions and he recommends reviewing most of the plan. Brian's goal is to get the plan to the Selectboard by the end of this month. Last year was the 5-year deadline for updating the Town Plan. Brian also reported the Regional Planning Commission is providing us with updated maps.

REVIEW OF FEMA STATUS

Dick reported that Maureen, Kym, Adam, and Mo met with both FEMA and State representatives and site visits will continue on Tuesday. Mo reported FEMA needs a price comparison of the original sized culvert to the culvert to be installed on Wilder Road.

BORROWING TO REPAY 2013 DEFICIT

Dick indicated Vermont Statute requires towns pay off deficit.

Motion was made by Maureen to pay off the 2013 Deficit with financing being secured from Community National Bank in the amount of \$110,344 at the rate of 1.675% to be paid over the course of 5 years. Seconded by Marty, all in favor.

CHANGE IN DELTA DENTAL

Dick reported the change in Dental Plan in which the employees should not be charged for their contribution towards the plan. Kym clarified the employees are responsible for contribution towards spouse or dependents on the plan.

OPEN MEETING LAW CHANGES

Dick reported there are minor changes in the open meeting law and everyone should be aware of the changes. Jennie Brinkman asked how the information was getting out to all committees. Dick reported he had forwarded the information around to town committee members and Kym also reported that the Clerk has reported to the State everyone who is involved in Town Business and both Dick, the Clerk, and the State are all doing an excellent job in sending out the information. It was also noted the information has been on the news.

OTHER BUSINESS

Motion was made by Mo for a letter be sent to the Waterbury Fire Department to clean out the dry hydrant on River Road. Seconded by Maureen, all in favor. Dick will send out this letter.

APPOINT TREASURER TO HANDLE TAX SALE

Motion was made by Maureen to appoint the Town Treasurer, Kym Andrews, to represent the Town at the Town Tax Sale on July 28th at 1pm. Seconded by Marty, all in favor.

FIRE CONTRACT

Mo reported he heard back from the Town of Waterbury in regards to the Fire Contract. They have offered to change the amortization to a level funding, which does not save the town any money in the long run. Jeff Poitras requested a Committee to review having a Town Fire Department. Mo indicated there is a Committee which includes himself, Dawn Poitras, and Marty. Marty reported he does not have a desire for a town fire department in Duxbury and he resigned from the Committee. Dick will include this on next month's agenda for further discussion.

Motion was made by Maureen at 8pm to adjourn the meeting. Seconded by Marty, all in favor.

Submitted by Kym Andrews 7/15/14.