

approved: July 7, 2014

**Townshend Select Board
Special Meeting Minutes
June 30, 2014**

Present: Select Board: Kathy Hege; Bob LeCours; Dale West; Kyle LaPointe; Carole Melis

In Attendance: Ryan Hockertlotz; Rick Hege; Bob DeSiervo; John Snyder (The Commons); Craig Hunt

1. Call to Order: Hege called the Meeting to Order at 6:50 p.m.

2. Old Business: Soveren Solar Agreement: Following discussion, Melis made a motion: **To permit SOVEREN Solar, Inc. to begin site work and construction on land to be leased from the municipality pending receipt of liability insurance certification,** seconded by LeCours and carried by those present.

3. New Business: Resignations of Officers: Hege read the written resignation of Kristine Grotz-Kuch from the office of Auditor, effective June 27, 2014, and Melis made a motion: **To accept the resignation of Kristine Grotz-Kuch as a Town of Townshend Auditor,** seconded by LaPointe and carried by those present.

Hege read the written resignation of Ryan Hockertlotz from the office of Auditor, effective June 30, 2014, and West made a motion: **To accept the resignation of Ryan Hockertlotz as a Town of Townshend Auditor,** seconded by LaPointe and carried by those present.

Discussion ensued about the consequences of the Town having no elected Auditors, and Melis made a motion: **To post Vacancy Notices for the position of Townshend Auditors,** seconded by West. Hege then offered an amendment: **To post Vacancy Notices for the position of Townshend Auditors until August 1, 2014, and conduct research into hiring outside auditors,** seconded by Melis. The amendment was approved by general consent and became the main motion carried by those present.

Lodging of the Grand List Abstract: The Board discussed the need to set the tax rates prior to July 24, 2014, and the possible delay incurred by the Listers Office failure to include any Current Use offsets in the calculation of the Grand List Abstract filed on June 16, 2014.

Mary Grace Appeal Decision: Hege informed Board members of Townshend's loss in the State Appeal Hearing by Mary Grace, Inc. Discussion centered on the Town attorney's lack of preparation by the Listers, and by the Listers themselves, in defense of the property assessment. Aside from the embarrassment to the Town, the consequence of this now entails issuance of a tax refund for many thousands of dollars and the loss of projected revenues for this and succeeding years.

Insurance Claim: Vehicle Damage: Board members received a briefing by Hege about a phone call she received from a resident whose vehicle was damaged by a tree branch in the Town's right-of-way. The resident claimed that he informed the Highway Department of the hazard, but couldn't recover repair costs from the Town's insurance because knowledge was being denied.

Hege asked that from now on the Highway Department keep a written record of all complaints received.

Employee Payroll Submissions: Hege informed Board members of a situation in which an employee submitted time sheets for two different weeks, twice, and pointed out that the hours claimed were dramatically different. As errors in record keeping continually come before the Board, and as suspicions have long-existed that some employees rely on memory to document what hours they worked in prior weeks or months, discussion turned again to the necessity of installing time clocks for all municipal employees to use. LaPointe made a motion: **For the Select Board to review the costs of installing time clocks in the Town Hall and at the Highway Department,** seconded by West and carried by those present. Hunt was instructed to provide the Board with purchase options.

WARRANTS: West made motions to approve the following Warrants:

WARRANT 63001 Payroll 06/20 \$9,426.34, seconded by LaPointe and carried by those present with one abstention.

WARRANT 63002 Payroll Tax 06/20 \$3,454.45, seconded by Melis and carried by those present.

WARRANT 63003 Payroll 07/03 \$9,389.98, seconded by Melis and carried by those present with two abstentions.

WARRANT 63004 Payroll Tax 07/03 \$3,678.19, seconded by Melis and carried by those present.

WARRANT 63005 General Fund \$21,331.14, seconded by Melis and carried by those present.

WARRANT 63006 Highway Fund \$1,178.42, seconded by Melis and carried by those present.

WARRANT 63007 General Fund \$20,000.00, seconded by Melis. Hege informed members that this motion was to ratify a Warrant which was already paid, and explained that because Townshend

Elementary School hadn't enough funds to pay off its bridge loan before the end of the fiscal year, it had asked for an interest-free loan from the Town, promising to pay the Town back immediately upon receipt of new loans after July 1st. Rhetorical questions arose about the financial solvency of the school, which had received \$280,000.00 from taxpayers two weeks ago, received a bridge loan from the bank to pay off its line of credit and was to receive \$400,000.00 in loans prior to tax payment receipts in September. When the motion was called, it carried by those present.

WARRANT 63008 General Fund \$163.00, seconded by LaPointe and carried by those present.

WARRANT 63009 General Fund \$3,040.78, seconded by Melis. Melis then offered to amend the motion: **To approve Warrant 63009 General Fund in the amount of \$1,374.11, by not paying Windham County Sheriff's monthly invoice at this time**, seconded by West. Discussion ensued about times being claimed as attributable to the Town but which appeared outside of the contract. The amendment carried by general consent to become the main motion, which carried by those present.

WARRANT 63010 Highway Fund \$3,834.74., seconded by Melis and carried by those present.

WARRANT 63011 Equipment Fund \$1,557.58, seconded by Melis and carried by those present.

WARRANT 63012 General Fund \$1,328.76, seconded by Melis and carried by those present.

WARRANT 63013 Equipment Fund \$1,278.64, seconded by Melis and carried by those present.

Open Meeting Law: Lengthy discussion ensued about the implications of the Open Meeting Law taking effect on July 1, 2014, and, in particular, about the need to post documents and notices on the Town Website within strict timelines.

Rick Hege, who built and maintains the Town of Townshend website for less than \$50 a year, expressed that the new law would require inordinate amounts of time to for formatting and uploading Agendas, draft Minutes and approved Minutes for the Select Board, the Planning Commission and the Listers. Failure to meet the mandated posting deadlines was to become punishable by penalties from the State.

Towns without websites, of course, will not incur the trouble and expense of what will be almost daily maintenance requirements, but merely pin written notices and records on public bulletin boards.

Also, meeting is now considered to take place anytime a quorum of a board or a commission discusses any business matter, even if by phone or by e-mail, and even if the conversations held are separated by days or weeks.

Hunt said that he would have to be informed of every out-of-session conversation that took place among Board members in order to decide whether it needed to be written-up for the public, since the law required that a topic discussed by any two members could never be shared with any other members, anytime, without that constituting an illegal, un-warned meeting for which an agenda was required in advance.

Melis made a motion: **To take the Town of Townshend website down**, seconded by West. Further discussion ensued, with Rick Hege stating the importance of keeping the domain name and archiving all the present content.

Question arose as to the Town's e-mail listserve, and as that is vehicle for public communication not dissimilar from hosting a website, the implication was that that would have to be treated similarly.

Melis then requested that her motion to take the Town's website down: **Be tabled until July 7, 2014**, and with concurrence from West, the request carried by those present.

Administrative Assistant's Duties: Brief discussion ensued as to Hunt's shifting responsibilities from bookkeeping in the Finance Office to management of the new purchase requisition system and oversight of physical infrastructure, in addition to Select Board administrative duties. By general consent, the Board agreed to maintain Hunt as a full time employee at his regular salary.

4. Other Business: Hege briefed the Board on a conversation with Art Monette, chairman of the Planning Commission, requesting that the Select Board and the Planning Commission be jointly named as the Board of Adjustment to adjudicate any appeals to a denial of a permit for construction in a Flood Hazard Zone. Following brief discussion, Melis made a motion: **For the Select Board to agree to form a Board of Adjustment jointly with the Planning Commission**, seconded by LaPointe and carried by those present.

Hege read a memo from Kris Grotz-Kuch, bookkeeper, requesting that the Select Board review the Equipment Fund accounts and eliminate those are obsolete.

Hege read a brief letter from Tiz Garfield requesting attention to a list of Town Hall repair needs and structural concerns.

Hockertlotz requested that the Select Board could do a better job of informing the public of scheduled meetings with signage on the second-story porch of the Town Hall. He also asked that the public be invited to help the Select Board set proposed municipal and highway budgets.

At 9:00 p.m., LaPointe made a motion: **To enter Executive Session to discuss a personnel matter**, seconded by West and carried by those present.

At 9:10 p.m., the Select Board returned from Executive Session and, as a result, no action was taken.

5. Meeting Schedules:

Regular Meeting: July 7, 2014 @ 6:00 p.m.

Tax Rate Workshop: T.B.A.

Ancient Roads Hearing: July 21, 2014 @ 5:30 p.m.

Regular Meeting: July 21, 2014 @ 6:00 p.m.

6. Adjournment: West made a motion: **To adjourn at 9:12 p.m.**, carried by those present.

Respectfully submitted,

Craig K. Hunt, assistant