

approved: 06/15/15

TOWNSHEND SELECT BOARD

Meeting Minutes

June 1, 2015

Present: Kathy Hege; Kit Martin; Kyle LaPointe; Irvin Stowell; Robert Wright;

In Attendance: Joe Daigneault; Kurt Bostrom; Peter Thurrel; Keith Clark; Robert DeSiervo; Dale West; Richard Melanson; Craig Hunt

1. Call To Order: Hege called the meeting to Order at 6:03 p.m.

2. Executive Session: Martin made a motion: **To suspend the rules and have the Select Board meet with Sheriff Clark in Executive Session at 6:06 p.m. to discuss contractual matters under 1 V.S.A. 13a 1a**, seconded by LaPointe and carried by those present.

The Board returned from Executive Session at 6:40 p.m. and, as a result, the Select Board will review the proposed FY2015-16 Law Enforcement contract with the Windham County Sheriff's Department.

3. Bid Opening: Wright made a motion: **To suspend the rules to open bid proposals for cutting trees on the Grafton and Athens Roads and hear Reports** seconded by LaPointe and carried by those present. Hege then opened and read the following bids:

Rice Tree	\$4,900.00
Trees Inc.	8,775.00
Arbor Climb	5,475.00 – 7,300.00
Mayotte	9,500.00

Following brief discussion about the range of prices quoted and questions about the number of flagged trees to be cut, Martin made a motion: **To award a contract to Rice Tree for the cutting of designated trees on the Grafton and Athens roads, per bid, contingent upon submission of satisfactory proof of insurance**, seconded by LaPointe and carried by those present with Hege voting to break a tie.

4. Highway Report: Bostrom reported that the V-Trans paving grant had been received and that an RFP would be going out to potential contractors, soon.

Bostrom reported that Lynde Well Drilling had assessed the well-sediment situation at the Town Garage and had proposed a self-cleaning filtration system that would cost approximately \$1,750.00.

Bostrom reported that he would be convalescing from surgery for the next few weeks, but had left a list of projects for the Highway crew and would be checking in regularly. Wright requested having a list of those projects.

Stowell spoke about issues with the culvert that traverses beneath the parking lot at the Fire Station and Bostrom said that he'd make an assessment. Stowell also questioned the extensive use of gravel at the intersection of Dam and State Forest Roads.

Hege asked why T-3 had been driven to New York and Bostrom informed her that a radio and a bank of switches needed to be installed.

Bostrom informed Peter Thurrel that the municipal solar field on Grafton needed to be seeded over or would subject the Town to a fine from ANR.

5. Town Clerk's Report: The Select Board reviewed the Town Clerk's cash journal reports from the prior weeks.

6. Treasurer's Report: Daigneault reported that the General Fund account currently held a balance of \$850,453.00, prior to the payment of Warrants. He then requested that the Select Board decide whether to roll over the RDAG cd at People's bank which is coming due on June 15th. Martin made a motion: **To roll over the RDAG certificate of deposit at People's Bank for another year**, seconded by LaPointe and carried by those present.

7. Members of the Public: LaPointe made a motion: **To suspend the rules to meet with members of the public**, carried by those present. Peter Thurrel of SOVEREN Solar was welcomed by the Board and Hege relayed that the original agreement between SOVEREN Solar and Townshend for production credits and the way various municipal accounts were set-up to receive allocations was not working to the Town's benefit, as planned. Additionally, taxes were being levied upon the Town as the holder of the Certificate of Public Good for the field's assets. Thurrel suggested that the Select Board could pass a resolution to make alternative energy projects tax-exempt and promised to meet with Hunt and Hege to review the contract arrangements.

8. Approval of the Minutes: LaPointe made a motion: **To approve the Meeting Minutes of May 18, 2015**, seconded by Stowell and carried by those present with one abstention.

9. Additions and Deletions: None at this time.

10. Warrants: LaPointe made motions to approve the following Warrants:

60101 Payroll \$10,194.20, seconded by Wright and carried by those present.

60102 Payroll Deductions \$1,144.72, seconded by Wright and carried by those present.

60103 General Fund \$2,028.99, seconded by Wright and carried by those present.

60104 Highway Fund \$2,648.25, seconded by Wright and carried by those present.

60105 Equipment Fund \$1,599.06, seconded by Stowell and carried by those present.

11. Correspondence: Hege read two letters received from Henry Pinckney requesting all documents in Town Hall in his name, under the Freedom of Information Act and complaining that officers of the Town were preventing him from selling his property on Depot Road. Hunt was asked to respond.

12. Old Business: Appointments: Martin nominated Ellen Fuller and Ernest Redfield to oversee the Howard Legacy Fund, carried by those present.

Martin nominated Kristina Wright to the Townshend Recreation Committee, carried by those present.

Stowell nominated Brad Horn to be a Commissioner from Townshend to the Windham Regional Commission, carried by those present.

Line of Credit: Following brief discussion, Martin made a motion: **To instruct the Treasurer to seek a \$250,000.00 line of credit for the Town**, seconded by LaPointe and carried by those present.

Taft Meadows Mowing: Following discussion about the offers received for mowing Taft Meadows from both Andrew Rockwell and Michael Bernard, Martin made a motion: **To contract with Michael Bernard for mowing Taft Meadows, pending receipt of a Certificate of Liability Insurance**, seconded by Wright and carried by those present.

13. New Business: Easement and License: Hege explained a request received from the buyer's attorney of land and premises at 1988 Vermont Route 30 for an Easement acknowledging the existence of a septic system, already installed on a parcel of land adjacent to the Town Hall and providing for its care and maintenance. This parcel, known as the Swan Lot, was discovered to be under the oversight authority of the Town.

The request for a License to erect a new fence on that parcel, Hege explained, was appropriate for the Select Board to deliberate upon because, as a structure on the Swan Lot, so-called, construction would have to be sanctioned by the Board.

Lengthy discussion ensued regarding the Town's potential liability in authorizing a fence, if the purpose of which, (to contain a dog, for example), failed. Subsequently, LaPointe made a motion: **To approve the Easement and License Agreement contingent upon amendments to the License Agreement indemnifying the municipality of any liability for the utility of the proposed fence**, seconded by Martin. In a vote that included two opposing and one abstaining, the motion carried with the vote of the chair.

14. Executive Session: Martin made a motion: **To find that premature public knowledge of a possible settlement agreement to a civil suit would place the municipality at a substantial disadvantage if it were first discussed in public**, seconded by LaPointe and carried by those present.

LaPointe then made a motion: **To enter Executive Session under 1 V.S.A. section 313(a)(1)(f) at 8:30 p.m. to discuss confidential attorney-client communications made for the purpose of providing professional legal services**, seconded by Wright and carried by those present.

The Select Board returned from Executive Session at 8:38 p.m., and, as a result, LaPointe made a motion: **To accept and sign the Board of Health Settlement Agreement, as recommended by the Town's attorney and as accepted by the**

Defendant, seconded by Martin and carried by those present with two abstentions and with the chair voting to break the tie.

15. Other Business: None at this time.

16. Meeting Schedules: Regular Meeting: June 15, 2015, at 6:00 p.m.

17. Adjournment: Stowell made a motion: **To adjourn at 8:40 p.m.**, carried by those present.

Respectfully submitted,

Craig K. Hunt