

# **Townshend Select Board Meeting Minutes**

## **November 3, 2008**

**Present:**

**Select Board** - Kit Martin, Chairman; Alene Evans; Brud Sanderson; Carole Melis; (Joseph Juhasz, absent);

**Members of the Public** - Art Monette; Bernice Brooks; (Planning Commission); Kurt Bostrom (Highway Foreman); Meredith Roberts, (bookkeeper); Cynthia Davis; Attorney Robert Fisher

1. **Call To Order:** At 6:07 P.M., Chairman Martin called the meeting to order.
2. **Members of the Public:** Martin requested that with the Board now meeting at 6:00 P.M., members of the public should be invited to attend and be recognized starting at 7:00 P.M. Regularly-scheduled Select Board meeting Agendas will be posted accordingly.
3. **Additions and Deletions:** Evans questioned why "Halloween Decoration" was listed under **# 8. Old Business**, and Hunt explained that it was an issue which had come before the Board in the past, but would move that to **#10. Correspondence**, since copy of a letter to the Brattleboro Reformer from Susan Hunt was asked to brought to the Board.
4. **Approval of Minutes:** Martin made a motion: **To approve the Minutes of October 27, 2008**, seconded by Sanderson, and unanimously carried by those present. Martin made a motion: **To approve the Minutes of October 20, 2008**, seconded by Sanderson, and after discussion about the length and nature of Minutes, it was decided to postpone any vote of approval until the Highway Foreman could verify an expense projection recorded in those Minutes.
5. **Reports:**
  - 5a. **Town Clerk's Report:** The Board received from the Clerk a Notification of Additions to the Voter Checklist.
  - 5b. **Treasurer's Report:** none at this time.
  - 5c. **Bookkeeper's Report:** The Board welcomed Ms. Roberts and

accepted the Bookkeeper's Update dated November 3, 2008, informing the Board that she would be out of the office on November 6th and 7th to attend a workshop; had distributed comparative budgets to the Fire Department, Library and Cemetery Commission; had met and was working with the Highway Foreman to accurize the highway budget; and had met with the Auditors on General Fund reconciliation, and with Cynthia Davis to review banking and General Ledger account practices. Ms. Roberts informed the Board that she would be meeting with the Cemetery Commission on November 17th, and provided a cost sheet of Highway crew expenses associated with cleaning out a recycling bin in which trash was dumped.

6. **Highway Foreman's Report:** Bostrom was asked to provide his estimate of costs for purchasing tires for the Town trucks, and, doing so, Melis asked that the Board vote, **to approve the Minutes of October 20th, as corrected and amended, and as previously moved, which was unanimously carried by those present.** Bostrom reported upon his meetings with the Bookkeeper, and his attendance at Road Maintenance classes the previous Friday. He recommended that the Town purchase additional magnesium chloride for the pretreatment of winter sand, explaining that it would provide improvement of ice and snow melt and reduce the sand / salt application rate. After discussion about cost-effectiveness, Evans moved: **To have the Town purchase bulk liquid magnesium chloride,** seconded by Sanderson and unanimously carried by those present. Bostrom further reported upon water seepage and degradation on Windham Hill Road near Coughlin's; upon a large culvert on Route 35 that will need replacement next year, and for which some State money should be available; upon walls of a stone culvert on Deer Valley Road needing work, and upon the tenderness of a corrugated bridge deck with an asphalt cap on West Hill Road that needs repair before winter. He updated the Board on retaining wall work completed on Simpson Brook Road, which, with rip rap from the Town pit and use of the Town's backhoe, was accomplished with measurable savings to the Town. Bostrom briefly explained labors and costs incurred to remove trash improperly placed in the recycling bin, and his belief that the placement of those materials was mistaken, rather than malicious, but reminded the Board of previous occurrences of improper recycling which have had cost the Town. Melis moved: **To have the secretary**

**draft a letter to the offender, conveying the costs incurred by the Town**, seconded by Martin, and unanimously carried by those present.

7. **Warrants: Martin made a motion: To pay the Warrants**, seconded by Sanderson and unanimously carried by those present.

N0308AR	\$ 8,625.68	Fund General Fund
N0308PR	\$ 9,279.64	Payroll

Melis asked whether the Bookkeeper was covered by an insurance Bond, and Martin expressed his belief that Professional Liability Insurance through VLCT only covered elected officials. Roberts requested adding a discussion of the Personnel Policy to the November 17th Agenda, and left at 6:45.

Martin made a motion at 6:45: **To recess the Meeting to recognize and hear the report of the Planning Commission and adopt the Town Plan**, seconded by Sanderson and unanimously carried by those present.

Art Monette reminded the Board of a Public Hearing scheduled for November 17th, at 6:45, for Revision of the Town Plan, and explained that after review with the Windham Regional Commission, it was determined that much work needed to be done on the Town Plan in order to meet State standards. An application for grant money to offset the costs of developing a new Town Plan had been submitted, but because of the time it was going take to revise the Town Plan, and the State's requirement under Act 250 that the Town adopt a Town Plan by November 17th, Mr. Monette requested that the Board adopt the present Town Plan, effective November 17, 2003 to November 17, 2008, as the current Town Plan. That "adoption" would satisfy State requirements and allow for comprehensive development of a new Town Plan in the coming year.

After brief discussion, Martin moved: **To adopt the current Townshend Town Plan, (effective November 17, 2003 to November 17, 2008), as the Townshend Town Plan until completion and adoption of the new Townshend Town Plan, (effective November 17, 2008 to November 17, 2012), with November 17, 2012, as an end date**, seconded by Melis, and unanimously carried by those present. Art Monette and Berenice

Brooks left at 6:50 P.M.

Martin returned the Meeting from recess at 6:52 P.M..

Kurt Bostrom arrived at 6:55 P.M.

**8. Old Business:**

**Listers Errors and Omissions:** Melis presented a Fax from Atty. Fisher containing a letter from Robert Ginsburg, Atty. for Valley Cares, in which corrected figures were used in calculating Valley Cares' appraisals to higher values. Melis informed the Board that after discussion with Ann Bernhardt, an extension of time for the Town's filing a finalized 411 form, due on Monday November 3rd, had been granted until Friday, November 7th. Melis also conveyed that she had contacted Attorney Fisher and felt that he recommended that the Board accept the reassessed figures.

After reviewing the letter, discussion focussed on the fact that it did not contain any recommendation from Attorney Fisher, and Melis attempted to contact Attorney Fisher by phone at 7:05.

Martin suggested tabling further discussion and decision about the Listers Errors and Omissions until Attorney Fisher could be consulted.

Melis offered a brief report about the Open House at the Town Barn on November 1st, the generous contributions and efforts of volunteers, and the surprisingly favorable turnout. She requested that the Board discuss and determine how to proceed subsequent to the outcome of the vote, recommending that it reappoint the Town Barn Committee to evaluate and commence with the next step in the process.

Martin relayed that he had received two unsolicited communications expressing interest in aspects of construction, but felt that until the vote was counted, it was premature to have the Board deliberate upon what to do next, and suggested that the matter be taken up prior to the Budget Workshop on Monday November 10th.

Sanderson and Evans concurred, with Sanderson asking that the meeting be properly Warned to invite public input, and Evans suggesting that the Board conduct that business beginning at 6:00 P.M., and prior to working on the budget.

**Sidewalks:** To be further discussed at a joint Meeting with the

Planning Commission and the Town Hall Renovation Committee on November 12th.

**Cabinets:** An update on minor construction schedules and finishing plans are expected after the elections.

**Fountain:** Concrete to be poured this week. The secretary was asked to confirm with the contractor that the poured base would be protected from the cold as it cured.

Melis asked about a draft letter written to Emily Long, Chairperson of the Leland & Gray UHS Board, regarding the Town's right-of-way behind the Dutton Gym. As that letter had not been sent, Evans asked that the secretary draft a new letter requesting the information.

Evans asked the secretary to find out the amount of the December payment on the Town's backhoe.

9. **New Business:** None at this time.

10. **Correspondence:**

A letter was read by Martin from the Townshend Elementary School Club requesting permission to install an ice skating rink on the Townshend Common. Martin moved: **To grant to the Townshend Elementary School permission to install a skating rink on the Townshend Common, as in years past**, seconded by Evans, and unanimously carried by all those present.

Melis presented the Board with a draft letter addressed to the Leland & Gray U.H.S. School Board, regarding the school's intended use of surplus funds, as stated in a Warning to District voters. Martin expressed his concern about the Select Board taking any action that publicly commented upon the legal business of any other Board, and Sanderson agreed, stating that any letter from the Select Board would imply that the Board represented the will of the Town, which, in this matter, was beyond its scope.

Hunt referred to, but did not present, a letter written by Susan Hunt to the Brattleboro Reformer, in which she complained that Halloween desecration on the Townshend Common was being

endorsed by the Reformer's labeling of it as "decoration." Hunt reminded the Board that this issue had been brought to it in the past, with no action taken, and requested that the Board consider using its authority to protect public property in the future. The Board took no position on this matter..

Martin read a letter signed by Richard Lucier, Lister, dated November 3, 2008, and including a reduction of assessment for Todd and Jennifer Emerson.

At 8:05 P.M., the Board phoned Ann Bernhardt for clarification of the ramifications of accepting the additional value of Valley Cares and the deadline for filing the Form 411 with the PVR. She affirmed that the Town would be bound to the use of those figures for the 2008-2009 tax year. At 8:26 P.M. Bernhardt was thanked, and the call ended.

Melis made a motion: To **change VELCO's assessment to \$1,652,100.00**, seconded by Martin, and unanimously carried by those present.

Melis moved: To **change the assessment to Ed Whaler to \$8,007.00**, seconded by Martin, and unanimously carried by those present.

Evans moved: To **change the assessment of Todd and Jennifer Emerson to \$4,660.00**, seconded by Martin, and unanimously carried by those present.

Melis moved: To **table consideration of Valley Cares assessment until Atty. Fisher could provide counsel**, seconded by Sanderson, and unanimously carried by those present.

**11. Executive Session:** None at this time.

**12. Meeting Schedules:**

November 4th from 7:00 A.M. to 7:00 P.M. Election Day

November 10th at 6:00 P.M. Business Meeting & Budget Workshop

November 12th at 4:30 P.M. Joint Meeting with the Planning  
Commission and Town Hall Renovation Committee

13. Melis moved: **To adjourn at 8:35 P.M.**, seconded by Martin and unanimously carried by those present.

Attorney Fisher arrived at 8:30 P.M.

14. Martin moved: **To reconvene the meeting with a Call to Order at 8:40 P.M.**, and Martin moved: **To enter Executive Session with Attorney Fisher for the purpose of discussing Errors and Omissions.** The Board came out of Executive Session at 9:00 P.M., and Evans moved: **To lower the Grand List assessed value of the Valley Cares Assisted Living building to \$1,280,000.00 without waiving any rights the Town may have for any Lister error,** seconded by Martin and unanimously carried by those present. Evans moved: **To lower the Grand List assessed value of the Valley Cares Independent Living building to \$610,000.00 without waiving any rights the Town may have for any Lister error,** seconded by Martin and unanimously carried by those present.
15. Martin moved: **To adjourn at 9:01 P.M.**, seconded by Melis and unanimously carried by the Board.

Respectfully submitted,

Craig K. Hunt, secretary