

BARRE TOWN SELECTBOARD MEETING AGENDA
January 19, 2010

PILOT: Executive Session: legal & contracts

6:30 p.m.

1. Call to order 7:00 p.m.
2. Pledge of Allegiance
3. Consider approving minutes from meeting of January 12 meeting
4. Announcements
5. Receive guests (for non-agenda items).
6. Public Hearing: Second reading for an ordinance reducing speed on designated roads.
7. Consider Highland Sugarworks tax stabilization application.
8. Consider Bruce Mekklesen's request for a forced sewer main extension.
9. Report on CVSWMD.
10. Consider approving change orders to fire truck.
11. Consider authorizing the purchase of new police cruiser.
12. Consider approving weekly accounts payable warrants.
13. Miscellaneous: alcohol & tobacco licenses
14. 'Round the Table
15. Executive Session: (if needed)
16. Adjourn

EXECUTIVE SESSION FOR PILOT

On a motion by Gagne, seconded by Fish, the Selectboard voted unanimously to go into executive session at 6:30 p.m. for the purpose of discussing legal and contracts.

On a motion by Wolfe, seconded by Gagne, the Selectboard voted unanimously to come out of executive session at 7:10 p.m.

**BARRE TOWN SELECTBOARD MINUTES
January 19, 2010**

The duly warned meeting of the Barre Town Selectboard of January 19, 2010 was held at the Barre Town Municipal Building, Selectboard Room, Lower Websterville at 7:10 p.m.

The following members were in attendance: Jeff Blow, Jeff Newton, Marion Fish, Jeffrey Gagne, and William Wolfe.

REGULAR MEETING

Attendance for the regular meeting included: Town Manager Carl Rogers, Town Clerk-Treasurer Donna Kelty, Town Management Intern Kelly Houston, Engineer Harry Hinrichsen, Fire Chief Chris Violette, Police Chief Michael Stevens, TSAC Members Val Vallerand and Chauncy Liese, Darren Winham, Fred Thumm, Leesa Stewart, Jeanne Daniele, Jack Mitchell, Paul McGinley, Bruce Mekkelsen, Laurie Mekkelsen, Tom Otterman, Chris Perry, Jeremy Malone, David Parrott (Myers Trash Service), and Kevin Elnicki (Earth Waste System).

CALL TO ORDER - The meeting was called to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE - Those present recited the Pledge of Allegiance.

MINUTES

On a motion by Fish, seconded by Newton, the Selectboard voted unanimously to approve the Selectboard Meeting Minutes of January 12, 2010. Gagne abstained.

ANNOUNCEMENTS

1. The Board of Recreation is looking for a new member to step in and fill an unexpired term (2008-2011). If you or someone you know is interested please contact the Town Manager's Office (479-9331 or crogers@barretown.org) for more details.
2. Reminder: Now that the winter heating season is upon us, be sure to check all heating devices (i.e. portable heaters, wood stoves, furnaces) for malfunction part(s) and appropriate use. Performing a quick check could save you from accidental damage.
3. Reminder: Property taxes and sewer use charge are due Tuesday, February 16, 2010. The Town Clerk's Office will be open 7:30 a.m. - 4:30 p.m., on Monday February 15, and Tuesday, February 16 to accommodate taxpayers.
4. Notice: Dog license renewals will be mailed out by the end of January; owners will also be notified of rabies vaccination expiration.

GUESTS

Jeremy Malone was present. During last week's meeting the Selectboard approved allowing for a snowmobile demonstration on Town land located in the Wilson Industrial Park next to the Recycling Depot. One of the conditions was to provide event insurance. Mr. Malone has been inquiring and the least expensive insurance is \$5,000. He is unsure why the Town is requiring this when the snowmobile jump will be in a direction away from spectators and the drivers will be signing a waiver absolving the Town of any liability. Chair Blow asked Mr. Malone to contact the Town Manager tomorrow morning to discuss the situation.

SECOND READING - ORDINANCE REDUCING SPEED ON DESIGNATED ROADS

Background: This is a public hearing for an ordinance reducing established speed limits. The speed limit on Waterman Street (Route 110 to 200' south of Waterman Farm

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Road) and Donahue Road (Short Street to Graniteville Road/Drury Hill) will be reduced to 25 mph. The other portion of Waterman Street (from 200' south of Waterman Farm Road to intersection of Lowery and Littlejohn roads) and Donahue Road (from the intersection of Lowery and Littlejohn roads to the intersection with Short Street) will be reduced to 35 mph.

On a motion by Wolfe, seconded by Newton, the Selectboard voted unanimously to read by title only "An Ordinance Of The Town Of Barre, Vermont, Amending Section 7-61 Of The Barre Town Code Of Ordinances By Reducing Established Speed Limits."

The public hearing was opened at 7:15 p.m.

Resident Jack Mitchell stated he does not see the need to drop the speed limit to 35 mph on Donahue Road. That section of road is a fairly straight stretch, does not have a lot of homes, and existing homes set back from the road. He feels the change is setting residents up for getting a ticket, noting 5 mph change does not make much of a difference.

Resident Paul McGinley stated he lived on that road for 16 years and during that time there was no speed issue on Donahue Road except for the small downhill section.

TSAC Chair, Chauncy Liese, stated a speed study had been conducted as well as a study for the school regarding bus stops. Other factors include potential development and keeping the speed limit consistent along the stretch of road.

TSAC Member, Val Vallerand also noted Donahue Road is part of the High Risk Rural Roads initiative. During the review of Donahue Road it was noted there have been 15 accidents since 2002. Of the 15 accidents 7 occurred on the section of road closer to Short Street.

On a motion by Wolfe, seconded by Gagne, the Selectboard voted unanimously to close the public hearing at 7:22 p.m.

On a motion by Wolfe, seconded by Fish, the Selectboard voted unanimously to advance "An Ordinance Of The Town Of Barre, Vermont, Amending Section 7-61 Of The Barre Town Code Of Ordinances By Reducing Established Speed Limits" to final hearing on January 26, 2010.

HIGHLAND SURGARWORKS TAX STABILIZATION

Background: Highland Surgarworks is moving from one Wilson Industrial Park building to another. The business has spent over \$500,000 on *building improvements, machinery, and equipment*. A Tax Stabilization application was submitted (with the help of Barre Area Development Director Darren Winham). The Manager noted the application meets eligibility criteria and has no exclusionary criteria issues. To be eligible for tax stabilization a minimum application score of 35 points is required....Highland Sugarworks scored 63 and is eligible.

All applications are supposed to be presented prior to start of construction. The Policy grants the Selectboard the right to waive or modify Policy guidelines. Last Spring, Barre Area Development and Highland Sugarworks informed the Board of this project and interest in tax stabilization and asked to apply later because an accurate cost of

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retrofitting would not be known until the work was complete. The Selectboard indicated it would accept the application after construction started.

The Manager is recommending the Selectboard award a 3-year stabilization contract with Highland Sugarworks.

On a motion by Gagne, seconded by Fish, the Selectboard voted unanimously to award a 3-year tax stabilization with Highland Sugarworks with the rates being: Year 1 is 90%, Year 2 is 75%, and Year 3 is 45%.

SEWER MAIN EXTENSION - MEKKELSEN

Background: Bruce Mekkelsen is proposing a nine-lot subdivision off School Road which is calling for on-lot sewer pumps for each lot, which would have force-main lines that send wastewater to a common pump station near the intersection of Richardson Road. The force main will require a right-of-way conduit permit from the Selectboard.

The Town Engineer noted that based on the language in the Sewer Allocation Policy (SAP), sewer connections that fall outside of the existing service territory are required to meet service density...another limitation is on development of pump stations. In this sewer main extension neither of the prerequisite is met.

The Town in previous cases (Marcel Roy in 2005 and Ron York in 2006) voted to uphold the restrictions and limitations enacted by the SAP. The Selectboard minutes of August 30, 2005 clearly state "It is noted for the record the Selectboard has generally discouraged and even not allowed privately owned pumping stations."

Tom Otterman was present. He informed the Board he had read the Sewage Allocation Policy and that is why he is here. Confirmation was made that there would be a 100' sewer line extension, a new manhole, there would be force main rights-of-way crossing a lot, a pump station would be owned by the property owners, and each home would have its own pump station.

The Town Engineer stated the Sewer Allocation Policy is a finite resource. Therefore, sewer territories are put in place to encourage maximizing the system capacity. The Policy also states pump stations are disallowed.

There was discussion regarding the original subdivision (Giroux) and noted a proposed connection to the existing Town owned sewer line. The Engineer stated Mr. Giroux would have been unable to build his current residence if he did not have an alternate sewer plan in place for his septic system.

Fish expressed her desire for more housing in Barre Town and potential cost impacts sewage disposal can bring. However, she will not go against Town policy.

Reserve allocations were briefly discussed, owner/association responsibility with pump stations, and other instances whereby the Board has had to deal with pump station issues.

A motion was made by Gagne, seconded by Wolfe, to approve Bruce Mekklesen's sewer service request. The motion failed with 5 no votes.

REPORT ON CVSWMD

Background: The Central Vermont Solid Waste Management District (CVSWMD) Board of Supervisors voted to close the depots (including Wilson Recycling Depot) at the end of the day, Saturday, February 6, 2010. The CVSWMD is having financial difficulties.

Closing the depots presents many potential problems: illegal dumping (environmental hazards as well as aesthetic issues), loss of momentum in getting the public to recycle and properly dispose of materials, inconvenience for Town residents and businesses. There are several options to take the place of the Wilson Depot:

1. Direct public to one of many roadside bag drop-off locations; or buy home pick-up service.
2. Barre Town arrange for a licensed trash collector to be at the Wilson Depot on Saturdays.
3. Barre Town organizes, operate periodic collections of waste oil, metal, tires, consumer electronics.
4. Contract with a full service company to operate the Wilson Depot.
5. Issue a joint contract with Northfield (possibly other towns with depots) to hire a company to operate our depots.

The CVSWMD should be supplying a list of licensed haulers. Earth Wastes submitted a proposal in response to the District's RFP. The company said it would operate the Wilson Depot until July 1, allowing the District and Town time to figure out what will happen in the future.

CVSWMD Administrative Manager Leesa Stewart and our representative Fred Thumm were present. A list of questions regarding operations and finances had been emailed. During the question/answer session the following facts were noted:

- ✓ The Wilson Depot was losing approximately \$6,000 per month, but it is the largest collection point.
- ✓ Depots are the biggest financial drain in the CVSWMD (personnel, benefits, hauling) financial picture.
- ✓ Opening depots on a rotating/alternating basis would create confusion with the public and staff.
- ✓ There was no "internal control" at the depots to protect (staff, CVSWMD, and members) from theft even though recommendations had been made some time ago.
- ✓ With Depots closed, the CVSWMD will focus on programming for items such as Green Up Day, Hazardous Waste Collections, tire collections, organics collection, etc.
- ✓ The CVSWMD is not planning to provide "Recycling Depots" in the future, nor will they return any portion of the per capita fee.
- ✓ There is no plan to reduce the per capita fee.

Fish thanked our Town Representative Fred Thumm for all the hard work he did regarding fiscal accountability.

Earth Waste representative Kevin Elnicki was present and stated he had submitted an RFP to CVSWMD to operate the Depots. His company is willing to step in and operate the Wilson Depot so it will not close until the Town can get a new proposal.

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Myers Trash Collection representative David Parrott was also present. He stated the RFP from CVSWMD was confusing and way too many variables in it. His company is very disappointed with CVSWMD.

Blow requested Ms. Stewart provide the Town will the financial information on the Wilson Operations and a copy of the RFP sent to the private haulers. The Manager was instructed to place this item on the next meeting agenda.

FIRE TRUCK CHANGE ORDER REQUEST

Background: In September 2009 the Board approved the purchase of a Freightliner tanker for the Fire Department. Initially the bid was awarded to VTech (Williamstown). After learning they would need the funding up front to begin assembling the tanker, the bid was awarded to Deep South Fire Trucks (Mississippi). The Fire Chief took a trip down to the manufacturing facility in November to evaluate the product line and the assembly process. He returned satisfied with the Town's selection. Since the RFP was sent out a couple of additions have been made to the order. The original order was for \$124,010 which includes the cab and chassis, the tanker, body, the driver side front dump, side scene lights, on spot chains, and plumbing for the portable pump.

The change order is for the addition of a slide out tray (for the pump) and two additional small compartments, and an arrow light stick totaling \$3,270. 00. All changes were run through the Town Manager noting in his opinion they seem to be worth the additional money and given the length of time the Town keeps the equipment.

Fire Chief Violette stated the truck is to be delivered in three to four weeks.

On a motion by Wolfe, seconded by Newton, the Selectboard voted unanimously to approve the Fire Truck change order as described above.

PURCHASE POLICE CRUISER

Background: In April 2009 (last fiscal year) the Police Department purchased a new four-wheel drive vehicle (Ford Explorer) to replace the aging Jeep. In the current fiscal year the Department is scheduled to get a new cruiser at a budgeted cost of \$28,008 (includes light bar and cage).

After reviewing options the Police Chief is recommending the Town purchase a 2010 Explorer, reasoning the new Explorer gets a lot of use during poor road conditions (snow, ice, mud, etc.). Using the State Contract figures the base price for a new Explorer would be \$21,079. Assuming the same additional cost for a light bar and cage (\$5,812) the Explorer would cost \$26,891 (less than it did last year). Purchasing a Crown Victoria with pursuit package, as planned, at the State Contract price would be \$21,450 plus additions would be \$27,262.

Police Chief Stevens was present. During the discussion it was noted the paperwork indicated the vehicle was a 2 wheel drive not 4 wheel drive. Wolfe stated the Chief should look at the cost of a Tahoe as they are very reasonable. The consensus is the Chief will double check with the State on the cost of the 4 wheel drive Explorer and contact a vendor regarding the cost of a Tahoe.

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On a motion by Wolfe, seconded by Fish, the Selectboard voted unanimously to pass over this item and place it on the next meeting agenda.

WEEKLY ACCOUNTS PAYABLE WARRANT

Newton stated he would be abstaining from the motion and discussion.

A motion was made by Gagne, seconded by Fish to approve the accounts payable warrant. The motion was defeated with Fish and Wolfe voting yes, and Gagne and Blow voting no.

The invoice to Barre City for the final payment regarding the Mercer Group was the point of contention. Blow stated he was against payment as the product we have is very lacking, nor was it delivered as contracted. The Manager informed the Board Barre City had already paid Mercer Group and this invoice is to reimburse the Town's portion due to the City and that we do have the final report.

On a motion by Blow, seconded by Gagne, the Board voted to approve the accounts payable warrant except for the Barre City reimbursement invoice for the Mercer Group. The motion passed with Wolfe voting no, and Fish, Blow, and Gagne voting yes. Newton abstained from the vote.

MISCELLANEOUS

When the East Barre Fire District was dissolved and absorbed by the Town one of the conditions was that \$80,000 in cash be set aside for the improvement/replacement of the Mill Street water line. The Town has held the money in reserve. The Mill Street water line project is now complete and the Town needs to apply for the loan. Therefore, the Manager is requesting the Selectboard authorize the \$80,000 reserve be applied to the Mill Street water line construction cost and to authorize the Manager to ask for the loan from the State for \$85,000.00, (\$165,000 less the \$80,000).

On a motion by Gagne, seconded by Wolfe, the Selectboard voted unanimously to release the \$80,000 in reserve for the Mill Street water line project and to authorize the Town Manager to proceed with the loan application to the State of Vermont.

'ROUND THE TABLE

Gagne and Fish thanked the Town of Berlin for the confidence it has in our Barre Town Emergency Medical Service and by signing the ambulance service contract.

Blow and the entire Board thanked the Barre Town EMTs for their efforts (foregoing pay raises) which allowed the Town to keep the Berlin per capita rate at an acceptable level.

EXECUTIVE SESSION

On a motion by Wolfe, seconded by Gagne, the Selectboard voted unanimously to go into executive session at 9:27 p.m. to discuss legal.

On a motion by Wolfe, seconded by Fish, the Selectboard voted unanimously to come out of executive session at 9:34 p.m.

MISCELLANEOUS (2)

The Selectboard briefly discussed the recent CVSWMD actions including the closing of the Recycling Depots and the business direction it is taking. Items of concerns were obtaining uninterrupted Wilson Depot Service (short and long term), withdrawing from the CVSWMD and complying with Act 78.

ADJOURN

On a motion by Fish, seconded by Wolfe, the Selectboard voted unanimously to adjourn at 10:00 p.m.

Donna J. Kelty, Town Clerk-Treasurer

Selectboard Chair

Barre Town Selectboard