BARRE TOWN SELECTBOARD MEETING AGENDA
July 29, 2014

P.I.L.O.T. Site visit: John Hood Road (East Barre) 6:30 p.m.

1. Call to order 7:00 p.m.
2. Pledge of Allegiance
3. Announce changes to agenda.
4. Consider approving minutes from meeting of July 15, 2014
5. Announcements
6. Receive guests (for non-agenda items).
7. Discussion about Vermont's sex offender registry.
8. Consider starting intentions to warn a special town meeting on November 4 and to include article about joining Central Vermont Public Safety Authority.
9. Consider approving Developer Agreement for Windy Wood Housing.
10. Discuss policy for donation of services to special events.
11. Consider Traffic Safety Advisory Committee recommendations: a) hidden drive sign on Sterling Hill road; b) removing ledge outcroppings along Graniteville Road.
12. Discuss suggested Town Charter amendments.
13. Consider approving weekly accounts payable warrants.
15. 'Round the Table."
16. Executive Session, if needed
17. Adjourn.

BARRE TOWN SELECTBOARD MINUTES
July 29, 2014

The duly warned meeting of the Barre Town Selectboard of July 29, 2014 was held at the Barre Town Municipal Building, Selectboard Room, Lower Websterville at 7:00 p.m.

The following members were in attendance: Jeff Blow, Robert LaClair, W. John "Jack" Mitchell, Roland Tessier, and Tom White.


CALL TO ORDER - The meeting was called to order at 7:18 p.m.

PLEDGE OF ALLEGIANCE

Those present recited the Pledge of Allegiance.

CHANGES TO THE AGENDA

On a motion by Mitchell, seconded by White, the Selectboard voted unanimously to add to Item 14, Miscellaneous the item of John Hood Road, to set a plan for finalizing discussion/action.

MINUTES

On a motion by Mitchell, seconded by LaClair, the Selectboard voted unanimously to approve the Selectboard Meeting Minutes of July 15, 2014.
Selectboard Minutes of July 29, 2014 continued:

ANNOUNCEMENTS

- There is a community yard sale to benefit the Websterville Playground on Friday August 1st and Saturday August 2nd from 8:00 am to 3:00 pm. To make donations or volunteer please contact Tracy Wright at 476-6125.

- On Sunday, August 17, 2014 the MTA will host the Millstone Grind, an eight (8) mile mountain bike race that is composed of approximately 90% single track. The race is located in the Barre Town Forest. To register or learn more about this event visit www.millstonegrind.com.

- Guided nature walks in the Town Forest are offered on Sunday and Tuesday mornings. Meet at the 44 Brook Street (Websterville) parking area at 9:00 a.m. There is NO fee. The walks are 1.5 to 2 hours. On Tuesdays there are two (2) guides and each one will lead a group. There will be one group for fast walkers and one for slow walkers.

- The first installment of property tax and sewer use charge are due on August 15, 2014. If you have not received your new bill(s) contact the Town Clerk's office.

- Primary Election (Tuesday, August 26, 2014) absentee ballots are available. To make a request contact the Town Clerk's office. Sample ballots are available on the website and at various locations throughout the Town.

GUESTS - None

DISCUSS VERMONT'S SEX OFFENDER REGISTRY

Background: The Selectboard was provided a Question and Answer sheet from the VT Crime Information Center Sex offender Registry website. State statute about Sex offender Registry is found at Title 13, Chapter 167, Subchapter and was adopted in 1996 and since amended. The Manager's understanding is there is a sex offender registry for most offenders of a sex crime. Some offenders on the registry also are listed on a website accessible to the public. This website indicates there are eight offenders living in Barre Town. Two are in the same house. There is a question about what the Town's (namely Police Department) response should be.

From materials available on-line the offender does not need to inform the neighborhood of his/her new residence. The Police Department is not mandated or obligated to notify anyone. The Police Department does assist the State in confirming residency (or compliance checks).

So what discretionary action should the Town or Police take? Our Chief said he did notify a neighborhood once, when he though an offender posed a threat. The Police Chief is ready to have a written department policy stating the department will notify the neighborhoods of a sex offender labeled “Sexually Violent Predator” by the court or “High Risk” by the Department of Corrections. Further the Police Chief would use his professional judgment in deciding if the department will notify the neighborhood of other sex offenders listed on the website.

Sex offenders have lived among us since the beginning of time. Until about 15 years ago there was no good way for the public to know if offenders lived in their town. Having an on-line registry does not make offenders who have served their time more dangerous. It allows us to know who is living in our neighborhoods. Then, we have to manage the risk. Instruction and advice for children and adults can help the public minimize and cope with the risk because it never will be eliminated. The policy the Chief prepares might include a plan to offer communication education meetings.
Selectboard Minutes of July 29, 2014 continued:

East Barre resident Chris Locarno informed the Board he found out about an offender living in his neighborhood by accident. His neighborhood contains many children, a bus stop, and playground. He would like the Police Department to notify neighborhoods of an offender living in the area and to sponsor neighborhood meetings to dispense information that could be useful. He stated he had contacted the Police Chief and Town Manager who were very responsive to his concerns.

The Police Chief gave the Board an overview of his involvement allowed under State law. If an offender is on parole or probation they can be monitored much more closely. However, once released the Police Department has to walk a fine line so as not to be accused of harassment when monitoring offenders.

On a motion by Tessier, seconded by Mitchell, the Selectboard voted unanimously to direct the Police Chief to draft a policy “Sex Offender Policy” for future discussion.

CONSIDER CALLING FOR A SPECIAL TOWN MEETING ON NOVEMBER 4 TO INCLUDE AN ARTICLE ABOUT JOINING THE CENTRAL VERMONT REGIONAL PUBLIC SAFETY AUTHORITY

Background: During the last meeting the Selectboard stated they wanted to vote on this matter at the next meeting regardless of who is present or absent. The Selectboard will be deciding whether or not they want to include an article at a Special Town Meeting to be held on November 4th.

The Manager provided the Selectboard with his concerns which include: increase fees, no guarantee of level of service, and staffing requirements.

Chair Blow stated should the article be placed on the ballot in November the process would be as follows: Voters approve the question in November; Selectboard appoints representatives; a Memorandum of Understanding (cost share formula) is drafted and approved by all parties; develop a budget which goes before the voters in March 2015 (Special Town Election) or at that point ask the voters to withdraw from the Public Safety Authority.

Town Attorney Michael Monte noted that in Section 48 of the Public Safety Charter (opting out clause) there are some contradictory statements. His interpretation is the Town would have to be in the Authority at least 1 to 4 years before we could withdraw. Also the Memorandum of Understanding is to commence after the 1st meeting, which is the end of month August. If Barre City and Montpelier develop this before the November election then Barre Town would not have a “seat at the table” when drafting this document. The basic questions are: how long will the Town be locked into the Authority if the vote passes in November; and will Barre Town be participating in drafting the Memorandum of Understanding?

Various residents spoke in opposition of placing the question on the November election citing:

- There is no budget so how can they judge this would be beneficial to taxpayers;
- No guarantee for the same level of existing services (ambulance, fire, and police);
- Loss of local control and identity;
- The voters are asked to get into authority but it is the Selectboard that has the final say on having the authority actually provide a service.

Combining the three community’s budgets, Barre Town spends only 16% of the total. If dividing costs equally it stands to reason that taxpayers will be paying more.

Tom Golanka (Montpelier representative on RPSA) stated the process is not meant to have
Selectboard Minutes of July 29, 2014 continued:
other communities pick up a portion of their costs. The need is to find a way to work cohesively to better spend taxpayer dollars and enhance services for all.

On a motion by Mitchell, seconded by LaClair, the Board voted unanimously to place the Regional Public Safety Authority question on the November 2014 ballot.

DEVELOPER AGREEMENT FOR WINDY WOOD HOUSING LLC

Background: Since the last meeting the Developer Agreement for Windy Wood Housing LLC has been revised and the cost estimate was submitted. In the format submitted it will take more time for the Town Engineer to determine if it is adequate. That information is being presented tonight.

The Manager and Engineer review the cost estimate details and agree that the numbers are good and satisfied with the dollar amount.

Richard Colton stated it is unusual to ask for 100% of the project value in a security. He would like to see a smaller percentage unless the Town is willing to reduce the security on a regular basis as phases are completed, especially with the infrastructure. However, since work needs to commence he would ask that the Board approve the agreement. The Manager stated the Town is willing to reduce the security as phases (portions of) are completed.

On a motion by Mitchell, seconded by LaClair, the Selectboard voted unanimously to authorize the Town Manager to sign the Developers Agreement with Windy Wood Housing LLC upon receipt of the financial security (in the agreed amount).

Mitchell inquired when he would get a copy of the Homeowner Association Rules.

DISCUSS POLICY FOR DONATION OF SERVICES TO SPECIAL EVENTS

On a motion by Blow, seconded by Mitchell, the Selectboard voted to pass over the discussion of the Policy for Donation of Services due to the lateness of the meeting. LaClair voted no.

CONSIDER TSAC RECOMMENDATIONS

Background: During the June 225, 2014 meeting the Traffic Safety Advisory Committee (TSAC) made recommendations which are being presented for Selectboard review.

1. The TSAC is recommending a "Hidden Drive-Right" on upper Sterling Hill Road just above the Chauncey Liese driveway. The sign would be placed approximately 250' uphill of #121 Sterling Hill Road. The property owner should be requested to trim the cedar hedge as well as any other trees along the roadside that are on their lot road frontage which will aid in the sight distance from the driveway.

On a motion by Mitchell, seconded by LaClair, the Selectboard voted unanimously to approve the Traffic Safety Advisory Committee recommendation and to install a "Hidden Drive-Right" sign, would be placed approximately 250' uphill of #121 Sterling Hill Road.

2. A TSAC member stated there are two (2) outcroppings along the Millstone Hill West bike path, in the vicinity of the Lower Graniteville picnic area. He said the ledge outcroppings are in a clear zone. No other information on clear zones was provided.
On a motion by White, seconded by Tessier, the Selectboard voted unanimously to pass over the item and to request the Traffic Safety Advisory Committee get more information regarding ledge outcroppings and clear zones.

**SUGGESTED TOWN CHARTER AMENDMENTS**

Background: Last spring a question came up causing the Town Clerk, Town Attorney, and Manager to realize a section of the Town Charter needed to be amended. Then the Open Meeting Law mandated certain actions (effective July 1, 2014). The three parties met and have prepared suggested Town Charter amendments.

1. **Section 3 (a)** - The Open Meeting Law states the Town will designate places to post warnings which the Selectboard has done. The amendment would add language to state the posting places will be the municipal building, the official Town website; and at three (3) other public places.

2. **Section 7** - Nomination of Candidates. Due to the various deadlines for the elections (testing of voting machines, coding the memory cards, availability of ballot for absentee voters, printing time) the recommended change is that petitions will be due at least thirty (30) **forty-five (45)** and not more than forty (40) **fifty-five (55)** days prior to the election.

3. **Section 33 (a)** - Property taxes are to be paid in either one (1) payment or in not more than four (4) equal installments. With property tax credits it is not always possible to have taxes generated in 4 equal installments. The proposed language strikes the word “equal” and inserts “as equal as possible.”

4. **Section 34** - Board of Abatement. This section pertains to what and under what criteria the Board of Abatement can abate. This past year Legislature changed the rules so penalties, interest, and other delinquent charges can be abated on their own. The amendment will mirror the State law and allow the Board to abate those items.

   The section (c) refers to posting of meeting notices and the amendment is to mirror the suggested posting places stated in item 1 above.

   The sections (b & d) had minor changes made to reflect the changes made in Section 34 first paragraph.

In this section there was discussion regarding deleting the word taxpayer and inserting individual. It was noted that there are many individuals who are not taxpayers (ambulance, parking tickets, and miscellaneous fees) who request abatement, thus the reason for the suggested amendment. Should the word taxpayer remain, then the Tax Collector (Town Manager) would have to make the request for non-taxpayers to make application to the Board of Abatement. The Town Managers’ workload was also noted. The Board thought this particular item needed additional thought.

Lee Walther was present. He had submitted a letter to the Selectboard in June stating that in his opinion the Board of Abatement should not be abating anything but property taxes. His definition of “tax, assessment, charge or other levy made by the Town” does not include user fees such as sewer or water. He expanded discussion to say the Town was pigeon holing fees into a mechanism made for taxes. During the research he did he was unable to find another community conducting business in the same manner as Barre Town. Perhaps now is the time to stop doing business as usual and look to see if there is another way to abate or just write-off.
The Selectboard still has time before committing to any amendments. This was just a preview to get the conversation going.

Other items noted by Mr. Walther included the ambulance no transport fee, ensuring that insurances are billed for these types of runs, and the delinquent collection process. The Town Manager will check with the Town Attorney and ask the VLCT to do a survey as to how other municipalities handle their transactions.

WEEKLY ACCOUNTS PAYABLE WARRANT

On a motion by Tessier, seconded by LaClair, the Selectboard approved the accounts payable warrant for July 22 and July 29, 2014.

MISCELLANEOUS

Due to the lateness of the meeting the Manager stated he would like to pass over the John Hood Road item. It will be placed on the next meeting agenda.

ROUND THE TABLE

Mitchell thanked Trono Fuels for keeping their building and lot so well maintained. It is an inviting entrance for the Wilson Industrial Park.

White thanked the residents who attended this meeting for the Regional Public Safety Authority discussion. LaClair stated he would like to set up some public hearing dates for the November vote.

EXECUTIVE SESSION - None

ADJOURN

On a motion by White, seconded by White, the Selectboard voted unanimously to adjourn at 10:48 p.m.

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Donna J. Kelty, Town Clerk-Treasurer  Selectboard Chair

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Barre Town Selectboard