1. Call to order 6:30 p.m.
2. Pledge of Allegiance
3. Consider approving agenda.
5. Announcements
6. Receive guest (for non-agenda items).
7. Interview consulting water engineer candidate.
8. Discussion with town representatives to Vermont House of Representatives
9. Discuss securing easement and making drainage improvement off Teja Street.
10. Consider request to sell 50’ East Street Ext. right-of-way.
13. Miscellaneous: a catering permit for 663 South Barre Road on November 30, 2017
14. Round the table.
15. Executive session (if needed).

BARRE TOWN SELECTBOARD MINUTES
October 31, 2017

The duly warned meeting of October 31, 2017 was held at the Barre Town Municipal Building, Selectboard Room, Lower Websterville at 6:30 p.m.

The following members were in attendance: Tom White, Paul White, W. John "Jack" Mitchell, and Rolland Tessier. Bob Nelson was not present.

Attendance for the regular meeting included: Town Manager Carl Rogers, Town Clerk-Treasurer Donna Kelty, Assistant Town Manage Elaine Wang, Pierre Couture, Eric Blaisdell Times Argus Reporter, Carl Thompson, Wayne Elliott and Nate Pion.

CALL TO ORDER - The meeting was called to order at 6:30 p.m.

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

APPROVE THE AGENDA

On a motion by Tessier, seconded by Paul White, the Selectboard voted to approve the agenda as presented. Nelson was not present for the vote.

MINUTES

On a motion by Tessier, seconded by Paul White, the Selectboard voted to approve the Selectboard Meeting Minutes of October 24, 2017 with the minor grammatical and spelling changes. Nelson was not present for the vote.

ANNOUNCEMENTS

• The second quarter property tax payment is due November 15, 2017. Add this important matter to your radar screen - or your calendar. We don’t have a radar screen in our house either.

• If you make your tax payment in person, at the Town Clerk’s office, you could pick up a free radon test kit. The VT Department of Health is making these free kits available until November 17. If more convenient the kits also are available at the cancer center.
Selectboard Minutes of October 31, 2017 continued:

in the Central Vermont Medical Center, and for parents of Barre Town School students at the Barre Town School between 8:00 a.m. and 3:30 p.m.

- Tomorrow is November 1st. At 11:00 p.m. tomorrow the winter overnight on-street parking ban begins. A town ordinance prohibits parking on a street from 11:00 p.m. – 7:00 a.m. from November 1st to April 1st. The ban is in effect regardless of weather. The police will write tickets.

- The draft Hazard Mitigation Plan is available for reading at the Town Manager’s Office and on the Town website (www.barretown.org). Look for an announcement on the homepage. Comments about the plan may be submitted by letter or email to crogers@barretown.org.

- If you have not already, for safety reasons, be sure to clean your chimneys, stove pipes, and flue liners.

- Just a reminder that November 5 Daylight Savings Time ends. Turn your clocks back one hour.

GUESTS – None

WATER ENGINEER CANDIDATE - ALRICH & ELLIOTT

Background: Consensus of the Selectboard was to interview the two water engineering firms during the first 2 weeks of November. However due to scheduling issues Aldrich & Elliott are present for the meeting tonight. The second candidate will come before the Board on November 14th. Prior to the meeting, the Selectboard was provided with Management score sheets.

Wayne Elliott and Nate Pion were present and provided a brief overview of their company:

- Their bread & butter comes from “all water matters.”
- The company has been working with the municipal market for 20 plus years which brings stability.
- They have worked with the Town on the Sewer collection system, most recently for bill review/flow metering.
- Worked with several municipal source water projects; Fire District water system takeovers, surface water treatment systems and more.
- They work with hydrologist Jeff Hoffer on various projects.

DISCUSSION WITH VERMONT HOUSE REPS

Background: The Selectboard has invited our Vermont House Representatives (Francis “Topper” McFaun and Rob LaClair) to come and discuss three subjects: 1) the 3-year period an owner can appeal a tax sale proceeding after the expiration of the redemption period of 1 year; 2) fireworks permits; and 3) Senate bill 27 regarding mandatory municipal police coverage.

Topic 1). Current legislation allows for a property to be redeemed within 1 year of tax sale. However, State law also allows the tax sale to be disputed for up to 3 years. This means if a property was sold at tax and not redeemed a Tax Collectors Deed would be recorded in the name of the new owner. However, the original property owner could come back up to an additional 3 years and contest the action and possibly regain title to the property. The issue came to light during a title search on a property the Town had acquired through tax sale and the Title Insurance Company refusing to issue insurance because of this possibility.
LaClair stated legislation has been written, but not introduced as bill because it is being reviewed by legal parties. Consensus of the Board is that 18 months to 24 months should be an adequate timeline for redemption and appeal of the tax sale.

Topic 2). Selectman Paul White noted that State law is sketchy, refers to very old Fire Marshall standards, and enforcement/fines need to be revisited. There are many issues:

- It is legal to purchase fireworks. However, once you leave the business where purchased it is illegal to possess, transport, or display without a permit. The Board briefly discussed the cumbersome process an individual might have to go through to obtain a permit before making their purchase. Furthermore, the intent is not to have a business bear the hardship of “policing for permits.” It was noted that the larger commercial fireworks are governed by ATF regulations as well.
- The law states a fireworks permit must be presented for approval at least 15 days prior to the event. Barre Town Selectboard has approved permits submitted less than the 15-day period. In the interest of public safety our Police, Fire, and EMS all agree they would rather know about an event in advance should something happen. Although, the Board does have a liability concern. Does the Town have any liability if a fireworks permit is granted (which does not comply with the 15-day rule) and accidents occur during the display?
- The final issue is enforcement. The fine is nominal and if tickets are issued the State’s Attorney Office would probably put this very low on its list of cases. In Barre Town, first time offenders are told to cease their display and get a permit.

Topic 3). Senate Bill 27 would require all towns to have police departments, whether their own or outsource. Discussion focused on staffing of Police Officers (state and local), finding qualified individuals to train, costs associated with maintaining a department, possibly having a tiered fee system for State Police coverage (basic to more) to increase revenue for the State, mutual aid currently provided for the State and other towns, and what it might mean to the Barre Town Police Department.

The State revenue shortfall and impacts to state services, permitting practices for new businesses, and property owner taxes were concerns of the Board.

DRAINAGE IMPROVEMENT EASEMENT OFF TEJA ROAD

Background: A natural drainage swale was turned away from the Phil Street development and runs across what is now the Mitton (lot 55) and Couture (lot 55-01) lots. There is no record of a previous owner selling or giving someone an easement to direct the drainage across these lots to a small brook just west of the Couture lot. Two winters ago, Couture had ice sheets down his driveway into Teja Street. The water comes from the ditch across the Mitton and Couture properties. The property owners have spoken with the Selectboard which stated they would consider securing an easement and re-establishing the drainageway.

Town staff, upon investigation, determined the natural drainage appears to be diverted to the brook - about 460’. The work would involve some tree, brush and limb cutting, re-establishing the drainageway with a rented small tracked excavator, and seeding and mulching (possibly putting one short piece of culvert back in behind the Couture house). The DPW Superintendent estimates two guys would cut one day; two guys would be on the job for the excavating; and 3 guys would work on restoration for 1 day. The excavator would cost $245 per day (or it could be rented for $800/week if the Town had other work to do).

Pierre Couture (one of the property owners) is willing to help with some of the labor (cutting and restoring) on his land. The State Stream Alteration Engineer has been
Selectboard Minutes of October 31, 2017 continued:

contacted and will meet with the DPW Superintendent sometime the week of October 30th to ensure there are no issues about re-digging the ditch/drainageway. To do any work the Town should get an easement from both property owners prior to any work beginning.

On a motion by Tessier, seconded by Paul White, the Selectboard voted that provided the state stream alteration approves the work, the Town will secure easements for the drainageway from the property owners (Bruce & Silvia Mitton, Lot 55 and Pierre Couture, Lot 55-01) and perform the work necessary to prevent the water from flowing down the Mitton and Couture properties. Nelson was not present for the vote.

REQUEST FOR PURCHASE OF EAST STREET EXTENSION RIGHT-OF-WAY

Background: Carl Thompson, Hillcrest Lane (just off the East Street right-of-way) inquired about the Town selling the 50” right-of-way. In notes to the Selectboard, the Manager noted right-of-way was created to provide access to the open land in Barre City. There are several open strips (easements) throughout the Town for access to possible “future road development.”

Consensus of the Board is to not sell the right-of-way. Mr. Thompson was present and advised that if he wished to extend his garage he should go through the zoning process to see if a waiver might be obtained.

The Board did inquire why Mr. Thompson does not have an easement to cross and use town property. Rogers stated the right-of-way was created sometime in the 60s or early 70s. The parcel is grandfathered with regards to the right-of-way. However, should Mr. Thompson get a permit to extend the garage then the “easement” to cross/use the town right-of-way will be addressed.

5-YEAR GRAVEL ROAD PLAN (2019-2023)

Background: The 5-Year Gravel Road Plan is a tool that is used to ensure roads are maintained and/or improved as needed and to assist Management when preparing proposed fiscal year budgets. Current practice is to evaluate roads every two years. This year using the new priority listing and project history back to year 2010-2011 projects for the new year 5 were selected. Criteria for evaluating roads are: mud season, dust, and grading needs; number of homes on the road; and traffic volume. Once approved this plan will be added to the budget book as an appendix.

On a motion by Tessier, seconded by Paul White, the Selectboard voted to adopt the 5-Year Gravel Road Plan for Fiscal Year 2019 through 2023 as presented. Nelson was not present for the vote.

WEEKLY ACCOUNTS PAYABLE WARRANT

On a motion by Tessier, seconded by Paul White, the Selectboard voted to approve the weekly accounts payable warrant for October 31, 2017. Nelson was not present for the vote.

MISCELLANEOUS

On a motion by Tessier, seconded by Paul White, the Selectboard voted to approve and authorize the Town Clerk to sign "A Request to Cater Malt, vinous and/or Spirituous Liquors" for Cornerstone Burger Co. to hold a corporate party at 663 South Barre Road on November 30, 2017, 4:00 p.m. - 9:00 p.m. Nelson was not present for the vote.
‘ROUND THE TABLE

Mitchell:
• He would like to see the Personnel Policy completed prior to the Budget Season.
• What does the TAC (Traffic Advisory Committee) do? Rogers stated this is a subcommittee of the Central Vermont Regional Planning Commission (CVRPC). The TAC provides input to the CVRPC on various projects and review HRRR studies.
• Abandoned property - there is a residence on Beckley Hill Road with a possible rat issue. Rogers stated the Town tries to keep a list of abandoned property and sends courtesy letters (especially this time of year) to the owners of record regarding clean-up, heating, maintenance, etc.

Paul White:
• Inquired on the status of the Town acquiring the recreation fields at the school. Rogers stated there are two items remaining: identify utilities for easements/deed preparation and then to apply to the State Act 250 for a permit amendment.
• He will not be attending the November 14th Selectboard meeting.

Tessier:
• A big shout out to the Fire Department for keeping the roadways in Barre Town open during the recent wind storm.
• He will not be attending the November 14th Selectboard meeting.

On November 14th the Board had scheduled a water engineer interview with Otter Creek. By consensus the Board agreed to have the Manager reschedule for the meeting of Tuesday, November 21st.

EXECUTIVE SESSION

On a motion by Mitchell, seconded by Tessier, the Selectboard found that premature general knowledge would put the Town at a substantial disadvantage. Nelson was not present for the vote.

On a motion by Mitchell, seconded by Tessier, the Selectboard voted to go into executive session at 8:40 p.m. to discuss personnel. Nelson was not present for the vote.

On a motion by Mitchell, seconded by Tessier, Selectboard voted to come out of executive session at 8:52 p.m. Nelson was not present for the vote.

ADJOURN

On a motion by Mitchell, seconded by Tessier, the Selectboard voted to adjourn at 8:52 p.m. Nelson was not present for the vote.

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  Donna Kelty, Town Clerk-Treasurer                  Selectboard Chair

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Barre Town Selectboard