

**Minutes of West Fairlee Selectboard Regular Meeting
June 7, 2010**

Present from the Selectboard: Bonnie Cray, Jim Brigham, David Butch Moore, Sharon Petersen, Nate Pero

Visitors: Sheriff Bill Bohnyak (Orange County Sheriffs Department), Elise Cushman, David Cushman, II, John Blake, Jonathan Blake, Doug Sonsalla, Jim McDade

The meeting was called to order at 6:00pm at the Community Building multi-purpose room.

Visitors: *Orange County Sheriffs Department:* Sheriff Bohnyak provided the board statistics for West fairlee over a one year period: State Police 108 complaints/incidents, Orange County 16 complaints/incidents, and Thetford Police 15 complaints/incidents. Sheriff Bohnyak reviewed some of the complaints addressed by Thetford including VIN verifications, support to State officers, thefts, etc. Sheriff Bohnyak indicated that limited complaints have been addressed to the Sheriffs Department as people may be calling State Police or Thetford's Police Department. Sheriff Bohnyak indicated that some grant funds have been utilized to cover the cost of certain work conducted in the Town (i.e. drunk driver, underage drinking, etc). Sheriff Bohnyak's department is also applying for partial funds for two additional officers as well as funds for additional equipment.

Cray asked if Orange County patrols West Fairlee and at what time those patrols were occurring. Sheriff Bohnyak indicated that the patrols are done irregularly and are conducted on Town roads. Sheriff Bohnyak also indicated that patrol cars pass through Town on the way to other patrol locations.

Cray discussed the necessity to update the Town's highway ordinances to include speed limits to allow the Town to collect funds on speeding tickets issued on State Highways (i.e. Route 244 and 113). Sheriff Bohnyak indicated that an 85th percentile is calculated on each road documenting how fast the majority of cars are driving and taking into account the road conditions to determine the speed limit. Moore asked if the Town is currently collecting funds on tickets issued on Route 113. Sheriff Bohnyak responded that the Town could collect 80% on tickets issued on posted roads in West Fairlee. The board will contact the Judicial Bureau to follow up and does not believe the Town is currently receiving any funds.

Sheriff Bohnyak encouraged the board to communicate with their department to improve officer coverage. Sheriff Bohnyak also discussed some of the projects currently underway or already accomplished in the Sheriffs department including vehicle acquisitions, training, and expanded programs. The board thanked Sheriff Bohnyak for coming in.

Doug Sonsalla: Community Building Discussion/Conflict of Interest Policy/Town Office Temporary Relocation: Sonsalla indicated that discussions on the Community Building at the last regular meeting were not warned in advance on the meeting agenda and

requested advance notice of the discussion topics to the public. Sonsalla indicated that the Conflict of Interest Policy should be revised if board members will be performing work for the Town referencing Pero's work on the Community Building (excluding volunteer work). Cray discussed the issue with finding available contractors for the work performed by Pero and explained the decision to forego the conflict of interest policy. Blake indicated that the five person board would prevent the risk of conflict. Sonsalla asked about the cost to relocate the Town offices to the multipurpose room. Cray indicated that the total cost was approximately \$1,500 and indicated that a great deal of the work was done by volunteers.

Minutes: Motion by Brigham to approve the minutes of May 17, 2010 as amended by Cray. Moore seconded the motion. The vote was unanimous in favor.

Hear and Act on the Reports of Town Officers and Committees: Cray read a resignation letter submitted by Roger Bailey from the Community Development Commission. The board thanked Bailey for his service to the community.

Doug Sonsalla, Community Development Commission Chair: Sonsalla announced an informational meeting on July 13, 2010 at 7:00 pm in the Westshire Elementary School gymnasium to discuss the permanent Town office location with an anticipated nonbinding vote. The CDC will present 4 options for the Town office permanent relocation. Summary sheets and cost summaries for each option will be provided. Sonsalla encouraged the public to attend and participate in the decision making process.

Planning Commission: The planning commission obtained a grant for \$5,540 for the completion of the Town Plan. Cray thanked the planning commission and the Two Rivers Planning Commission for their work.

Roads: *Wild Hill Road Slide Update:* The Blakes estimate \$10-12,000 to repair the slide. The potential use of grant funds for the slide work was discussed. Cray suggested waiting until the Town has received more information on the grant. Petersen indicated that if the grant will not cover the work, there is no benefit to waiting. Blake summarized the grant coverage for \$175,000 for work on Class II roads. Blake asked if aging culverts that may have 10 years left will be left in place when the road repaving is completed on Wild Hill. Pero suggested that the Blakes provide the board with an estimate to replace the culverts.

Road Dust Treatments: The Blakes have been obtaining cost estimates for chloride/equipment for dust treatments. Road grading has started and Blake suggested applying chloride once the re-grading has been completed.

Miscellaneous Road Work: Road drainage (ditch) work was discussed. Moore requested that the Blakes fill a hole near Beanville. Blake discussed a previous agreement to add gravel to Wild Hill that had not been completed due to planned fiber optic line installations. The board agreed that the material would be added. Pero received notification that culverts on the east side of Marsh Hill are filling with material. Pero will

perform a site visit. The Blakes requested permission to take materials left behind from the Town office relocation. The board agreed.

Old Business: *Northeast Solid Waste/Recycling Issues:* Cray was contacted by Northeast on Saturday without a key to the solid waste receptacles and Cray discussed other issues with the collection events overflowing. McDade issued a complaint to the board on the management of the collection events. Cray suggested holding a separate meeting to discuss the issues. Moore suggested coupling collection services with Thetford. Cray also suggested contacting Tammy Ellis with VTrans. Blake suggested providing oversight during collection events. The Thetford collection events were discussed. Petersen suggested inviting potential contractors to the meeting as well. Cray reviewed the bids that had been submitted previously. The collection per bag costs and ton costs were discussed. Blake discussed the issues for residents who have private collection services who also contribute taxes toward the collection events for the rest of Town. Cost comparisons with individual pick up at the end of driveways were also discussed. Moore suggested combining recycling collection with Thetford and placing disposal responsibility on individuals. Cray suggested providing residents with resource lists for pick up service. Petersen suggested that the board research it further. The board will follow up.

Community Building Concrete Walkway: Cray indicated that the May 17, 2010 vote for the concrete walkway completion should be rescinded due to budget shortfalls. Andy Petersen and Rhonda Cook calculated the Town's cash flow and have found the money will be tight at the end of the year. Petersen moved to rescind the vote. Moore seconded the motion and the vote passed unanimously. Cray indicated that the board will apply for grant funds. Moore suggested waiting until a decision is made on the permanent Town office location.

Brushwood Forest (Bradford Land Discussion): The Trust for Public Land requested that the board hold a public meeting to discuss the purchasing of land from Bradford for inclusion in the Brushwood Forest. The cost to the Town would be limited to closing costs and lost taxes. The property cost would be covered by grant funds provided by the Trust for Public Land. A walk of the property was proposed for June 26th and may take 2-3 hours. Blake asked how much the land would cost. Cray indicated that the cost is estimated at approximately \$1,000 per acre and the property is approximately 600 acres. Cray clarified that the funds are a separate federal grant, not part of the legacy funds. Cray suggested moving forward with the walk of the property with an informational meeting to follow Saturday, June 26, 2010. The board will contact the conservation commission to discuss the meeting.

New Business: *Food Shelf:* Pero indicated that the foodshelf funds would be used to replace the windows. Cray indicated that any space upgrades must be completed at the renter's expense. Petersen indicated that the lease also requires the cost to be covered by the renter. Pero indicated that the foodshelf is not under a lease. Petersen indicated that the historical society, library, and foodshelf are all not under a lease. Moore indicated that issues prior to moving into the space should be Town costs. Brigham moved to

request that the foodshelf pay the costs for the window replacements. The motion was seconded and passed unanimously.

Highway Ordinances Revisions – Speed Limits: Cray obtained documentation for the ordinance updates from the Vermont League of Cities and Towns and requested that the board review the information for future discussions. Petersen indicated that the Sheriff stated that the Town should already be receiving funds and asked if the ordinance revisions would be necessary. Cray indicated that Route 244 and 113 are not included in the current ordinance and should be added. The board will review the document.

Junk Car Ordinance: Moore discussed issues with vehicles potentially located in the Town right of way and suggested contacting the property owner to relocate the vehicles. Moore suggested sending a letter with a copy of the ordinance. Cushman asked if rental status would impact the ordinance enforcement. Moore indicated that it would not as the ordinance states that the owner of the vehicles is responsible, but also suggested notifying the property owner. Pero discussed Section F of the ordinance and Cushman clarified that the ordinance is applied to complaints typically.

Employee Contracts: The outside auditors suggested that Town employee contracts be completed by the board outlining job descriptions. Draft contracts have been outlined and were reviewed by the board. The contracts for the Community Building janitorial position and board Clerk position were reviewed. The supply purchasing policy for the janitorial position was reviewed by the board. Petersen suggested provided the board clerk with a credit card for Town related purchases. The board will review the suggestion during the development of the next year's budget.

Fraud Policy: The outside audit suggested a fraud policy for the Town. Cray has contacted the League for a model policy.

Sign Orders: Cray moved to sign orders. The motion was seconded and the vote was unanimous in favor.

Correspondence: The board received correspondence regarding Class 4 road maintenance issues. Cray indicated that the Class 4 road policy was updated to allow the Town to address the required items on roads before taking on additional responsibilities. Moore requested that the Blakes perform a site visit to the complaint area. Cray provided the emergency management paperwork received by the board to the appropriate people. An Act 250 application was received by the board. Excessive weight permits were signed by the board.

Bruce Durkee indicated that the club is covered by insurance for trail maintenance work. The board requested a copy and will review the trail maintenance agreement signed by the previous board for acceptance.

Sally Hull from Two Rivers Planning Commission requested that the board sign a Designated Economic Development District Resolution. Brigham moved to sign the document. Pero seconded the motion and the vote passed unanimously.

Review Town Financial Statements: The board reviewed the Town financial statements on June 4, 2010. Petersen suggested that the board review the Town financial status regularly so that the cash flow is managed. The board will ask the Town Treasurer to provide the board with regular figures.

Agenda Items for Next Meeting: Brushwood Forest Meeting, Employee Contracts, Energy Committee, Solid Waste/Recycling, Vance Road Permit, Wild Hill Slide Update, Road Dust Treatment, Highway Speed Limit Ordinance, Fraud Policy

Upcoming Events:

Town Office Permanent Location Informational Meeting, Community Development Commission: July 13, 2010 at 7:00pm at Westshire Elementary School Gymnasium.

Brushwood Forest Bradford Land Walk and Informational Meeting: June 26, 2010 Time and Place TBD

Community Building Leases: The board entered executive session to discuss the Community Building leases at 8:15 pm. Petersen reclused herself from the discussion. The board exited executive session at 8:38 pm. Cray moved to issue annual leases to the Community Building tenants with an increase in all rents by 5%. In addition to updates proposed by Andy Petersen and discussed at previous board meetings, language will be added to the leases to ensure that tenants will be appropriately notified of any building work scheduled and that the Town will not be responsible to reimburse tenants for lost income due to work on the building. The motion was seconded and the vote passed unanimously.

Motion by Brigham, at 8:42 pm, to adjourn the meeting. Moore seconded the motion. The vote was unanimous in favor.

Respectfully submitted,

Holly Lewis-Poulin
Selectboard Clerk