**MINUTES FROM 03/22/2016** **SELECTBOARD MEETING**

**PRESENT:** Chairman, Tyler Gotshall, Robert Creller Jr., Alton Bruso, Lee Kimball, Chuck Pease, Clerk, Donna L. Bohannon

**GUESTS:** Kirk Arttus (Sales representative for Beauregard Equipment), David Rugh (Town attorney), Bethany Remmers (Northwest Regional Planning), Bernard, (Bing) Pero, Amy Erno Mashtare, Leeann Porto, Ethan Gotshall, Darwin Cameron

**7PM - OPEN MEETING:**

* Meeting called to order at 7pm by Chairman Tyler Gotshall

**ADJUST THE AGENDA (if needed):**

* Two adjustments to the agenda needed
  + Clerk requests that David Rugh and Bethany Remmers be allowed to update the Board on the Streetscape project after the highway department discussion.
  + Alton Bruso would like to possibly amend a motion that was made at a previous meeting.

1. **APPROVE THE FOLLOWING MEETING MINUTES:**

* 03/08/2016 SELECTBOARD MEETING
  + *Alton Bruso motioned to approve the minutes from the 03/08/2016 meeting – seconded by Chuck Pease – all in favor – motion carried -*
* 03/17/2016 SPECIAL MEETING
  + *Alton Bruso motioned to approve the minutes from the 03/17/2016 special meeting – seconded by Chuck Pease – all in favor – motion carried -*

1. **NEW BUSINESS:**
   * **Highway Department –** 
     + Sales representative from Beauregard Equipment –

* Kirk Arttus from Beauregard Equipment was present to talk to the Board about the possible purchase of a backhoe for the Highway department. He presented a proposal for a municipal lease that involved a trade in of the 2005 John Deere currently owned by the Town and four yearly payments of $22,250. At the end of the five years, the Town could purchase the backhoe for a dollar. He explained the benefits of a municipal lease.
* Bobby Creller asked if Beauregard’s would service the machine if we purchased it through them. He was told that they would but it was not included in the cost.
* Lee Kimball asked what the value of the machine would be after the end of the five years. Kirk replied that they would take into consideration the hours put on the machine and the condition that it was kept in but that it would be roughly $60,000.
* Chuck Pease asked what the warranty on the machine was. Kirk replied that it is a one year, unlimited hours, bumper to bumper warranty, with two years on the powertrain. For an additional $2,000 it can be bumped up to a four year, 4,000-hour warranty.
* Tyler Gotshall asked what company the lease was through. Kirk replied that it was through Maine Leasing as they have a better interest rate than Case.
* Leeann Porto asked if there was a penalty for early payoff. Kirk replied that he did not know but that he would find out.
* Bing asked how long the original quote for trade in of the John Deere would be good. Kirk replied that he will have to look at the machine again.
* Kirk will put together numbers of what the possible value of the machine will be in five years vs. ten years.
  + - Signature needed on Highway Grant paperwork –
      * Bing explained the paperwork to the Board and that without it, the Town will not be able to apply for grants.
      * *Bobby Creller motioned to sign the paperwork needed for grants – seconded by Chuck Pease – all in favor – motion carried – paperwork signed.*
      * *Bobby Creller motioned that the Board sign the Roads and Bridges standard paperwork stating that the Town is adhering to the standards – seconded by Alton Bruso – all in favor - motion carried – document signed*
  + **Dog issue –** Board action needed?
    - Clerk explained the situation to the Board and updated them. She explained that the dogs are still in the care of the owner, they have been vaccinated but they have not been registered as of this meeting.
    - *Lee Kimball motioned that due to the harm that these dogs have caused, Clerk will send a certified letter to the owner of the dogs explaining that they need to be registered by April 1st and that they must be contained at all times. Clerk will include a copy of the dog ordinance and the owner will be made aware that the fines spelled out in the ordinance will be enforced – also, the animal control officer will submit a report and the pictures of the damages caused by the dog - seconded by Bobby Creller – all in favor – motion carried – Clerk to send letter and ordinance to James Martin, owner of the dogs.*
    - *Chuck Pease would like to amend the motion to say that if the dogs are caught off the property of the owner they will be removed from Alburgh – seconded by Lee Kimball – all in favor – motion carried – Clerk to add this to the letter.*
  + **E911 changes –** Mott Farm
    - Tyler Gotshall, as the E911 coordinator, explained that the E911 Board representative from the State recommended that Mott Farm Road be changed to Mott Street and that Mott Street be changed to Mott Street North. Mott Street South will remain Mott Street South. He sent letters to the residents on the streets effected and got a response from one person.
    - *Chuck Pease motioned that Mott Farm Road be changed to Mott Street, Mott Street be changed to Mott Street North and Mott Street South remain Mott Street South – seconded by Lee Kimball – all in favor – motion carried -*
  + **Transfer Station –** Pricing suggestions from NWSWD
    - Amy Erno Mashtare met with Barry Domina and John Leddy from the Northwest Solid Waste District. They suggested to her that the Town open the hauling bids to include landfills other than Constable NY. They also suggested that the bids be mailed directly to the hauling companies and that in the request for bids they be asked to include the cost of hauling to Constable as well as other landfills in order to get a better idea of the cost difference. The Board will take this into consideration.
    - Amy also presented a cost sheet that she would like to implement starting April 1st as she learned that other transfer stations charge by the pound for C&D based on the average weight of items. .12 cents per pound is the average that is being charged by other transfer stations. Amy presented the sheet that shows the average weight of common household C&D items and would like to implement the .12 cents per pound pricing.
    - *Bobby Creller motioned that the Town adopt the new pricing to begin April 2nd, 2016 – seconded by Lee Kimball – all in favor – price sheet adopted – (*sample attached at end of minutes).

1. **OLD BUSINESS:**

* **Amendment #1 – this topic was addressed after “Highway Department”** 
  + **Town attorney David Rugh / Bethany Remmers**
* Introductions were made between David Rugh, Bethany Remmers and the new Board members.
  + - * Bethany explained that of the eleven properties easements are needed from, seven have been signed, two are very close and two have not responded in any way to the requests. She explained that they may have to be taken by eminent domain.
      * She explained that owners of the property at 7 South Main are concerned about the trees in front of their home. They want to be sure that they are NOT going to be destroyed because of the project.
      * *Lee Kimball motioned that Tyler Gotshall sign the letter to the Nobles once corrections have been made – seconded by Chuck Pease – all in favor – motion carried – Clerk to make corrections to letter and contact Chairman Tyler Gotshall to sign.*
      * Alburgh Housing (Champlain Housing Trust) is asking that in exchange for signing the easement, that three new trees, 3inches in diameter, be planted in place of a tree that will need to be removed. VTRANS has agreed to plant three trees on the property.
      * Start eminent domain process – Town attorney, David Rugh, explained that the property owners at 1 South Main have not responded to any form of communication. He would advise that the process of taking over the section of parcel that is in question by eminent domain be started.
      * Attorney Rugh suggested the same for the property at 11 South Main.
      * He explained that the process of taking over a property this way takes at least 45 days. All parties involved must get a notice, 30 days prior to the takeover.
      * *Lee Kimball motioned to schedule an examination of the premises and a hearing for necessity and compensation pursuant to 19 V.S.A. Chapter 7 on May 10th to lay out a sidewalk easement along the frontage of Main Street at 11 South Main Street by taking a 462 square foot temporary easement and a 127 square foot permanent easement – seconded by Alton Bruso – all in favor – motion carried.*
      * *Chuck Pease motioned to schedule an examination of the premises and a hearing for necessity and compensation pursuant to 19 V.S.A. Chapter 7 on May 10th to lay out a sidewalk easement along the frontage of Main at 1 South Main Street by taking a 1777.2 square foot temporary easement and a 955.8 square foot permanent easement – seconded by Alton Bruso – all in favor – motion carried.*
  + **Health Officer –** Need for new appointment? –
* There was some discussion about the Health Officer position. By default, it falls to the Chairman of the Board. Tyler Gotshall stated that he does not want to fill this position. Bobby Creller stated that he would fill the position but he is the Assistant Health Officer.
* Bobby Creller resigned as Assistant Health Officer.
* *Lee Kimball motioned that the Board accept Robert Creller Jr’s. resignation – seconded by Chuck Pease – all in favor – motion carried – Robert Creller Jr. is no longer the Assistant Health Officer.*
* *Alton Bruso nominated Robert Creller Jr. to be Health Officer – seconded by Lee Kimball – all in favor – motion carried – Robert Creller Jr. is the new Health Officer for Alburgh.*
* *Alton Bruso nominated Lee Kimball to be the Assistant Health Officer – seconded by Chuck Pease – all in favor – motion carried – Lee Kimball is the new Assistant Health Officer for Alburgh.*
* **Amendment #2 – Alton Bruso – possible amendment to motion from previous meeting –** 
  + - Alton Bruso asked that the motion from the 03/08/2016 Selectboard meeting that reads “*Alton Bruso motioned that any time after July 1st, 2016 the Town will give the fire department the first $50,000 when they request it – seconded by Bobby Creller – three in favor – two abstained – motion carried” possible Alton Bruso motioned that any time after July 1st, 2016 the Town will give the fire department the first $50,000 when they request it – seconded by Bobby Creller – three in favor – two abstained – motion carried”* possibly be amended to read that the first payment of the amount of the total cost divided by five. His reasoning for this was that if the ambulance cost was less than $250,000, the department would not need the $50,000 first payment. The article vote read that the cost to the Town would not exceed $250,000.
    - At this point Tyler Gotshall and Chuck Pease abstained from the topic as they are both part of AVFD.
    - Tyler Gotshall, acting for the AVFD, updated the Board on the status of the purchase. He informed all present that AVFD will be purchasing an ambulance at the price of $249,900 plus financing. This price includes a new stretcher.
    - In light of this information, Alton Bruso felt there was not a need to amend the language of the motion.

1. **TABLED TOPICS AND / OR WAITING RESULTS:**
   * **“No Parking” signs on Coon Point Rd -** 1 missing 1 unreadable**–** update
     + Chuck and Tyler went to the site to inspect the sign complaints.
     + There was some discussion about the need and Town responsibility or not pertaining to signage in that area.
     + Alton Bruso asked the Clerk to direct future complaints directly to him, acting as the Road Commissioner.
   * **T.N.T drug testing –** Change to smaller pool? – update
     + Lee Kimball researched this topic and learned that in the State of Vermont, the only employees that can legally be subject to random drug testing are employees that hold a CDL license. Alburgh has three CDL licensed drivers – they would be the only people that would be part of the pool if Alburgh were to form its own.
     + Lee will contact the company and find out if it would be possible to form a pool of several municipalities so that it was a smaller pool but not so small that the three employees were the only ones’ subject to the random testing.
     + Tabled until the next regular meeting, currently scheduled for 04/12/2016.
2. **VISITOR INPUT:** 
   * Leeann Porto questioned whether or not the fees for fines were in the dog ordinance or not. She was informed that they are in there.
   * Tyler Gotshall requested that the subject of E911 signs be added to the next agenda. He feels that the Town spent the money to purchase these signs for the safety of the residents and there should be a policy in place that requires the residents to put the signs up.
3. **APPROVE INVOICES AND / OR OVERWEIGHT PERMITS:** 
   * All invoices approved and signed by all five members of the Board.
   * All overweight permits approved and signed by the Road Commissioner, Alton Bruso.
4. **Executive Session -** For the purpose of labor relations agreements with employees; when the public body has made a specific finding that premature general public knowledge would clearly place the public body or a person involved at a substantial disadvantage 1 V.S.A. § 313(a) (1)
   * *At 10pm, Tyler Gotshall motioned to enter into Executive Session for the purpose of labor relations agreements with employees – seconded by Alton Bruso – all in favor – motion carried – Board in Executive Session. Amy Erno Mashtare was invited to stay for the Executive Session.*
   * *At 10:25pm, Bobby Creller motioned to leave Executive Session – seconded by Chuck Pease – all in favor – motion carried – Board out of Executive Session.*
   * *Bobby Creller motioned that any non-seasonal Transfer Station employees be given the day off with pay for the following holidays if that holiday falls on a regularly scheduled work day, Christmas, New Year’s Day, Easter and Fourth of July. If the holiday falls on a day that is not a regularly scheduled work day, it will not be paid – Alton Bruso seconded – all in favor – motion carried.*
   * *Lee Kimball motioned that Diane Martin, who was hired for seasonal, be released from her position beginning Sunday, March 27th – her last day being Saturday, March 26th – Chuck Pease seconded – all in favor motion carried – Lee Kimball will inform Diane of her last day.*
   * *Lee Kimball motioned that Danielle James Choiniere be given the day off with eight hours of pay for any and all holidays that the office is closed and that fall on regularly scheduled work day – seconded by Tyler Gotshall – all in favor – motion carried – Danielle will be paid eight hours pay for all holidays that fall on a regular scheduled work day, beginning immediately.*
5. **ADJOURN:**
   * *At 10:37pm Chuck Pease motioned to adjourn – seconded by Lee Kimball – all in favor – motion carried – meeting adjourned*

Respectfully submitted, Donna L. Bohannon Alburgh Town Clerk

**Please note the above minutes HAVE NOT been approved. Approval or changes to the minutes will be addressed at the next meeting, currently scheduled for 12 April, 2016.**

