

SELECTBOARD MINUTES
May 9, 2022
TOWN OF ALBURGH SELECTBOARD

The Selectboard met in the municipal conference room and on Zoom. The link to view the meeting via Zoom is as follows:

PRESENT: Josie Henry, Russell Duchaine, Donna Boumil, Elliot Knight

ABSENT: Shawn Creller

GUESTS: (in person for Highway Operator interviews: Rodney James) George Boutah, George Hakey, Louise Prairie
(Via Zoom) Matthew Lavigne

MEETING AGENDA AND MINUTES

1. 5:00PM – 6:15 Highway Department Interviews

- Meeting was called to order at 5:01PM by Selectboard Chair Josie Henry
- Motion by Russell Duchaine to enter into Executive Session in accordance with 1 V.S.A. § 313 “the appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting”; Seconded by Elliot Knight; Motion Carried
- Motion by Elliot Knight at 6:47PM to exit Executive Session; Seconded by Chair Josie Henry; Motion carried
- Recess 6:49-6:54PM

2. *Adjustments to the Agenda for the Regular Meeting*

- Amend the Agenda’s date to read May 9, 2022
- Old Business: ACO and Sowles Street issue table
- Town Office: discussion on the digital sign, update on lease of the town office building
- Louise Prairie asked to speak regarding the activity on Center Bay Road (construction equipment, tearing down trees, etc.). Chair Josie Henry requested this item be moved to the top of the agenda

3. *Minutes from 4/25/22 Meeting*

- Chair Josie Henry motion to make a correction to the minutes under Old Business: EV Charging Stations, 3rd bullet: strike “tanks have not been removed”; Seconded by Russell Duchaine; Motion carried
- Motion by Russell Duchaine to accept the minutes of the 4/25/22 meeting with changes; Seconded by Elliot Knight. Motion carried

Update on Center Bay Road:

- Chair Josie Henry provided background on the situation on Center Bay Road with regard to a culvert, cutting of trees, damage to road, overweight equipment, etc.
 - On 4/25/22 Josie Henry received information that there was cutting of trees in the town's right-of-way, installation of a culvert and ditching being done.
 - The Town Clerk received an email with pictures of this activity
 - Chair Henry contacted Road Commissioner Russell Duchaine and Highway Foreman Rodney James asking they investigate this situation and report to the Selectboard their findings
 - Highway Foreman Rodney James stated that he gave the property owner permission to move a mini excavator onto the property via Carpenter Lane.
 - Highway Foreman Rodney James stated there wasn't a driveway permit received nor was there an application for an overweight permit
 - Mrs. Louise Prairie introduced herself. Mrs. Prairie lives on Center Bay Road across from this property. Mrs. Prairie's concerns are: cutting of trees, widening of ditches leaving no shoulders. Mrs. Prairie feels this is a safety concern.
 - Road Commissioner Russell Duchaine stated that 70% of the trees in the town's right-of-way to this property has been cut down. Permission was not given to install a culvert or use overweight equipment. Russell Duchaine stated that according to Town Ordinance the culvert must be at least 15".
 - Chair Josie Henry researched to see if there was an Act 250 permit. A permit is not on file with the state.
 - Chair Josie Henry stated that with regard to the cutting of trees, her research indicated that as of 2007, State Legislature passed a law that tree wardens can develop a Tree Shade Management Plan of which Alburgh does not have. The only way that trees in the town's right-of-way can be taken down are by those who planted and own the trees. Therefore, this is a gray area. However, a driveway permit is required.
 - Chair Josie Henry is suggesting the Selectboard contact the Town Attorney for guidance.
 - Motion by Elliot Knight to authorize Josie Henry to engage the Town Attorney to research and take action if needed, such as a Cease and Desist Order; Seconded by Russell Duchaine: Discussion: owners of the property are Richard and Anita Stockwell, 65 Harms Way, Jericho, VT. The property in question is 19 Center Bay Road; Motion Carried

4. Department/Committee Updates:

- Highway Department
 - Interviews for highway operator position:
Motion by Elliot Knight to offer Jason Benjamin the highway operator position pending review of references, starting salary at \$21/hr, increase in salary to \$23/hr after a successful 90-day probation; full benefits in accordance with the

Town of Alburgh Employee Handbook; Seconded by Donna Boumil; Russell Duchaine abstains; Motion Carried.

➤ Culvert work:

Russell Duchaine and Rodney James were present for potential bidders who may want to ask questions or see the site located on Greenwoods Rd. No one showed. The bids for this project close on May 12 COB. Bids will be reviewed by Russell and Rodney and presented to the Selectboard. The culverts have been ordered at \$15,000 each. The culverts will arrive the 1st week of June. The culverts needed to be ordered ahead of time due to delays in delivery dates

➤ Martell Road – Road Commissioner Russell Duchaine stated that he has not received quotes for options from Pike Industries. Discussion continued: George Boutah inquired as to what the issue is, which was explained by Russell. Additionally, Mr. Boutah inquired about the cost to repair Martell Road to date. Josie Henry explained that, to date, the cost to repair and replace Martell Road was over \$200,000 in the previous budget year. There isn't money in the current FY budget to do additional work on the Martell Road nor the FY22-23.

➤ Rod & Gun Club – Donna Boumil stated that Myric Bourgeois asked if the highway department could mow the face of the berms at the Rod & Gun Club a couple of times this year.

Discussion ensued: According to Road Commissioner Russell Duchaine and Rodney James, to their knowledge there hasn't been any other non-profit organization requesting mowing. The Town doesn't not have a policy in place nor is there a precedence.

Motion by Chair Josie Henry to deny the request to mow at the Rod & Gun Club based on limited municipal resources (manpower) and liability concerns; Seconded by Elliot Knight; Motion Carried

• Transfer Station

➤ The second compactor has been fixed and an invoice for services was been received via email.

➤ Donna Boumil gave a brief update on the status of payroll for the transfer station. When highway personnel work at the transfer station their pay comes out of the transfer station payroll. This was not known to the Selectboard during the budget process. Therefore, the transfer station is over budget for payroll and at the current rate the budget will be approximately \$7,000 over budget. A more concise report will be presented at the next meeting.

➤ Chair Josie Henry stated that the Town is waiting to hear from NWSWD with regard to discussions of taking over the operation of the transfer station.

• Town office

➤ IT Upgrades:

Installation of the new computers is underway

➤ Donna Boumil provided an update on the payroll status of the Town Office, specifically the Assistant Town Clerk/Treasurer. This position is over budget year-to-date. Donna Boumil and Josie Henry will meet with the Clerk/Treasurer to work on the budget. There is only 7 weeks left in the fiscal year.

- Chair Josie Henry has been in contact with School Board Chair Mike Savage regarding the school records that are stored in the storage closet at the Town Office. A memorandum is being mailed as a follow up to the discussion with a deadline of June 1st for the School Board to look at the records.
- Planning Commission Update:
 - Recreation Trail Hunter Safety Zones – tabled
- Digital Sign:
 - Russell Duchaine stated that the Town Clerk does not have access to the digital sign for displaying messages. It was stated by the fire department, as part of their presentation to the selectboard, that the Town Clerk would have a computer to access the digital sign to post messages. This has not happened
 - Who is paying for the electricity? According to Fire Chief Ron Kumetz, a new electric line was run to the fire department.
 - New information has been received, that in accordance with the grant agreement for the digital sign, the fire department will be posting 75% of the messages relating to the fire department and 25% will be for other messages. This was not in the original presentation to the selectboard.
 - Questions regarding the landscaping around the sign were brought up. There will be follow up conversations with the fire department
- Town/Fire Department Lease of Town Office:
 - Chair Josie Henry updated the Board on her research of the lease of the town office.
 - According to archived minutes, once the building lease is paid in full the land will be part of the acquisition of the building.
 - A memorandum of lease can be requested by either party at any time. As of this date, there is not one recorded with the Town.
 - The Town Attorney is researching the process for requesting a Memorandum of Lease
 - Donna Boumil inquired as to the insurance for the Town Office building. Does the insurance cover the Bingo Hall? This will be researched
 - Motion by Donna Boumil to authorize Chair Josie Henry to send a letter to the AVFD requesting clarification on the process of putting messages on the sign, access for the Town Clerk, an SOP for the sign and the power source; Seconded by Elliot Knight; Motion Carried
- Recreation/4th of July/Other Committees:
 - Russell Duchaine, 4th of July Committee, stated that the Committee will be meeting. Josie Henry suggested that Russell speak to Terry Tatro regarding the purchase of fireworks as he has been involved in the past.

5. Old Business:

- Animal Control Officer – tabled
- Sowles Street complaine – tabled

6. Budget and Administrative Items

- Financial Policy – This policy was previously signed and adopted by previous selectboard members and the town treasurer. This policy is currently not be adhered to. Chair Josie Henry will set up a meeting with auditors and treasurer.
- End of the year process – closing out the fiscal year
A meeting will be set up with the town treasurer to discuss line by line budget items
- MVP Healthcare Plan
 - Motion by Russell Duchaine to authorize Josie Henry to sign the contract;
Seconded by Elliot Knight; Motion Carried
- County Tax Bill – wait until July 1st to pay in the new fiscal year
- Compactor Service invoice
 - Motion by Donna Boumil to pay the Compactor Service invoice for repairs to the compactor at the transfer station; Seconded by Elliot Knight; Motion carried
- Warrants
 - Motion by Donna Boumil to not pay the Eye Med invoice #165254930 dated May 2022. Jason Reynolds is still on this plan. Seconded by Elliot Knight; Discussion: Jason Reynolds was supposed to be removed from the plan when he resigned on March 13, 2022; Motion Carried
 - Donna Boumil brought to the Boards attention that invoices from Wright Cut & Clean were paid prior to approval from the Board. There is an invoice for \$350 for spring cleaning at the Recreation Park. To the Board's knowledge this was not approved. Discussion: The invoice will be paid, however, there will be a follow up discussion with the treasurer regarding their contract. Russell Duchaine inquired if a bid for mowing and cleaning needs to be advertised. Josie Henry stated that she was informed by the treasurer that there is a 2 year contract, however a copy of the contract has not been received by the Board.

Adjournment:

Motion by Russell Duchaine to adjourn at 8:39PM; Seconded by Elliot Knight; Motion Carried

Respectfully submitted,
Donna J. Boumil, Board Clerk/Selectboard Member

Please note that these minutes are in draft form. Minutes are approved at the next selectboard meeting when they become official minutes.