

Weathersfield Select Board
Meeting Minutes

October 6, 2014
Approved 11/03/2014

Present: N. John Arrison
David Fuller
Daniel Boyer
Richard Clattenburg
C. Peter Cole

Others Present: Jim Mullen
Edith Stillson
Julia Lloyd Wright
Michael Todd
Charles Horton
Bonnie DuPrey
Shirley Ouelette
John Gardner
Mark Knight
Tracy Dauphin
David Moore
Josh Dauphin
Lynn Esty
Dwight Jarvis
Bonnie Jarvis
Michael Barrup
Dan Nelson
Ben M?

SITE VISIT: The Board conducted a site visit at TH#81, a Class 4 Town Highway adjacent to Gravelin Road in preparation for the public hearing. Present at the site visit were Michael Reese, John Gardner, Dan Boyer, John Arrison, Paulette H. Allen, Shirley Ouelette, Richard Clattenburg, and Jim Mullen.

1. Call to Order

Chairman Arrison called the meeting to order at 7:02 PM at Martin Memorial Hall.

2. Comments from Select Board and Citizens on topics not on agenda

Select Board: No comments.

Citizens: Energy Coordinator, Julia Lloyd Wright, said that the energy forum she had hosted was well attended. She said she would leave additional information in the brochure racks at the town office.

3. Review Minutes from previous meetings (September 15, 2014)

Motion: to accept the minutes of September 15, 2014 as presented.

Made by: Mr. Cole **Second:** Mr. Boyer **Vote:** Unanimous in favor

4. Amend September 2nd, 2014 meeting minutes

The board requested that the word "refund" be changed to "refinance" in item #5.

Motion: To accept the September 2nd meeting minutes as amended.

Made by: Mr. Boyer **Second:** Mr. Clattenburg **Vote:** Unanimous in favor.

5. Public Hearing: Discontinue Town Highway #81 as a Class 4 Town Highway?

Mr. Arrison opened the public hearing. The board conducted a site visit earlier this evening.

Mr. Arrison stated that TH #81 is a segment of Gravelin Road that was the result of an alteration of Gravelin Road that occurred some time prior to 1960. TH#81 goes through someone's driveway, several front yards, over top of a septic system, and through a garage. The landowners that abut this road have asked the Select Board to discontinue ownership of it. No one disagrees that it should be discontinued. The road segment has no value to the Town and it has negative value to the landowners who abut it, particularly the landowners who are currently try to sell their property.

The conclusion of the process is the Findings of Facts, which will happen at the next meeting. The Board will vote to discontinue it as it appears to be in the public good and there seem to be no objections to discontinuing it.

Shirley Ouelette (1084 Gravelin), Paulette Allen (1110 Gravelin), and John Gardner (1170 Gravelin) all urged the Select Board to discontinue the road.

Motion: To recess the hearing until October 20th at 7:00 PM at the Bow Church.

Made by: Mr. Fuller **Second:** Mr. Boyer **Vote:** Unanimous in favor

Mr. Todd asked how it was that development had occurred on top of a road. There was no clear answer.

Mr. Fuller joined the meeting at this point. He asked if the schedule of payments on the fire truck had been or would be changed as the result of the bond refinancing discussed at the last meeting. He was assured by Mr. Mullen that there were no changes in the schedule of payments as a result of the bond refinancing.

8. Replace Impala police cruiser? (Taken out of order)

Chief Daniels said that the Impala currently has 99,000 miles on it. It is a 2009 model. It currently has a small transmission issue. The highway department cannot repair it. Chief Daniels has looked into bidding on a 2012 Ford Taurus with 20,000 miles on it (when it is listed by VLCT online).

Chief Daniels also presented two options for purchasing a new vehicle:

(1) a 2015 Ford Taurus for (approx.) \$29,462

(2) a 2015 Ford Explorer for (approx.) \$32,784.

Both vehicles are AWD. There is 3-4 month wait to get these vehicles.

The department has taken more than 900 calls this year. Last year there were 714 calls for the year, so department activity has increased. At this point, the Impala is starting to need more costly repairs. If the Impala breaks down, the truck will be used more, which will increase fuel costs and decrease the life span of the truck. He also said that the truck cannot serve as an interceptor vehicle.

Leasing is vehicle is a possibility. The benefit is not having to come up with the cost of the vehicle. The disadvantage is that each year it is subject to a re-vote. If the voters reject it, the department would have no vehicle.

Mr. Arrison clarified that tonight's discussion was purely informational and that no action was expected or would be taken. He said that at the last town meeting, the voters had turned down the article to borrow money to buy a new cruiser. There is currently \$17,700 in the reserve account to potentially work with until the next fiscal year.

Mr. Fuller asked Chief Daniels which vehicle he would prefer, to which Chief Daniels replied the Ford Explorer, because of its high ground clearance. Mr. Fuller said the Board should consider putting an article on the next town meeting warrant for the new cruiser. He also said that if the Impala should break down between now and then, that it should be repaired to keep it going. He said the article should be for half the price of the new vehicle; that the bid should be prepared and put out prior to the vote, so that the bid could be awarded the day after the vote.

Mr. Arrison said the cost could be placed in the general fund budget as a line item.

Ms. Wright asked if Chief Daniels had considered a hybrid vehicle.

Mr. Horton said that the voters had said "no" to the Town purchasing a new cruiser at the last town meeting, and if the Board chose to bid on this vehicle, the Board would be going against the will of the voters. Mr. Arrison said that the voters did not authorize the Select Board to borrow money with which to purchase a new cruiser. Mr. Todd said that the reserve funds that the Board would use to purchase the online vehicle (if they won the bid) have already been set aside for purchasing a police vehicle. Mr. Fuller said that the Town is in a position of perhaps having to replace the Impala if it suddenly breaks down, and while he (Mr. Fuller) would like to go to the voters for approval first, we may not be in a position to do so.

When the online vehicle is listed, the Board will meet to decide whether or not to bid on it. Purchasing funds would be limited to the reserve funds on hand.

6. Crown Point Road: Define the Town's goal for the Crown Point Road

Mr. Arrison acknowledged that this topic has been unresolved for quite some time. He said the Board felt it was time to revisit the topic and see where everyone stood. Abutting landowners had been invited to this discussion.

Parts of the road are described in the town's records by metes and bounds and other parts are based on anecdotal evidence. He acknowledged that parts of the road are being traveled along lines that are different from what the town records say. The road is currently a Class 4 town highway with a 4-rod right-of-way from the Cavendish town line to the Springfield town line. It is on the current highway map. He acknowledged that a 4-rod wide swath is a substantial

amount to take from landowners, and that it may have been an unpleasant surprise for them to learn about it, especially in light of the traffic that has travelled on the road over the years. The Crown Point Road Association is an active organization that has taken an interest in the history of the road. Recently the members of the Association hiked the road from Charlestown to Crown Point.

Mr. Arrison acknowledged that a Class 4 road causes a subdivision of the land. He said that most of the landowners along the road have been fairly content with the status quo, but some have concerns about the exact location of the road on the ground (compared to the surveys).

The choices are to leave the road as a Class 4 road, change it to a trail, or discontinue it.

Mr. Boyer said that the Town's attorney has said that the Town owns the road and that it would be unwise to make multiple changes to the course of the road to satisfy individual landowners. Changes to the road would require surveying it, which will cost approximately \$30,000. Easements would have to be tailored to each individual landowner and would be cost prohibitive.

The Town can create a temporary easement around Wellwood Orchard to address the issue of hikers going through the orchard. The Town would retain ownership of the right-of-way through the orchard for historic purposes. He said the path of the road goes where it has always gone and that its exact location should not be a concern.

Mr. Clattenburg said he would like to see people be able to walk what has commonly been known as the Crown Point Road the way they have been walking on it. He said the CPR is a Town asset and if further discussions are planned that the Town should be notified of it the same way the abutters have been notified. He said it means something to more people than just the abutting landowners.

Mr. Todd wanted to know why the Town had to own the CPR when people have been able to use it for over 200 years. He said the Town should "just get out of it completely" and let the Crown Point Road Association and the people that want to walk it work with the individual landowners. He said no one else, from Charlestown to Crown Point, are doing anything with this road.

Mr. Arrison countered that the CPR has been a town road since 1789. Sections of it are overlain by modern roads. He said that he (Mr. Arrison) has no objection to the Town giving up the road if there is an entity that can protect it in perpetuity.

Mr. Clattenburg said that the road course could be altered to address individual inconveniences, but he wants to see it protected. He urged flexibility.

Mr. Mark said vehicles could drive on a Class 4 road if they can get to it and there are currently houses that sit right next to the road. He said he had no objections to it being a path, but he had objections to it being a Class 4 road, because people could drive on it. He wants the Town to mark it on the ground.

Mr. Arrison read a proposed motion to retain the CPR as a trail.

Mr. Arrison said that all abutting landowners had been invited to this meeting.

Becky Tucker, member of the board of the Crown Point Road Association, said that there are places on the road that earlier travelers would have gone around because of the character of the land (steep slopes, fallen trees, streams, etc.). The CPR Association doesn't travel the road often, but they want to be able to continue to walk along it in the future. She also said that she doesn't want people to forget that there is an historic road in the Town.

Mr. Fuller said that he thinks the Board needs to clarify the highway map records. He said we can't have two names for a single road on the map. He said we should amend the map records to reflect the proper name. He said his tax bill should reflect the fact that there is a 4-rod road across his land. He was puzzled as to how an easement could be offered to walk around Wellwood Orchard, but not allow a change of course across Mr. Moore's land. He said he didn't want to see different deals for different people. He said the Corps of Engineers can forbid people to walk the section of the CPR that is on Corps land, yet we won't allow other people the same level of control. He asked if the Ancient Roads Committee moved the CPR in any other places (besides the Wellwood Orchard case) either because they couldn't find it or didn't know where it went.

Mrs. Bearse said that the portion of the CPR that is on Army Corps land is also on the National Register of Historic Places, so it is unlikely that anything will happen to it. She also said that it was the Town's original intent to reclassify the road as a trail after the road was placed on the highway map in 2010. A hearing was warned to begin the reclassification and the Board perambulated the road, but the hearing was closed with no action taken.

Jeff Pelton asked how many people had raised questions or objections to this issue, to which Mr. Arrison stated that two people had been the most vocal (Mr. Moore and Mr. Mark).

Willis Wood said that he really liked the idea of changing the road to a trail. He said in 1970, he was able to walk across 1,000 acres of neighboring land. He can no longer do that because these lands have all been posted against trespassing. He said public trail access is important to our community.

Mr. Fuller asked Mr. Moore if he would be willing to accept a 15-ft. wide easement than ran close to the CVPS right-of-way on his land. Mr. Fuller confirmed that Mr. Mark would be happy with an easement around his orchard. Mr. Fuller urged everyone to compromise.

Motion: To send out an RFP for surveys of the CPR from Route 106 to the Cavendish town line and across Roy Mark's property.

Discussion: Mr. Fuller said that this is unnecessary. He said that he thought a compromise could be obtained by other means and was disappointed that it hadn't occurred tonight. Mr. Todd said that he didn't want the Ancient Roads Committee anywhere near his property.

Made by: Mr. Clattenburg **Second:** Mr. Cole **Vote:** Clattenburg, Arrison, Boyer and Cole – aye. Fuller – nay. Motion carries.

7. Report from Fire Commission

(a) Monthly Update: Mr. Boyer reported that the Fire Commission had discussed

- the need to purchase non-ethanol gas for the various small engines (chain saw, generator, etc.) that are not in constant use;
- replacement of Engine 3;
- the citizen complaint policy;
- the new policies on dry-hydrant grant applications;
- paperwork for fire department/commission budgets.

There was discussion regarding the gas card idea and the source and price of the non-ethanol gas.

(b) Recommendation from Commission regarding replacement of WWVFD pumper in FY16

Josh Dauphin said the specs for the proposed replacement engine had been presented to the Fire Commission at the Commission's last meeting. The Commission voted 4-1 to present these specs to the Select Board. He asked the Board about who would own the vehicle and how it would be paid for (solely with Town funds or with funds contributed by the department). He also said that several years ago the town had expressed a desire for more water to be available on the trucks. This proposed truck would have 1850 -2000 gallons capacity and would serve as a pumper truck.

Mr. Fuller asked how much is currently in the reserve account, what is the Town loan balance, and how much (if any) funds would the WWVFD contribute? Mr. Mullen said \$127,000 would be available in the reserve fund. Mr. Dauphin said it would be closer to \$150,000 by FY16.

Mr. Dauphin said Engine 3 would be 27 years old by 2017. It was purchased by the department for \$100,000 in 1990. No town funds were used. Its trade-in value is less than \$10,000. The department would do best to sell it.

The specs he presented are for a bare-bones truck. The department would like to make some up-grades. He said these up-grades would be paid for from the sale of Engine 3 with no claims on the title of the new truck .

Mr. Arrison asked Fire Commission chair, Lynn Esty, if the Fire Commission has discussed what the Town needs for fire equipment. He said that he feels the Town has become equipment-heavy and that it is getting expensive. He asked what does the Town need and where does it need to be housed? Mrs. Esty said that both the departments are private, non-profit organizations and the Town should be the one to decide what it needs or wants for fire suppression. Mr. Dauphin said that the WWVFD has been serving the Town for 48 years, and has only cost the Town \$325,000 for trucks.

No action was taken. Mr. Dauphin was advised to refine the specs for placement on the Town Meeting warning.

8. (Discussed earlier.)

9. Review Social Service Agency Appropriations Policy

Motion: To approve the Social Service Agency Appropriations Policy with no changes.

Made by: Mr. Clattenburg **Second:** Mr. Boyer **Vote:** Unanimous in favor

10. Review FY2014 year-end budget reports and draft audit

Net assets of the Town have increased since 2007 and continue to increase. This is good.

Reserve funds have increased since 2009. This is good.

Long-term debt has decreased since 2011. This is good.

Loan Payments – the Center Road paving loan was paid off early (in 2014). The payments are slowly increasing because of articles that have passed. There is capacity to borrow additional money without putting the Town in jeopardy.

In the current fiscal year, we did not use any fund balances to lower the tax rate. This should make it easier to keep the tax rate from increasing in the next budget.

General Fund: we used \$119,000 of the fund balance of the previous fiscal year and we ended up with a fund balance of \$88,000. Our goal was to end up with \$58,000, so we were \$30,000 to the good of our goal. \$88,000 represents 7.9% of our expenses. It is advised to keep 5-10% of the Town’s operating expenses on hand to cover fluctuations in expenses. The budget was developed with a 5% balance.

Highway Fund: The goal was to end up with a fund balance of \$100,000. We ended up with \$132,000, which represents 11% relative to expenses. Last fiscal year, we decided to pay off the Center Road loan two payments early and draw the fund balance down to zero. Instead of \$0.00, we ended up with \$132,000. How did this happen? In July 2013, there was a storm. The Highway Department turned its attention to repairing storm damages. So budgeted expenses (guard rails, culverts, etc.) weren’t spent. This amounted to \$75,000. At the same time, storm repairs were paid for by FEMA. Hence the fund balance.

Solid Waste Fund:

Our goal was to end the year with \$52,000 in the fund balance. It ended up at \$43,000. Mr. Mullen urged caution from this point forward.

Zero-Sort: Windham Solid Waste put out an RFP. Proposals are due Wednesday. The proposal says two things: (1) Windham solid waste hauls to Brattleboro and the private company takes it from there (WSW would do no sorting); and (2) the private company would pick up from the Towns and take the materials to a zero-sort facility. Six proposals are expected. A decision is planned for the first of November. The Town is not a member of WSW, so the Town could choose its own future. What changes the Town will have to make at the transfer station are not yet known. Brownsville and Reading will have to be alerted to possible upcoming changes.

11. Approve Warning for Special Town Meeting regarding Grange tax exemptions

Motion: To warn a special town meeting to address Grange tax exemptions for 11/17/2014 at 7PM.

Made by: Mr. Fuller **Second:** Mr. Boyer **Vote:** Unanimous in favor

12. Project Updates:

A. Tarbell Hill Road NRCS Project – the project is done.

B. Airport Road Reconstruction Project – Bids have been awarded. Some work may be done this fall, but most of the work will be done next year.

C. Thrasher Road Culvert #3 – the culvert is in and back-filled. The headwalls need to be done.

D. Maple Street Reconstruction Project – a public meeting is planned for October 22

E. Project for trail access to Town Forest – the field work is done; the Planning Commission has approved the subdivision. The parking lot and wetland crossing have to be designed.

F. Asa Grout Lane improvements by property owners along the road – done. Wes has approved the work. The grader and the fire truck were able to turn around with no issues.

G. Transfer Station Solar Project – this project has been postponed until possible changes at the transfer station are defined.

H. Testing of wells adjacent to Town Highway Garage – Valley Artesian has outlined a multi-step process. Mr. Mullen is asking the Board for approval to start with steps one (TV inspection of the well) and two (test well by Army Corps lands).

13. Appointments

There were no appointments.

14. Approve Warrants:

Motion: To approve the town warrants for the meeting of October 6, 2014 as follows:

General Funds	Operating Expenses	\$52,695.19
	Payroll	\$28,007.47
Highway Fund	Operating Expenses	\$79,267.57
	Payroll	\$18,235.50
Solid Waste Management Fund		
	Operating Expenses	\$5,109.86
	Payroll	\$2,377.21
Library	Operating Expenses	\$90.52
Grants		\$59,846.16
Agency Monies		\$2,304.34
Reserves		\$94.36

Made by: Mr. Fuller **Second:** Mr. Boyer **Vote:** Unanimous in favor

15. Future Agenda Items

The meeting on October 20 will be at Weathersfield Bow Baptist Church.

16. Adjourn

Motion: to adjourn the meeting.

Made by: Mr. Boyer **Second:** Mr. Cole **Vote:** Unanimous in favor

The meeting adjourned at 9:25 PM.

Respectfully submitted,
deForest Bearse

WEATHERSFIELD SELECTBOARD

N. John Arrison, Chairperson

Daniel E. Boyer, Vice-Chairperson

David T. Fuller, Selector

C. Peter Cole, Selector

Richard N. Clattenburg, Selector