

Weathersfield Select Board
Meeting Minutes

November 3, 2014
Approved 11/17/2014

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

Others Present: Town Manager, Jim Mullen

Wanda Gropler	Olivette May	Kelly Murphy
Michael Todd	Edward May	Jeness Burns
Charles Horton	Francis Bingham	(2 others)
Bonnie DuPrey	Edith Stillson	Chief Daniels (for budget only)
Lynn Esty	Chuck Wise	
Bette Jo Esty	Lisa Slade	
John Esty	Jeff Slade	

1. Call to Order

Chairman Arrison called the meeting to order at 7:00PM at Martin Memorial Hall.

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

Select Board: Mr. Arrison commented on how nice the new flags in Ascutney and Perkinsville look. He thanked Lisa and Jeff Slade for the project. He reminded everyone that the project was funded entirely through private donations. Bette Jo Esty added her compliments to the project and said that donations are still being accepted.

Citizens: Ed May said that he has not seen a (town) police cruiser in Perkinsville since August. Mr. Mullen assured Mr. May that the police are very busy all over Town.

Lisa Slade said the flags will come down the weekend after Veterans Day. They will go back up next year just before Memorial Day and stay up through Veterans Day. She confirmed that she is still accepting donations. She said \$2200 had been raised and used to purchase the flags, poles and mounting brackets. There is a balance of \$100 left. The flags and poles will be replaced as they wear out.

Mrs. Slade announced the Veterans Day ceremony at the Perkinsville Green at 11:00 AM and invited everyone to attend.

Mrs. Slade said her dog had been attacked last Tuesday. She gave pictures of the injured dog to the Board. She gave the following testimony:

- She reported the attack to the Animal Control Officer, the Town Manager, and the Police Department.
- The police were unable to get to her house before she managed to separate the dogs.

- She said she spent two hours at the vet's with her injured dog.
- She said the (attacking) dog had been reported to the Animal Control Officer before for running loose.
- The owner of the dog passed away in July and the owner's daughter has been living in the house.
- She said she has not seen the daughter walk the dog on a leash since she moved to the neighborhood.
- She said the dog had been removed from the premises once, but she did not know the reason why.
- She said that, in her opinion, the dog should be impounded and put down.
- She said that the Animal Control Officer had shown her (Mrs. Slade) a copy of the letter that she (Kathy Sullivan) had sent to the owner of the (attacking) dog.
- The Animal Control Officer is requiring the (attacking dog) be kept indoors, on a leash or in a pen. Mrs. Slade was not satisfied with this action.
- Mrs. Slade contested Ms. Sullivan's assertion that it was a "dog fight". Mrs. Slade asserted that her dog had been attacked by the other dog.
- Mrs. Slade urged the Select Board to take action against the (attacking) dog before it bites a person.
- She asked that this discussion be placed on the next Select Board meeting agenda.

Mr. Arrison offered to put it on the next agenda, but Mr. Fuller did not want to wait for two weeks to take additional action. Mr. Fuller also wanted to know about ordinance language for reimbursement for damages that occur when an animal gets loose.

Mr. Mullen said that the animal control ordinance is being followed to the letter and that this is not a select board matter. He said that he, the police chief, and the animal control officer have already invested 12 hours in this investigation. He said this is a complicated situation.

Mr. Boyer disagreed that it is not a select board matter. Mr. Fuller said that it is the select board's job to make sure that people are doing their jobs.

Mrs. Slade asked the Select Board to consider amending the ordinance to address these types of attacks (i.e. between animals and not between an animal and a person). Mr. Arrison agreed.

3. Review Minutes from previous meetings (October 20, 2014)

Motion: To accept the minutes of October 20th.

Made by: Mr. Boyer **Second:** Mr. Clattenburg

Discussion:

- Mr. Clattenburg asked for confirmation that the budget committee was not given any direction. It was confirmed.
- Mr. Fuller asked that the minutes reflect that he was late to arrive at the meeting.
- Mr. Fuller contested the coverage of the 1879 school presentation.
- It was agreed to add the words, "and in the opinion of the Committee" in the second line of the paragraph in item #5.

Vote: unanimous in favor (with the amendment).

Motion: To accept the minutes of October 6th.

Made by: Mr. Boyer **Second:** Mr. Cole

Discussion: There was discussion regarding the accuracy of the coverage in the minutes of the CPR discussion, particularly with regard to Mr. Moore's response to Mr. Fuller's question in the last paragraph before the motion. It was agreed that the sentence, "Mr. Moore did not respond", should be removed.

Vote: Unanimous in favor (with the amendment).

4. **Public Hearing (continued from 9/15/14): Reclassify Asa Grout Lane from a Class 4 Town Highway to a Class 3 Town Highway?**

Mr. Arrison said that the Board had received a letter from the Public Works Supervisor saying that the work has been completed and that the grader and a truck from the West Weathersfield Fire Department can turn around at the top. He said they have the Findings of Facts and the Conclusion of Law.

Motion: That we classify Asa Grout Lane to a Class 3 road.

Made by: Mr. Boyer **Second:** Mr. Fuller

Mr. Fuller said that the hearing needed to be closed and then the motion made.

Mr. Arrison asked for any further testimony. He received none and declared the hearing closed.

Mr. Clattenburg asked that the motion be more specific with regard to the length of Asa Grout Lane that is being reclassified.

Motion: That we change a portion of Asa Grout Lane that is 1260± feet from a class 4 to a class 3 town highway.

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

5. **FY16 Budget preparation**

a. **Police Budget (set aside until the police chief could participate)**

b. **Land Use Budget**

Mr. Wise said they are requesting an additional 8 hours of staff time per week as well as small increases in legal and membership line items. He said the principal reason for the request is the zoning bylaws revisions. Mr. Todd said that the Planning Commission had voted unanimously in favor of the budget proposal.

Mrs. Burns, Town Accountant, said that the maximum potential liability would be \$25,000. She said the opt-out payment is \$1500 and an additional \$288 for life insurance.

Mr. Arrison observed that the proposed budget has an increase of approximately \$10,000, representing a 20% increase.

Mr. Todd said that the completed Town Plan and the updated zoning bylaws would have to be printed.

Mr. Boyer asked that the budget reports include data on the current fiscal year's activities.

Mr. Wise said that permitting activity is picking up.

Mr. Arrison said that the budget will be discussed again when all of the budgets are in.

c. Capital Replacement Plan and Long Term Debt Schedule

Mr. Mullen said he had updated the numbers and that it will be updated every two weeks. He said the loader price is \$155,000. He said that Wes has suggested a diesel light duty pickup, which costs more. He said the cost is \$38,000.

Mr. Arrison stated that the Plan shows the current year at \$150,000 and then it climbs steadily for three or four years before it drops back down again with the current purchasing plan. He said this would be an easier year to have an equal tax rate.

Mr. Mullen suggested paying cash for the truck or putting more money in a reserve account to balance it out.

6. Report from Fire Commission

Mrs. (Lynn) Esty stated that the citizen's complaint form (referenced in the Fire Agreement) is in its final stages. She said it would be presented to the Fire Commission at their November meeting and would be to the Select Board by the December meeting. She said the repeater grant has been submitted and now they are waiting on the federal government and the FCC to see if it will go through. Mrs. Murphy said that the FCC had told Chief Spaulding "it had to be up and running by February or we will lose frequency". She said that the survey they had to complete for FEMA could take four to five months to process because there is only one department for the country that handles them. She said a letter would be written to the FCC explaining the situation and hoping the FCC will grant an extension.

Mrs. Esty said there was discussion on the non-ethanol fuel issue. She said they are pursuing the details of an arrangement with the airport to purchase the fuel at a reduced cost. She asked for direction or authorization to set up an account with the airport.

Mr. Clattenburg asked for more information on the cost of the fuel. Mr. Arrison urged caution in the use of aviation fuel. Mr. Fuller concurred with Mr. Clattenburg. He speculated that an additive might be a solution. Mrs. Esty said additional information will be presented at a later meeting.

A draft Fire Commission budget was also presented to the Board. Mr. Arrison noted a small increase in the dispatching line. He noted that the departments had asked for \$22,000 last year, but that had been cut back to \$20,000 by the final budget. He said they are asking for \$22,000 again this year.

Mrs. Esty asked about emergency management radios. She said \$447 had been charged to the Fire Commission last year for these radios. She said that the Commission believes that this should have been charged to the Police Department. She said the FY 15 budget shows \$900, but she said this may not be the correct amount. She also said the Commission has no information about radios that may have already been purchased.

Mr. Arrison inquired about Knox Boxes. Mrs. Esty explained that the extra \$2000 in the fire departments' funding lines is for a Know Box for each of the two trucks in each department. These Knox Boxes would hold the key that opens all of the Knox Boxes in Town. Currently the keys are just stored in the trucks. These Knox Boxes can only be opened by a signal from dispatch. Each opening is documented by dispatch (who, where, when, etc.).

Mr. Clattenburg asked how one determines if an item is to be included in the un-itemized stipend line or if it is to appear as an itemized line item in the budget. Mr. Mullen said that the Fire Agreement makes those specifications.

Police Budget, Item #5a

The Police Chief arrived at the meeting at 8:04 PM.

Mr. Arrison said that it looked like the fines are going down and the number presented was more realistic on the revenue side. He said all of the other revenue items are essentially the same.

Mr. Clattenburg asked for clarification of personnel. Chief Daniels said there are currently two full time officers – himself and Officer Norton, and three part time officers. He said there is a fourth officer currently being trained. He said for the part time officer hours in the budget, he said they took a rough estimate of the salary, combined the average salary, then set it out for forty hours for part time for that week. Mr. Mullen said there are 120 hours of staff time – forty hours for the chief, forty hours for Officer Norton, and forty total hours for the part time officers. The Chief said he would like one more part time officer, because that way it would leave us with an 8-hour block. He said they are currently working from 7 AM to midnight every day of the week. He said there are generally one or two shifts each week that don't get filled. These are covered by state police. He said the fourth part time officer will hopefully be able to pick up one of those days. He said midnight to 7AM is the only time we don't have coverage here. He said before he came, by 8 PM there would be nobody on, but now he and Officer Norton cover three of the days of the week, there's someone on from 7 AM to midnight and the other days are covered with part time help. He said we are covered 5-6 days a week throughout the entire day time.

Mr. Fuller noted that the budget is up, from FY15 to FY16, by \$35,000. Mr. Mullen confirmed this. Mr. Clattenburg noted that the budget increased last year by \$55,000. Chief Daniels said that much of that increase is due to insurance costs, which they cannot control.

Mr. Fuller asked about activity calls. Chief Daniels said they are currently at 900 calls for the year. He said last year the total was 740. He said their arrests have gone up dramatically. He said an increase in arrests requires increased expenditures (office supplies, overtime for court time, depositions, etc.) He said there is also increased revenue from tickets. He said he anticipates finishing the year with 1200 calls. He said the increase is due to the department's increased presence in the Town.

7. Recommendations regarding remediation of mold in 1879 Perkinsville School House

- **Todd Hobson, Claypoint Associates (by conference call)**

Postponed to later in the meeting.

8. Award bid for guard rail work

Mr. Mullen said there are two guardrail projects: Tarbell Hill Road, which is FEMA reimbursed, and the other is general guardrail work in the Town. He said we had released a request for bids and nobody bid, so we re-released the request for bids with a more generous time frame to complete the work. One of the two people in the state who do guard rail work in the state replied. They bid unit prices. After the work is done, the engineer adds up the feet of guard rail and that's how they are paid. Base on the engineer's estimate, the cost of the project will be \$48,742. The FEMA representative estimated a cost of \$44,947. Mr. Mullen said he would request the larger amount from FEMA right away, but said the Board could not wait until FEMA responds for safety reasons and so the Town can get reimbursed for the project.

Mr. Mullen confirmed that the Town would have to absorb the additional \$4,000 if FEMA chose not to reimburse the higher amount. Mr. Fuller said it should be absorbed by the Town's guard rail account.

Motion: To award the bid to Vermont Recreational for the Tarbell Hill Road Guard Rail Work as described in the Town's 10/21/14 "Request for Bids for Guard Rail Installation," and the Unit Costs listed in Vermont Recreational's Bid Response Form, and to waive the informality that Vermont Recreational did not sign and date the Bid Response Form, subject to the condition that Vermont Recreational sign and date the Bid Response Form before a Purchase Order is issued by the Town Manager.

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

Mr. Arrison expressed concern that only one bid was received. Mr. Mullen said it was properly advertised and that there are only two companies in the state that do this work so three bids could never be obtained.

Mr. Mullen said he had created a "wish list" of guardrails and then ranked them. The cost came to almost \$100,000. He said he chose five projects to bid out. He recommended that the board fund the first three out of the list of five. These include Victory Drive (near the new culvert), Wellwood Orchard Road (near Stokes Road), and Cascade Falls Road (by the culvert at the start of the road). He also suggested Thrasher Road (drop-off closest to Route 5).

Mr. Mullen recommended the first three projects (600 ft. for \$9,163), but suggested including the Thrasher Road site (200 ft. for \$3,508). The total cost for 800 ft. of guardrails would be \$12,651.

Mr. Mullen said the budget for guardrails was \$5,000 last year and \$5,000 this year. He said no guardrail work was done last year, because they were busy trying to correct storm damage. The board discussed the fact that this amount will exceed this year's budget for guardrail work.

Mr. Clattenburg asked what happens when someone hits and damages the guardrails. Mr. Mullen said that the Town is reimbursed through the driver's insurance company.

Motion: To reward the bid to Vermont Recreational for the "Guard Rail work on All Other Roads," as described in the Town's 10/21/14 "Request for Bids for Guard Rail Installation," and

the Unit Costs listed in Vermont Recreational's Bid Response Form, and to waive the informality that Vermont Recreational did not sign and date the Bid Response Form, subject to the condition that Vermont Recreational sign and date the Bid Response Form before a Purchase Order is issued by the Town Manager. The dollar amount for the Victory Drive, Wellwood Orchard Road, Cascade Falls Road, and Thrasher Road projects as described in the memo dated November 3rd.

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

9. Approve bank loan documents for purchase/lease of grader

Mr. Mullen said he had read the lease and he said it was very complicated and requires very specific motions from the Board. He said it has to be run by the Town Attorney.

Mr. Slade said the attorney is not necessary if the board does the resolution.

Mr. Mullen said he wanted to review the lease with counsel and Steve Hier.

Mr. Fuller said he was surprised to learn that the Town would be leasing the grader. Mr. Slade said it is a lease/purchase arrangement. The Town will lease the grader for five years. The last payment is \$1 more than the previous ones and that transfers ownership of the grader to the Town.

Motion: To table to the next meeting.

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

**#7. Recommendations regarding remediation of mold in 1879 Perkinsville School House
- Todd Hobson, Claypoint Associates (by conference call)**

Mr. Arrison said at the last meeting, the Board had asked Mr. Mullen to take a comprehensive look at the basement of the school now that it has been dehumidified for well over a year. He said Claypoint had gone back in and would join the meeting on a conference call.

Mr. Hobson said:

- The basement of the school is mold infested.
- The dehumidifier is working quite well.
- The wood has dried out, but the mold is still present.
- A mold remediation project must be conducted.
- He has met on site with Mr. Mullen, Matt Keniston, and three environmental contractors.
- During that on-site meeting, the details of the project were worked out.
- He said the framing around the boiler, an old water tank, another old water storage tank, old ductwork, and some plumbing will have to be removed.
- The entire rafter system will be abrasive blasted using either sodium bicarbonate or dry ice. No water is used.
- An inch of soil will be removed.
- The entrance to the crawl space under the el will be sealed off.
- The dehumidifier should continue to run.
- The exterior drainage work seems to be paying off.
- Phase 2 of the project will be cleaning and some minor demolition upstairs. The sink and cabinets in the food pantry side will be removed. There is some water damage behind the

cabinet and sink. They will open up the wall behind it and make sure there is no mold in the wall. It can then be resealed with some new sheetrock.

- All surfaces in there will be cleaned.
- Air monitoring will be done upstairs.
- The entrance to the bathroom and the two rooms in the el will be sealed up; remove the carpeting in the hallway and the closet.
- Matt will install a fan through the floor in the el, which will pull air from the crawl space under the el (which is compromised) to keep from contaminating the building and the basement. The fan will exhaust to the outside.
- Bids from the contractors will be due Wednesday. The low bidder will start work next week. The entire project should be done before Thanksgiving.
- He estimated the cost to be between \$15,000 and \$20,000.
- The entire area will be under negative pressure during the work.

Mr. Fuller asked Mr. Hobson if he was confident that the project as presented would allow the building to get a clean bill of health and make it safe for public use. Mr. Hobson said he was sure that the basement will be better than most any basement up and down that street. He said he would not make a guarantee about the upstairs, because he doesn't know if there's anything in the walls or other areas that are inaccessible. He said he had no reason to believe there is, other than the one area where there is obvious water damage. He said he's relying on the air quality results. He said the proposal is standard for a building that has been abandoned like this one and should return it to a safe condition.

He said the air samples are 10-minute snapshots. He will take at least two samples per classroom and maybe one in the back hall. He will take one outside when the work starts and another when it is finished. The total sample time is about an hour. The samples can be analyzed in as little as one day or up to three days.

He said the work will take 1-2 weeks (6-7 work days).

Mrs. Esty asked if the work will pose a problem to the school kids that wait for the bus there. Mr. Hobson said no, the work is contained within the building, so it should pose no hazard from contamination or exposure. There will be no heavy equipment outside the building.

Mr. Hobson said he does not see a lot of moisture entering the basement through the soil. He said he has mixed ideas about vapor barriers over the dirt. He said sometimes they actually trap moisture and grow mold underneath it. He said they are seldom put down properly and poly is not an appropriate vapor barrier. A concrete floor would be a "wish list" item, but not necessary. The site work that has been done and the dehumidifier have done a good job stabilizing the building.

Mr. Arrison commented on the high cost of running the dehumidifier. Mr. Hobson recommended changing the setting on the dehumidifier after the remediation work is done. He said to use the setting that turns the fan on only when the compressor comes on (instead of running all the time). This is much more energy efficient and a more appropriate setting once the work is done. He said the energy cost should reduce greatly.

Mr. Arrison asked Mr. Hobson's opinion on the need for heat in the basement. Mr. Hobson said it is preferable to have the boiler in the basement. The residual heat from the boiler operating is best

for keeping the basement fairly dry. If the heat source is upstairs, he recommended adding heat into the basement to keep it in the 50-degree range.

The Board then discussed how to fund the cost of the project, estimating it to be \$23,000. Mr. Arrison said he doubted that the project could move forward on the proposed time line because this is not a budgeted expense. He suggested that the Board have a special meeting next Monday to go over the bids and to give the Town Manager time to find some money.

Mr. Horton said this money was not in the budget and that the town did not vote to spend money on the building.

Mr. Fuller said the Board had not decided to spend the money yet, that they were doing their homework. He said they are trying to find the least expensive way to take care of the building.

Mr. Horton asked that the cost be put to the voters on an Australian ballot.

Mr. Fuller and Mr. Cole said that the voters had voted to keep the building by a wide margin and that we have a responsibility to take care of it. The costs currently being proposed are substantially less than the original quotes.

The Board agreed to meet next Monday at 6:00 PM.

10. Correspondence received regarding appearance

No comments on letter received.

11. Project Updates:

a. Maple Street Reconstruction Project

Mr. Mullen said that a meeting with the neighbors has been held. It was well attended and everyone learned a lot.

b. Project for trail access to Town Forest

Mr. Mullen said the engineering for the parking lot has been put out to bid. The low bid was \$1500.

c. Testing of well adjacent to Town Highway Garage

Mr. Mullen said that a new well will have to be drilled in the southwest corner of the Town garage land, as far away from the contamination as possible. He said the aquifer is contaminated with salt.

12. Appointments

There were no appointments to be made.

13. Approve Warrants:

Motion: To approve the town warrants for the meeting of October 20, 2014 as follows:

General Funds	Operating Expenses	\$74,211.11
	Payroll	\$18,499.26
Highway Fund	Operating Expenses	\$55,344.57
	Payroll	\$13,717.65

Solid Waste Management Fund		
	Operating Expenses	\$4,514.95
	Payroll	\$1,473.05
Library	Operating Expenses	\$277.11
Grants		\$0.00
Agency Monies		\$0.00
Reserves		\$0.00
Made by: Mr. Fuller	Second: Mr. Boyer	Vote: Unanimous in favor

14. Future Agenda Items

The meeting on November 17 will be at Martin Memorial Hall.

15. Adjourn

Motion: to adjourn the meeting.

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

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