

Selectboard Meeting

Unapproved Minutes

January 22, 2018

Present: Doon Hinderyckx, Jim Bowen, Tom Schnabel

Guests: Dan Gendron, Martha Slater, Karen Johnston, Bud Venturini, Dave & Patty Harvey, Terry Severy, Walt Wells, Marty Maher, Kristen Casella, Mason Wade, Harland Mckirryher, Nancy Woolley

Doon called the meeting to order at 6:15 pm.

Additions/Amendments to Agenda: Pat Harvey gave the Board a document for the Shelter Team to sign. Walt Wells asked for a response to his questions about statutes from the last meeting.

Minutes from January 12th meeting-Jim made motion to approve, seconded by Tom. So voted.

Pat Harvey told the board that she has a document for the Board to sign allowing the Gym to be used as the Emergency Shelter. The board agreed and Doon signed.

Walt asked if the board had an opportunity to research the statutes since the last meeting. Somewhere in our records there should be notice if previous Selectboard's allowed use of snowmobiles on C4 roads. Doon noted that it would be trumped by State Law. Walt explained that the document Tom presented last meeting is an opinion from VLCT, he is looking for title 23. Doon explained that on an open town maintained road, Selectboard permission is needed to run snowmobiles. On an unmaintained town road regardless of class, state law defaults to allowing snowmobile travel. Walt still looking for information from state statute. Walt was given a copy of the research that Joan Allen did and the legal interpretation by Jim Barlow, town attorney. Discussion ensued. Clarification is-maintained town road-need permission. Not maintained-by state statue allowable. Walt also noted that someone should walk up the road since the recent winter weather. It is quite different since the road was last walked in December. Tom noted that the condition of the road does not impact the law, and Walt noted that it does if it impacts adjoining property, and he thinks the board should look at the condition of the road if they want to allow snowmobiles. Karen asked if the town maintains liability on the road, only same as it would with any automobile. Jim noted it would be just the same as driving any vehicle. Short review of the information compiled by Joan and Jim continued. Chris Mattrick, District Ranger, was not able to attend the meeting tonight but he sent an email to Doon that he would like to be a part of the record (will be recorded with these minutes) His statement was regarding his opposition to future plowing of the portion of road between Pine Gap Road and Thresher Hill Road.

Joan Updates: none

Library: none

Constable: none

Highway: Dan noted the truck is finally here, just a couple months late. He does not have a 2-way radio in it yet, and the sander is now fixed. He also told the board that Dana has had to back out of Bingo three separate times because cars are blocking the turnaround at the bridge. Harland asked why, and

wanted to know what the deal was this year. In the past they used to use his driveway. He has no problem with that and Joanne misquoted him, and its being spread around that he did not want anyone to use his driveway which is not true. He has no problem with the trucks using his driveway to turn around. Dan also noted that there have never been issues in the past with people parking parallel to the parking lot. Doon noted that he has given written instructions to the road crew NOT to plow out to Thresher Hill again, and since Harland has given his permission to turn around in his driveway, there is no need to plow. Jim noted that there should be a sign there, and thanked Harland for allowing the town to turn around in his driveway. Harland stated that he always has, and just wants to get along. Harland would like to get together with the Town and the USFS to have signage, and Dan noted that he has a sign "Town Truck Turnaround" that can be used. Dana will take pictures of cars if they continue to block the turnaround. Short discussion about "plowing in" the parking area ensued.

Utility: Doon asked Terry if he has submitted anything for the insurance claim for Site 1 yet. Terry has asked two electricians to get the information to him, and he will ask again tomorrow. There were problems with the well, moisture in the box. He and Dan fixed it today. Short discussion ensued. Terry had received a letter from the engineer regarding the sewer proposal for the potential brewery. The State would recommend a tank outside the building to stop the first flush, but the potential brewery owners don't want to do that. Short discussion ensued. Terry will forward the email to the Board. Doon explained that the group is still in the process of exploring the possibilities of having the brewery in the old firehouse. The board also agreed that they do not see the need to take on any extra monitoring and regulations.

New Business: The Gran Fondo bike race will take place on June 30, 2018. They travel through 12 towns over an 8 hour time period and would like permission to come through Rochester again. Doon made motion to approve, seconded. So voted.

Old Business: Bruce will continue working with Joan on the Highway Mileage Certificate which is due in February. Joanne noted the Bridge weight/limits report has also been received for the board to complete.

Mason asked if February 12 which is the next Selectboard meeting would be a public hearing to address the petition of articles. He submitted 5 petitions to be warned at Town Meeting. Doon addressed the petitions in order after noting that they were reviewed by legal counsel.

Five member board: voters are capable of making this vote, and this will be warned. The petition states it should be brought up under the final article, but it cannot be since that is non-binding discussion only. The statute will be to ask if the voters want to expand to a 5 member board, and if so, elect two board members for a one year term.

Establish residency: this imposes requirements that the voters are not capable to vote on at town meeting. Residency is established through statute, therefore this petition will not be warned.

Eliminate Grand Jurors: This is a statutory requirement. This petition will not be warned.

Recording of public meetings: Doon noted that this topic has been talked about in the past and is worth discussion at town meeting. He also noted that Orca Media now records meetings at no expense to the town. Petition requires all public meetings to be recorded, which is a big thing to ask considering all the meetings that happen. Recording is not within the authority of the voters to decide, but could be

warned as advisory to be discussed. Doon noted that after all the time budget and finance has spent on the budget to keep it from inflating dramatically, digitally recording all meetings is something we could not really afford, especially since the important ones are done for free. They have not made a specific decision to warn this petition, but is more a matter of discussion.

Making voting easier: The board would be required to prepare a report for the 2019 town report for easier voting methods possibly including online voting. The Town has no authority to use other methods so will not be warned.

Karen asked if the board will have a discussion about videoing meetings. She thinks it a valuable thing. Doon explained that it would be a topic to discuss at Town Meeting. Karen asked what the objections would be other than cost. Doon explained the awkwardness of having someone on call to drop what they are doing at any given moment to go record a meeting is too much. Karen noted that not everyone can be at meetings, and she is here because she wants to know what is happening. Doon noted that minutes are on the website, but Karen feels minutes are not always reliable. Harland asked if an amendment could be made if a motion was passed. He feels offended as he is perfectly capable of making this decision and the required signatures are on the petition. There are a lot of people who want it, and the board is taking away their rights to decide. He thinks we are getting into a monarchy....

Bud noted that the board is democratically elected to represent all of us not one single person. Therefore they are our representatives. Discussion ensued. Tom noted that the logistics need more research. Discussion continued. Mason noted that if they approve a petition of article it goes in front of the voters. They can discuss it, they can amend it, and vote on the amendment and move on to the amended petition. Roberts rules of order which allows the town to do the towns business. Just because they don't like the wording doesn't mean the voters can't change it. Doon asked if Orca will record town meeting, it is hoped so.

Bills reviewed, warrants signed. Meeting adjourned at 7:10 pm.

Respectfully submitted,

Joanne McDonnell