

Selectboard Meeting

Unapproved Minutes

December 12, 2016

Present: Doon Hinderyckx, Robert Meagher, Jim Bowen

Guests: Paul Hannan, Dan Gendron, Nancy Woolley, Barb DeHart, Lois Bond, Deb & Bill Matthews, Ken & Nancy Beattie, Martha Slater

Meeting called to order at 6:15 pm.

**Adjustments to the Agenda:** Robert asked to add a brief update of mapping out a plan for a new personnel policy.

**Minutes:** Robert made motion to accept the Nov 28, 2016 meeting, seconded by Jim. So voted. Doon made motion to approve the minutes from the Nov 21, 2016 special meeting, seconded by Robert. So voted.

**Guests:** Paul Hannan had not arrived yet. Robert noted that the draft of his investigation that Paul did regarding the status of the Oak Lodge Road discontinuance will go to Langrock, Sperry & Wool for final opinion. This was tabled until Paul arrives.

**New Business:** Lease paperwork for the new loader were ready for signing. Doon made motion to execute the agreement, seconded by Robert. So voted. Doon signed the lease agreement.

Highway Bridge Weight Restriction Filings were reviewed. Robert noted that he needs to speak with people at DMV. Chris Bump from AOT will get Robert the information needed to complete the filings. Short discussion ensued about the overweight truck problem on Bethel Mtn Rd. Rep. Sandy Haas will try to bring up the truck problem on the legislative level.

Personnel Policy Update: Robert noted that the Town Clerk would like clarification on the overtime policy. There is confusion as to what constitutes overtime. As the policy is written, employees get 2 ½ times pay for holidays if they are worked. She would like the policy to state that employees have to physically work 40 hours (which can include the 8 hour holiday) not including vacation and sick pay in order to get paid overtime. Robert made motion to clarify the personnel policy to state that with the exception of holidays, overtime is set at 40 hours physically worked. Doon seconded, so voted. Robert noted that the personnel policy will be revamped, and Nancy noted that she and Lois are working with VLCT to update our policy to pattern their model. When it is complete, the updated policy will be brought to the board for approval. Nancy believes they can begin work on this after the first of the year. Doon thanked her for the work to be done.

Paul Hannan spoke to the board about his report regarding the status of the Oak Lodge Rd discontinuance (draft will be recorded with these minutes). Paul noted that this is his opinion of the situation, and the board has the ability to change it. Also, there may be other information that comes to light that could change his opinion as well. Paul noted that he did not go to Granville to search their records. *Unfortunately, the tape is not clear enough to hear everything said.* Discussion ensued. Thatcher Brook was looked at as how it lays out on an old map. Nancy Beattie noted that the road that reaches her driveway is on a different survey. Discussion continued. Deb noted that none of the five discontinuances that took place in 1948 were showing on the town maps before 1973, and the roads were back on the maps after that. She asked to go over the items that did not correspond to her findings. The maps showing the Granville portion of the road showed the following: 1949 the map had a red squiggly line through the road. In 1947, it was described as primitive, 1963 reverted back to a trail and in 1994 it was shown as discontinued. Also the deeds from Town Rd 4 over to Townline Rd were changed. The Phillips-Vanderhorn property (located behind Cosell property) has a right of way from Townline Rd, not from Oak Lodge. Paul explained that the right of way was kept along the Granville line that is very steep. Bill Matthews noted that no one maintained the road until after Irene, and then the 3 towns agreed to use it for 2 years and then to let it go back. He noted that at 2011 before the storm, you would not have been able to see the road due to the forestation. It was traversable by 4 wheeler or a regular vehicle, not by dump trucks. Paul noted that the court case he refers to states that if there is a road that is legally discontinued by a town (he does not believe this road was legally discontinued) that the people that used to be served by that road retain a private right to continue using it. He emphasized that the process that should have been followed in 1948 was not followed. The proper steps were not followed to discontinue with the state as well. Lengthy discussion continued. Robert suggested to the board that this report be submitted to Langrock Sperry & Wool in Middlebury for review. Deb asked if all the information that she and Nancy Beattie submitted will also be forwarded to the lawyers, and Robert responded that it will. Paul will forward all the documentation and take "draft" off his report.

Langrock and Sperry will review documents and give a legal opinion. The board thanked Paul for his work and for coming to the meeting.

Vt Trails & Greenways request for funds was tabled. The board looked at the notice that the Easement at Riley Bostwick, and rate information letter from GMP. Short discussion ensued about street light costs now that they are LED bulbs. The charges have reduced since the change to LED.

Highway: Dan reminded the board that there is not a bare roads policy in town, and people living on back roads may have to wait for the more populated/used roads to be completed, and Martha will put a reminder to all in the paper. All residents are urged to have appropriate tires to help them reach their destinations safely. Short discussion ensued. Robert will look for the contract between the Town and Peter Parrish for snow removal at the Skip Mart.

Jim noted that the expenses for West Hill are just under 1 million dollars. Our share will be partially covered by in kind expenses-road crew work, equipment, etc. Short discussion. The board agreed that they will need to enforce the weight limits on the bridge now that the road has been repaired.

Bills reviewed and signed.

Meeting adjourned at 7:45pm

Respectfully submitted,

Joanne McDonnell