

ST. JOHNSBURY BOARD OF SELECTMEN
MONDAY, MAY 28, 2012

The St. Johnsbury Selectboard met in the Municipal Board Room on Monday, May 28, 2012 at 700pm for its Regular Meeting of the Select Board. Present were: Chairman Jim Rust, Vice-Chairman Alan Ruggles, Rodney Lamotte, Bernard Timson, and Kevin Oddy.

The meeting was opened with the Pledge of Allegiance at 700p.

PUBLIC ATTENDANCE

Also present: Special Assistant in Town Manager's Office Dawn McPhee, Town Clerk/Treasurer, Stacy Jewell, Bill Jewell, Brian Christman, Bruce Corrette, Frank Landry, Al Dunn, Susan Cherry, Mike Fortier, Lisa Briggs, Kevin Saban, William Neylon, Dan Scott

PRESS ATTENDANCE

Shawn Gaffney of KATV

PUBLIC COMMENT

Rust acknowledged Mike Fortier's document regarding executive sessions. Fortier expressed these sessions being too regular rather than following Vermont's opinion on open meeting law. Fortier read his document to the public. There was an exchange between Fortier and Rust.

Bruce Corrette confirmed that if the executive session is not listed on agenda, the Board could not call for such a session. It does not mean, however, that the session automatically happens.

Lisa Briggs requested information on the audit, Arnold Park, Bike Path, and Pomerleau Building overage. She also complained about the condition of roads which is dangerous for bikers.

Al Dunn inquired as to State repair on Main Street. It was confirmed that State provides funds for Town to take care of State roads.

Mike Fortier inquired into status of new DPW director and Town Manager. Rust informed public that former Town Manager announced Dan Scott's retirement and a national search was being done; however this was not done.

Rust informed Chris Hardman that Cliff Street easements should be done soon.

Kevin Saban asked if Dan Scott's retirement was voluntary or not.

Dan Scott had no comment on his pending retirement.

Lisa Briggs cannot understand how employees are evaluated if a policy does not exist. Rust confirmed that policies are a priority for year end.

Kevin Saban – 2 properties on Arlington Terrace. Received permit to build. Assessor came out to reevaluate as she deems prior one inaccurate. He would not allow her onto property as he felt bullied. He

would have liked a courtesy call in order to arrange appointment to valuation. Rust confirmed his conversation wherein Saban had received a request to visit; however, he had declined.

Chris Hardman requested information on speed limit changes. He was informed that a neighborhood petition should be filed at which point the Town would do a speed assessment usually by the local police or sheriff department. A recommendation is then made to the Board for its consideration.

MINUTES

On a motion by Lamotte, seconded by Timson, the minutes of May 14th regular meeting was unanimously approved and passed by the Board.

WARRANTS

No warrants were presented.

LIQUOR AND CATERING LICENCES

No liquor or catering licenses were presented.

PURCHASE ORDER POLICY

A revised purchase order which lowers the threshold from 100 to 0 was presented to the Board. Also, two new provisions were added to the policy for new vendors and violations to policy. On a motion by Lamotte, seconded by Timson, the Board unanimously adopted the new purchasing policy.

Mike Fortier confirmed that Town Manager can no longer sign checks.

ZONING ADMINSTRATOR & OVERWEIGHT PERMITS

Need emergency signor for simple permits and overweight permits until the Planning Commission meets on 5/30 to nominate signor. Ruggles nominates Jim Rust and Dawn McPhee to be emergency signor for simple permits, overweight permits, and DRB approved permits until such time the Planning Commission makes a nomination. This motion was seconded by Oddy. The Board unanimously approved these emergency signors.

NVDA STJ/LYNDON INDUSTRIAL PARK ADMINISTRATIVE BOARD

Rust gave notice of vacancy for this Board which is a 2-year term that begins June 1st. It was announced that Reginald Wakeham will retire from this Board and Rust is requesting nominations by Board for its next meeting.

EAST ST. J BRIDGE PROJECT EASEMENT

Rust presented a State project to fix the bridge at East St. Johnsbury and requires Town to sign temporary easement and property tax transfer form. The bridge work will begin next year. On a motion by Ruggles, seconded by Lamotte, the Board approved the signing of the easement and tax transfer form. Oddy abstained from the vote.

WATER/SEWER BUDGET UPDATE

Rust presented RBC's under budget by \$13k; therefore, he is making a request to move the balance to repairs & maintenance in order to do the repair and installation of the RBC's. On a motion by Timson, seconded by Oddy, the Board unanimously approved to amend the water sewer budget.

MANAGER'S OFFICE REPORT

- a. Courtney Daniels will begin Tuesday, May 29th and her scope of work will be human resources and specifically policies and procedures.
- b. Westside Project Change Order Requests were presented for approval. CO requests 17, 23, 24, 31 were highlighted. 21-32 (no 26, 27, 31 and 23 hydrant was put in as drawn, 24 crooked curved sidewalk was put in as drawn by engineers) on a motion by Lamotte, seconded by Ruggles, the Board unanimously approved 21-32 with exception of 26 and seek reimbursement for CO 23 and 24.
- c. Amendment #5 on Central Street and wall issue. New plan calls for work only with Town's right of way. Fence for resident will be put back. Redesign saves the Town 100k. On a motion by Lamotte, seconded by Timson, the Board unanimously approved the amendment.
- d. Change Order on Wales property on Summer Street. Cost would be borne by the Town (approx. 7k) for redesign. On a motion by Lamotte, seconded by Ruggles, the Board unanimously approved the change order request.
- e. Health Officer presented a violation at 550 Pleasant Street for illegal dumping. The ANR has been brought into the case. Previously, DRB was denied the permit for no-show.
- f. Dawg House has informed the Police Department that the landlord will not allow access from the rear; therefore, one of the conditions of moving from current location to Railroad Street cannot be met. The Board is requesting this be brought back to the Board for consideration.
- g. Dan Scott retirement. Chairman requested Scott to choose to discuss in public or executive session. Attorney Neylon confirmed that he and Scott would be in executive session.

OTHER BUSINESS

Mike Fortier visited Pomerleau last week; wanted information on third floor reception area and change in design. Rust indicated that there is an option to potentially use the reception area as an office so a re-design was requested of architect. However, no decision has been made on this issue.

EXECUTIVE SESSION – Contract, Legal, Personnel

At 905pm, on a motion by Oddy, seconded by Lamotte, the Board voted to move into executive session. Attorney William Neylon and Dan Scott were invited to attend.

At 919pm, on a motion by Oddy, seconded by Timson, the Board voted to move out of executives session. A motion by Oddy was made to sign the agreement between the Town and Danny Scott. Rust reads the agreement in its entirety. Ruggles seconds the motion and the Board unanimously approves the execution of the agreement. Attorney Neylon requested that all original signatures, including Danny Scott, on the agreement just executed.

ADJOURNMENT

At 923pm, on a motion by Timson, seconded by Lamotte, the Board unanimously approves to adjourn the regular meeting.