

# **Town of Woodbury Selectboard**

## **Approved Minutes – July 11, 2016 Selectboard Meeting**

**Selectboard Members Present:** Michael Gray-Chair, Guy Rouelle, Thomas “Skip” Lindsay

**Town Officers Present:** Brandy Smith--Town Treasurer

**Town Employees Present:** Harry Dailey—Road Foreman

**Members of the Public:** Michael McGlynn, Vail Leach, Peter Peltz

**Media:** John Pepe–HCTV, Michael Bielawski —Hardwick Gazette

**Michael Gray called the meeting to order at 6:04 P.M.**

**Adjustments to Agenda/Public Comment:** There were no adjustments to the agenda nor was there public comment.

**Approve Bills to the Town:** Michael made a motion to approve the bills to the Town, Skip seconded the motion, and the motion passed unanimously.

**Approve the Minutes from the June 27, 2016 Select Board Meeting:** Michael made the motion to approve the final draft minutes of the June 27, 2016 meeting as edited. Guy seconded and the motion passed unanimously.

**Town Clerk’s Report:** Diana Peduzzi was not present as she and Erni Wilbur were attending a training session focused on the impending primary election. Diana did however provide several letters for discussion by the Selectboard including:

- Notice for the Educational Tax Rate (Michael noted the rate is less than last year’s)
- A report on a June 28<sup>th</sup> meeting between the owners of the defunct Woodbury Store, representatives of the Town including Michael Gray, Diana Peduzzi and Vail Leach; Gail Aloisio-Central Vermont Regional Planning Commission’s Brownfields Program Manager, and Bonnie Waninger-Central Vermont Regional Planning Commission Executive Director
- Contract with the Washington County Sheriff’s Department
- The Boundary Line Agreement letter with Jeff Weiss (Boundary line agreement for property that abuts the Town Garage)
- Letter describing the State’s Municipal Park and Ride Grant program offering.
- An invoice from Ormsby’s Computers for maintenance on the Town’s Computer System.

- Vermont League of Cities and Towns News Letter.

**Town Treasurer's Report:** Brandy Smith distributed the June 2016 Financial Reports to the Selectboard and noted that Tom Beers completed the bank reconciliations for the month of June.

Brandy reported she is in the process of editing the Financial Report file structure to include line items for Agency of Transportation Road Grants and the multi-year FEMA Grant monies and the Town's estimated \$30,000 matching funds.

A discussion ensued prompted by a question from Skip regarding the HERF (Highway Equipment Reserve Fund) Fund and two recent payments. Brandy explained the two checks were in-fact lease payments for vehicles used by the Town road crew.

Brandy recounted a meeting with Pamela Sargent a Grants Specialist from the Vermont Agency of Transportation and Skip held on July 11, 2016. Ms. Sargent's responsibility is to scrutinize the Town's Grant binder's to ensure the binders contain the requisite information/documentation as stipulated by the AOT. The required documentation includes but is not limited to:

- A copy of the Grant Application
- A fully executed/signed Grant Authorization Award (signoffs from the AOT and Secretary of State)
- A copy of the "Debarment" list from the Vermont Department of Buildings and General Services-Office of Purchasing and Contracting. Several date and time stamped copies of this list are required to ensure the contractor is in good standing with the State
- Proof of Liability and Worker's Compensation Insurances
- A Project Close Out letter from the AOT

Ms. Sargent noted that she is not an auditor but a monitor to ensure the Grant Binders will pass an audit.

A discussion ensued regarding Road Crew time reporting for Highway Grants. During the meeting with Ms. Sargent she indicated a need to capture hours expended by a Road Crew in the course of monitoring or performance of actual work associated with some Highway Grants. Guy added that it is always wise to keep an accurate accounting of hours in the event the Town could be reimbursed.

#### **Road Foreman's Report:**

(Note that three residents of along the Class 4 Road boarding East Long Pond thought they were on tonight's agenda and appeared briefly before the Selectboard. Subsequently, Harry Dailey had a conversation with the residents who were hoping to ask the Town to drop three truckloads of gravel (from ditching work) on the road. This has been done every couple of years. Harry will provide the gravel and the residents will take care of the grading using their own equipment.

Harry reported the Road Crew has concentrated their work activities on ditching and replacing culverts in West Woodbury. The culverts being include one 36" in diameter and another 30" in diameter. A culvert on Valley Lake Road was replaced and future work is planned for a culvert on the Macy property.

Harry continued his report noting he was contacted by the East Montpelier road foreman and asked to give a demonstration of the newly acquired hydro-seeder. Harry did complete the demonstration and was asked by the East Montpelier road foreman about the possibility of entering into a mutual aid pact where both entities would share 50% of the equipment purchase price and ongoing maintenance. Harry reported East Montpelier would also like to have the mutual aid pact include other pieces of road maintenance equipment. An example is Woodbury has a track excavator and East Montpelier has a wheel excavator that could be shared based on job requirements. Guy noted a mutual aid pact would benefit both Towns in the event a piece of equipment was out of service and therefore could rely on a temporary replacement.

All present agreed to move forward noting both Selectboard's must concur and a formal contract be entered into.

#### **Supplemental Environmental Project/ANR Fine:**

Michael gave the group an update on this issue noting he talked to Paul Gillies and Paul suggested one of the things the Town could do to mitigate the \$9,000 fine is to develop a proposal for training and submit it to the ANR through Pail Gillies. Michael and Harry thought formal computer training for each member of the road crew is a viable option and underground storage (UST) maintenance training is another. Skip will investigate options for the computer training and Guy will explore UST training and certification through his contact in the Agency of Transportation. If the ANR accepts Woodbury's proposal the fine could be reduced to \$2,250.

#### **Winter Sand Bids:**

Three responses were received:

- Gravel Construction Company: \$6.50 per Cubic Yard
- H.A. Manosh Corporation: \$7.50 per Cubic Yard
- Walker Construction, Inc.: \$6.00 per Cubic Yard

Michael noted that the quality of the sand should be part of the decision based on previous years where the sand was not adequate. Michael McGlynn asked if the distance to the pit will be considered and Harry noted it would be. One of the bids, Gravel Construction, included a quantity of 2,500 cubic yards while the other's did not. Both Guy and Skip wondered if Gravel's cost was a quantity discount. Harry indicated he had conversation with each vendor and did mention an estimated 2,500 cubic yards.

Harry produced two samples of sand, one each from Gravel Construction and Walker Construction. Michael thought the Selectboard could get a sample from Manosh but others commented on Manosh's cost per cubic yard and travel distance would preclude the need for a sample. Guy again voiced his concern regarding if Gravel's cost was volume based discounted price and Harry will contact Gravel for clarification.

After careful examination of the samples at hand and Harry's report that several Towns' use Gravel Construction's material, the Selectboard decided to award the contract to gravel Construction CO. Michael made the motion to accept Gravel's bid of \$6.50 per yard, Guy seconded the motion, and the motion passed unanimously.

The Selectboard did take into consideration the additional cost of \$1,250 based on 2,500 cubic yards of material from Gravel Construction.

#### **Cabot Road Repaving:**

Skip handed out three documents; one alerting Pike Industries they were the successful/low priced bidder, the second a draft contract between Pike and the Town and the third a notice to proceed once a contract is executed. Skip noted he is having difficulty with the Pike representative regarding the contract with the Town. The Pike representative stated he has never signed a contract initiated by a Town and that Towns must sign contract originated by Pike. Both Guy and Michael stated their concerns with this situation noting that State Grant regulations have changed and a valid contract with a vendor is now mandatory. Guy noted several scenarios where a contract is required to protect the Town's interests and to ensure a timely project completion. Guy related instances where he moved on from the lowest bidder due to contracting issues and project timing. Skip went on to report that Pike Industries will not/cannot build a cogent timeline until they are awarded the work.

Skip noted he asked Pike to meet on July 12, 2016 however, the Pike representative did not want to meet until he had a chance to review the Town's contract in more detail. Skip will continue dialogue with Pike and report progress to the Selectboard.

#### **Village Park and Trees:**

Michael acknowledged Peter Peltz and asked Peter to give an update on the Village Park. Peter noted the project, as presented to the Selectboard, is complete with approximately \$700.00 remaining in the budget. Peter indicated the remaining budget monies were utilized to remove trees and a stump in front of the Post Office. However, the cost of removal exceeded the remaining money in the original Grant. Peter announced he is waiting for a \$1,000 Grant from the State Parks and Recreation Department to plant trees in the island in front Woodbury Store

and Fire Department and will use part of this Grant to reconcile with the contractor who removed the trees and stumps. Brandy Smith added more detail to the remaining Grant budget indicating there is \$320.00 left and the contractor's invoice totals \$750.00. As the \$1,000.00 Grant from Parks and Recreation will pay the remaining \$430.00 to the contractor a sum of \$570.00 will be used for the new trees.

Discussion evolved on what type of trees should be planted on the island and who could recommend the proper trees. Guy will research this issue and get back to the members at a later date.

#### **Updates and Follow-Ups:**

- **Hazardous Mitigation Grant Phase 2 Study:**

- Michael responded to a question from Mike McGlynn regarding the monies voted on by the Town in support of the FEMA Grant and the Phase II Study Grant. Michael noted they are two separate projects. Michael elaborated the Town submitted a Grant request for the Phase 2 Study to the VLCT. The VLCT would not move forward with the Grant award until the owners signed two documents, one allowing access to the building and the other giving their consent to move forward with the project.
- Michael indicated the VLCT would consider the Grant proposal on July 18, 2016 and Michael is pretty certain Town will be successful.
- A meeting is tentatively scheduled for some time in the late Summer or Fall of 2016 with VTrans, the Town and other stakeholders to look at the site and determine what exactly has to be done. Once those challenges are identified, the Phase 2 Study can move forward.
- Michael noted that purchasing the property is part of the FEMA Grant and the purchase cost will be based on a professional appraisal. The property owners must accept the appraisal dollar amount for the project to move forward. Restoring the streambed and returning the property to a green space are other project goals.
- Mike McGlynn asked if the property owners do not accept the appraised amount would the Town consider using the money appropriated to purchase the property. Michael replied no. Michael noted we'd cross that bridge if that happens.

- **Katon Property:**

- Michael noted he talked to Ryan McCall, from the Agency of Natural Resources Enforcement and Compliance Division, regarding the violation letter sent to Marie Katon based on a site visit earlier this year. MS. Katon asked the ANR for

an extension to the date in which violations have to be addressed. If the property violations have not been addressed, Ryan McCall will submit the Katon file to the ANR legal team where subsequently a “case” will be established.

- Michael reported on a recent conversation he had with Marie Katon and she reported progress on cleaning up the property however, junk tires remain an issue. Marie asked if the Town could help with the tire disposal and Michael was noncommittal based on history with Marie and the clean-up issue. Mike McGlynn offered to research the tire removal options and report to the Board.
- Michael put together a warning letter with Paul Gillies regarding stray dogs on the Katon property. Michael is working with Kim Silk, the Animal Control Officer, in an effort to finalize the letter and subsequently forward to MS. Katon.
- Michael noted the Zoning Administrator, Jennifer Harmon, has visited the Katon property and is working on a remedy for the zoning violations.
- Guy noted issues with the Katon property and the Town’s attempt to address the issues has been ongoing with no resolution in sight. Guy indicated that any correspondence between the Katon’s and the Zoning Administrator include a daily fine for out of compliance issues.
- Michael plans to ask Jennifer to attend the next Selectboard meeting and present a situation update.

**Michael made a motion to adjourn the regular meeting at 8:16 PM and enter into Executive Session to discuss compensation for Town officials and employees.**

**The Board came out of Executive Session at 8:45PM**

- Executive Session Notes:
  - The Board is in the process of studying compensation rates for Town employees and officials using reference materials provided by the VLCT. More study is required before presenting any additional compensation rates to the Town.

Approved Date: July 25, 2016

\_\_\_\_\_/S/\_\_\_\_ Michael Gray: Selectboard Chair

\_\_\_\_\_/S/\_\_\_\_ Guy Rouelle: Selectboard Member

\_\_\_\_\_/S/\_\_\_\_ Thomas Lindsay: Selectboard Member