

**SELECT BOARD  
WATER AND SEWER COMMISSIONERS  
LIQUOR COMMISSIONERS--CEMETERY COMMISSIONERS**

**AUGUST 24, 2010**

**Members Present:** Ron Adams, Ray Bunker, Julie Ellis, Jeff Sheldon, Claire Stanley

**Others Present:** Marian Lulek, John Lulek, Larry Hughes, Neil Robinson, Kirsten Capron, Fred Capron, Fran Upczak, Bob Richards, Shaun Tomasi, Jay Brown, Roy Eckler, Debi Bailey, Karen Close, Sue Reed, Aleda Dutton, Joan Allan, Jane Lazorchak, Town Manager Serena Williams

**CALL TO ORDER**

The meeting was called to order at 7 p.m. by Chair Ron Adams.

**APPROVAL OF MINUTES**

Julie Ellis made a motion to approve the minutes of the August 10, 2010 meeting of the Select Board. Second by Jeff Sheldon. Motion carried with a 5-0 vote.

**PUBLIC COMMENT**

Shaun Tomasi continues to have questions regarding problems he is having getting permit approval on his River Street property. The Chair advised him the Select Board cannot approve his permit. It is an issue for the Zoning Board. He also has questions about a permit relative to property he owns on Prospect Street. The Chair will attempt to get him some answers or head him in the right direction within the next couple of days.

Bob Richards raised a question regarding payment of Union negotiators when they are here. The Chair appreciated his question and it will be looked in to.

Shaun Tomasi had questions about the new auditors and being sure the Town's money situation is in compliance with state regulations.

Roy Eckler brought a copy of a signed petition relative to placing before the voters a request for a tax credit for disabled veterans. He said the original has been given to the Town Clerk. He also thanked the Town Manager for putting the signs up on the bad curve on Green Road.

Neil Robinson asked if a response has been received from the Department of Transportation relative to the crosswalk relocation. Nothing has been received.

John Lulek asked about the \$8,000 received from Fair Haven Redevelopment Corporation. Town Manager advised it was deposited as requested to the Water Dept. Capital Improvement Fund.

Debi Bailey raised a question about snow plowing the parking area at the south end of the park. Significant numbers of cars are parked there all night by the apartment dwellers.

The Chair appreciated her question and it will be considered.

Jay Brown asked for a definition of a salaried employee and asked about comp time and where the funds for the extra \$4,000 salary for John Root were coming from and who approved the paving of 15 ft. of Mr. Nelson's driveway.

John Lulek questioned a raise in the sewer base rate. The Chair said he would look into it. Shaun Tomasi asked about payment of an intern at the Water Treatment Plant and was told it is through the work study program of Castleton State College.

#### **APPOINTMENTS WITH INDIVIDUALS**

**Fred Capron:** Mr. Capron has volunteered to take over marketing "Concerts in the Park." Through a power point presentation he highlighted his ideas, including some related to promotion, community involvement (participation), local business involvement, and expansion of the program. He already has a committee in place and is interested in knowing of others who want to help.

**Joan Allen Nature Conservancy and Jane Lazorchak, Dept. of Fish and Wildlife:** Joan Allen and Jane Lazorchak spoke with the Board regarding acreage on the north end of town they propose to purchase from Fred Reed and set aside for wildlife observation and preservation, as well as recreation. It is approximately 50 acres in the Old Marsh Pond area. Public access will be retained. After considerable discussion, Jeff Sheldon made a motion to support the sale of the property to the Nature Conservancy and Department of Fish and Wildlife. Second by Claire Stanley. The motion passed with a 3 to 2 vote. Sheldon, Stanley, and Adams voting in favor; Ellis and Bunker opposing.

#### **DEPARTMENT HEAD REPORTS, COMMISSIONERS**

No Department Head Reports

#### **NEW BUSINESS**

**416 River Street:** Linda Rooker, property owner, is asking for permission to remove the sidewalk at the front of her property. She will plant grass seed and maintain this as part of her yard. The sidewalk is in bad repair. The Chair stated he would abstain from voting due to a family connection. Ray Bunker made a motion to allow Ms. Rooker to remove the sidewalk. Second by Claire Stanley. Motion carried with a 4-0 vote.

**State of Vermont Computer Agreement:** Julie Ellis made a motion to sign the Letter of Agreement with the State of Vermont. Second by Claire Stanley. The motion carried with a 5-0 vote.

**Executive Session:** Claire Stanley made a motion to go into Executive Session at 8:40 p.m. to discuss personnel and evaluations. Second by Jeff Sheldon. Bob Richards questioned the procedure and also wanted to know why the State Police were not involved (in the incident relating to the missing money from Town Hall). The motion carried with a 4 to 1 vote, Ron Adams voting in opposition. The Board and Town Manager went to Executive Session. At 9:02 p.m. Julie Ellis made a motion to come out of Executive Session. Second by Jeff Sheldon. No Action taken on personnel. Motion

carried with a 5-0 vote.

(At 9:05 p.m. the Chair declared a recess to go to the Police Department to speak with Mr Boutin, the Investigative Officer in the missing money incident, and see what information he is able to share with the Select Board.)

At 9:17, the Chair and Mr. Boutin returned. Mr. Boutin informed the Board this is an open case and civil liability issues could be involved if he discusses it. He did say he has talked with persons of interest--both employees and non-employees. All are willing to take a polygraph test but these can't be scheduled until late September or early October. Ron Adams also mentioned that he was not the one that called the Rutland Herald; the Herald called him. Shaun Tomasi and Jane Ellis spoke up and said they were the ones that called the Rutland Herald.

#### **OLD BUSINESS**

No Old Business

#### **REVIEW OF FINANCE REPORTS**

The Town Manager provided Finance Reports for Board review. She reported there is \$524,805 in the General Fund checking account. A \$455,830 payment to the school will soon be due. She says she will need to be carefully monitoring expenditures until the tax money starts coming in.

#### **REPORTS OF BOARDS**

Town Manager Serena Williams reported Cathy Monger has asked about putting up a plaque to name the people who put up the gazebo in the park. She referred her to the Zoning Board. An individual fell on Fourth Street and sustained some injuries. VLCT said to send them a report. The State has finally approved the conceptual plan for the Fourth Street sidewalk. This prompted questions as to why it has taken so long to get all the approvals. She shared various dates that related to the timing. She reported she has received thank you notes from a number of groups who used the Park during the recent event.

Chair Ron Adams reported the position of Health Officer is still available.

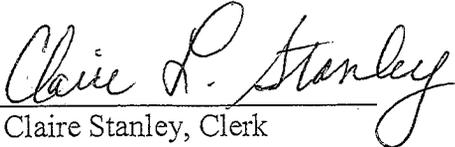
#### **SIGNING OF WARRANT**

Claire Stanley made a motion to pay the warrant as follows: General Fund--\$249,395.71; Payroll--\$28,301.48. Second by Ray Bunker. Motion carried with a 5-0 vote.

#### **ADJOURNMENT**

Julie Ellis made a motion to adjourn at 10:43 p.m. Second by Jeff Sheldon. The meeting adjourned.

Respectfully Submitted,  
Wilma B. DeSpain

  
Claire Stanley, Clerk