



SELECTBOARD MEETING OF September 6, 2011

Members Present: Brian Kellogg, Mickey Smith, Min Cote, Dave Yacovone.

Department Heads: Dan Lindley, Town Administrator; Richard Keith, Chief of Police; Mary Ann Wilson, Town Clerk/Treasurer, and Carol Bradley.

Guests: Doug Small, Alan Godin, Justin Pittinaro

Meeting was called to order at 6:00PM in the Tegu Building Community Meeting Room by Brian Kellogg.

I. AGENDA ADDITIONS/ CHANGES /ANNOUNCEMENTS

- Appoint Dan Lindley. Town Administrator as Representative for Town to receive FEMA Funds from Hurricane Irene.

Motion made by Dave Yacovone, seconded by Mickey Smith to appoint Dan Lindley, Town Administrator as Town Representative to receive FEMA funds. Motion approved. (4/0)

II. COMMUNITY CONCERNS

- Alan Godin, would like to see changes to Section 4 of the Town Noise Ordinance he had four suggestions for the Selectboard to consider.
 - First Suggestion- delete sub section E as it duplicates Article 0807-4 Animal Control
 - Second Suggestion: amend sub section E to read: Dogs, Cats and non-agricultural animals. The keeping of any dog, cat an non- agricultural animals. The keeping of any dog, cat(sic) or other non-agricultural animals which shall become a nuisance to another person in the vicinity here such dog, cat(sic) or other non agricultural animal is kept, by frequent or continued barking, howling, yelping(sic) or screaming.
 - Third suggestion: add to Section 5: Exceptions G. Any noises made by animals and poultry being bred, raised, and kept for agricultural and food use.
 - Final Suggestion: add to section 5 Exceptions G. Any noises made by animals and poultry being bred, raised, and kept for agricultural and food use between natural sunrise and 10:00PM.

His case was ruled upon in the Vermont Superior Court in favor of the Town of Morrystown because of the ordinance we have in place. Alan argued the his rooster was for agricultural purposes but the judge did not take that into consideration. There is a State Statue regarding agricultural, if you meet the State Statute then the Town Ordinance wouldn't apply. The Selectboard agreed to leave the ordinance as is.

- Justin Pittinaro would like to put up a post and mirror to make it easier to see out of the driveway located on Cady's Falls Road. Roland Bovin Highway Foreman offered to put the post in and Justin would pay for the mirror.

Motion made by Min Cote, seconded by Mickey Smith to allow Justin to put up a mirror on a post installed by our Highway department on Cady's Falls Road. Motion approved. (4/0)

III. NEW BUSINESS

- 1. Town Forest-** Doug Small would like to know if the Selectboard plans to put the Town Forest logging out to bid or if they will allow him to go ahead and start the process. Ray Toolan should be finished up with the Plantation portion. The Selectboard signed a policy with the Conservation Commission in regards to the management of the Town Forest, so Dan suggested that Doug meet with Steve Rae and the get on the agenda for the conservation commission's next meeting. Dan will get in touch with Steve and get back to Doug.
- 2. Fuel Bids-We received 3 fuel bids**
 - o Freds Plumbing and Heating- \$3.27 # 2 Fuel Oil & \$.9 propane
 - o Irving Company- \$3.50 #2 Fuel Oil & \$2.61 Propane
 - o Bournes- \$3.32 #2 Fuel Oil & \$2.22 Propane

Motion made by Min Cote, seconded by Dave Yacovone to accept Fred's Plumbing and Heating as lowest bidder for propane. Motion approved. (4/0)

Motion made by Min Cote, seconded by Dave Yacovone to accept Fred's Plumbing and Heating as lowest bidder for #2 Fuel oil. Motion approved. (4/0)

- 3. Paving Bids-** We received two bids for paving about Cottage Street, Park Street, Harrel Street, Lower Bridge Street from Pike Industries for \$72,839.60 and from ST. Paving for \$77,832/81. We have \$100,000 in out budget for paving this year.

Motion made by Min Cote, seconded by Mickey Smith to approve lowest bid from Pike Industries in the amount of \$72,839.60 for paving. Motion approved (4/0)

- 4. Bids for Repairs at the Highway Department-** The Highway department put out bids for some concrete work as well as redoing the siding on the back side of the building. There is also a construction portion of work to be done after concrete work is done to reattach walls to the building. Received two bids for concrete work to be done- one from Jim Bradley for \$5400 and one from Gendron Building for \$30,500(included putting OSB on inside of Garage walls). We also received a bid from Barbour Construction for the construction portion of the job for up to 5 guys at \$30per hour per man. We estimated 40 man hours. We received a separate bid for the siding portion of the job from JJC Siding for \$2800 to complete the siding. We have \$37,000 in the budget for repairs.

Motion made by Dave Yacovone seconded by Min Cote to approve bid from Jim Bradley for \$5400, JJC Siding for \$2800.00 and from Barbour Construction for \$30.00 per hour per man. Motion approved. (4/0)

- 5. Engineering Proposal-** Dan Lindley, Town ask Calderwood Engineering to put together an Engineers proposal for the Cady's Falls Bridge Deck Replacement. Proposal came in at \$9415.00 this includes Engineering efforts required for Deck Replacement Plans, and Engineering required during construction.

Motion made by Min Cote, Seconded by Mickey Smith to approve Calderwood Engineering's Proposal of \$9415.00 Motion approved. (4/0)

IV. BOARD OF LIQUOR CONTROL

Motion made by Dave Yacovone, seconded by Mickey Smith to enter Executive Session at 7:10PM. Motion Approved. (4/0)

Green Mountain Arena has applied for a 1st and 3rd class Liquor License to sell beer and wine during hockey games and also in there golf simulator. No alcohol will be served during soccer games only during the 25 games per year held by the Rock Crusher and it will be available only to members of the golf simulator.

Motion made by Dave Yacovone to approve Liquor License as presented. Motion approved. (4/0)

Motion made by Dave Yacovone, seconded by Min Cote to adjourn as Board of Liquor Control and enter Regular Selectboard Meeting. Motion approved (4/0)

V. TA REPORT

- Hurricane Irene- we did have some minor flooding, some trees down and some washouts. Everything that we fixed from last spring's flooding stayed put. There will be another meeting with FEMA to go over the details of funding. Oxbow sustained more damage but we had not put the walking path back yet. Not sure if it makes sense to keep putting things back as the river seems to want to make that a lake.
- Met with VAST regarding the construction of the rail trail. They are looking for input and help from surrounding towns. Dan asked them to be more specific and come up with a list of items that they would like the towns to help out with.
- CDBG Grant- Library needs to come up with RFP and bid spec's in order to receive funds from this grant. They can't seem to locate these at this time.

VI. SELECTBOARD CONCERNS

Brian Kellogg- None

Mickey Smith- Local Dog daycare/Kennel dogs were loose running around Town.

Dave Yacovone- Trash over flowing at the Oxbow.

Min Cote- None

VII. CONSENT AGENDA

1. Approve Minutes of 08-22-2011 as amended - Change Bill Thompson to Thomas.
2. Approve & Sign Warrants

Motion made by Dave Yacovone, seconded by Min Cote to approve consent agenda as amended. Motion approved. (4/0)

**Motion made by Min Cote, seconded by Mickey Smith to adjourn the meeting at 7:40PM
Motion approved. (4/0)**

Respectfully submitted and filed this 8th day of September
Erica Reed, Administrative Assistant

**Please note that all minutes are in draft form unless otherwise stated
and are approved at the next meeting.**