



MONTGOMERY  
FOUNDED 1780

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REGULAR MEETING OF THE  
SELECTBOARD & WATER COMMISSION  
Temporary Town Office (86 Mountain Road)  
Monday, November 7<sup>th</sup> 2016, 6:30pm

Selectboard members present: Charlie Hancock-chair, Scott Perry-vice chair, Mark Brouillette, Sarah Silva

Visitors: Sue Wilson, Michael Snider, Sharon Perry, Anita Woodward, Larry Letourneau, Merle Van Gieson, Brent Godin, Lynn Locher, Jacob Racusin, Lynne Drevik, Darren Drevik, Debbie Sanders, Jeff Sanders, Wayne Hurtubise, Hoyt Hurtubise, Lynda Cluba, Arnold Mercy, Charles Purrier, Melissa Hurtubise, Justin Hurtubise, Gaston Begnoche, Therese Begnoche, Barry East, Joe Sherman, Scott Baker, Roger Chauvin, Richard Burns, Mike Carpenter, Barry Kade, Amy Cochran, Curtt Perry, Lisa Perry, Mike Mercy, Kirk Patch, Nate Fredericks, Mick Doheny, Peg Doheny, Elizabeth Powers, Steph Machia, Brendan O'Shea, Marsha Phillips, Greg Lamoureux

Clerk: Elizabeth Reighley

**1. Review and make any changes to the agenda.** Add Consumer Confidence Report and approval for water rates. Remove items A and B from New Business as they are duplicates.

**2. Review/approve minutes of October 17<sup>th</sup> and October 25<sup>th</sup> meetings.** Board reviewed minutes from October 17<sup>th</sup>, Scott suggested adding to paragraph 2 that Deanna will be following up with more information about the Delinquent tax due date and the potential to extend this date based on the final State download occurring each year on November 1st. Scott also suggested adding to paragraph 7 that Deanna will be following up with the state regarding any further needs on the submission of the consumer confidence report. Mark motioned to approve the minutes as amended, seconded by Sarah, motion passed unanimously. Board members reviewed the minutes from October 25<sup>th</sup> and noted the addition to paragraph 2 at that point during the meeting Colin's cell phone lost service for the remainder of the meeting. Mark motioned to approve the minutes as amended, seconded by Sarah and passed unanimously.

**3. Public Works**

**a. Roads and Bridges**

**Grants: Status Updates**

**Amended Paving Grant.** Paving grant is now awaiting a signature from Road Commissioner and a copy of the towns' insurance policy. Charlie motioned to allow Mark to sign and send in all the paperwork away from the table and also send the information electronically.

**Structures Grant for Route 58.** Study is in and Michael Snider, Public Works Director, needs to review the study to ensure proper aquatic requirements are met and whether the town will need any box culverts. He will follow up with the board.

**Better Back Roads Bridge and Culvert Grant.** The town will be resubmitting for next year.

**USFS Culvert Grant for AOP design.** Mark will reach out to Bethany Remmers for a status update.

**Fuller Bridge Damage.** A vehicle exiting the Fuller Bridge clipped the siding on the bridge causing minor damage. Mark plans to follow up with local stores that keep security footage of Rte 118 and Michael has already purchased the materials to replace the broken board.

**Creager Road.** Michael updated the board stating that the turnaround is all set.

**Longley Bridge Update.** Carry over.

**Brady Road update.** Carry over.

**Gravel Removal West Hill Brook.** Carry over.

**Beaver activity Rt. 118 @ Comstock.** According to the public works director and road commissioner the beaver activity has not caused any significant damage to warrant action at this time. Michael noted that in previous years when we experience more rainfall the beaver dams always wash out, but because of the lack of rain this year, the beavers have gotten a little further with their dams but it is still not enough to cause any flood concerns or bank damage.

**On Command Connection (new truck).** Michael is still waiting on estimates and will follow up with the board.

#### **b. Buildings and Grounds**

**PSB Alarm System; additional needs.** Charlie noted that Doug Kopacz stated that during the walk through with state inspectors they indicated that all of the heat sensors will need to be replaced by smoke detectors. Carry over to next meeting.

**Main Street Office Repairs.** Repairs were completed to ensure safe entry and exit to the post office and no further action is needed at this point. Michael noted that the Grange Hall window was also repaired.

**Generator at Elementary School.** The board discussed the concerns about the generator at the school and that it may need to be tested, should this happen it was suggested that they run a test of all town generators; this will take place when school is not in session. Emergency Management will be notified that they will need to coordinate and setup this testing with Doug Kopacz.

#### **4. Visitors (7:00pm)**

**Wayne and/or Hoyt Hurtubise.** Charlie introduced the Hurtubise family and opened up the discussion regarding the town owned land, roughly twenty-three acres, that they currently lease to the Hurtubise. Wayne Hurtubise delivered a brief statement to residents and board members describing their farming goals as a family operated farm, he also presented at this time a letter to the board stating his farming management plan and a show of support from local residents for a continued lease. Jeff Sanders, of the UVM Extension Agronomy & Conservation Assistance Program, introduced himself and spoke on behalf of the Hurtubise as their Nutrient Management Planner. Mr. Sanders discussed his role in helping with the farms' soil management/testing, erosion monitoring, water quality testing, manure pit testing, and other such state requirements they must meet. Further discussion took place.

#### **5. Town Land Lease Agreement Renewal.** Carry over.

#### **6. Water Commission Issues.**

**Nate Fredericks, SOS.** Nate Fredericks and Kirk Patch of Simon Operation Services met with the board to discuss the changes in operations for the town as Kirk will be replacing Mark. Kirk will be a temporary fix however, as SOS is looking to hire on a full time operator in our area, as Kirk travels to different areas in his daily operations. Richford operators have also been

contacted and apprised that they will be on call should an emergency situation occur and Kirk or Nate cannot be reached or are in others town farther away from the Montgomery/Richford area. Discussion took place.

The board discussed the prior issues regarding the Consumer Confidence Report which originally linked residents to the Montgomery website through which they could gain access to the report, however according to the state, residents needed to be provided with a direct URL to the report. The board has since rectified this error and is prepared to send out a postcard to water users giving them the direct information and also included on the postcard will be the new operator information for Kirk Patch. Charlie motioned to approve the postcard mail-out to all water users in town, seconded by Scott, and the motion passed unanimously. Deanna will resend the certificate of delivery on behalf of the town. Scott presented the board with a water rate/contract proposal for those still experiencing trouble with their wells and need water access from the town. Discussion between residents and board took place. The contract would allow town residents to buy water from the town and pay only the base rate, \$55.00 for the first four thousand gallons; users will need to keep track of how much they use and submit the usage to the town clerk as the bills go out on a quarterly basis. Scott noted that residents setting up a water contract with the town during the drought and submitting information for billing purposes will make things easier during town audits.

## **7. Conflict of Interest / Selectboard Conduct**

**a. Recreation Board.** Charlie stated that he contacted VLCT and there are no state statutes that prohibit people who are not town residents from serving on other boards in town; Mark pointed out that it is also very hard to find dedicated people willing to volunteer their time so it would not make sense for the board to implement any restrictions concerning these boards. Charlie motioned to adopt a resolution to appreciate and recognize all board members who volunteer their time to serve on town boards', this was seconded by Scott and passed unanimously. Residents questioned that board about what the conflicts of interest were regarding the recreation board and what the board was planning on discussing. The board apologized profusely that they could not fully discuss the agenda item as the board member that requested this was not present.

**b. Budget Committee.** Board members again apologized stating that they did not have information from the board member who had requested this topic and agreed to carry over this item.

**c. Town Grader.** Discussion was had about the town grader and board conduct when it comes to taking complaints from concerned residents. Residents asked board members what steps are usually taken when trying to mitigate an issue to which Charlie indicated that their first steps would be to reach out to the correct people directly, depending on what the situation is, and then reach out to board members to further clarify the situation and decide as a board if there is action needed.

## **8. Old Business**

**a. Stanion Court Case Status.** As this is an open court case, and is no longer in the hands of the town, the board indicated to concerned residents that any open discussions or appeals to the board would be inappropriate to consider at this time. Charlie Merriman, the towns' attorney, has been representing the town on this matter and all communications will be directed to him.

## **9. New Business**

- a. c. Overweight Truck Permits:** None.
- b. d. Liquor/Tobacco Licenses:** None.

- c. **e. Bond Vote Info Meetings.** Sarah will look into childcare for residents wishing to attend either meeting to help encourage higher attendance. The sandwich board outside the town office will also be updated to reflect the time and date of the informational meetings.
- d. **f. Election Duties.** Charlie stated that select board members may need to be on call to represent the BCA if they are not already planning on helping with the election in case there is voter challenge or spoiled ballots.

Scott made a motion, based on state statute VSA 313 paragraph A, subsection E: Pending Litigation, to enter into executive session at 8:44pm seconded by Mark and passed unanimously.

The board came out of executive session at 8:55pm. Charlie motioned to give Charlie Merriman the go ahead to petition the courts to accelerate the hearing of the Stanion Case; they will also assign Mark and Michael to draft and sign away from the table a letter of support, in their capacity as Road Commissioner and Director of Public Works, outlining the potential dangers of leaving the fence up in the road Right Of Way should we experience heavy snowfall. The motion was seconded by Scott and passed unanimously.

**10. Open Mail / Sign Orders / Administrative Matters.** All orders were signed at this time.

Charlie motioned to end the meeting, this was seconded by Mark, and the board adjourned at 8:56pm.

Respectfully submitted,

Elizabeth Reighley