



REGULAR MEETING OF THE
SELECTBOARD & WATER COMMISSION
Temporary Town Office (86 Mountain Road)
Monday, November 5th 2018
6:30pm

Charlie called the meeting to order at 6:34PM

Visitors: Larry Letourneau, Anita Woodward, Sue Wilson, Mike Snyder, Mary Niles, Charlie Merriman, David Kelly

Selectboard: Charlie Hancock, Jacob Racusin, Leanne Barnard, Mark Brouillette (Asent: Darren Drevik)

Clerk: Suzanne Dollois

1. Review and make any changes to the agenda—none made

2. Review/approve minutes of the October 15th meeting

Mark motioned to approve minutes, seconded by Jacob; Unanimous 4-0.

3. Public Works

a) Roads and Bridges

a. Grants: Status Updates:

-Mark moved to authorize Charlie to sign and authorize the Better Roads Grant for the Reagan Road, seconded by Jacob. Unanimous 4-0.

-Jacob moved to authorize Charlie to sign anything related to MGA Program up to \$1000 to reinstate Montgomery, seconded by Mark Unanimous 4-0.

i. Structures Grant for Route 58 has been received. Mike will contact contractors to recruit for summer 2019. 2 year duration for grant use.

ii. USFS Culvert Grant for AOP design-No action at this time.

iii. Municipal Grants in Aid Pilot Project-presently not eligible for reimbursements due to annual fee remittal. Charlie will follow-up with NWRP ASAP to remedy.

iv. SFY Transportation Alternatives-Remove from agenda.

v. Municipal Roads Grants-in-aid program

vi. (Other) Concern expressed on bank deterioration of Longley Bridge as it effects the road in this coming spring. Funding has been denied. What is possible action? Discussion ensued.

b. Brady Road-Pending St. Onge. Likely not going to ensue this Fall, will pursue as primary prerogative in spring.

- c. Creamery Bridge Repairs. Carry over. Charlie will follow-up.
- d. Mike's notes:
 - Hutchin's Bridge Road, discussion about status and road maintenance.
 - Insurance officer wants signage at Town Garage to prohibit trespassing in parking lot. Discussion ensued. Michael directed to post "No Public Access" signs
 - Snow shoveler needed for this winter @ PSB, PO.
 - Amadon road and Consolidated Communications: private contractors disrupting roads and Town crew left with excess maintenance. Possibility of instating a town policy or collect bonds to be required? Discussion ensued.
- b) Buildings and Grounds
 - a. Generator Training
 - b. PSB/Grange Septic—both tanks located. Will be pumped Thursday 11/8, as well as the Post Office.
 - c. Center Post Office repairs—Safety hazard in flooring? Mike examined and identified developing substructure rot, cracked and broken tiles. Discussion ensued.

4. Visitors

- a. Charles Merriman—Merriman Smart, PLC. re: Act 46 next steps re: litigation

David Kelly: suggests that Montgomery has one of the best cases in the state. Possibility to be the lead plaintiff. Discussion ensued. Principle points:

Updates from legal perspective: \$33,000 raised so far. Hoping for \$1500 from each participating community (14, plus Montgomery). Recommends no funds taken from School budgets at this time for this lawsuit. Some pro-bono work and reduced fees, as well. Approximately 20 districts that have voted to appeal. Multiple issues (approx. 7) on the table from different towns for the lawsuit (merging, small schools grant, ...)

Currently, lawyers are drafting the appeal complaint. Predicted formal notice on November 15th from state on merger discussion (per Mary Niles). Seeking a motion to Stay. Best chance of success is to receive the Stay and have legislature address the decision. Majority of time spent is in motions pleading, so money will primarily be focused there. Financially confident at this time, asking \$1,500 from participating towns. Donations from individuals also accepted. Plan to file in one court, potentially Washington Superior. David suggests School Board defer becoming members of new 706b, but remain as participants, Mary implies that Montgomery and Sheldon will not be required to do so, but want to be participatory and authoritative in budget planning.

Montgomery reasons for acting as lead plaintiff:

 - Low per student spending, highest scores in the state, 49.9 % school lunch, geographic isolation -- we meet the goals of the law and meet the geographic limitations, and additionally, we are not classified as a wealthy community. Additional factors to be considered.

Fundamental issue of unelected state board forcing the imposing of debt on communities that have either not had the opportunity to vote on that consolidation, or in Montgomery's case, having the voting opportunity and voting NO.

Acting as lead plaintiff is a political decision, not a responsibility one. Montgomery will act as representative, figure-head.

Select Board will be acting to protect the tax interests of Montgomery constituents.

Mark moved to sign the Letter of Engagement for the Town of Montgomery, to and contribute \$1500 to the Alliance of Vermont School Board Members; Seconded by Jacob. Discussion ensued. Friendly amendment from Jacob that the allocation be conditioned upon the issuance of the final report from the Secretary of State forcing the merger of Montgomery into the new district.
Unanimous 4-0.

5. Water Commission Issues

- a. Sanitary Survey Letter—was submitted. Response received. Discussion ensued.
- b. Cota/Chase hook-up status—Planning on hooking up tomorrow 11/5/18.

6. Old Business

- a. Cemetery Commission Consolidation
Discussion ensued. Concern about access to West Hill records. Sue and Charlie will pursue action.
- b. ATV Ordinance (next steps for advancing public discussion—*plans for discussion re: enforcement with VTF&W after deer season; potential plans for public hearing on Ordinance in January*)
Charlie spoke with Carl Whedon and Josh Hungerford from VT Fish and Wildlife. Continue engagement post-hunting season. Carry over.
- c. Welcome to Montgomery Signs. Carry over pending branding initiative and process.
- d. Grant Updates:
 - i. USDA Community Development Grant.
Remove this item since no action taken at this point.
 - ii. Municipal Planning Grant
Pending
 - iii. Electric Vehicle Charging Station Grant (VEC)
Reach out to VEC about pursuing this item. Suzanne will initiate.
- e. Act 46—SBE decision and next steps (*see visitors*)

8. New Business

- a. Montgomery Thrives—priorities for action
 - Opportunities to pursue joint outreach based on similarities of content. Charlie suggested selectboard presence on task forces in order to remain informed and involved.
 - How does municipal building issue play out since it was not selected? Responsibility returns to Selectboard. Discussion ensued. Look into USDA Community Facilities Grant options available.
- b. Overweight Truck Permits
- c. Liquor/Tobacco Licenses

9. Open Mail / Sign Orders / Administrative Matters

Mark moved to approve the driveway permit for Soren Shimizu on 200 Amadon Road. Seconded by Leanne. Unanimous 4-0.

10. Review Action Items for Board Members

11. Adjourn

Jacob moved to adjourn at 7:45, seconded by Leanne. Passed Unanimous.