Town of Montgomery - P.O. Box 356
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REGULAR MEETING OF THE
SELECTBOARD & WATER COMMISSION
Monday, August 7th 2023
6:30pm
Town Office Conference Room (86 Mountain Road)
Zoom Recording:
https://us02web.zoom.us/rec/share/434mcbWafL71uW-v_WD-fZfHIjt9ueyLoBgtZZMK-fMDVX5IMz_wpPjyH30Fq8MW.wN83CxnEFnEh0jIc
Passcode: D3z++4yK

In Attendance: Leanne Barnard, Charlie Hancock, Emily Kimball, Suzanne Dollois, Scott Ovitt
On Zoom: Mark Brouillette, Kate Wanner, Kate Sudhoff, Merle VanGueisen, Kip Potter

1. Review and make any changes to the agenda
    a. Remove Item 6C and table to next meeting

2. Review/approve minutes of the 8/31 meeting minutes
    a. Suzanne motioned to approve minutes, Leanne seconded the motion. Motion passed 4-0-1, with Emily abstaining.

3. Public Works - Updates *(discussion)*
    a. Generator Service Contract (*board action*)
        i. Mark reports that the service contract is a three-year contract that has annual payments. The contract is the same as previous years. The contract covers the generators at the water facility, at the town garage and at the school. The total cost increases approximately $60/year.
        ii. Milton CAT is the only CAT dealer in Vermont and they have been carrying this contract for the past few years and have been doing a good job.
        iii. Leanne motioned to adopt the Generator Service Contract, Emily seconded. Motion passed 5-0-0.
    b. Public Safety Building boiler quote (*discussion*)
        i. John Mercy has been unable to provide an updated quote from the quote submitted on 6/22/23. The quote submitted is only good for 2 days after the quote is given.
        ii. Town Office staff is looking into scheduling an Energy Audit through the state. This could possibly unlock potential grant funding.
        iii. Charlie suggests that we hold off on accepting the quote until the audit can be scheduled, Emily suggests that we have a firm date that we must make a decision by/have the audit completed by.
        iv. Scott will follow up with John to find out when he has to have the order by in order to get the boiler installed in time for winter.

c. Montgomery Heights Road Adoption (Maintenance) Request (*discussion*)

   i. Mark reports that this is a private road, thus not under the responsibility of the town to provide materials for not labor. Scott reports that this is accurate, and that the town would be unable to do any work on that road due to how narrow the road is.

   ii. Scott will get back to Robert Memoli to let him know that the town will not be conducting any work or providing materials as it is a private road, not a class four road.

Scott's Report

Speed limit signs on Black Falls are installed

Cota Road is passable at this point. It was fixed today. The maps list it as both class four and as impassable/not travelled. Scott is contacting the state to come up and determine the classification of the road.

While we have the state here to determine responsibility for class four roads we will be asking them to assess all of the class four roads.

Scott reports that the grader needs new tires, $2,000 each. Marshall Tire has some that are brand new and will fit our grader that are $1000 each. Scott needs to let them know if we want the tires.

Emily motioned to approve the expenditure of $4500 for grader tires, Leanne seconded. Motion passed 5-0-0.

The tractor that is used to mow the roadsides is not staying in gear and is burning about 1 ½ gallons of oil each day. Scott is looking for replacements for the future. The mower has damage and may need to be replaced.

Scott will begin procuring sand. We have been getting sand from Leaches but has found savings and better quality sand from Wright's Excavating ($1/yard cheaper).

4. Visitors (7pm)

   a. Trust for Public Lands re: Forest Legacy Project in Montgomery, Lowell, Westfield

      i. Kate Sudhoff and Kate Wanner are working with three landowners to procure easements for conservation of approximately 2,000 acres. There are 433 acres in this project that are in Montgomery. These properties will have guaranteed public access. Trails are not necessarily guaranteed, but properties cannot be posted against public access. This also conserves a section of the Catamount Trail. There are rare plants on the properties as well as significant water sources.

      ii. This project does not change too much about the current use of these lands. ATVs are not allowed as part of the Forest Legacy Project.

      iii. The easement strongly supports working forest lands and public access to forested lands.

      iv. Kate Wanner asks for the support of the Selectboard in this project. Charlie moved that the board supports the Forest Legacy Project, The Hazen's Notch Conservation Project. Suzanne seconded, motion passed 5-0-0.

      v. Charlie will get a letter of support submitted.

   b. Merle has expressed interest in the open Lister Position. There are two positions to fill and Charlie will add Merle's name to the list of those interested in the positions. Merle had questions with regard to amending minutes from previous meetings. Agenda was reviewed and clarification was offered.

5. Old Business

a. Eberle/Snedicor Environmental Court Appeal update (*discussion* – potential for Executive Session; 1 V.S.A. 313 (1)(E) – Pending Litigation).
   i. Emily motioned to enter into Executive Session at 7:45pm, Leanne seconded. Motion passed 5-0-0.
   ii. Suzanne motioned to exit Executive session at 8:01pm, Leanne seconded. Motion passed 5-0-0.
   iii. Emily motioned to direct legal counsel to file a brief with the Environmental Court to defend the DRB decision. Leanne seconded. Motion passed, 4-0-1 (Mark abstained).

b. Streetscape Project update following Board Feedback (*discussion*)
   i. Charlie met with VTrans today. The goal is to realign the corner by the Rec Center due to the road coming quite close to homes on the corner, it will provide better sight distances and better safety of that traveled roadway.
   ii. The south side of Main Street, with regard to, sidewalks and the need to maintain the "informal" parking on that side of the street was discussed.
   iii. Engineers will go back to VTrans with the hopes of realignment of the corner and the possibility of sidewalks and informal parking. There is hope that VTrans will look at this project through the lens of other projects that have been the "exception to the rule".
   iv. When these designs are returned to the board, approved by VTrans, there will be a public meeting to gather feedback.

c. Wastewater Project update (*discussion*)
   i. For the project we need two easements from each property owner, one for building the project and one for maintaining the system. We are working to distill this into one easement. Approximately 30% of properties will have pipes for the effluent to travel through. Surveys will need to be completed of boundary lines to make sure that all easements are 100% accurate reflecting the infrastructure located on each property.
   ii. A Title search will need to be conducted for each property that will be hooked into the system. This will alleviate future problems. We will need to put out a scope of work for this portion of the work and the survey work as a "package".
   iii. Looking to plan a late August public meeting to go over current progress and an update on the process of easements.
   iv. Third Quarter of local option taxes has come in, $21,000 was this quarter's return to the town. This all helps with user fees and the debt service. This can also be used to help cover expenses that were unforeseen in the planning of the project.
   v. Target dates of easements for the Village ready for spring and hopeful to have construction in the Village begin Summer of 2024.

6. New Business
   a. Town Office Contract Renewals (*board action*)
      i. Board will be signing contracts tonight
   b. Reappraisal order VT Tax and Contract for Reappraisal Services (*board action*)
      i. Letter from the Tax Dept has been received for Reappraisal. The contract to complete this work has been received from NEMRC.
      ii. The cost of the reappraisal is $102,000, we have budgeted for this expense.

iii. Suzanne motioned to adopt the agreement, Leanne seconded. Motion passed 5-0-0

~~c. Lister Vacancy (*discussion, potential board action*)~~

d. Liquor/Tobacco Licenses (*board action*)
   i. Heimbecker LLC – second class, tobacco
      1. Suzanne motioned to approve, Emily seconded. Motion passed 5-0-0.

e. Fleet Permits (*board action*)

7. Open Mail / Sign Orders / Administrative Matters
8. Review Action Items for Board Members
9. Adjourn, Suzanne motioned to adjourn, Emily seconded. Motion passed at 8:02pm, 5-0-0.