

Town of Canterbury
Board of Selectmen
April 18, 2011

Selectmen Present: Bob Steenson
Briggs Lockwood
Tyson Miller
Town Administrator: Roger A. Becker

The meeting was called to order at 6:12 PM.

Chief John LaRoche attended the meeting for his regularly scheduled meeting with the Selectmen.

John reported that the lock on the Riverland gate has been cut again. John explained that normally they open the gate on Memorial Day weekend. John suggested that the Board consider putting the gate closer to the parking lot and put up "no parking" signs along the road. By placing the gate farther down the road, would give the resident that has been cutting the lock no real reason to mess around with the gate.

A brief discussion was held on the options of opening/closing the gate.

The Board reviewed the Police Budget expenses to date with John. It was noted that 50 % of the overtime wage line has been expended

Chief LaRoche reported that he will forward the schedule and roster to the Selectmen.

The Board thanked John for attending.

Highway Department Employee Jim Sawicki attended the meeting in Road Agent Phil Stone's absence.

Jim presented the Board with a quote from White Mountain Precast for repairs to the bridge on Old Tilton Road. The quote given was for a total cost of \$85,000 for a steel bridge

Bob explained that the Board had a previous discussion with Phil about getting corrugated decking and pave over it.

Briggs asked if anyone had contacted a bridge company like E.D. Swett to see if they had something similar to the corrugated decking. Jim stated that his understanding was that no one has.

Jim asked what time frame the Board is looking at to make the repairs as the concrete forms are 2 months out. Bob felt it would be easier to make the repairs in the summer when the stream is at its lowest. Jim stated that currently it's an 8 week wait for the concrete and if their business picks up it could be as long as 10-12 weeks.

Ty felt that they should go with the quote for the concrete replacement. Jim reported that the quote from White Mountain Precast is \$45,000 which includes shop drawings. If the

Selectmen are interested in having a concrete certification seal, this would be an additional \$500.

Bob asked if they need to purchase precast bridge rails or can the old ones be reused. Jim explained that CWS has quoted \$17,800 for separate guardrails, but they could install just the guardrails at each end. Briggs believes that the Town could come up with some type of guard rail.

Currently there is \$34,000 in the Culvert & Bridge budget lines, the Board will further discuss to see where the funding will come from.

Bob made a motion to accept the quote dated 12/14/2010, proposal #9205 from White Mountain Precast \$30,700 precast and hardware, \$7,600 Precast bridge rail and \$1,350 for the membrane. The Town would install the membrane. Briggs seconded the motion. All in favor by voice vote, motion carried.

A brief discussion was held on repairs to the Loader; the brakes will be done in-house and will hold off on the pins and bushings. Briggs stated that they should get the brakes done, see what that costs, it's too early to commit to other expenses now, possibly later in the year. Jim believes that it may take up to a month to fix the brakes.

Jim explained that he received the email from Roger regarding the Purchase Order Policy. Jim asked if he can call the Board members at any time to approve necessary purchases. Bob explained that yes, he could call any of them for the big ticket items or anything that can't wait until Roger returns to the office. Jim asked if a purchase order would be needed for salt purchases. The board replied that a purchase order would not be needed for any time that is a normal purchase, only for emergencies, etc. Bob stated that Jim is welcome to contact them at any time.

Jim reported that Truck 5 is down with a fuel problem. They are still troubleshooting the problem.

The Board thanked Jim for attending.

Fire Chief Pete Angwin attended the meeting for his regularly scheduled meeting with the Selectmen.

Pete reported that the new truck is running okay, a small repair has been done. The truck had to be plugged in so that a code could be changed.

A brief discussion was held on the Fire Department budget. It was noted that the gas/oil budget line is currently at 58%, the remaining budget looks good.

Pete reported that he checked the issue of pot holes on Burrough Road and put up cones until the Highway Department could make the repairs.

Pete reported that he has been working on Federal grants for turnout gear and a thermal imaging camera.

Bob explained that the Selectmen have received 2 proposals for service on the fire alarm systems in the town buildings. One quote included taking down every device and cleaning it. Bob felt that if the device is not sending a failure signal, there would be no need to have them cleaned. Pete stated that most of the alarm calls come from the Library. Bob suggested that an annual service be done on the panel and smoke test the systems. Bob believes that it is not necessary to clean all the detectors. Pete believes that they should all be tested.

The Board thanked Pete for attending.

State Senator Andy Sanborn and State Representative Seth Cohn attended the meeting.

Senator Sanborn apologized for being late for the meeting. He is here to update the Selectmen with what is going on at the State House and would like to hear what is important to this Board.

Bob explained that he went to the first hearing of SB 156 (electronic registrations) and that the Town has concerns. Bob explained that as a small town we will have more of a challenge reconciling the accounts. He is proud that we are still a part-time government and feels that if the process isn't broken; it doesn't need to be fixed.

Senator Sanborn sees this as a benefit to the residents as most Town Office hours are not convenient. Fundamentally it will not cost anything, just bringing the process all together. There is no guarantee that this be a success. There is no cost to the Town and will provide a more automated system, if it makes it more challenging for the Towns and has bugs in the system, it won't work.

Senator Sanborn explained the benefits of the bill.

- 1) Will provide more money for the Towns. Currently the Town gets \$2 for every new car that is registered, the statute allows the dealership to charge \$2, and the dealership fees would be passed onto the Towns.
- 2) The system automatically pulls up the vehicle with all the options; this will give the Towns a true retail value. This could generate additional revenue for the Towns.

This is a voluntary program for the consumers. They will have the option of registering their new cars at the dealership or go to the Town offices. This program would perform residency checks, the buyers address must match that of the credit bureau, the Department of Safety and they must complete a residency affidavit.

Senator Sanborn explained that a 3rd party would be processing the paperwork. They would forward the fees collected by the dealership to the Towns & State. Senator Sanborn stated that he doesn't trust the government; they never have been good with managing money. He would never allow the funds be filtered through the State.

Senator Sanborn explained that this is a piece of Legislature that would enable everyone to come to the table. This will be a 2-year test period with a few communities; any equipment that would be required will be supplied by the vendor that will be processing the paperwork.

Bob asked if the Town would have an option to participate. Sen. Sanborn replied no, but that the Town Clerks would approve the dealers that could participate. There is no cost to the State or the Towns.

Roger asked if they had talked to any firms that perform audits for Towns. He feels that this would put a burden on the Town and the Auditors.

Sen. Sanborn explained that Canterbury's current software vendor Avitar has been involved in the process. Senator Sanborn spoke of repealing the \$30 registration fee; he wants the politicians to be honest. This fee was sold as a temporary tax and he wants to keep it that. He can get the information to the Selectmen that shows how much Canterbury paid to the State and how much it got back through the Highway Block Grant. Ty explained that Canterbury went through the TIP process to put State roads in Town higher on the list to be repaired. Sen. Sanborn explained that only \$30 million of \$90 million the State received went into the road system. The remaining \$60 million went for pay raises.

Sen. Sanborn explained that a lot of state agencies are self-funded, the only agencies contributing to the General Fund are Department of Safety, Transportation and agencies that are helping those in need. They are the only Agencies that can be cut to reduce the budget.

A brief discussion was held on HB144 for clean energy district.

Sen. Sanborn stated that he is trying to get Northern Pass to come through Vermont. There needs to be another source of power in the State. He explained that there are 4 mills that are in jeopardy of shutting down. This would be a loss for the employees of the mills along with the loggers, etc. that supply the mills with wood chips.

The Selectmen thanked Senator Sanborn for coming to the meeting.

Peter Currier and Web Stout attended the meeting to discuss a 13 acre parcel of land off Ayers Road on the Northfield Town Line.

Peter explained that he was in about a month ago to discuss a parcel of land that is owned by the Town of Canterbury that abuts his land in Northfield that was logged by mistake. Peter is willing to purchase the property for a fair amount and asked the Selectmen to come up with a price. His goal is to keep his deed intact (with his 27 acres in Northfield). At one time, this 13 acre parcel was in his chain of title. Peter stated that he knows he owes the Town money for the portion of the Town property that was logged in error. Bob stated that the Board of Selectmen took a walk up to the property. John Stankatis did a nice job on the logging.

Bob stated that it is clear that the Town owns the property and both Peter and Olly Fifield are interested in the land. Web explained that tax deeds often times refer back to an older by book and page with an older description of the property. Bob stated that he felt that the land is reasonably valuable because of the road. Web explained that he did some research but has not yet completed it. He looked at old plans, USGS maps and the 1895 Atlas. This road is not shown on any of these maps. He believes the road in question is only about 30 to 35 years old. There are no double walls indicating that this could be a road. He further explained that one of parcels that Olly sold in that area his deed references a 2 rod road, but that road is

actually on the other side of the property sold. Peter's deed references no road, only a right of way. Web started to look at the road layouts in Canterbury, so far he has not found a layout for the road in question. In reading the deeds surrounding the parcel, no roads are mentioned. Peter actually has a deeded access across the property formerly owned by Olly.

Briggs stated that the Board of Selectmen are inclined to sell the property but they need to get to the bottom of the road issue.

Ty felt that they should settle the situation with the logging first. The Planning Board and Conservation Commission may also have an interest in this property. Bob stated that they have to consult with the Planning Board and Conservation Commission prior to putting up for sale.

Bob stated that they would take the reports from John Stankatis to determine the stumpage to calculate the amount of money owed to the Town.

Bob offered to pay Web for his time to finish the research on the road. Web thanked him but he doesn't want any money, he will donate his time.

The Board asked Peter to get a report of volume that was taken off the parcel. Peter said that it wasn't much; it appears that about 20 years ago all the wood was taken off.

The Board thanked Peter and Web.

Scott and Karl Blackstone of Gold Star Sod Farms stopped into the meeting to discuss the Gold Star lease/rent. Scott stated that they have been talking with the Board for 4 – 5 months about the rent. He was not expecting the letter of default that was faxed to him. The Board explained that the notice was also sent certified as well as having the Police Department deliver the letter. Scott felt it would have been reasonable to call him or talk to his lawyer.

Scott felt that the some of buildings on the property that were built after they purchased the Sod Farm could be transferred to the Town for compensation. Scott proposed to go to mediation. His Attorney believes that Gold Star owns the buildings. Ty has read the lease; with the exception of the hoop houses he sees nothing in the lease that states that buildings belong to Gold Star. Bob asked what buildings they had constructed. Scott replied that in April 2005, the prior owners re-built a barn after a fire. The Blackstone's acquired the business in September of 2005, and they have constructed a barn. Bob stated that the existing buildings were deeded to the Town; the ground lease doesn't prevent them from building. If a lease is severed, generally the buildings stay with the lease.

Bob explained that it was loud and clear at the Town meeting that the residents want the Gold Star revenue back on the table. They have spent time researching a fair price per acre. Bob further stated that the Selectmen granted the Blackstone's rent relief by cutting the rent in half for 1-year and have still received no payments. He believes it may be time to sever the relationship.

Ty explained that the lease is for a 10-year period at \$75,000 annually, if the property is rented to someone other than Gold Star, Gold Star could owe the difference of when they left the lease and the end of the lease. Ty suggested that the Blackstone's Lawyer talk to Attorney

Mayer who represents the Town.

Bob stated that the Board is not unwilling to listen to some type of settlement, as long as some money is provided. The tax payers expect the Board of Selectmen to collect the amount due.

Ty reported that per Town Counsel a letter declaring the lease ended will be coming shortly.

The Board thanked the Blackstone's for coming in.

The Board held a brief discussion on the lease options.

Bob Steenson, Chairman Board of Selectmen, made a motion to execute the Tax Anticipation Note with TD Bank in the amount of \$700,000 at a rate of 2 ¼% for fiscal year 2011 and to sign all associated paperwork (the Note and the Certificate). Briggs Lockwood seconded the motion. A roll call vote followed and all three Selectmen voted in favor of the motion.

The Selectmen signed:

- Accounts Payable Manifest
- Payroll Manifest
- Welfare Manifest
- Agriculture Commission Appointment Slips
- Planning Board Appointment Slip
- 2011 Revaluation contract – Cross Country Appraisals
- License to Sell Pistols and Revolvers
- Vacation Requests – Roger Becker & Mary Hauptman
- American Express Processing acceptance form
- Junkyard Permit – Misery Road
- Intent to cut – Tioga Road

The Selectmen will contact Agriculture Commission Chair Wayne Mann to obtain information on a new appointee to the Commission.

The Board reviewed the delinquent tax payers list. Ty would like to see an ageing of each property on the list.

Briggs made a motion to enter in non-public session at 9:32 PM to discuss a personnel matter. Bob seconded. All in favor by roll call, motion carried.

Bob made a motion to exit the non-public session at 10:08 PM and to seal the minutes forever due to the personnel matters discussed. Briggs seconded. All in favor by roll call, motion carried.

The Board reviewed the minutes of April 4, 2011 meeting. Briggs made a motion to approve the minutes as written. Ty seconded. All in favor by roll call, motion carried.

The Board reviewed the non-public minutes of April 4, 2011 meeting. Briggs made a motion to approve the minutes as written. Bob seconded. All in favor by roll call, motion carried.

The Board reviewed correspondence from Olly Fifield regarding the 13 acre parcel on the Northfield town line. The town owns the land and they will accept Web's offer to do research

on the road.

Bob made a motion to enter into non-public session at 10:20 PM to discuss from Town Counsel. Briggs seconded the motion. All in favor by roll call, motion carried.

Ty made a motion to exit the non-public session at 10:25 PM and to seal the minutes until pending legal action is complete. Briggs seconded the motion. All in favor by roll call, motion carried.

The Selectmen held a brief discussion on the solar panels. Roger reported that we are spending more on electricity than we did last year. Bob Drew will be contacting Unitil and reviewing the electrical bills. The Board discussed of the possibility that Unitil is not applying the credits correctly.

Bob made a motion to adjourn the meeting at 10:35 PM. Briggs seconded the motion. All in favor by roll call, motion carried.

The next regularly scheduled Selectmen's meeting will be held on May 2, 2011 at 6:00 PM at the Meeting House.

Respectfully submitted,

Jan Stout
Administrative Assistant