

**MEETING OF THE
ORWELL SELECT BOARD
July 23, 2007
7:30 p.m.
Town Office**

**Select Board - Paula Barnes
Walker James
Carla Ochs
Roland Simmons
Peter Young**

**Present: Allen M. Alger Glen Cousineau
Robert G. Arnebold Barbara LaDuc
Gerry Audet John Sullivan Susan Ann Arnebold, Clerk**

The meeting was called to order at 7:29 p.m., by Roland Simmons, Chair.

1. CITIZENS COMMENTS.

Barbara LaDuc relayed that Kim Smith is greatly concerned about a vehicle that is spinning deep ruts at unsafe speeds in the intersection of Shoreham Depot, Fisher and Royce Hill Roads. The vehicle is a rusty red pickup or Cherokee wagon. Kim Smith runs a daycare at her house which is located on the north west corner of this intersection. This activity has been going on for at least a week.

Glen Cousineau and John Sullivan have water runoff concerns. They stated that they have invested in gravel that the Town's road water washes away. This is a continuous problem of water runoff. Discussion ensued about a possible culvert solution. Roland Simmons and Walker James will take another look at the site before making any further decisions.

Gerry Audet expressed concerns with some of the restrictions for the Rural Residential rules in the latest Land Use Regulations. He feels that it is unfair to add the burden of a conservation easement on property owners in the RR areas of Town. The specific concern is the 5 acre conservation requirement for a 2 acre subdivision. This is taking land without compensation. Discussion ensued.

The Select Board recommended that Gerry Audet take his concerns to the next Planning Commission meeting. The PC is in the process of drawing up some minor changes to be presented to the Town for a vote at a later date.

2. HIGHWAY REPORT.

a. Road Foreman Report - Allen M. Alger reported that the road crew is working on beavers, screening stone and more culverts.

b. State Paving Grant - Roland Simmons talked with Tom Roberts of District #3 and was told that Orwell does not appear to be on the 2007 paving grant list. Discussion followed.

The Select Board instructed Allen M. Alger to go ahead with paving Route 73 for as far as the budget figure will go. The Foreman explained that this will take the paving from the Hall hay barn to four feet past the last new culvert just shy of the Y intersection of Route 73 and Mt Independence Road.

c. Mt Independence Visitors' Center Research - Merle Miller was to fax Roland Simmons a copy of the contract that the Mount has with ANR certifying that the drainage water will be checked regularly to be sure that it is clean. No such fax has arrived to date. This tabled right-of-way permit is still pending.

d. Carpenter Letter Rec'd - The Select Board received the letter from Jordan Carpenter authorizing the Town to use his circular driveway as a turn-around and reads as follows: "I am pleased to give this written permission to the Select Board to authorize its employees or agents to drive Town trucks and other equipment, including snowplows, on the driveway at 213 Horton Road, whenever they deem it appropriate and advisable in their absolute discretion."

The Select Board is most appreciative of this consideration from Jordan Carpenter.

e. Horton Road - The Select Board directed Roland Simmons to write a letter to Michael Williams requested that the timbers be removed from the Horton Road right-of-way within ten days of such notice.

f. North Orwell Road - The Select Board directed Roland Simmons to write a letter to Chris Monguer requesting that he remove the building debris from his property that is in the North Orwell Road right-of-way, within ten days of such notice.

g. Traffic Study - Roland Simmons explained that there are four traffic counters available to Orwell for a traffic study. The first four roads to be studied are: Murray, North Orwell, 73 West and Horton Roads. Royce Hill and Fisher Roads will be done when school starts. This study will give speed and weight of vehicles. This information will enable the Select Board to set up a traffic ordinance process. There is no charge for these traffic studies.

With a traffic ordinance, the town roads can be signed and/or posted where needed. This will give the Town authority to control some of the traffic problems such as the speed-spinning reported in item 1. Citizens Comments this evening.

3. MINUTES.

Carla Ochs moved to accept the minutes of the regular meeting of July 9, 2007, as written. Paula Barnes seconded the motion. The motion passed - 5 Yes 0 No.

4. PAYMENT OF BILLS.

Paula Barnes moved to pay the General Fund orders in the amount of \$6,273.98; and the Town payroll. Carla Ochs seconded the motion. The motion passed - 5 Yes 0 No.

5. SEWER REPORT.

Walker James reported that the Treatment Plant garden tractor is at the repair garage.

6. TREASURER'S REPORT.

Tax Rate - The Select Board and Treasurer reviewed the figures on the tax rate sheet for 2007 that Roland Simmons worked up at the July 9th meeting.

Carla Ochs moved to set the 2007 Municipal tax rate at \$0.4596. Paula Barnes seconded the motion. The motion passed - 5 Yes 0 No.

7. OLD BUSINESS.

a. Appeal of DRB on Lakeshore Property - Roland Simmons reported that the DRB decision on the Barry Lakeshore property is being appealed to the Environment Court. The notice of appeal and other information was sent to the town attorney. Roland Simmons will consult with Mark Werle about the continued violation of the Town Notice of Violation order to cease and desist any further construction.

b. Town Office Sign - Paula Barnes will meet with David Abbott this week to give him the Select Board's design ideas and specs for creating a new sign for the Town Office.

c. Municipal Plan - PC Hearing - The following notice was received from the Planning Commission: "The Town of Orwell Planning Commission has adopted an update to the town plan on July 18, 2007 after the statutory public hearing. We are now sending it to you to continue the adoption process." Discussion followed.

Carla Ochs moved to accept the 2007 Municipal Plan from the Planning Commission and to set a Select Board hearing date of Monday, August 27, 2007. Walker James seconded the motion. The motion passed - 5 Yes 0 No.

The notice will be put in the August 13, 2007, issue of the Addison Independent for a Select Board hearing to be held on Monday, August 27, 2007, 7:00 p.m. at the Town Office.

d. State Pay't to Town for Billing & Collecting - Carla Ochs reported that towns are to receive compensation for collecting state education taxes and asked if the Select Board wishes her to pursue when and how the Town is getting this money. The Board wishes her to continue this search.

e. Disbursement of State PTA Monies - Carla Ochs explained that the Treasurer received a check from the State of Vermont for a property adjustment payment of \$248,772.84. This money will be used to credit qualified property owners' tax bills. These credits were formerly in the form of rebate and/or prebate checks sent directly to property owners.

f. Website - Peter Young reported that he has submitted several corrections to the Town Website. People are very pleased with the look and content and are encouraged to view the site. Corrections are being made as needed in an ongoing process. If any errors or changes are needed please send them to 'airbrush@shoreham.net'. The Website address is:

town-of-orwell.org

After discussion, the Select Board decided to keep all commercial names off the Website at this time. Peter Young will handle this and in addition will post a sign advertising the Website.

People are encouraged to go to the Website and view the information and calendar.

g. BCA Letter to PVR - Roland Simmons stated that Steve Jeffrey of VLCT commented that the Orwell BCA letter to William Johnson of PVR [VLCT was sent a copy] was a very good letter.

Roland Simmons encouraged the VLCT to write and sponsor a bill to change the statutes to say that if listers are not allowed on a property to appraise, then any appeal ends at this point. Steve Jeffrey replied that he is interested in working on such a bill and will talk with William Johnson of PVR about it.

8. NEW BUSINESS.

School Board Appointment - Julie Disorda was appointed [until the next annual meeting] to the vacant Village School Board position and has taken her oath at the Town Clerk's Office.

9. OTHER BUSINESS.

a. Town Office Shutters - The Select Board agreed with Roland Simmons that the shutters need repainting. Carla Ochs will contact Joanne Forcier [who did them about 8 years ago] about doing this project.

b. Recording Fee Increase of \$1.00 - After reviewing the recommendation requests for a computerization fund by other Town Clerks regarding the \$1.00 increase in recording fees made by the Legislature, the Select Board decided at this time they will keep the extra money in the general fund. The breakdown will be - \$1.00 for restoration and \$7.00 for the general fund.

c. Voting Delegate VLCT Town Fair - **Carla Ochs moved to appoint Roland Simmons delegate from Orwell to the VLCT Town Fair. Peter Young seconded the motion. The motion passed - 4 Yes 1 Abstain [Roland Simmons].**

d. Legislature Requirement - The Town received the following email from Karen Horn of VLCT: "In property tax bills sent out this year, the legislature required municipalities to include a two page document from the legislature entitled, "About Your 2007 School Taxes".

This explanation is to be updated annually for each town by the tax commissioner. This is a requirement of H. 526, Act 82." The VLCT is looking for estimates of addition costs to towns for this

function. Many towns are unhappy with this added imposition. The Orwell Select Board did not receive any notice of this two page document.

e. Coefficient of Dispersion - Carla Ochs reiterated that Cheryl Tudhope, Lister Chair, is concerned that the COD for Orwell is dropping rapidly and wanted the Select Board to be aware of this situation. The COD can drastically affect a town's tax rate.

10. ADJOURNMENT.

Walker James moved to adjourn the meeting at 9:25 p.m. Peter Young seconded the motion. The motion passed - 5 Yes - 0 No.

Respectfully submitted,
Susan Ann Arnebold
Clerk of the Board

Regular Meeting

March 26, 2007