

**MEETING OF THE
ORWELL SELECT BOARD**

November 28, 2011

7:30 p.m.

Town Office

NOT APPROVED

**Select Board: Walker James
Carla Ochs
Roland Simmons
Miles Tudhope**

**Present: Allen M. Alger Freeman Corey
Allen R. Alger Paul Stone
Francis Bradish Mark Young**

Susan Ann Arnebold, Clerk

The regular Select Board meeting was called to order at 7:30 p.m. by Roland Simmons, Chair.

1. CITIZENS COMMENTS.

None.

2. HIGHWAY REPORT.

Road Foreman Report – The snow plowing for the recent storm plowed up a lot of dirt. The snow was wet and very heavy.

The Road Crew tested the newly furbished corner at the Mount. A few adjustments were made by putting in more fill on the inside of the turn to level out the area.

No sanding was necessary for the roads during the snow storm.

Allen M. Alger reported that the FEMA representative notified him that FEMA will not be paying anything on the Griswold Lane culvert mainly because the culvert was not displaced and probably because this is a Class 4 road with very little or no traffic.

3. MINUTES.

Carla Ochs moved to accept the minutes of the regular meeting of November 14, 2011, as written. Walker James seconded the motion. The motion passed – 4 Yes 0 No.

4. PAYMENT OF BILLS.

Roland Simmons moved to pay the General Fund orders in the amounts of \$18,993.90, Line Items in the amount of \$12,410.00, the Sewer Fund in the amount of \$463.61 and the Town payroll. Carla Ochs seconded the motion. The motion passed – 4 Yes 0 No.

5. SEWER REPORT.

Roland Simmons asked the Treasurer for a figure on the Sewer checking account balance. Mark Young stated that the amount is about \$18,000 plus. Discussion followed.

Walker James moved to move \$12,000.00 from the Sewer checking account to the Sewer Reserve Fund. Carla Ochs seconded the motion. The motion passed 4 Yes 0 No.

6. TREASURER'S REPORT.

Roland Simmons asked the Treasurer about two Town notes: the tax anticipation note and the Town truck installment. The Treasurer agreed to take care of these payments tomorrow. The orders will be made up and ready for the Treasurer on Tuesday.

Carla Ochs moved to have the Chair sign the orders for the Town tax anticipation note for \$422,500 and interest now due and the Truck installment of \$33,632.18 now due. Walker James seconded the motion. The motion passed – 3 Yes 0 No 1 Abstain [Roland Simmons].

7. OLD BUSINESS.

a. VLCT 2012 Health Insurance – 2012 Decision – The Select Board went over the programs offered in place of the existing plan that is no longer being offered by CIGNA. Miles Tudhope recommended that the Select Board simply pay the Road Crew and have the Road Crew each buy their own health insurance coverage. Discussion with the Road Foreman and the Select Board followed.

Walker James moved to go with the MVP plan at \$405.34 with a \$2,500 deductible for a single person. Carla Ochs seconded the motion. The motion passed – 3 Yes 1 No [Miles Tudhope]
Allen M. Alger agreed with this decision for the MVP plan.

b. TR#22 Class 4 Section Reclassification – The Select Board and interested parties continued with the Reclassification Hearing.

Paul Stone gave further testimony and submitted a copy of his testimony along with a map, a letter from Paul Gillies, and a copy of the Vermont Local Roads Sheet titled “Throwing up a Road on Paper”.

Freeman Corey stated that he owns 2,800 feet along the upper end of Griswold Lane. He has no easement on this land of approximately 72 acres. The road has very little traffic at this end and he has no concerns about the road. Freeman Corey is not interested in throwing up the road or changing it to a Trail. The level of liability does not seem any more than it has been for the last 20 years.

Carla Ochs has concerns about how to justify the big expense of fixing the culvert that seems to continue to wash out.

Paul Stone has no objection with throwing up the road.

Roland Simmons explained that the purpose of the hearing is to learn how people see this situation. The Select Board will fix the culvert before any further action, if any, occurs. The Town is still waiting to hear from FEMA on the monies for a repair. [At this point in the meeting, Allen M. Alger had not yet arrived with the news that FEMA did not approve the expense for this repair. See Section II above].

Carla Ochs moved to close the Road Reclassification hearing at 8:10 p.m. Miles Tudhope seconded the motion. The motion passed – 4 Yes 0 No.

The Select Board has 60 days to make a decision on this issue.

Paul Stone stated that he was hoping for a decision tonight. Discussion followed.

The Select Board did not feel that any decision could be made tonight.

Walker James moved to make a decision in 30 days.

Discussion continued. **Miles Tudhope moved to amend the motion from 30 days to the second December Select Board meeting [whenever that is scheduled]. Walker James seconded the amendment. The amendment passed – 4 Yes 0 No.**

Walker James moved to make a decision at the second December Select Board meeting [whenever that is scheduled]. Miles Tudhope seconded the motion as amended. The motion passed – 4 Yes 0 No.

Carla Ochs stated that the Select Board has to look at the liability versus giving up the right of way. Freeman Corey again reiterated that he would loose rights if the road was thrown up.

8. NEW BUSINESS.

a. 2011 Tax Warrant – The Select Board asked the Treasurer for a copy of the 2011 Tax Warrant. The Treasurer stated that he sent the Warrant to the Delinquent Tax Collector and agreed to give the Select Board a copy

b. Orwell Free Library Board Request – Roland Simmons reported that Ginny Wilson, Orwell Free Library Board member, asked if the Select Board could do something about the sloppy, slippery walkway created in winter, that runs in front of the Library steps and out to Route 73. Discussion ensued.

Route 73 is a State highway and thus the path is in the State right of way. Allen M. Alger will asked the State Road Crew what can be done [with permission] to improve this pathway that slopes into the Town sidewalk.

9. OTHER BUSINESS.

a. NFIP – Interim Zoning – Roland Simmons explained that he received an email from Tim Bouton with instruction on what to do to be timely for the hazardous grant process.

b. Hazardous Mitigation Plan – Allen M. Alger and Roland Simmons will go over the plan and add or adjust any details to complete the document and have it ready for the Select Board to consider at the next Select Board meeting.

10. ADJOURNMENT.

Miles Tudhope moved to adjourn the meeting at 9:20 p.m. Walker James seconded the motion. The motion passed - 4 Yes 0 No.

Respectfully submitted,

Susan Ann Arnebold

Clerk of the Board