

**MEETING OF THE
ORWELL SELECT BOARD**

January 24, 2011

7:30 p.m.

Town Office

NOT APPROVED

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

**Present: Robert Arnebold
Thomas Purdy, DRB**

Mark Young, Treasurer

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.

a. Road Foreman Report – The Road Crew is out plowing and sanding. Roland Simmons reported that he spoke with Roman Rakoczy of the Army Corps of Engineers [New York State]. What the ACE will need is the name of a contact and a letter of intent to have them come in the springtime to look over the site. There is federal stabilization money at 65/35 cost sharing.

Further research revealed that there is FEMA grant money. FEMA recommended that the ACRPC work with the Town to write a hazardous mitigation plan which is the first step towards a FEMA mitigation grant. In any case, there must be an engineering study to find out what material is underneath the slide area. Now is the time to line up what can be done especially since more sliding can occur at any time.

Roland Simmons asked about what would happen if alot of rock was placed on the site to stabilize the road. The reply was that it is very likely that the weight would push down. The only way to know is through an engineering study. This will determine just what a load of rock might do – stabilize or unstabilize the slide area. So far it looks like the first step will have to be an engineering study.

In addition there is a Lake Champlain watershed program that might have grant money. Roland Simmons plans to talk with Magloire Audet about the situation.

b. CVPS Right of Way Permit Request – A right of way permit was submitted by CVPS to put in poles along Brown Lane west, and north on Route 22A area. Allen M. Alger will be near the site and if there is any problem he will get back to the Chair. No problem was reported.

Walker James moved to approve the CVPS Right of Way permit as presented. Paula Barnes seconded the motion. The motion passed – 4 Yes 0 No.

A second CVPS right of way permit was submitted for the Jonathan Audet property on Mount Independence Road. This will be addressed at the next regular Select Board meeting.

3. MINUTES.

Paula Barnes **moved** to accept the minutes of the regular meeting of January 10, 2011 and the special meeting of January 17, 2011, as written. Walker James **seconded** the motion. The motion **passed** - 4 Yes 0 No.

4. PAYMENT OF BILLS.

Paula Barnes **moved** to pay the General Fund orders in the amount of **\$38,176.96**, the Sewer Fund orders in the amount of **\$2,176.19**, and the Town payroll. Carla Ochs **seconded** the motion. The motion **passed** – 5 Yes 0 No.

5. SEWER REPORT.

a. **Robert's Avenue Issues** – There is a manhole cover in the middle of Robert's Avenue near Route 73 that catches on the new plow blade. The cover now needs to be repaired, then adjusted to prevent further damage from the plow blade. A second issue is a water problem that needs to be addressed at a later time, Walker James reported.

b. **Endyne Lab Report** – The regular Endyne Lab report came in and all looks in order, normal and good, Roland Simmons explained.

6. TREASURER'S REPORT.**7. OLD BUSINESS.**

a. **2011 Budget Work** – Today the Select Board received the \$9,000.00 grant check from Betterback Roads for the 2009 project that was completed in 2010. This amount was entered on the Income sheet.

Discussion ensued on the legal expenses for the three law suits concerning the town zoning ordinance. To make the budget clearer two entries will be made under legal: legal fee note for \$78,800.23 [such billing amount paid in 2010 with a note] and legal fees for \$51,200.00 to cover the balance of the law suit fee and any legal cost for 2011. Article 4F of the Warning asks the voters to make a decision about these legal cost payments.

The expense sheet was again reviewed. A final decision awaits a final report from the Auditors as to the actual figures for 2010.

b. **Warning 2011** – The Select Board reviewed the warning and after discussion made corrections to Article 4F changing the amount and article 4G changing some wording.

Paula Barnes **moved** to approve the 2011 Warning as corrected. Walker James **seconded** the motion. The motion **passed** – 5 Yes 0 No.

c. **Sewer Budget** – Miles Tudhope **moved** to approve the Sewer Budget sheet as presented and as checked by the Auditors. Paula Barnes **seconded** the motion. The motion **passed** – 5 Yes 0 No.

8. NEW BUSINESS.

a. **Select Board Report for 2010** – Roland Simmons read the draft of the Select Board report that he has been working over. Several suggestions were made. The clerk will type the report tomorrow when it will again be reviewed for any corrections.

b. **Gerry Audet Letter on the Route 73/22A Intersection** – Roland Simmons read the letter submitted by Garry Audet to the Select Board concerning this dangerous roadway area. A copy of this letter is attached to these minutes.

9. OTHER BUSINESS.

a. Buxton's Store and Orwell Gas & Go Liquor/Tobacco Licenses - The Select Board reviewed these four license applications.

Walker James moved to approve the Liquor and Tobacco licenses for both Buxton's Store and the Orwell Gas & Go. Carla Ochs seconded the motion. The motion passed – 5 Yes 0 No.

b. Reschedule the regular February 28, 2011 Select Board Meeting - This meeting has to be rescheduled because of the conflict with the School Board annual meeting scheduled for Monday, February 28, 2011, 7:00 p.m.

The Select Board approved holding the second monthly meeting on Monday, February 21, 2011 at 7:30 p.m., Town Office.

c. State Homestead Correction Payment – Mark Young reported that a property owner went to Montpelier to settle with the state that she should have a homestead rate, not a non-resident rate. The State made the correction and now there is a balance between what is owed and what was billed.

There is a second complication because the original property tax billing went delinquent. Now it is in the hands of the Delinquent Tax Collector. However, as the Treasurer explained, the Town will get back this money next year when the State tallies up the school monies.

10. ADJOURNMENT.

Miles Tudhope moved to adjourn the meeting at 10:02 p.m. Walker James seconded the motion. The motion passed - 5 Yes 0 No.

Respectfully submitted,

Susan Ann Arnebold

Clerk of the Board