

**Select Board Meeting Monday, November 21<sup>st</sup>, 2016 in the Cavendish Town Office**  
**Meeting Room at 7:00 pm**

**Present:** Bob Glidden (Chairman), George Timko, Mike Ripley, Wendy Regier, Jill Flinn, Rich Svec (Town Manager), Bruce McEnaney (Assistant to the Town Manager), Jen Leak (Recording Secretary), and citizens as listed on the attached sheet.

**1. Call the meeting to order**

Bob Glidden, Chairman, called the meeting to order at 7:01 p.m.

**2. Consider a resolution to request a reclassification of Quent Phelan Road, TH #9, from Class III to Class II town highway. This reclassification would be in concert with companion efforts by the Town of Ludlow. Ludlow is in the process of reclassifying Commonwealth Avenues and Barker Road from Class III to Class II. Collectively, these three roads constitute a significant connecting thoroughfare between the towns of Cavendish and Ludlow. This connecting thoroughfare links Vermont Rt. 103 (Main Street in Ludlow), a Class I town highway, to Twenty Mile Stream Road (TH #2), a Class II town highway in Cavendish.**

Rich handed out some supporting materials to the Select Board. Ludlow is engaged in a reclassification of Commonwealth Avenue and Barker Roads due to increased traffic. In addition to being a significant connecting road between Ludlow and Cavendish, there is also an active VELCO substation, a proposed large scale solar farm and a Clean Energy pipeline planned which will add to the increase in vehicle traffic. Frank Heald, Ludlow Town Manager, contacted Rich for Cavendish's input, since both Ludlow and Cavendish need to submit an application together and the information needs to be submitted to the VTrans Mapping Division by December 1<sup>st</sup>.

Rich informed the Board that reclassifying Quent Phelan Road would allow it to become eligible for Class 2 Town Highway Paving Grants, or an increased rate of highway aid. Wendy asked if the width of the road would change with reclassification. Rich said it would not as it is sufficiently wide. He said that the road classifications are based on a number of factors, including the amount of traffic the road carried, it's status as a connector between towns, and it's use as a school bus route. Mike added that the Ludlow ambulance uses that route to reach the upper areas of Twenty Mile Stream Road, and having it repaved would be beneficial. Rich commented that Mutual Aid fire calls to the northern part of Cavendish would also use this route. Larry Wilfong asked Rich if there would be any negatives from reclassifying this road. Rich said it there were no real negatives and that the only criticism that others might bring up would be speculation that the reclassification might cause an increase in traffic. Rich doesn't feel that the classification causes any change in traffic, it is the other way around, in that the volume and use as a connector drives the classification.

Rich noted that this reclassification would be in accordance with VSA 19, Chapter 3, § 302 and would follow the prescribed procedure which includes submission of the reclassification transfer to VTrans for its approval.

*Mike Ripley moved/Jill Flinn seconded a resolution to reclassify Quent Phelan Road TH#9 from Class III to Class II town highway and submit the materials to VTrans. All voted in favor.*

**3. Town Manager to return to the Board with full information on the proposals received for the installation of heat pump equipment at the Cavendish Town Office building. The manager is requesting that the Board approve of the purchase of this equipment utilizing funds from the Town Office Renovation Fund. The low bid received is from HB Energy. There is a timeliness issue on this matter due to an Efficiency Vermont rebate program.**

Rich reviewed the quote from HB Energy Solutions with the Board, which came to \$12,860 (including installation and Efficiency Vermont rebates). Rich also reviewed the Green Mountain Power 7-year lease program, which costs \$2966/per year (including maintenance) for the lease, for seven years, with a total cost of almost \$21,000, and then a possible purchase of the equipment. The energy committee recommended accepting the bid from HB, since it was much less than the cost of leasing. Rich added that he would like to see this project happen quickly, since the rebate is currently only good through the end of December.

Mike asked for an estimate of savings the Town could realize if the heat pumps were installed. Peter LaBelle, who was present, said they would use the excess credits we are generating from the Town's solar array, so their operation would not cost the Town anything. Since they would largely replace the need to use the existing oil furnace, except in extreme cold conditions, the savings in oil would be the majority of the oil expense. There is presently \$1,900 in the budget for Town Office heating oil. The solar credits will expire at the end of December. Dan Sullivan, who was present, said that, at current oil prices, it would take about six years for these savings to pay back the cost of purchasing and installing the heat pumps. Wendy asked if these savings could be put back into the Building Renovation Fund. Mike said the Select Board could make that decision.

*Mike Ripley moved/Jill Flinn seconded a motion to approve HB Energy's bid to install two Mitsubishi outdoor units, with two indoors units in the Town Manager's and Town Clerk's offices, and a Mitsubishi FH 18 outdoor unit and one indoor unit in the meeting room, for a total net cost not to exceed \$13,000 (including rebates). All voted in favor.*

**4. Consider a motion from a member of the Board to have the Select Board review the Town of Cavendish Conflict of Interest Policy as it may apply to current considerations of the Board in its recruitment of a new Town Manager.**

Rich commented that, during this discussion, the Board needs to be sensitive to confidential issues regarding candidates. Wendy said she had asked Rich to put this on the agenda. She has consulted VLCT who said that the Town Conflict of Interest policy would be the governing force concerning conflicts of interest. Wendy read aloud the section of the Town Conflict of Interest Policy which addresses disclosure. She said she believes there is a conflict of interest with one of the candidates and a Select Board member, which needed to be stated in a public forum.

Wendy asked for Rich's opinion. Rich said that the Board needed to decide if they felt they had a conflict. He suggested that such a discussion would probably need to be conducted in executive

session, since it regards a personnel issue which requires confidentiality. If the Select Board votes on this matter, after the executive session discussion, that vote would need to be made in open session. Wendy asked if the Board member in question would have a vote on whether or not they had a conflict of interest. Rich thought that they would. Rich added that, if a Board member is determined by the Board to have a conflict of interest with a particular candidate, then it would prevent them from being able to vote on the hiring of that particular candidate.

*Wendy Regier moved/Jill Flinn seconded a motion to enter executive session in order to discuss a possible conflict of interest between one of the Board members and a Town Manager candidate at 7:40 p.m. All voted in favor.*

*Mike Ripley moved/Bob Glidden seconded a motion to exit executive session at 7:53 p.m. All voted in favor.*

*George Timko moved/Jill Flinn seconded a motion to vote on whether there is a conflict of interest regarding the candidates for Town Manager with one of the Select Board members. Wendy Regier voted yes. Bob Glidden, George Timko, Mike Ripley and Jill Flinn voted no. The Board determination then is that there is no conflict of interest in this case.*

5. **Conduct discussion related to Town Manager recruitment. NOTE: Due to the nature of this activity, this portion of the meeting will be conducted in executive (not open to the public) session.**

*Mike Ripley moved/Jill Flinn seconded a motion to enter into executive session to discuss matters related to Town Manager recruitment at 7:55 p.m. All voted in favor.*

*Mike Ripley moved/Jill Flinn seconded a motion to exit out of executive session at 8:59 p.m. All voted in favor.*

6. **Adjourn**

*Bob Glidden moved/Mike Ripley seconded a motion to adjourn at 8:59 p.m. All voted in favor.*

Minutes Approved: \_\_\_\_\_

Date: \_\_\_\_\_