

**Select Board Meeting, Monday, July 10<sup>th</sup>, in the Cavendish Town Office**  
**Meeting Room at 6:30 pm**

**Present:** George Timko (Acting Chairman), Mike Ripley, Mark Huntley, Brendan McNamara (Town Manager), Bruce McEaney (Assistant Town Manager), Jen Leak (Recording Secretary), Ed McEaney from LPCTV and citizens as listed on the attached sheet.

**Absent:** Bob Glidden, Jill Flinn

**1. Call the meeting to order**

George Timko, Acting Chairman, called the meeting to order at 6:30 p.m.

**2. Act upon minutes of the meetings of June 12<sup>th</sup> and June 26<sup>th</sup>, 2017.**

*Mark Huntley moved/Mike Ripley seconded a motion to accept the minutes of the meetings of June 12th and June 26th, 2017, as written. All voted in favor.*

**3. Sign Orders**

George Timko, Acting Chairman, directed the Select Board to sign orders and review correspondence at their convenience during the course of the meeting.

**4. Adjust agenda**

Brendan asked the Board to move Item #11, Town Manger to update Select Board on Dog Incident, forward to #7.a., since Town Health Officer Doris Edy is present for this item.

**5. Hear Citizens**

There were no citizens wishing to be heard.

**6. Diane McNamara, Town Treasurer, has a grant revenue anticipation note, a delinquent tax note, a solar bond anticipation note and a tax anticipation note for review and approval by the Board of Selectmen.**

Diane was present. She explained that the tax anticipation and delinquent tax notes are renewed annually to provide funds until the first quarterly tax payments of the new fiscal year, which are due on August 15, start to come in, and to make up for taxes not collected from delinquent taxpayers.

*Mike Ripley moved/George Timko seconded a motion to approve a Delinquent Tax Note in the amount of \$250,000 at an interest rate of 2% for a period of one year with Berkshire Bank. All voted in favor.*

*Mike Ripley moved/George Timko seconded a motion to approve a Tax Anticipation Note for \$200,000 at an interest rate of 1.5% for a period of 90 days with Berkshire Bank. All voted in favor.*

Diane informed the Board that she made a payment of \$50,000 on the Grant Revenue Anticipation Note and a \$40,000 payment on the Solar Bond Anticipation Note this past year. She said that the

energy savings from the Town solar array have been greater than anticipated, so she expects to be able to pay this loan off earlier than the estimated ten year period.

***George Timko moved/Mark Huntley seconded a motion to approve a Grant Revenue Anticipation Note for \$150,000 at an interest rate of 1.75% for a period of one year, unless we receive FEMA monies to pay this note down, with Berkshire Bank. All voted in favor.***

***Mike Ripley moved/Mark Huntley seconded a motion to approve a Solar Bond Anticipation Note for \$329,000 at an interest rate of 1.75% for a period of one year with Berkshire Bank. All voted in favor.***

**7. Review FY 2017-2018 Tax Rate Calculations with the Town Manager and Town Treasurer and set the FY 2017-2018 Tax Rate.**

Diane and Brendan said that they figured the rates today, and reviewed them with the Board. The tax rates are slightly lower than last year's rates.

***Mike Ripley moved/Mark Huntley seconded a motion to set the Town Tax Rates as written.***

Mark asked what the local agreement shortfall was. George explained that it was those properties exempted from taxes at Town Meeting (Fletcher Farm, Black River Health Center) for which the Town pays the education portion. ***All voted in favor.***

**7.a. Town Manger to update Select Board on Dog Incident, discussion to follow.**

Brendan said that last Monday, July 3, a resident was bitten on the arm in front of the Post Office on Depot Street in Proctorsville. Shortly after that bite, a boy was bitten on the back while riding his bike on Depot Street by the same dog. A family on the Proctorsville Green was threatened by this dog, but one of the adults kicked it and it ran away. On May 24, the same dog bit another resident in that resident's yard on Depot Street. Those 3 bite incidents are documented, but Brendan said that he believes there have been at least 5 other incidents with this dog which were not reported.

Brendan spoke with the owner, who owns 2 other dogs as well. The dog has been quarantined with the owner. None of the dogs are registered or vaccinated against rabies. Brendan said that he believes the owner is being negligent and that the dog is a significant safety concern. The backyard fence is broken, allowing the dog to escape, and it has bitten without provocation.

Doris said that so far adults/teens have been bitten, but a small child would be seriously injured if bitten. Mark asked if the Town was liable in the event of another incident. Brendan said that he did not know the legal answer to that. Doris said that as it was out of her hands as Health Officer, and the Select Board needs to act now as the Board of Health for the Town. Doris added that, after the May 24<sup>th</sup> incident, the owner was informed that the dog needed to be vaccinated and registered but she did not do so. Doris asked the Board to issue an emergency order to quarantine the dog, at the home contained by a fence to be inspected by the Town Manager.

The Board discussed the options, and agreed that the Town Manager should draft a letter to the dog owner outlining that the dog be restricted to a secure backyard area, not be walked or tied by a leash outside that secure area, vaccinated against rabies, and registered with the Town. Brendan

said that he would write the letter and deliver it both in person and by certified mail. The Board agreed that any further incidents could warrant a request to have the dog put to sleep.

***Mark Huntley moved/George Timko seconded a motion that the Town Manager should draft a letter to the owner of the dog under discussion stating that it be restricted to a secure backyard area, not be walked or tied by a leash outside that secure area, vaccinated against rabies, and registered with the Town. All voted in favor.***

**8. Mike Smith of Weston and Sampson to give update on Aeration System Replacement.**

Mike Smith, Weston and Sampson Engineer, and Randy Shimp, Town Water/Wastewater Operator, were present. Mike updated the Board on the progress of this project. Mike said that the design should be straightforward and completed soon. Randy mentioned that the lagoon cleaning needed to be coordinated with this project although it is not included in the project loan. The Board agreed that they would like this project to be completed this construction season, and thanked Mike and Randy for coming tonight.

**9. Town Manager to give update on Bridge #58. (Mike Smith will be present for discussion)**

Brendan said that Vtrans is requesting a letter from the Select Board agreeing to the directional boring and placement of the utility lines underneath the riverbed.

***George Timko moved/Mike Ripley seconded a motion that the Town Manager should write a letter stating that the Select Board agrees to directional boring for the Depot Street bridge replacement project.*** Mike Smith said he would work with Brendan to draft this letter so that it contains the language that VTrans needs. Mike added that he will submit the utility line engineering this fall and put out the RFP for the directional boring in the spring so that the utility placement is completed during the 2018 construction season. Vtrans will put out the RFP for the bridge replacement for the 2019 construction season. ***All voted in favor.***

**10. Update and discussion regarding Town Garage Replacement.**

Brendan said that the asbestos scheduled to be removed from the old garage this month. Once that is completed the demolition and site preparation can commence. He said that the RFPs are posted for the building, electrical and plumbing design, and are due by July 30. Once those bids are awarded, the concrete work can be put out to bid. The Board discussed meeting at the end of July or in early August to review and award those bids. Brendan said that he will send out an email to confirm a meeting date.

**11. Town Manger to update Select Board on Dog Incident, discussion to follow.**

This item was discussed as item #7.a.

**12. Asst. Town Manager to discuss possible winter sidewalk plowing proposal with Select Board.**

Bruce said that he has received a proposal for a 5 year contract for \$15,000 per year to plow/sand the Town sidewalks and to clear the fire hydrants. This would be done using a skidsteer with a snowblower on the front. Bruce said that a new trackless costs about \$130,000. He said that a capital fund needs to be started soon if the Town plans to replace our current machine which is getting old. Over the last four years, the average yearly repair cost for the trackless has been \$3400. Other costs of plowing include payroll for Bill Jansak, who operates the trackless, which has averaged \$1200. Bill has said that he may not be here next winter. George commented that a skidsteer would be wider than the sidewalks in some places which might cause damage to adjacent property. Bruce added that our trackless would only be worth about \$5700 as a trade-in or resale.

Brendan said that the Town would put out an RFP for sidewalk plowing if the Board decided to contract for that service. George suggested that the Town investigate other machines that could plow the sidewalks that might be more affordable and reliable. The Board agreed to discuss this topic again at a later date.

### **13. Town Manger to update Select Board on various Town projects.**

Brendan said that town resident and website designer Katie Hamlin will begin working on redesigning the Town website this week. Once it is built, Jen will maintain and update the website information.

Brendan said that he has posted a Notice of Intent to Sell Municipal Land for the property located at 732 Main Street, Proctorsville, which was purchased by the Town at tax sale. He said that the previous owners arrived this past weekend to clean out some of the contents. He spoke with them and informed them that the locks have been changed, that they need to contact the Town Office before entering the premises, and that they are taking personal items only.

Brendan said that he and Bruce are meeting with Katherine Otto, Southern Windsor County Regional Planning Commission, to discuss a Better Roads ditching project tomorrow.

George asked when Route 131 was scheduled for repaving. Brendan said it is scheduled for the 2018 construction season.

Bruce passed a letter for Select Board to sign documenting their support for the flashing crosswalk beacons at the elementary school, which was approved at the June Select Board meeting.

### **14. Other business**

Bruce said that he is meeting with the SWCRP to discuss recurrent flooding in the village of Proctorsville, which may be complicated by the railroad bridge behind Singleton's store. He said that a hydraulic study of the area needs to be done and there might be some funding available for that expense. Mike Smith mentioned that Weston & Sampson would like to be considered for the hydraulic study as they have done several other studies for the Town.

Carl Snyder was present and commented that Wiley Hill Road washed out badly after the recent heavy rains. He asked what could be done to correct the drainage in that location since it washes out frequently. Bruce said that the upcoming meeting with SWCRP on ditching will address problems like that.

Carl asked what the Board is doing to address the many junk cars located at 2335 Main Street in Cavendish. Bruce said that he spoke with the property owner last month, who told him that the

tenants would be donating the cars to a charity. Bruce said that he would speak with her again soon as this has not happened. He said that his next recourse would be to ask the state to intervene. Bruce mentioned that it is problematic to single out one property for junk cars when there are several others in town.

Randy Smith – Randy said that there is a leaking water valve on Maple Street in Proctorsville. He said that section of town cannot be isolated due to faulty valves, so he would need to shut off the water for most of Proctorsville in order to fix it. He said that he would like to fix several valves at the same time, and that this should be done this season before Route 131 is repaved. He thought that there were about 6 valves that should be replaced. He added that most of the water pipes in Proctorsville have been in place since 1964-66.

Mark Huntley –none.

Mike Ripley – none.

George Timko – George noted that the Proctorsville Green has no place for people to sit. Brendan and Bruce said that there are some concrete benches in the town garage. They said that they will look at them and, if they seem in good condition, look into placing them on the Green.

**15. Adjourn**

*Mike Ripley moved/Mark Huntley seconded a motion to adjourn at 7:55 p.m. All voted in favor.*

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

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