

MINUTES FOR DECEMBER 15, 2009
WARREN SELECTBOARD
WARREN MUNICIPAL BUILDING
7:00 PM

MEMBERS PRESENT: Andy Cunningham, Ken Frey, Matt Groom, Kirstin Reilly (7:30).

OTHERS PRESENT: Barry Simpson, Sheila Getzinger, Scott Bowden, Jenny Hansen, Deborah Wetmore, Deborah Kahn, Doug Mosle, Miron Malboeuf, Cindi Jones, Don LaHaye.

7:00 PM – Meeting called to order by Mr. Cunningham.

7:01 PM – Lincoln Gap Winter Road Maintenance – Sheila Getzinger – Ms. Getzinger introduced her client, Mr. Scott Bowden, who is potentially looking at buying the Henry Property located 1500' above Mr. Weeds almost directly across from the Government Road on the Lincoln Gap Road. Ms. Getzinger presented a site map of the property and the location of the previously approved curb cut. According to the previously issued curb cut, the Town does not maintain the upper section of the Gap Road as it is closed in winter. Mr. Bowden would construct a turn-a-round and if the Town would not maintain that section he would hire a contractor and maintain that section of the road. No construction would take place this season. Mr. Cunningham inquired about how big the parcel was and Ms. Getzinger responded in saying it was 3.5 acres. Ms. Getzinger pointed out that it is a class 2 highway and does received highway funding and the Town could not deny access to any property owner. Mr. Cunningham responded in saying that it was the wisdom of the old Selectboard that they did not want to endanger the public safety or Town employees. The Town was involved in a court case Sager vs. Town of Warren concerning a piece of property above the Government road that belonged to Mr. Sager and that The Town was not going to plow or maintain that section as it has been closed for more than 50 years during the winter. The Town of Warren lost the case, however, it changed the Vermont State Statutes concerning Class 2 highways to read: The Selectboard may decide not to plow a class 2 road in winter based upon "safety considerations for the traveling public and municipal employee's" 19 VSA Section 310(b). The aggrieved property owner may appeal to the Transportation Board. 19 VSA section 310(a) and (d). It was not Mr. Bowden's desire to go to that next step.

Mr. Cunningham commented that he would like to see the property in the daylight, look at any culverts that the Town might have, look at the lay of the land and look at any other parcels that could be developable in the area. He was not ready make a decision based on what was presented. Mr. Groom inquired about the liability if Mr. Bowden maintains the road. Mr. Frey commented that if Mr. Bowden creates a turn-a-round, people will park in the turn-a-round and in his driveway as it is a trail head to recreational activities such as snow mobiles, cross country skiers, Mad River Rocket sledding, and hiking. Mr. Groom was leaning toward granting permission if the owner plows and maintains that section but would like go and look at the site.

Mr. Cunningham commented that he would like to have the board members go and look at the site and that he would like go with Mr. Weston, road foreman, before making any determination concerning if the Town was going to plow and maintain that section of the road. The board deferred this action until the December 29th meeting to give the board members a chance to assess the site and gather more information.

7:40 PM – Warren Library Budget Presentation – Deborah Kahn – Ms. Kahn presented to the board the Library's budget as approved by the Library Commissioners. Ms. Kahn commented that library has been busy and that the renovations that were made turn out well and the library has seen increased foot traffic to the library. Ms. Kahn highlighted a few increases in the budget. There is an increase in salary and benefits as the library commissioners would like to add a new position to assist the librarian to coordinate all the volunteers and the many activities being presented at the library. There is an increase in the adult book section and an increase in supplies as the library has their own copy machine now. The telephone has increased due to the fact that there are two emergency lines for the elevator on the library building account. Total budget request from the library is \$86,887. Mr. Frey inquired about a plan B if the Town is short on money? Ms. Kahn responded that the library could reduce its adult book expense and eliminate the extra position but did not prefer to do that because she would like to see the staff treated fairly. Mr. Cunningham commented that he did not want to cut salaries again.

8:05 PM – Warren Fire Department – Doug Mosle – Mr. Mosle presented the Warren Fire Departments Budget. There was a \$10,000 increase in remuneration as the Town is sponsoring a Fire Fighter One course and Warren has 9 members participating for certification. All other items were level funded and to balance out the increase the Warren Fire Department decreased their Capital Equipment Account by \$10,000. They will be spending out of the capital account about \$25,000 for Ladder 1 & 2 certifications and tires for E-1. Mr. Cunningham inquired if the department had a wish list? Mr. Mosle responded that the department did not see a new truck in the near future maybe in 2013. The board also discussed a possibility of a new Capital Account line for firefighter training and Personal protective equipment.

8:45 PM – PC/DRB Budget – Miron Malboeuf – Mr. Malboeuf presented to the Selectboard the PC and DRB budget. A few items such as the Mad River Valley Planning District and Central VT Regional Planning accounted for much of the increase. Much of the Planning Commissions work and budget will be focused on the zoning rewrites and the Town Plan Update that needs to approved and voted on by May of 2010 when the Town Plan expires. Some of the changes and items taking place are: 1) Verizon Installation of a new tower, however, Verizon is paying the cost for this. The PC felt that they could update the Town Plan and zoning regulations to include small scale and micro antennas. There are also new Flood Plain Regulations that are being mandated by the state to be incorporated into the Town Plan. This is a requirement so that property owners within the Flood Plain areas can obtain Flood Insurance.

There also will be an update on the section of housing and land use. The first two items the Selectboard can vote on but the housing and land use changes will be a public vote. There will be hearing and public out reach to the public on and once all public comment has been received, the Selectboard will have to have a public hearing and then it can be voted on by the public.

Mr. Frey asked the questioned also to Mr. Malboeuf about a plan B, level funding. Mr. Malboeuf indicated they could raise fees and could shave a few \$1,000 here and there. Ms. Jones commented that there was a line item in the Capital Accounts labeled as Town Planning and Development that the zoning and Town Plan Updates could be funded out of to keep the budget down since the Town Plan Updates are every 5 years. The board and the PC agreed that could help offset some of the cost for level funding.

9:25 PM – Department of Public Works – Check In – Barry Simpson – Mr. Simpson reported that he was working on putting up signs or posts to stop people from parking by the Town Hall where the snow slides off the roof. He is looking into signs that say “no parking”, danger sliding ice from roof etc.

The Salt Shed/Breakroom Trailer DRB Hearing – Mr. Simpson reported that the DRB has filed another continuance before issuing a permit. The Town has until July 1, 2010 to present an erosion control plan. Mr. Cunningham commented what does the permit have to do with erosion control when the application is setting up a temporary break room trailer? The permit was for the temporary break room trailer that is not compliant with the 50’ set back from a stream. Ms. Reilly inquired is there was some other place to put the temporary work trailer? Mr. Cunningham explained that because of the well, sewer, salt, sand, parking and the two present buildings, that there was really no other place viable to put the trailer. Ms. Jones commented that the cost to have an engineer and permits if needed to develop a plan would cost around \$3,000. The board deferred anymore action on this.

Legal – Mr. Simpson inquired that the Selectboard might want to increase their legal budget concerning the East Warren School house. Presently Ms. Burling owns the land behind the schoolhouse and the shed that is attached to the schoolhouse is on Ms. Burling’s land. Possibilities discussed were: the Town could propose a right of way for agricultural purposes in exchange for ownership of the land under the building. The easement would enable the Town or Roots Work to make any repairs necessary around the building. Mr. Cunningham directed Mr. Simpson to talk with Ms. Burling about getting her interest in a right of way and getting an encompass off her property before adding any addition money to the legal budget.

10:00 PM – Other Business

Approval of Minutes for December 8, 2009 – Motion by Mr. Groom to approve the minutes of December 8, 2009, second by Mr. Frey. All in Favor: VOTE: 3-0.

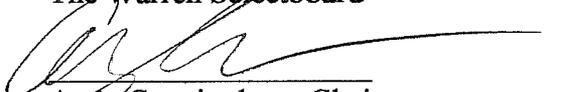
10:05 PM – Stone Environmental Sampling – Ms. Jones presented the Stone Environmental Contract for \$9,500 for continuing the field and analytical service to obtain data necessary to ensure continue compliance with The Town’s Indirect Discharge Permit allowing new flows into the system. Ms. Jones suggested that the board could fund this out of the Capital Reserve Account Wastewater as the board authorized this last year.

Motion by Mr. Frey to accept the Stone Environmental Contract for \$9,500 and authorize Mr. Cunningham to sign the agreement, second by Ms. Reilly. All in Favor: VOTE: 4-0.

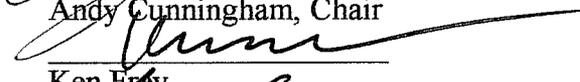
10:08 PM – Mad River Valley Planning District Representative – Mr. Cunningham updated the board regarding that he has spoken to Mr. Schwartz that the board was short 1 member and with budgeting, it might not be filled until after Town Meeting Day. Mr. Frey volunteered to step in.

Minutes Respectfully Submitted by,
Cindi Jones, Warren Town Administrator

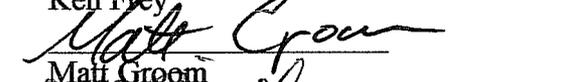
The Warren Selectboard



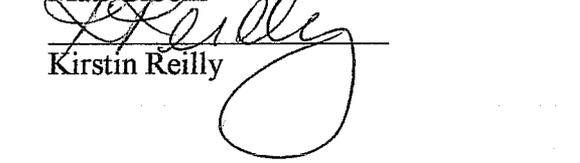
Andy Cunningham, Chair



Ken Frey



Matt Groom



Kirstin Reilly

**AGENDA
WARREN SELECT BOARD
TUESDAY, DECEMBER 15, 2009
WARREN MUNICIPAL BUILDING
7:00 PM**

7:00 PM – Lincoln Gap Road Winter Road Maintenance – Sheila Getzinger

7:20 PM – Warren Library Budget Presentation – Deborah Kahn

7:45 PM – Warren Fire Department – Doug Mosle

8:05 PM – DRB/PC – Budget – Miron Malboeuf

8:25 PM – Dept. of Public Works Check In – Barry Simpson

8:45 PM – Other Business

Approval of Minutes from December 8, 2009