

Minutes of January 26, 2010
Warren Selectboard
Warren Municipal Building
7:00 PM

Members Present: Andy Cunningham, Chair, Ken Frey, Matt Groom, Kirstin Reilly.

Others Present: Jean Henry, Lauren Kolitch, Gary Bombard, Priscilla Robinson, Kenny Blair, Rudy Elliott, Charlie Snow, Michael Ketchel, Casimir Vacaitis, John Williams (TV 44/45), Kara (Valley Reporter) Barry Simpson, Cindi Jones.

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

7:02 PM – Lincoln Gap Road Maintenance Request – Jean Henry, Lauren Kolitch – Ms. Henry submitted to the board a letter to request that the Selectboard Vacate their December 22, 2009 decision denying Mr. Scott Beaudin and Sheila Getzinger's request for an amended curb cut, town plowing and/or private plowing and hereby ask that the Selectboard withdraw the request without prejudice to either party. Ms. Henry states that she the sale to Mr. Beaudin has been withdrawn and also states that given the winter conditions it is impossible to obtain precise measurements concerning the road and the town's safety concerns. Ms. Kollitch, Attorney for Ms. Henry) states that the chair scheduled further a hearing on the matter two weeks hence, on December 29, 2009 in order to "put Ms. Getzinger back on the agenda. However one week earlier than planned for the discussion to resume, a motion was made by the board during a December 22, 2009 meeting, without prior notice to Scott Beaudin, Sheila Getzinger, or Ms. Henry and that Mr. Beaudin's request was denied without allowing him the opportunity to be heard or to provide testimony or evidence. Also Ms. Henry states that only a few board members were able to look at the site.

Mr. Cunningham stated that the Town had consulted an attorney regarding this matter as referenced in a previous court case "Sager vs. Town of Warren." From that court case the Town did lose, however, this case prompted a change in the Vermont State Statutes Title 19, Subsection 310 giving the power to the Selectboard to decide on Class 2 or 3 highways that they can decide not to plow or maintain based on safety considerations for the traveling public and municipal employees. Mr. Cunningham stated that withdrawing the request would be just postponing the inevitable down the road in the future. Ms. Kolitch stated that they would like the board to vacate their decision based on procedural steps to the decision and that it was not warned properly. Mr. Cunningham stated that the board had made the decision based on Safety concerns of the travelling public and on the plowing concerns. Mr. Cunningham stated that he contact the Town's Attorney and would provide them with their final decision. The board thanked Ms. Henry and Ms. Kolitch for their time.

7:24 PM – Mr. Robinson was absent his two articles that are on the Town Meeting Warning.

7:25 PM – Approval of Minutes for January 12, 2010 – Motion by Mr. Groom to Approve the Minutes of January 12, 2010, second by Ms. Reilly. All in Favor: VOTE: 4-0.

7:27 PM – Sullivan & Powers, Certified Public Accountant – Engagement Letter – Motion by Ms. Reilly to approve and higher Sullivan & Powers to proceed with the Town Audit, second by Mr. Frey. All in Favor: VOTE: 4-0.

7:31 PM – Liquor License Renewals –

West Hill B&B – Motion by Mr. Groom to approve the Liquor License Renewal for West Hill B&B, second by Ms. Reilly. All in Favor: VOTE: 4-0.

Numa, Numa Inc, (Paradise Deli) – Motion by Mr. Groom to approve the liquor license Renewal for Numa, Numa Inc, second by Ms. Reilly. All in Favor: VOTE: 4-0.

Bridges Resort – Motion by Ms. Reilly to approve the liquor license Renewal for The Bridges, second by Mr. Frey. All in Favor: VOTE: 4-0.

Numa, Numa Inc Tobacco License – Motion by Mr. Groom to approve Renewal of its Tobacco License, second by Ms. Reilly. All in Favor: VOTE: 4-0.

Ski Club 10 – Motion by Mr. Groom to approve the liquor license renewal for Ski Club 10, second by Mr. Frey. All in Favor: VOTE: 4-0.

7:37 PM – Resignation of 2nd Constable Bill Peatman – The board thanked Mr. Peatman for his time and service as 2nd Constable for The Town of Warren. Ms. Reilly also thanked Mr. Peatman for assisting in the Safe Routes to School Bike and Walk Fridays.

7:40 PM – Town Meeting Warning – the board reviewed the Town Meeting Warning that contains 18 Articles. Discussion took place on whether to reorder certain items or leave as is. Mr. Ketchel from The Warren School Board inquired of the board about the School meeting starting at 8:00AM. Mr. Cunningham stated that procedurally, the article last year was stated for a 9:00 start and that the Town would start at 9:00, and turn meeting over to the Warren School Board and reconvene after the Warren School Meeting. Mr. Ketchel stated that the school meeting has 6 articles and would probably last for 2 or 2 ½ hours. Mr. Simpson commented that it would be very difficult to try to warn and get the word out if the school started at 9:00. After much discussion, the board decided to leave the warning as is and that the school meeting would start shortly after 9:00AM.

Motion by Mr. Frey to approve and sign the Town Meeting Warning for 2010, second by Ms. Reilly. All in Favor: VOTE: 4-0.

7:55 PM – Motion to go into Executive Session for Lister Appeals and invite Ms. Robinson, Mr. Bombard, Mr. Blair and Ms. Jones, second by Mr. Frey. All in Favor: VOTE: 4-0.

8:30 PM – Motion by Mr. Cunningham to come out of executive session, second by Mr. Frey. All in Favor: VOTE: 4-0.

8:35 PM – Other Business:

Mr. Simpson was short and brief that he and the energy committee is moving forward on the energy grant. The FEMA culvert project is moving forward as he is meeting with 4 contractors about getting estimates for the cost of the project. He also has been in contact with Mr. Anderson, at the Agency of Transportation regarding the re-alignment of the Vaughn Brown Road, Gravel Pit Road and the AOT is proposing some changes for the Lincoln Gap Road and Covered Bridge Road before the paving project in 2011.

8:40 PM -Budget finalization: The board re-reviewed the budget and were pretty satisfied with it. Mr. Frey commented that it was a flat budget and that revenues would be down due to the fact that there would not be much state money coming in. The major increase was in the Capital Budget in the Highway Dept for pre-planning down the road on replacement costs.

Motion by Mr. Cunningham to approve the bottom line and interim lines, for a budget of \$2,145,018, second by Mr. Frey. All in Favor: VOTE: 4-0.

8:45 PM – Capital Budget Finalization: The board looked at the final copy of the Capital Budget and approved going ahead to warn the Capital Budget on February 9, 2010, at 7:00PM at the Warren Municipal Building.

8:50 PM – Motion by Mr. Frey to go into executive session to discuss real estate and invite Ms. Jones and Mr. Simpson, second by Mr. Groom. All in Favor: VOTE: 4-0.

9:00 PM – Motion by Mr. Cunningham to come out of Executive Session, second by Mr. Groom. All in Favor: VOTE: 4-0.

Motion by Mr. Cunningham to proceed with the eviction notice for Mr. Eric Lundblad for default of lease agreement and default in not signing the contract for back rent reimbursement and to be out as stated, second by Mr. Groom. All in Favor: VOTE: 4-0.

9:15 PM – Motion by Mr. Groom to adjourn, second by Mr. Frey. All in Favor: VOTE: 4-0

Minutes Respectfully Submitted by,
Cindi Jones,
Warren Town Administrator

The Warren Selectboard



Andy Cunningham, Chair



Kirstin Reilly



Matt Groom



Ken Frey