

AGENDA
WARREN SELECTBOARD
JULY 13, 2010
WARREN MUNICIPAL BUILDING
7:00 PM

7:00 PM – Mad River Path – Autumn Foushee (Director) – Off Leash Dog Area

7:15 PM – Constable Policing for Warren – Gene Bifano (1st Constable) Jeff Campbell (2nd Constable).
Re: Enforcement, Communications, Fire Arms, Uniforms, Constable Formal Training)

7:25 PM – Department of Public Works – Barry Simpson –
Road Access Permit Approval – Robert Sahlman –
Emergency Generator for Town Garage

7:45 PM – Approval of Minutes for June 22, 2010, Minutes of July 6, 2010

7:47 PM – Approval of Warrants (Accounts Payables for the Town).

6/24, 6/27, 6/30, 7/1, 7/2
7/7

7:48 PM – Approval of Sublease Agreement for The East Warren Community market Cooperative –
Term – 22 months, beginning July 1st, 2010 ending April 30th, 2012. Approved by Rootswork – No
Changes in Terms from Previous Sub Lease.

8:00 PM – Other Business

****Subject to change last minute****

Minutes of July 13, 2010
Warren Selectboard
Warren Municipal Building
7:00 PM

Members Present: Andy Cunningham, Chair, Anson Montgomery, Kirstin Reilly.

Members Absent: Matt Groom, Vice Chair, Bob Ackland

Others Present: Autumn Foushee, Laura Brines, Rudy Elliott, Kara (VR), Alex Maclay, (TV 44/45), Jeff Campbell, Gene Bifano, Peter Laskowski, Barry Simpson, Cindi Jones

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

7:05 PM – Mad River Path – Autumn Foushee (Director) – Off Leash Dog Area – The Mad River path held a Valley Dog Owner Summit to get positive feedback and comments concerning dogs on the Path and an Off Leash Dog Area. A dog committee was established from this meeting to research looking for sites for an area for off leash dogs to run. The committee came up an off leash area around the Sugarbush Snowmaking Pond area and the Path has had a meeting with Sugarbush regarding this. Sugarbush's main concern was liability issues. The Committee then called two insurance companies within the Valley and poised this question to them. They indicated that the Committee would need to speak to the Town and propose a "Risk Management" plan. Where the public would be put on notice and educate the owners with rules regarding this area as far as boundaries, cleaning up after dogs etc.

Mr. Cunningham inquired how the public would know where the area starts and stops. The Committee stated that it would have to be marked. Ms. Reilly thought that the snow making pond would be a great area as it is away from traffic. Mr. Elliott commented that the Path was created for recreation and that now it has become an area for dogs. Ms. Fourshee commented that the Path has always allowed dogs as long as they are on a leash and abiding by the dog ordinances. Mr. Montgomery commented that if Sugarbush and the Path want to enter into an agreement stating liability, process and signage then they should pursue it. The consciences of the Warren Board was that they would like see more refined details on this proposed area before the Town facilitates and changes its current Dog Ordinance to allow an off leash dog area. Ms. Foushee and Ms. Brines will meet with Sugarbush again and come back with more refined details and a plan to the Warren Board at a later date.

7:30 PM – Constable Policing for Warren – Jeff Campbell, 2nd Constable, Gene Bifano, 1st Constable – Mr. Bifano and Mr. Campbell presented to the board a budget for the constables that consisted of uniforms, radios, hand-cuffs, bullets, light bars, badges, academy test, and medical exam for a grand total of \$2,428.00. They wanted to have uniform that would be effective for a professional presence within the town. Both Mr. Bifano and Mr. Campbell will be attending the police academy for the training as required. They also wanted to purchase two radios that will have a channel to communicate with the State Police and other constables throughout the Valley Towns. The Constables would like to be able to provide first response to break-ins, etc. Until the Vermont State Police feel comfortable with the constables, they would not be activated until such time to take control of a situation. They would have the power to do some traffic code enforcement such as stopping vehicles that drive in unsafely or in a hazardous manner. They are requesting to carry a fire arm which the police academy will be doing training on.

The board was not in favor of the constables carrying fire arms unless they had the proper training and certification. VLCT has provided an in depth article on what they can do statutorily. The Warren Selectboard has the jurisdiction to direct the constables on what other duties they would like them to perform. Also brought up in the discussion was that the constables should be in for the long term to perform these duties as the training can take over a year to do. A thought was that at the next town meeting that the Constables should be in for a longer term than 1 year terms as voted in by the town.

Mr. Anson wanted Mr. Bifano and Mr. Campbell to speak more with the VSP and see what the role of the Constable would be for the State Police and also about carrying fire arms.

Mr. Cunningham directed Mr. Campbell and Mr. Bifano to apply for the VCOM grant for the radios and go forward with the proposed budget. He also directed them to start patrolling around town for minor things.

8:10 PM – Department of Public Works – Barry Simpson

Sugarbush Snowmaking Line – Mr. Simpson reported that the snowmaking pipe laying had started today, July 13, 2010. Mr. Simpson has asked Mr. Kern from GW Tatro for another revised quote.

Energy Efficiency Grant – Mr. Simpson updated the board that on Saturday, All Season's Mole Crew and Rootswork volunteers worked on clearing out the basement of East Warren School House. Rootswork put a lot of old duct piping and stuff into a large dumpster. He indicated that the Town would need to get a dumpster to do the crawl space for the Municipal building and at the same time; stuff that has accumulated by the shed behind the Municipal building would be thrown away as well. All this is in preparation for the work to be done by All Season's when the grant agreement has been received and signed. He also presented the engineering diagrams and structure repairs that would be needed to move forward with the grant project. The board directed Mr. Simpson to put an RFP out for this work. (See attached diagrams).

8:35 PM – Road Curb Access for Mr. Sahlman – Mr. Simpson presented to the board a curb road access cut for Mr. Sahlman on Retriever Run Road. Mr. Simpson went out and visited the site for the road cut access standards. The road enters on to an outside bend. There needs to be 50' of bush trimming and on the north side there is a spruce tree that the lower bows need to be cut for the proper safety site distances.

Motion to approve the Sahlman Road Curb Cut Access Permit with the following restrictions as wrote on the permit by Mr. Simpson, Road Commissioner, second by Ms. Reilly. All in Favor: VOTE: 3-0.

8:45 PM – Emergency Generator for The Town Garage – Mr. Simpson indicated that Mr. Collins has an owner that has a generator for sale that would be capable of supplying the Town Garage. It has a capacity of delivering 100 amps. The cost would be \$3,000 for the trade in price, \$1,200 for installation of a transfer switch and the Town would need to build a pressure treated platform. Mr. Cunningham inquired about the size, shape, and model and if it also be sufficient to handle the other garage buildings. Mr. Cunningham and the board deferred this item until Mr. Simpson could provide further information.

8:50 PM – Energy Committee – Mr. Simpson also inquired of the board that he felt that The Town needed to re-activate an energy committee. Mr. Cunningham asked if Mr. Montgomery would take the lead on this and come up with a committee size, goals, directives of this committee etc. Mr. Montgomery would have something by the next meeting regarding the formation of a committee.

8:52 PM – East Warren Park & Ride – Mr. Simpson commented that he was working on the composition of a base and overlay for the East Warren park & Ride. It would appear that the overlay would be a surpack material provided by F. W. Whitcomb. The town currently has used this material for the road surrounding the Brooks Recreation Field.

8:54 PM – Mr. Simpson also updated the board that Mr. Chambers would be starting on Monday, July 19, 2010 for the Road Highway Crew.

8:55 PM – Approval of Minutes for June 22, 2010 – Motion by Ms. Reilly to approve the Minutes of June 22, 2010, second by Mr. Montgomery. All in Favor: VOTE: 3-0.

8:56 PM – Motion to approve the Town of Warren Warrants (Accounts Payable) for June 22, June 24, June 30, July 1, July 2, and July 7, second by Mr. Montgomery. All in Favor: VOTE: 3-0.

8:57 PM – Resignation Letter from Ms. Forbes – A letter was received from Ms. Forbes resigning from the Warren Cemetery Commission. The board thanked Ms. Forbes for her time and commitment and wished her well in future endeavors. Motion by Ms. Reilly to appoint Ms. Jones to complete the rest of Ms. Forbes 2010 term, second by Mr. Montgomery. All in Favor: VOTE: 3-0.

8:58 PM – Approval of Sublease Agreement for The East Warren Community Market Cooperative – Term -22 months, beginning July 1st, 2010 ending April 30th, 2012. Approved by Rootswork – No Changes in Terms from previous sub lease –

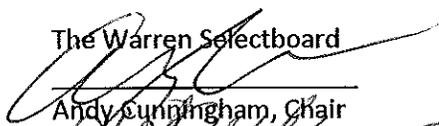
Motion by Mr. Montgomery to approve the sublease agreement between The East Warren Community market Cooperative and Rootswork, second by Ms. Reilly. All in Favor: VOTE: 3-0.

Other Business – Ms. Reilly announced to the board that the Agency of Transportation for The Safe Routes to School Grant has approved the Town of Warren the sum of \$86,000 composed of \$51,000 to install radar feedback signs and \$35,000 for the feasibility study. VTRANS will manage and install the signs.

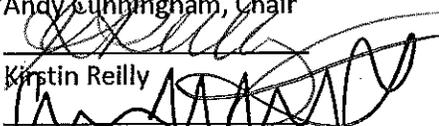
9:00 PM – Motion by Mr. Montgomery to adjourn the meeting, second by Ms. Reilly. All in Favor: VOTE: 3-0.

Minutes Respectfully Submitted by,
Ms. Cindi Jones, Warren Town Administrator

The Warren Selectboard



Andy Cunningham, Chair



Kirstin Reilly



Anson Montgomery

Matt Groom, Vice Chair

Bob Ackland

Warren Selectboard Meeting

July 13, 2010 7 p.m.@ Warren Town Hall

In June, MRPA held the Valley Dog Owner Summit to address dog issues happening not only on the Path but in the larger community. We aimed to take positive action by bringing people together to dialogue about the impacts of dog waste, unleashed dogs on the Path, and the possibility of an off-leash area for dogs.

Last night was the first meeting of the MRP's ad hoc Dog Committee. The Dog Committee will help foster positive relationships with MRP LO's, and work on the dog issues already mentioned.

From the Summit, there was momentum and desire for an off-leash area for dogs. We feel having an off-leash area for dogs would alleviate pressure on other areas that are not able to be off-leash areas. After some research we determined that an ideal site for an off leash path would be the Sugarbush Snowmaking pond path. This Path abuts the Town owned field, along Rt. 100. We have approached Sugarbush about making the snowmaking pond path an official off-leash area. Sugarbush was receptive, however their lawyer cautioned against it because of liability concerns. They encouraged us to seek another opinions. We also needed to discuss this with you because of Warren's dog ordinance, in order to have a leash free area anywhere in any Valley Town the dog ordinance would have to amended for such an area.

We spoke with Steve Shea, President of Paige & Campbell Ins. and Jim Hendershot, also of P&C, and they offered this risk management suggestion (not a summary of a legal opinion in respect to liability):that if the Town of Warren was to officially designate this area as an off-leash area that could reduce Sugarbush's liability.

Because if Warren formally adopts the area as a leash free area, then the whole town is on notice of such which makes it much less of a liability issue because it is being publicly acknowleged as such. Therefore it is our hope that Sugarbush will accept that the public is on notice and that people can't expect dogs to be leashed in that area. We would post a notice/sign at the entrance of the snowmaking pond path and on the Trail Access sing. Steve and Jim think that this would satisfy the reasonable requirement of notice to people who enter the

area to be on notice that dogs may be on the loose. Legal liability for visitors to one's property is based on the concept that they must be made aware of hazards created by the land owner and having being made aware of such they decide to enter and take their chances, then they have assumed the liability of any bad outcomes.

We would like to propose the Town of Warren support the Snowmaking Pond as an off-leash area, if you are willing to do so then the next step is for us to meet with Sugarbush again. Another idea we'd like you to consider is designating the field in front of the snowmaking pond to be an official Dog Park.

Related topics we may need to explain:

- How we would deal with Dog Waste
- We would do fundraising to pay for fencing, etc.
- It would help us explain and educate folks that other sections of the Path are NOT leash free areas, such as Riverside Park.
- We would not anticipate any cost to the Town.
- Other?

Warren Constables Budget 2010 EJB & JC.

Item	Quantity	Cost	Gross cost	Total Cost
Uniforms	2	\$150.00		\$300.00
Radios *	2	\$800.00	\$1,600.00	\$320.00
Hand-cuffs	2	\$60.00		\$120.00
Bullets	4	\$30.00		\$120.00
Light Bars	2	\$529.00		\$1,058.00
Badges	2	\$75.00		\$150.00
<i>Academy Test</i>	2	\$30.00		\$60.00
<i>Medical Exam</i>	2	\$150.00		\$300.00
Sum				\$2,428.00

Note: Light bars, radios, and badges are Town property with a life cycle of 5 plus years

Note: The town should be able to obtain a Vcom Grant for the radios with the state paying 80% - with the radio's remaining as town property.