

Town of Woodbury Select Board

February 11, 2019

Meeting Minutes

Select Board Members: Thomas "Skip" Lindsay-Chair; Brian Shatney; Michael Gray

Town Officers: Diana Peduzzi-Town Clerk; Brandy Smith-Town Treasurer; Laura Dailey-Scribe/Assistant Town Clerk; Stephen Murphy, Cacky Peltz- Woodbury School District Board

Members of the Public: David Yacovone- District Representative (attending by phone); Brett Stanciu-Woodbury Librarian; Norman Etkind

Media: Leif Goldberg- Hardwick Community Television

Skip called the meeting to order at 6:00 P.M.

Adjustments to Agenda: None **Public Comment:** None

Approve the Bills to the Town: Bills were approved

Approve the Minutes from the January 28 Select Board (SB) meeting: Minutes were approved

Town Treasurer's Report:

- Brandy presented financial statements to the board. There were no questions from the board regarding them.
- Swenson Quarry sent their 4th quarter 2018 reimbursement payment to the town. The payment came to \$7409.64.
- Brandy withdrew \$10,000 from the money market fund to cover town expenses.
- The Paving Reserve Fund (PRF) and the Highway Equipment Replacement Fund (HERF) were discussed briefly. The PRF has \$42,000 in it; the HERF has \$16,478. Brandy has created a balance sheet for each of the many reserve funds the town has and will create a spreadsheet for each for future reference.
- Skip asked Brandy about surplus from the FY18 budgets. The SB will review the surplus for FY 19 at the year's end to see if some of the surplus could be used to offset the tax rate for FY20. Surplus is often tucked away as a cushion for the next fiscal year to offset any unforeseen expenses or low points in the town's cash flow.
- Brandy also presented a statement of the school's Building Maintenance Reserve Fund with a total of \$96,000. This money is to be used for the roof repair of the school. This money is currently being held by the Orleans Southwest Supervisory Union (OSSU). The SB feels an RFP for the roof repair should be sent out soon. Skip has a copy of the RFP generated last year and will review it.

Town Clerk's Report:

- Diana presented the final revised warning for town meeting to the SB. The SB signed it. The OSSU has requested that school business be after town business at town meeting so a representative from OSSU can be there.
- **Pre-Town Meeting-** There will be a pre-town meeting on February 28, starting at 6:30 in the Community Room at the Town Library. Notice of the meeting is in the Town Report and will be posted on the town's website, on Woodbury Connections and Front Porch Forum.
- **The Town Report** is at the printers. The printer will oversee the mailing this year.
- **Town Official Appointments-** Diana will begin to check in with town officials whose appointments are up for renewal to get a sense of positions that need to be filled.

Old Woodbury Store Project-

- Diana and Skip met with Lauren Oates, the state's Hazard Mitigation officer with Vermont Emergency Management, and Clare Rock, overseeing the Central Vermont Regional Planning Commission's Brownfields program, last week to review the amendment to the FEMA grant application for the old store project. Diana is waiting for a cost estimate for the stream restoration from Don Marsh, the engineer hired by the town to oversee the project. Lauren urged Diana and Skip to be sure to ask for enough money to cover the total costs for the project. Michael was designated as the signatory for the grant amendment application.
- Linda Elliot, from the Agency of Natural Resources, communicated to Diana that the Phase 1 study and survey, to be paid for through the Brownfields Reuse and Liability Limitation Program (BRELLA) will cost about \$1800 more than the \$6,000 originally given to the town to cover that expense. Linda was wondering where that difference could come from. Lauren Oates has indicated FEMA will not pay for this revising of the Phase 1 study or the survey.
- Diana presented a proposed schedule for the project's completion in the autumn of 2019. The projected timeline is based on when the demolition work begins. Skip is drafting a contract for the demolition work with Blue Mountain. Diana will submit the amendment for the Hazard Mitigation Grant along with the Clean Site Letter and a "clean" title for the property to FEMA for the final review to award the grant to the town. Sarah Fields, the lawyer overseeing the property transfer for the old store, will be contacted to do the work for the "clean" title.

Town Roads Report:

- The winter sand pile is holding up despite the heavy need for sanding the roads with the frequent rain storms and freezes experienced this winter.
- Peter Dailey is fully incorporated into the road crew. He and Tim are splitting days and each working about 20 hours per week. Brian asks if they are needed that much. Michael responds that both are helping with maintenance work when not out operating the plow trucks. Michael will check with Greg Parkhurst to ask about this.
- The trees on Ainsworth Road have been dropped.
- Information is coming in to the town from VTTrans and other agencies regarding town highway work, grants and reimbursements to the town for its roads. Greg and Michael are beginning to talk about particular summer road projects. A paving grant for the upper Cabot Road is being considered, another Municipal Roads General Permit Grant will be applied for and other ditching and culvert replacements are also in the plans.
- The Paving Reserve Fund now has \$42,000 dollars in it; all from the Swenson Quarry reimbursement to the town. Michael asks other SB members to consider a cap for that fund that when reached the 25% of Swenson reimbursement money designated to the fund would go to other expenses in the highway budget, particularly the paying of loans for the highway trucks. Michael feels there is probably enough in the paving fund to pay for the match in paving the upper Cabot Road and for the bottom of Valley Lake Road by the school parking lot and the fire department's annex building. Both of these projects were in planning stages a few years ago. Michael will research costs for both to determine if there is enough money in the paving fund to cover this work.
- A revised letter of support for the priority sites designated in the Kingsbury Tactical Basin Plan survey is signed. The SB signed a similar letter last meeting but the scope of the work in the original grant application had changed, requiring a newly worded letter of support.

- Act 46 Mandated School District Merger:** A good deal of the SB meeting was devoted to discussion of Woodbury's elementary school and the many issues the mandated merger has created. David Yacovone, one of Woodbury's district representatives, met with us via speaker phone. He gave an update on the house's recent passing of legislation that would give certain school districts, including Woodbury, an extra year to work out the mandated merger's terms with the other towns designated to be a part of the new union district. Governor Phil Scott has stated his support of this measure. David urged residents in town to contact their senate representatives to persuade the senate to also pass similar legislation. Woodbury's senate reps are Ann Cummings, Anthony Pollina and Andrew Perchlik; Andrew Perchlik is on the senate Education Committee. There is also a court case now in deliberation that could declare the mandated mergers unconstitutional or at least put the process "on hold" until the courts make a definitive decision. Then SB, School board members, Stephen Murphy and Cacky Peltz, Norman Etkind and Brett Stanciu discussed a list of "Next Steps" on the SB agenda of issues to be resolved that included: 1) Purchase of the 14 acres of wetland adjacent to the school from the Woodbury School District to the town, 2) Lease of the town owned buildings- school and library- and land to the school district, 3) School Reserve Funds, 4) Other Funds and their balances, and 5) Building Maintenance.
- 1- The Woodbury School District Board (WSDB) is in agreement that the transfer of ownership for the 14 acres known as the "school wetland" should be done as soon as possible. This will occur at their February 26 meeting.
- 2- There are conflicting legal points of view regarding a lease between the town and the school district and the Orleans Southwest Supervisory Union (OSSU). The OSSU lawyer stated that the OSSU would find a lease for the Woodbury school untenable, that the OSSU would not enter into a lease and if presented with such would shut down the school. Other legal points of view state that a lease is possible. Both the WSDB and the select board would like to have a lease agreement for the rest of fiscal year 2019. The WSDB has decided it needs to hire a lawyer to work out a lease agreement with the town. The funds for the roof repair and ways to access that money and the terms for selling the school to the new union district (as written in the state's default articles of agreement) are discussed... all pointing to the confusions now faced by the WSDB and the town. (See HCTV- HCTV.org - for the full discussion). Brett Stanciu brings up the library and its use by the town. Norman mentions the lease should address all the current use and understanding that exists between the school district and the town, including the use of the library. A committee is proposed, made up of the town, the WSDB and the library trustees to develop a list of the current uses of all of the school property and buildings. This and the hiring of a lawyer by the WSDB will be on the WSDB agenda for February 26.
- 3- Skip shares the RFP for the roof repair created by the OSSU. He will review and make edits that reflect the changes in ownership. It is hoped to get the RFP out ASAP to have a contractor selected in time for work this summer.

Select Board Adjourns at 8:01 pm

Approved:

Thomas J. Lindsay, Jr.
Select Board Chair

Michael Gray

Brian Shatney

2/25/19