

**Town of Tinmouth
Select Board
Tuesday, February 23, 2021
Virtual Meeting Due to COVID-19 Pandemic
Regular Meeting Minutes**

Members present: Michael Fallar, Cathy Reynolds, and Frank Sears

Others present: Jim Carroll, Esq. 6:30-7:00, and Gail Fallar – Select Board Assistant (SBA). (Stan Wilbur – Public Works Project Manager, David Birdsall, Sherry Johnson, Kim Harbaugh, Grant Reynolds, and Meadow Squier at 7:00) Doug Fontein from 7:42 until 8:05)

Frank called the meeting to order at 6:30. Michael moved and Cathy seconded that premature disclosure of attorney/client communication involving legal advice relative to possible enforcement action under the Solid Waste Ordinance and public health statutes, would leave the Town at a substantial disadvantage. All voted in favor. Cathy moved and Michael seconded to enter executive session to discuss attorney/client communications relating to legal services concerning potential enforcement actions under the Town of Tinmouth Solid Waste Ordinance and public health statutes with attorney James Carroll and Gail Fallar invited to attend. All voted in favor. Cathy moved, Michael 2nded to exit **Executive Session** at 7:00. All voted in favor. No action taken.

Frank called regular portion to order at 7:09, welcomed all. Board reviewed agenda; excused the road commissioner as he was unable to attend due to road work, added Sullivan & Powers audit agreement letter, political sign question, and Tinmouth Pond Milfoil Project grant request; and postponed the Personnel Policy and “What If” plans discussion to March 11th.

Minutes: Minutes of 2/11/21, after brief discussion Board decided to have the SBA transcribe Meadow Squier’s statement from the meeting and have the minutes read, “Meadow said . . .” Cathy moved to accept as corrected, Michael 2nded, all voted in favor.

Public Works Facilities Update ~ Stan presented draft contract from Morton Buildings, noting only page one (for the design/build work) needed approval. The other 9 pages were a projected town garage – a starting place to work from. He asked the Board to authorize Frank to sign. Board noted that the amount of the building should be \$500,000, not \$500,000-\$550,000, Cathy noted that the proposed design WAY did not meet the energy code. After discussion, Cathy moved and Michael 2nded to accept with revision to the amount and authorized Frank to sign page one for the Board. All voted in favor. Stan will contact Morton regarding the changes and request a clean copy before Frank signs. Cathy will drop off the State’s energy code for Stan to review.

Stan also provided an update regarding costs for the town garage project, included no costs for salt/sand shed. As Morton won’t be starting until July, there is no hurry for the site work to be done, and the ground needs to thaw as well. Site work may/will need larger equipment than the town owns.

Stan reported the State Storm Water permit is still being discussed by the OCE engineer and state reviewer.

Highway ~ None, road crew on duty.

Stan advised that the Board should consider doing away with an elected road commissioner, appoint one who reports to the Board and hire a road foreman to do the road work. Board took under advisement.

Emerald Ash Borer ~ David, as Town Tree Warden, noted that the town should have a plan, there is a need to get the word out to land owners to raise awareness about what is going to happen, concerns with safety, etc. It was suggested that the Conservation Commission might help, so Doug Fontein, Chair, briefly joined the meeting. After discussion of the need to pull together information from other towns as to what they are doing; what the road crew may or may not be able to do; whether a team of local loggers (Dave, Mo Squier and Wheaton Squier) could become town employees for the purpose of cutting down trees (need to check with insurance company); the need to development a multi-year budget for ash tree removal; the need to prioritize which trees or road loops; whether to drop and leave in the woods; the need for a plan; whether Green Mountain Power or VTEL will cut trees in their right-of-ways; flagging the priority trees; David volunteered to meet with the road commissioner and have a pow-wow to work on a time line.

Road Commissioner Job Description ~ Cathy moved to replace “retiring” with “current”, Frank 2nded. Michael noted that the sentence concerning the job starting sometime before April 15th needed to be removed as the election is effective immediately. Frank noted that further work on the job description would continue in the future. Cathy and Frank voted yes, Michael voted no. Motion passed.

Other ~ David advised that he is working on a boundary adjustment with a neighbor, but that there are delinquent taxes due. He requested the town (SB and delinquent tax collector) agree to pro-rate the amount due on the .6 of an acre. Board approved the concept as long as it is legal.

Covid19/EMD - No update from the EMD.

Financial ~

Financial Report – Cathy moved to accept as presented, Michael 2nded, all voted in favor.

Warrants Reviewed ~ Payroll Warrants #33 dated 2/15/21 for \$1,780.92, and #34 dated 2/22/21 for \$2,876.52; and Accounts Payable Warrant #16 dated 2/22/21 for \$29,245.99, were reviewed. Cathy moved, Michael 2nd, to approve, all voted in favor.

Michael noted the Ronnie had worked the Friday after the last meeting removing the snow at the intersection of Route 140 and North End Road.

Gail presented the **engagement letter for audit services** from Sullivan and Powers – dated July 28, 2020, but just received by the town. Frank moved to accept and authorize Michael to sign, Cathy 2nded, all voted in favor.

Old Business ~

Trash at 605 Mountain View – Frank moved and Michael 2nded that the Select Board authorize the Town Health Officer (THO) to proceed with judicial action against Ron and Jennifer Hill per Title 18, Section 126 – THO and County Sheriff with a citation regarding violation of the Solid Waste Ordinance and an inspections for health hazards. All voted in favor.

72 Snow Mountain Lane – No report.

Frank advised that he will be retiring as the THO on June 30, is willing to train someone.

‘Town What If Plan’ – Gail advised that progress is being made, with notes from the last bookkeeper Kim Young.

New Business ~

Town Meeting Prep ~ Board discussed virtual concerns – how will someone ask a question, etc. Board will ask Stan Wilbur to provide an update on the town garage project, asked the SBA to invite local state representatives to speak briefly, agreed to log on at 12:45 to help work out any kinks.

TD Bank Signature Cards ~ Treasurer advised that two signatures are required for all accounts, a couple established in the last year have only one, Cathy moved and Michael 2nded to add second person on the Record Preservation/Restoration account as well as the TCF Continuing Ed Scholarship Fund, and that the TCF Treasurer be the 2nd signer on the TCF and TCFESF accounts, all voted in favor.

TPMP ~ Gail requested on behalf of the Tinmouth Pond Milfoil Project, that the Board approve application for an Aquatic Nuisance Grant to help control milfoil in Tinmouth Pond. Cathy moved and Michael 2nded to support the TPMP's grant for milfoil mitigation. All voted in favor.

Political Signs on Town Property ~ Cathy advised that political signs needed permission from landowners to be posted, and that there were a couple on town property but the town had not been asked. Michael moved and Frank 2nded, that permission be given for this year (election is only a week away) and that the SB adopt a policy for next year. Frank and Michael voted yes, Cathy voted no. Motion passed.

Members Concerns – Cathy asked that the Personnel Policy be read by all employees before the SB meeting on 3/11 where it will be discussed. Board briefly discussed Section 9 – regarding political activity, Michael felt the SB should sign too, Cathy and Frank concurred.

Frank advised that he was working on a job description for Select Board members – hopes to have it ready for 3/11 or 3/23.

Mail/Correspondence –

Next Meeting Schedule ~ March 11th

Meeting adjourned at 8:57 pm.

Respectfully submitted,

Gail Fallar
Select Board Assistant