

MINUTES OF MARCH 25, 2008
WARREN SELECTBOARD
WARREN TOWN HALL
7:00 PM

MEMBERS PRESENT: Barry Simpson, Burt Bauchner, Erin Russell-Story, Kirstin Reilly, Andy Cunningham.

OTHERS PRESENT: Alan (Butch) Hartshorn, Richard Robinson, Chris Kathan, Marcella and Raymond Gratton, John Goss, Rudy Elliott, Patty Sue Carter, Margo Wade, Michael Ketchel, Miron Malboeuf, John Donaldson, Alex Maclay (TV 44), Kara (VR) Brad Aldrich, Cindi Hartshorn-Jones.

7:15 PM – Meeting called to order.

7:16 PM – BROOKS FIELD IN DIRECT DISCHARGE PERMIT AMENDMENT – BRAD ALDRICH (FORCIER, ALDRICH & ASSOCIATES. – Mr. Aldrich gave the board a little background on the meetings with the VTDEC. A thank you to Representative Carol Hosford and Senator Phil Scott for helping to achieve this resolution with the VTDEC. Warren can apply for an amendment of ID-9-0278 using the data obtained by its consultants. The design sewage flows for this new amendment (phased approach) must be held to 20,000 gpd or less. An estimated 10,000 gpd would be available for new connections (accounting for peak flows. The stream would be monitored three times per year (June, August, and October for APC parameters through year 2012. If the test results for phosphorous primarily and nitrates secondarily are ok, no additional levels of testing will be required. If these tests do not meet standards, then biological monitoring of the receiving stream will be required.

To accomplish the proposed Phase 2 increase, the next steps would be to 1) Amend the indirect discharge permit, 2) Amend Act 250 Permit, 3) Amend Development Review Board Permit, 4) get permission from the Rogers for access to the site for water quality sampling, 5) Review the existing Town sewer use ordinance and amend if necessary.

FA&A will address the amendment to the Indirect Discharge Permit. Since this is the proposal of John Akielaszek, at VTDEC, this should move forward quickly although there a potential 45-day review period followed by a mandatory 30-day appeal period. FA&A will also address and discuss the existing ACT 250 Permit for any amendments with Ed Stanak, the district administrator for Act 250. The town will follow-up with reviewing the existing sewer service area and see if they want to extend it and determine the next steps. The town will follow-up with Development Review Board for amendment to the local permit and the Mr. Bauchner will ask Mac Rood to address the access to the Rogers Property to start water the water testing in May. Mr. Aldrich gave to the board a partial section of the sewer ordinance use to be reviewed. There would be additional fees for water quality testing, amending the IDR and amending the Act 250 Permit.

Mr. Simpson brought to the attention of the board that the sewer line under the Freeman Brook Bridge was removed and changed to field applied insulation and there are places

where some is missing. The original designed pipe the insulation was factory applied for better insulation so that it would not freeze. Mr. Simpson will address this with the state engineer. Mr. Aldrich offered to inspect this pipe if we feel that is necessary.

Mr. Aldrich indicated that our existing contract with FAA should cover the filing for the amendments to the Indirect Discharge Permit. He will get back to us on the ACT 250 permit after he talks with Mr. Stanak. Costs of water quality sampling with the Rogers permission should not change much from the existing testing schedule and fees.

7:45 PM – Motion by Mr. Simpson to authorize Forcier Aldrich & Associates to proceed with filing for the amendments to the Indirect Discharge Permit, ACT 250 Requirements and water quality sampling with the Rogers permission, second by Ms. Reilly. All in Favor: VOTE: 5-0.

7:55 PM – PUBLIC HEARING – PROPOSED AMENDMENT CHANGES/CORRECTIONS TO THE WARREN LAND USE DEVELOPMENT REGULATIONS. – Members of the Warren Planning Commission, John Donaldson, Michael Ketchel, John Goss and Miron Malboeuf were present to answer any questions that the public had on the proposed administrative amendments. The Planning Commission came before the Selectboard back in February to present the changes as required by the state and the Planning Commission cleaned up a few other things. Edits to the proposed Amendments were made as suggested by the Selectboard back at its February meeting. Regard to the provisions in Article 9 for “administrative amendments to existing permits, the PC recommended retaining the public notices requirements via posting of notices. The Planning Commission felt that newspaper advertising would be an extra expense for the town and that since all applicants and abutters receive notices that it would be redundant and finally that it works against the purpose of an administrative procedure. Mr. Elliott asked what the changes were for. Mr. Donaldson responded to the question that many of the changes were in response to the state changing the National Flood Plain Maps and it was a requirement that towns add this to their ordinance so that people could obtain floodplain insurance if they lived in a potential floodplain area. The Planning Commission made small changes to driveways, accessory dwellings etc. A full version is available on the www.warrenvt.org. Mr. Hartshorn asked the question “doesn’t the town have the right to vote on changes to the zoning regulations?” Mr. Donaldson replied in saying that back in 2005 the state changed the state statutes to allow Selectboards to approve changes to the zoning regulations without a town vote. If any citizen was unhappy with changes to the regulations that they could petition for a 5% of the voters and require a town vote. Mr. Simpson felt strongly that if there was a major change in the ordinance that he would strongly support a town wide vote.

Motion by Mr. Simpson to accept the changes/corrections to the Land Use and Development Regulations as presented March 25, 2008 (copy attached), second by Ms. Russell-Story. All in Favor: VOTE: 5-0.

8:16 PM – CHRIS KATHAN & TRUCK COMMITTEE – UTILITY VAN PURCHASE \$150,000 (Capital Fund Forecasted Expenditure) MEETING #2. – Mr. Kathan first addressed the board in saying that a lot of volunteer time was put in by members of the committee in researching, gathering information, site visits by the committee to make this request to the board and that they receive no compensation for their time and efforts. Mr. Kathan also extended an invitation to the Selectboard to attend the Thursday night fire dept meeting/training, tour the fire house, see the trucks and see what the dept does.

The Selectboard requested from the March 11, 2008 Meeting that the truck committee come back to the board after pricing out just the cab and chassis with other companies. The original cab and chassis was priced at \$44,000 and the committee came back to the board with a bid from Foster Motors in Middlebury at \$39,000. The committee still recommends going with V-Tek for the body work.

Motion by Mr. Cunningham to authorize the purchase of the fire utility van up to \$150,000 from the Capital Reserve Fund, second by Mr. Simpson. All in Favor: VOTE: 5-0.

Mr. Bauchner asked Mr. Kathan about the status of the radios. Mr. Kathan responded by saying that the Village Station Radio and antenna has been completed and that they are working the Sugarbush System as currently it costs \$300/month for a dedicated line direct to the Vermont State Police. It would cost about \$6,000 to upgrade that system to the VCOM. The dept has filed for a grant for the upgrade of the radios in the fire trucks and should know in the next week or so. He felt confident that they would get the grant and he has been working with Richard Robinson at the town garage on using the old fire dept radios in the town trucks and program them to have their own frequency. The escape hatch in the main fire station will proceed for construction in the spring as soon as the snow has melted.

8:35 PM – RICHARD ROBINSON – BACKHOE PURCHASE (MEETING 2) – Purchase Price \$79,000 from Nortrax. (Capital Reserve Forecasted Expenditure). – Mr. Robinson came back to the board with a purchase order for the John Deere 410J backhoe. It has been ordered with the broom, forks, strobe light, block heater, wain-roy coupler with 24” digging bucket with 48” tilting bucket for \$79,000. Original cost was \$109,000 minus the trade of the old backhoe for \$30,000.

Motion by Mr. Simpson to authorize the purchase of the John Deere 410J backhoe as specified in the purchase order from the Capital Reserve Fund, second by Mr. Cunningham. All in Favor: VOTE: 5-0.

Mr. Robinson also reported to the board the loss of the 2003 Dodge Pickup from fire on Saturday, March 22, 2008. VLCT was contacted and the adjuster came that Monday to assess the damage and loss of the vehicle. The fire dept responded to the truck fire and a report has been filed with the VLCT. Mr. Kathan, Chief of the Warren Fire Dept, reported the fire and responded. Mr. Robinson was not at home at the time. The adjuster

and the fire dept have ruled that this appears to have been an electrical fire from the way the fire spread from the front to the cab of the truck. Ms. Jones has been working with VLCT on the claim and will have more information on the salvage value.

8:50 PM – SUGARBUSH ADVENTURE GAMES APRIL 5, 2008 - Ms. Wade presented to the board a letter of consent to use portions of Warren's Town Roads for this event. This is the 30th year that the event has been organized for adults and families. The event usually draws about 50-75 kids and about 400 adults each year. They will not be using the A/R town owned parcel this year as the children's event has been moved to Mt. Ellen due to the fact that the Sugarbush snow making pond is still iced over. They have filed their application with Department of Public Safety and received approval. All emergency personnel have been notified such as MRVAS, Warren Fire Dept, Washington County Sherriff's and the Vermont State Police. They will have Hunter Security working to help with traffic control and closing of the roads and Kingsbury's Bridge. All course personnel are trained in traffic control before the event. The road closures would start at 10:55 (School Road down Brook Road) 11:00(Main Street) as the triathlon starts at the Warren Elementary School. Runners travel through Warren Village and out to RT 100 via School Road, Brook Road and Main Street to RT 100 (Kingsbury One-Lane Bridge Closure) to Lareau's Swimming Hole in Waitsfield. Mr. Hartshorn asked the question what is the monetary value this brings to the town? Ms. Wade responded in saying that it is an historic event and has been taken place for 30 years. Sugarbush hosts the event and pays out between \$5,000 and \$10,000 a year. It is a family event brings in adults and children that some eat and stay in the valley. Mr. Simpson expressed that it is a signature event of the Valley and that it distinguishes the valley as a competition event from other events state wide. Mr. Bauchner expressed that he would like to commend and thank Sugarbush for organizing and hosting this event.

Motion by Mr. Simpson to approve the use of the town's roads and property for this event as proposed in the schedule, second by Ms. Reilly. All in Favor: VOTE: 5-0.

Motion by Mr. Simpson to authorize Mr. Bauchner, Chair, to sign the consent form on behalf of the town, second by Mr. Cunningham. All in Favor: VOTE: 5-0.

9:10 PM – CONSERVATION COMMISSION CHECK IN – MARGO WADE – Ms. Wade updated to the board on the public forum held on the management plans of town owned parcels. They had about 50 people that attended of which 12 were the committee members on this task. They received good comments and feedback from the public. The Commission will finish up the plans and present them to the Selectboard in about 4-6 weeks. A draft is posted on the warren website at www.warrenvt.org for public information and comment. The 3 new Commission members started and attended the first meeting. Ms. Wade was sorry to report that Ms. Hamilton has decided to resign from the Commission and will advertise for another member. The board and Commission expressed their thank you for Ms. Hamilton's years of service to the Commission.

9:15 PM – APPROVAL OF MINUTES FROM MARCH 11, 2008 – Motion by Mr. Simpson to approve the Minutes of March 11, 2008, second by Ms. Reilly. All in Favor: VOTE: 5-0.

9:16 PM – LIQUOR LICENSES – COMMON MAN – Motion by Mr. Simpson to approve the liquor license renewal for the Common Man, second by Ms. Reilly. All in Favor: VOTE: 5-0.

9:17 PM – ANNUAL FINANCIAL PLAN FOR TOWN HIGHWAYS – Ms. Jones explained to the board that this financial report is prepared after the town budget has been passed. It is required to receive the town's quarterly highway payments from VTRANS. Last years aid was \$117,000 per quarter. It needs to be signed by all the board members and mailed back within 60 days after town meeting.

Motion by Mr. Simpson to sign the Financial Highway Aid Plan, second by Mr. Cunningham. All In Favor: VOTE: 5-0.

9:20 PM – OTHER BUSINESS:

Board Warrants: - Mr. Bauchner explained to the new members of the board the procedure with board warrants and that they are the expenditures of the town on a weekly basis.

9:21 PM – Library/Town Hall Building Committee Appointment: Mr. Simpson discussed with board that Mr. Rood and himself were on the committee. The board would need to appoint another board member to take Mr. Rood's place.

Motion by Ms. Russell-Story to nominate Mr. Cunningham to the Library/Town Hall Building Committee, second by Mr. Reilly. All in Favor: VOTE: 5-0.

9:23 PM – Ms. Reilly reported that the Safe Routes to School Grant Application has been mailed off to the state.

9:25 PM – Motion by Mr. Simpson to go into executive session to discuss real estate inviting Ms. Wade, Mr. Ketchel & Ms. Jones, second by Ms. Russell-Story. All in Favor: VOTE: 5-0.

10:25 PM – Motion by Ms. Russell-Story to come out of executive session, second by Ms. Reilly. All in Favor: VOTE: 5-0.

10: 26 PM – Motion by Mr. Simpson to have a land use attorney exam a piece of the title restriction deed on the town owned gravel pit parcel not to exceed \$500, second by Mr. Cunningham. All in Favor: VOTE: 5-0.

Motion by Ms. Russell-Story to support VHCP and authorize Mr. Bauchner, Chair, to sign the letter of support, second by Ms. Reilly. All in Favor: VOTE: 5-0.

10:30 PM – Motion by Mr. Simpson to go into executive session to discuss personnel inviting Ms. Wade and Ms. Jones, second by Ms. Reilly. All in favor: VOTE: 5-0.

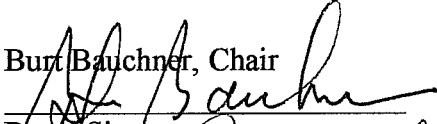
Ms. Jones left at 10:40 PM –

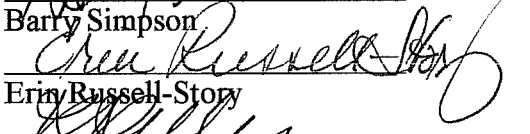
10:50 PM Motion by Ms. Reilly to come out of executive session, seconded by Mr. Simpson. All in Favor: Vote5-0. Immediately followed by motion to adjourn. 5-0.

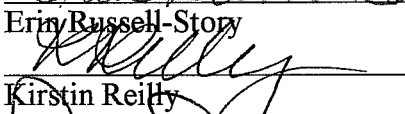
Meeting Adjourned at 10:50 PM

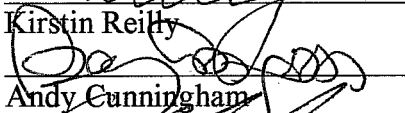
Minutes Respectfully Submitted by,
Cindi Hartshorn-Jones, Warren Town Administrator

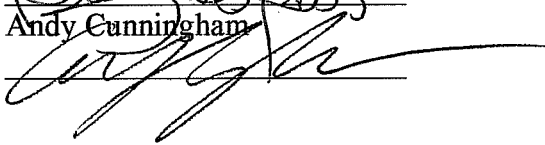
Warren Selectboard

Burt Bauchner, Chair


Barry Simpson


Erin Russell-Story


Kirstin Reilly


Andy Cunningham


AGENDA FOR MARCH 25, 2008
WARREN SELECTBOARD
WARREN TOWN HALL
7:00 PM

- ✓ 7:00 PM – FORCIER ALDICH & ASSOCIATES – BRAD ALDRICH – BROOKS FIELD IN DIRECT DISCHARGE PERMIT ADMENDMENT
- ✓ 7:35 PM – PULIC HEARING – PROPOSED AMENDMENT CHANGES/CORRECTIONS TO THE WARREN LAND USE DEVELOPMENT REGULATIONS.
- ✓ 8:00 PM - CHRIS KATHAN & TRUCK COMMITTEE – VAN PURCHASE – \$150,000. (Capital Fund Forecasted) (MEETING #2)
- ✓ 8:25 PM – RICHARD ROBINSON – BACKHOE PURCHASE (MEETING #2)
Purchase Price \$79,000 from Nortrax. (Capital Fund Forecasted Expenditure)
- ✓ 8:45 PM – ROOTSWORK CONCEPTIONAL TREE PLAN FOR “EAST WARREN SCHOOL COMMON. – MEG MOFFROID
- 9:00 PM - CONSERVATION COMMISSION – CHECK IN – MARGO WADE
- ✓ 9:30 PM - SUGARBUSH TRIATHON – MARGO WADE
- ✓ 9:45 PM - APPROVAL OF MINUTES FROM MARCH 11, 2008
- ✓ 10:00 PM - LIQUOR LICENSES (NONE AS OF YET)
- ✓ 10:30 PM - SIGNATURE ITEMS
- ✓ 10:45 PM - OTHER BUSINESS

*-Cancelled
move to
4/8*