

**Town of Benson
Selectboard Meeting
August 13, 2007**

Approved Minutes as of 8/27/07*

(2 Addendums to be added per Board approval about Animal Control Officer dog complaint and Road Foreman Report)

Present: Selectboard: Lynn Bowen, Daniel Britton, Guy Charlton, Sue Janssen, Charles Kellogg
 Public: Bob Ballard, Michelle Brown, Daryl Burlett, Rachel Collett, Secretary, Don Ladd,
June and Van Hale, Brad Little, Alice Sfeir, Lois Trenn

Guy Charlton called meeting to order at 7:02PM.

Approve Agenda:

The agenda was amended to include Listers after Public Comment, Animal Control Officer after Listers and to New Business, 2nd Constable, Sewer Operator Wages, Board Secretary in executive session.

Public Comment:

June Hale asked the Select Board to continue plowing the Perch Pond Road for the 2007-2008 winter. Lynn Bowen moved to plow and sand Perch Pond Road for up to 10 hours during the 2007-2008 winter. Daniel Britton seconded the motion and it was so voted. Let it be so noted that Charles Kellogg voted nay.

Brad Little thanked the Select Board for their consideration.

Listers:

Lois Trenn informed the Select Board that they now have ownership of the Grand List. The Listers requested that the following changes be made to the Grand List for 2007:

- 1) Delete parcel 10-109.001 as it was not a parcel as of April 1, 2007. This was a mobile home that had been moved and was included in parcel 10-37.1. This reduced the Grand List by \$7,100.00.
- 2) Correct parcel 6-95 to include a mobile home and mobile home site. These were omitted from the 2007 as-billed Grand List in error. This adds \$66,900.00 to the Grand List.

Animal Control Officer:

Alice Sfeir reported that there had been a complaint about a pit-bull. Dog was returned to owner after Alice Sfeir spoke with Charles Kellogg and he had spoken with a lawyer. The Dog had been returned as policy had not been followed per the lawyer. The dog is on a Permanent Confinement order, and Daryl Burlett stated that the dog was supposed to be taken to the Pittsford Animal Shelter. Michelle Brown reported that since the dog has been put on a Permanent Confinement order it has been in her yard 3 times. She felt that the dog should not have been

returned again. Next time the dog is loose, it is to be removed to the Pittsford Animal Shelter, where the owner is to pick up the dog after paying fees. Alice Sfeir is still able to ticket the dog even though it is after the fact. Alice Sfeir submitted a list of supplies necessary for the Animal Control officer's safety. Daniel Britton made a motion to spend up to \$600.00 and not over to buy: a large 4'x4'x4' metal cage, nylon muzzles, a pair of leather gauntlets, and a catch pole. Sue Janssen seconded the motion and it was so voted.

Charles Kellogg reported that he had had a complaint from Ed Lowell about 2 dogs running around on Benson Family Days that had killed a cat. As this was not formally reported and the owner of the cat did not complain board said there was little that could be done.

Road Foreman Report:

Daryl Burlett lodged a complaint with the Select Board about he felt that he was being undermined in his work by Charles Kellogg. Daryl Burlett brought in a letter (see file) from the Better Back Roads program commending the work done by the road crew. Daryl Burlett wanted it documented that he feels Charles Kellogg has been against all of the road work, including the ditching and the stone lining. Daryl Burlett reported that the work done on the town roads is being used as a model for ANR, Better Back Roads, and the State of Vermont. Lynn Bowen also wanted it noted that she felt that Charles Kellogg has been undermining the board and their decisions.

The Better Back Roads program will be offering two upcoming schools: one for chainsaw operation and one for front loader operation. They will be held August 28, 2007 in Middlebury and September 20, 2007 in Rutland.

Champlain Construction donated 2 loads of sand to the play ground, and Steve Arthur leveled it. Daryl Burlett felt that the board should send thank you notes to both.

A new trailer has been purchased from G. Stone Motors for \$5,500.00. It has a 14,000 lbs capacity.

A new driveway culvert has been installed on Lake Road for the cemetery.

The work on North Stage Road has been finished, this included ditching, stone lined ditches and changing culverts.

The paving of the Town Hall cannot come out of the grant for the highway department, as it is a class 2. Guy Charlton recommended that Daryl Burlett stop and check out a small self propelled paver on sale for \$6000.00. It is a Track paver with a 1½ ton roller. It was previously used by the Town of Orwell so they might be able to give more information on it.

Daniel manipulated the computer program at the garage so that it can now sort and calculate for the erosion control.

Bob Shaw agreed to do the south end of Frazier Hill Road job for \$13,000.00. Bob Shaw has already finished the upper Frazier Hill Road project and is half done with the lower project.

Approve Minutes:

Sue Janssen moved to approve the amended minutes of the July 30, 2007 Selectboard meeting. Lynn Bowen seconded the motion and it was so voted.

Pay Bills:

Charles Kellogg expressed concern about the bill from J&B for the repair of the #02 truck, he wanted to know if the Town was being charged for parts under warranty. Board went over bill and found okay. After the Selectboard reviewed the bills, Daniel Britton moved to pay the bills. Lynn Bowen seconded the motion and it was so voted.

Old Business:

Ron Legault's Driveway Permit:

Ron Legault's driveway permit has been moved to a later meeting as the board is still waiting for information.

New Business:

Jack Helm concerning Sunset Lake:

Jack Helm has not responded to the registered letter sent to him. Guy Charlton said as the road being blocked is a public road the town needs access to be able to take care of the road. The town cannot be blocked from an area that has public road access. Sue Janssen was going to call Jack Helm and invite him to the next Selectboard meeting. Sue Janssen was also going to ask where the previous letter should be sent.

Excess Weight Permit: Claire Lathrop Bandmill, Inc.

Claire Lathrop Bandmill, Inc. paid the \$10.00 fee for the overweight permit. Hulette Hill Road is the exclusion. Sue Janssen made the motion to have Guy Charlton sign the permit for Claire Lathrop Bandmill, Inc. to the exclusion of Hulette Hill Road. Lynn Bowen seconded the motion and it was so voted.

Sign Culvert Grant for State reimbursement:

Sue Janssen will obtain clarification on the grant. It will need to be signed by Guy Charlton and then sent.

Schedule a Board of Abatement Meeting:

Jan Ladd requested that a board of Abatement Meeting be scheduled for Monday, August 27, 2007 at 7:00pm. This will be held prior to the Select board meeting.

2nd Constable:

The question was brought to the board as whether the 2nd Constable is old enough to be going around with a loaded weapon. Guy Charlton said that someone needed to check up on where the 2nd Constable is currently in certification and in training. Lynn Bowen was going to find out the ramifications of the 2nd Constable carrying a gun from VLCT.

Correspondence:

DRB:

Al Burton sent in a letter with his resignation from the DRB. Daniel Britton made a motion to accept Al Burton's resignation from the DRB. Lynn Bowen seconded the motion and it was so voted.

Community Hall:

The Community Hall committee sent a request to the board for the approval of a new door with a crash bar and window. Don Ladd agreed to do the work and will provide an estimate for materials and labor. Lynn Bowen made the motion to replace the main door of the Community Hall. Sue Janssen seconded the motion and it was so voted.

Foley Services:

Foley Services sent a notice to the board that the account with them is over due. Daryl Burlett has called and spoken with Patrisa at Foleys.

Lars Lundeen Letter:

Lars Lundeen sent a letter to the select board in regards to the Sunset Lake Access. The letter was received and read into the minutes.

COMMUNITY MATTERS07:

A letter was received from COMMUNITY MATTERS07 in regards to a conference that will be held. Board wanted to see if Tom Bartholomew would be interested in this matter

Vermont Humanities Council:

The Vermont Humanities Council will be celebrating the 150th anniversary of the Civil War in 2011. The board recommended that the letter be sent to Genevieve Trutor as she runs the Town Museum.

Received a check in the amount of \$51.50 in civil fines for July 2007.

Received a check for the Listers Education Funding in the amount of \$389.17 for the FY08 Education Payment.

Executive Session:

Daniel Britton moved to go into executive session at 9:05pm for a personnel matter. Sue Janssen seconded the motion and it was so voted. Sue Janssen moved to leave executive session at 9:10pm. Lynn Bowen seconded the motion and it was so voted.

Sue Janssen moved to hire Rachel Collett at \$10.00 per hour as the board secretary. Lynn Bowen seconded the motion and it was so voted.

Adjournment:

Daniel Britton moved to adjourn the meeting at 9:15pm. Lynn Bowen seconded the motion and it was so voted.

Respectfully Submitted,

Rachel S. Collett