

Town of Panton
Selectboard Meeting
Tuesday, November 10, 2009
6:00 p.m.

Board:

Eric Carter
Beth Tarallo
John Viskup, Chair

Administration:

Rick Cloutier
Sue Torrey
Ed Hanson

Guests:

Sharon Ashcraft Deb Brace
Joe Kuhn Dennis Mueller
Gary Norton Hans Vorsteveld
Carl Neuse – Town Counsel
Benjamin Putnam – Town Counsel

Call to Order: Chair Viskup called the meeting to order at 6:00 p.m. Motion by Beth Tarallo to approve the October minutes as written, seconded by Eric Carter.

Road Foreman Report: Rick advised that the Outback Road Grant has been submitted and is hopeful it will be granted; didn't ditch as deep on Arnold Bay Road as he had planned as he is concerned about water run-off in the spring. Is hoping to have the repair on Arnold Bay Road paved next week and optimistic the project expense will not exceed \$2,218.00. Mentioned some of the road had a good base. Snow fence is up; would like to rebuild the backhoe bucket as the bottom is worn. Rick will obtain the steel. Plans for the month include cutting brush along the roadsides, especially along Lake Road by Donnelly's and scheduling Vergennes Fire Department to burn the cellar hole across from the Town Hall. Mounted the plows on the trucks. Advised that the two air tanks on the 2007 truck are leaking and is hopeful the work will be under warrantee. Discussion on oiling the truck undercarriages to prevent salt corrosion. Rick will look into purchasing a sprayer to apply oil mixture. Discussion on removing the tree next to the Town Hall that's causing the bug infestation in the town office. Rick will contact Northland Job Corps to see if they can take the tree down and remove the stump. Chair Viskup will find a tree to replace the old elder. Advised that he has one more culvert to replace on Stove Pipe City (at the far end) and will replace it with a 36" culvert which he will purchase now before prices go up. Advised someone is driving into the ditch in the town right-of-way on Jackson Road which is creating ruts. The Board advised that Rick contact George Jackson to ask if the town can rope off the area.

Public Comment: Joe Kuhn asked the Board to set ground rules for the creation of the next budget and mentioned again how a town manager (part-time) would be an asset to the town. Sharon Ashcraft advised the Board that some maple trees along her property on Spaulding Road were painted with orange markings. She determined that one of the Vorsteveld children marked the trees with the intention of tapping them to sugar. Sharon presented photos of the trees and it was determined that some were in the town right-of-way. Discussion ensued on the definition of right-of-way and what can or cannot be done. Chair Viskup commented that the town can do what it needs to but the land owner must have permission from the town. After further discussion Chair Viskup advised he would provide a copy of the ordinance defining the right-of-way at the next meeting. Sharon commented that although the Vorsteveld boy apologized she does not want her trees tapped and has posted her land. Advised the Board that she would like to install a culvert where she is having a drainage problem. Zoning Administrator Ed Hanson advised that she will require permission from the town. It was discussed that perhaps it should be the town's responsibility considering it's in the town right-of-way. The Board will make a site visit in the Spring to determine how to proceed. Deb Brace commented that the Road Foreman should stay longer so any questions concerning road issues can be answered. It was noted that Public Comment should be first and then the road foreman report. Sue Torrey commented that the Board changed this at the September 8, 2009 meeting and prior to this the road report came after Public Comment. The Board agreed Public Comment will be first on the agenda each meeting.

Vorsteveld Violations: Zoning Administrator Ed Hanson explained there are two violations on the Vorsteveld property. Attorney Neuse explained that due to attorney/client privilege the meeting regarding the violations does not need to be open to the public. Deb Brace asked about the Russett's and the Board advised that they will not be attending the meeting. Dennis Mueller expressed concern about discussing violations in previous open meetings and allowing the public to comment. Attorney Neuse suggested going into Executive Session for discussions of this nature as discussing it in open meeting could be detrimental from a legal standpoint. Hans Vorsteveld presented paperwork regarding the bunker and commented that he doesn't understand the issue. Eric explained that after the Board speaks with legal counsel they will let him of any action. Motion by Beth Tarallo, seconded by Eric Carter to go into Executive Session at 6:45 p.m. to discuss a legal enforcement action with attorneys Neuse and Putnam in attendance. So voted. The Board returned to open session at 8:01 p.m. on a motion by Eric Carter, seconded by Beth Tarallo with no action taken.

Russett Dog Fines: The Board received a letter from the Russett's advising they could not attend tonight's meeting for various reasons. The Russett's also commented that they thought the matter was resolved as they had received the dog(s) registrations. Sue Torrey explained that she sent the registrations as she had no legal recourse according to Vermont statute and the Panton Dog Ordinance. Discussion on the fine structure and perhaps it needs modification.

New Business: Beth reminded the Board about receiving information for a USDA Rural Development Grant and that after speaking with them it was determined that Panton is above the median income allowed to receive a grant. She added that Panton may however qualify for a low interest loan. The Board agreed that the town hall repairs must be addressed at budget time and at town meeting. Initial budget meeting will be Tuesday, December 15th at 6:00 p.m.

Vergennes Recycling contract was reviewed and no action taken.

Financials/Correspondence:

Correspondence and bills were reviewed and signed. Motion to adjourn by Beth Tarallo, seconded by Eric Carter. Meeting adjourned at 8:38 p.m.

Respectfully submitted,

Susan Torrey, Clerk