

**Mount Holly Select Board Meeting
January 14, 2020
Minutes**

Present: Select Board: Mark Turco (chair), Ron Tarbell, Jennifer Matthews

Town Officials: Susan Covalla, Paul Faenza, Carol Garrow-Woolley, Russ Garrow, David Johnson, Jon McCann, Lori Norton, Mary Surething, Clinton Woolley

Members of the Public: Paul Barton, Kelly Beerman (Ninevah Foundation), Robert Bryant, Peter Collins, Dennis Deiters, Joan Garrow, Bret Harlow, Craig Hutt Vater, Judy Hyjek, Lester Lampert, Gary Norton, Mary Jane Osborne, Don Richardson, Vicki Seward, Ray Tarbell, Kristin Veysey, Denise Young

1. **Call to Order** by Chair Mark Turco at 6:00 pm.

2. All stood for the **Pledge of Allegiance**.

3. **Changes and/or additions to the agenda** – Jennifer Matthews asked to move Items #7a & 7b up in the agenda as both Kelly Beerman and Paul Faenza stated they had other meetings they were obligated to attend later that evening ; it was agreed to do so following the Approval of the Minutes.

4. **Approval of December 10th, 2019 Minutes and Special SB Meeting Minutes of December 27th, 2019 & Special SB Meeting Minutes of January 7th, 2020** – Ron Tarbell made a motion to approve the minutes as presented, seconded by Mark Turco, unanimously approved.

7a. **Lake Ninevah Aquatic Nuisance Control Grant-in-Aid Report & Request** – Kelly Beerman reported on the grant the Ninevah Foundation and the Town of Mount Holly partner together on to protect Lake Ninevah from invasive species, in particular Eurasian Watermilfoil. She reported that this year, \$7,800 was received from the State in grant funds. The total costs for the program were \$24,000 with the Ninevah Foundation picking up all costs over and above the grant amount. The program funds greeters at the boat launch to check boats for invasive species and divers to monitor the lake for the same. This year, she reported, no milfoil was found on boats or in the lake.

In response to a question from Ms. Matthews, Ms. Beerman stated that there were a few plants found in the lake in 2015, but the divers were able to hand pull those plants and eradicate the nuisance before it spread. Ms. Matthews also asked if the numbers reported of 2400 visitors and 1100 boats were about average for the season. Ms. Beerman replied she was new in the position but she thought those numbers were on par. Ms. Matthews commented on the thoroughness of the report.

The Select Board agreed to again partner with the Ninevah Foundation on this year's grant and thanked Ms. Beerman for her report.

7b. **Animal Control Officer Protocol** – Paul Faenza stated he was in attendance due to the concerns raised at the last regular Select Board meeting (see 12.10.2019 Minutes) regarding his handling of a dog complaint. He read a statement (see attached) which spells out the protocol he follows once he receives an animal complaint. Ms. Matthews said she was sorry Mary Jane Osborne was not in attendance as she had been displeased with Mr. Faenza's response, or lack thereof, to her dog complaint. Ms. Matthews asked if Mr. Faenza had filed a report on the incident. He said he had emailed it. Ms. Matthews stated no report had been received through Select Board email accounts. Mr. Faenza stated he would send the report again and then distributed copies to the Select Board. He asked if there was anything else. Ms. Matthews stated there had been a number of complaints about Mr. Faenza not returning phone calls regarding animal complaints. Mr. Faenza replied he worked full-time and he would not leave his job to get a dog, nor would he respond while working as he had other responsibilities. Ms. Matthews asked if he responded to calls after work. He stated he tried to reach out as soon as he could.

5. Reports

a. Highways & Transfer Station – Clinton Woolley

i) **Update** – Mr. Woolley reported that another 450-pound barrel of food scraps had been collected. At \$.40 per pound, food scrap collection is growing costly. He also reported that there is no market for many of the recyclables, and because of that, there may be charges coming for zero-sort collection.

He noted that FEMA should soon finalize the Town's grant submission for costs associated with last April's flooding.

ii) **20-Ton Eager Beaver Trailer Purchase** – Mr. Woolley reported that Bob Beardmore was selling his trailer for \$12,000 and Mr. Beardmore asked if the Town would be interested in purchasing it. Mr. Woolley noted it was harder and harder to borrow a trailer. In response to a question from Ms. Matthews, he stated a new trailer costs around \$23,000. Ron Tarbell stated he thought it best to borrow a trailer, especially as the trailer would sit for 11 months of the year. Without a trailer, Mr. Woolley stated he would have to hire the work out at a cost of \$7,000 a year. Ms. Matthews asked if there were funds available to purchase the trailer. Treasurer David Johnson responded the next vehicle to be replaced was the one-ton truck and there were funds to cover that purchase plus the trailer purchase without depleting the funds. Ray Tarbell asked how much it would cost to rent a trailer. He also expressed concern about the brakes freezing up after the trailer sits for extended periods of time. Ms. Matthews asked what the rental costs would be for a similar trailer. Mark Turco recommended tabling the item until rental costs were known and other options for borrowing a trailer were explored.

iii) **Structure & Road Paving Grant** – Mr. Woolley stated he was working on gathering the figures needed for the grant.

iv) **Highway Mileage Certificate – Review & Sign** – Ron Tarbell asked if there any changes to the highway mileage in town. Mr. Woolley replied there were none. Select Board members signed the certification.

b. Treasurer – David Johnson

i) **Monthly Income & Expense Report** – Mr. Johnson noted the following items: more than one-half of the delinquent taxes have now been collected; Solid Waste Revenue continues over budget; Solid Waste Expenses show more being spent on the zero-sort disposal, especially with so little revenue coming in for recyclables; the Vehicle Repair & Maintenance expenses continue under budget to date.

ii) **VT Division of Property Valuation & Review** – Mr. Johnson reported that the State had completed its equalization study. The Common Level of Appraisal (CLA) for the Town is now 107.28% and the Coefficient of Dispersion (COD) is 17.42%, so no immediate reappraisal is necessary. Nonetheless, the time for a reappraisal is growing closer.

c. **Mount Holly Volunteer Rescue Squad (MHVRS) – Kristin Veysey** reported on the SIREN report received from the State for MHVRS EMS calls in Mount Holly, Belmont and East Wallingford from January first through December 31st, 2019. The report shows a total of 163 calls: 140 are 911 response calls with MHVRS responding to 102 of those calls. Ms. Veysey stated she was now tracking all calls on a fiscal year basis. From July first to today, she reported that the MHVRS response rate is at 80%. Mark Turco stated he had spoken with Scott Murphy, Ludlow Municipal Manger. Mr. Murphy provided the following Ludlow Ambulance Service (LAS) numbers: for the period from January first to December 10th, 2019, LAS responded to three calls in Belmont and 15 calls in Mount Holly; and, from July first 2018 to June 30th 2019, LAS responded to five calls in Belmont and 29 calls in Mount Holly. In response to Mr. Turco's question about the proposed \$500 fee for LAS to respond to Mount Holly calls, Mr. Murphy explained that was the amount Springfield charged Ludlow when Ludlow was unable to answer a call. This \$500 fee is the same fee LAS charges Chester for calls. There is no fee for Cavendish and Proctorsville as they are part of the LAS coverage area.

Ms. Veysey reported she had spoken with Rutland Regional Ambulance Service and they are willing to be in position #1 if MHVRS is unable to respond to a call. Ms. Matthews asked, just to be clear, if the Town said no to LAS due to the \$500 fee, Regional would respond to those calls. Ms. Veysey said yes,

they will be in position #1 for the whole area. Mr. Turco said the Board did not want townfolks to be in jeopardy due to a lack of service. Ms. Veysey will report to the Select Board again in April, and thereafter on a quarterly basis. *(Note: Contact MHVRS if you are interested in volunteering.)*

6. Ongoing & Old Business

a. Mount Holly School Request – Craig Hutt Vater thanked the Select Board for the additional time to review the school's request. He said that based on the concerns voiced at the last meeting about mixing the general populace with students, he had revised the previous proposal so as to keep the Mount Holly School bus. He stated that it costs about \$7,500 to convert a bus, so Ludlow will keep their busses on the town side with no conversion costs; Mount Holly will keep its school bus with no conversion costs. He also explained that Ludlow had never pursued any state transportation aid, but they plan to do so this year. At this point, the school transportation request is for \$15,000 from each town for one year, no slippery slope with all out in the open. He noted the school district has done its due diligence with the budget and actually just made additional cuts, cutting the Roost building completely and cutting the Superintendent to 80%.

Ms. Matthews asked if Ludlow had agreed to put the \$15,000 figure in the municipal budget. Mr. Hutt Vater replied they would, if Mount Holly did.

Peter Collins asked if the proposal was to keep the status quo as far as the busses were concerned, just with \$15,000 being added to each town's budget for one year to fund them. Mr. Hutt Vater replied that was correct with Ludlow pursuing state transportation aid. He again pointed out if the \$30,000 total for both towns (\$15,000 from Ludlow and \$15,000 from Mount Holly) is added into the school budget, because of the penalty, Mount Holly would be paying \$30,000 instead of the requested \$15,000 for school transportation.

Mr. Tarbell stated the school costs should be in the school budget, the town costs in the town budget.

Mr. Turco agreed. He asked what the \$15,000 would cover. Mr. Hutt Vater responded that most of the transportation costs were in the school budget; the \$15,000 could be for the salary for the driver.

Ray Tarbell asked how they knew they would be over the threshold. He stated that all school costs should be in the school budget. Mr. Turco again agreed.

There was additional discussion about Act 46, savings not realized, State government, the new unified school district like it or not, general funds, repayments and more. Mr. Collins stated he thought it was a bad idea to mix school and town costs; they should be kept separate. Mary Jane Osborne stated that the school was part of the town, part of the community.

Ron Tarbell made the motion to say no to incorporating school costs in to the town budget, they should go to the school. Mr. Turco seconded the motion, and both voted in favor of the motion. Ms. Matthews voted against the motion, stating she was concerned about the penalty and would rather pay \$15,000 for school transportation rather than \$30,000. She also said she considered the school to be a vital part of the community and that it keeps young families in town and draws other young families to town. She continued stating the school kept Mount Holly vibrant and her vote against the motion was a vote in support of the school. Mr. Hutt Vater thanked the Select Board for its consideration of the proposal.

b. Finalize & Approve FY'21 Budget - David Johnson noted that a couple more social service requests had come in. He stated that with the use of the current surplus funds, the amount to be raised by taxes (\$1,086,685) is the same amount as this year, no increase. Ron Tarbell made a motion to accept the budget as presented, Ms. Matthews seconded, unanimously agreed.

c. Set Date to Sign Warning – Last date for receipt of petitioned articles for Town Meeting is January 16th. First date that warning can be posted is January 23rd. It was agreed to meet on Tuesday, January 21st at 4:00 pm to sign the Annual Town Meeting Warning.

d. Public Utilities Commission Update re: Phone Back-Up Battery Power Issues – Ms. Matthews reported that the PUC had issued its report on the issue of back-up batteries for phones in extended power outages. Ms. Matthews explained that the Town of Mount Holly had

asked that a detailed explanation about the batteries and their limited life be included with phone bills on a regular basis, a toll-free number be available to customers for technical questions and help with the batteries, and that the batteries be installed, monitored, tested, and replaced at the telecom providers' expense. During the workshops at the PUC, which Ms. Matthews attended, there were concerns expressed about the telecom providers' bottom line. Also, a suggestion was made that perhaps the power grid should be studied as prolonged power outages caused the need for phone back-up batteries. Ms. Matthews reported that this is the course of action the PUC decided upon: "to initiate an investigation into electrical power losses and their impact on telecommunications resiliency." Ms. Matthews considered that passing the buck. She also noted that in 2018 Charter Communications pulled in \$43.6 billion in revenue with \$1.2 billion in net income (profit) and Comcast brought in \$94.5 billion in revenue with \$11.7 billion in net income. She expressed her disappointment that the PUC seemed more concerned about these numbers than Vermonters' health and safety.

e. **Other** – Ms. Matthews noted the application for the proposed AT&T cell tower here in Mount Holly had been filed. The conditions for the tower set forth by the Select Board are incorporated throughout the application. The process continues.

7. New Business

a. **Lake Ninevah Aquatic Nuisance Control Grant-in-Aid Report & Request – Kelly Beerman** - see above.

b. **Animal Control Officer Protocol (ACO) – Paul Faenza** – Ms. Matthews remarked that Mary Jane Osborne, who had brought the dog complaint and her concerns about the ACO to the Select Board in December, was now in attendance. She arrived too late to hear Mr. Faenza's report, but a copy of the protocol he read was made for her. She passed on to the Select Board the protocols from three towns in Vermont that could serve as an example for one for Mount Holly. Judy Hyjek asked for a recap of what Mr. Faenza had said. Mr. Turco replied that Mr. Faenza read his protocol, explained how he responds, noting that because he works, he responds to calls when he can after work. Eric Chatterjee from Okemo Valley TV said the full statement could be seen here: <http://okemovalley.tv/mount-holly-selectboard-114> Paul Barton asked if the protocol could be run in the *Chit Chat*; it will be attached to these minutes.

Lester Lampert asked about the contamination of the water at the school. Mr. Turco explained that the State did some testing and found PFAS contamination in the well. Mr. Lampert and Mr. Barton asked about the source of the contamination. Mr. Turco responded that the State was looking into that, perhaps it was from the floor wax or cleaning supplies at the school. There was additional discussion about possible sources. Ms. Matthews noted the State was working to pinpoint the source, looking at the fill, wood chips, and cleaning supplies at the school as well as fire-fighting foam. Ms. Matthews directed Mr. Lampert to the December 27th minutes, which covered the presentation by Richard Spiese from the VT Department of Environmental Conservation. Mr. Spiese was again in town this past Monday, testing the wells for the town office, Fire and Rescue, and others in the area.

c. **Town Office Cleaning Bids** – Two bids were received and opened. One bid was for \$150 for the cleaning; the other for \$85. Ron Tarbell made a motion to go with the low bid from Lori & Tiffanie Norton, seconded by Ms. Matthews, passed unanimously.

d. **Retail Cannabis Survey** – Ms. Matthews noted that at the December Select Board meeting, VLCT's Gwynn Zakov gave a presentation on S.54, a bill which addresses the retail sale of marijuana. That legislation is now moving quickly with the VT Legislature back in session. At the December meeting, a survey of residents was discussed to gauge opinions on the sale and manufacture of retail marijuana in town. Ms. Matthews read through the questions she had developed for the survey.

Discussion followed on the terms cannabis or marijuana, the difference between hemp and marijuana, the opt-in or opt-out provisions, a local cannabis option tax, the difference between growing a couple plants in your garden as opposed to industrial grow operations, health and mental health issues, drug abuse, the cost of law enforcement, and more.

e. **VLCT Resolution** – Ms. Matthews again presented the resolution from VLCT asking the Legislature to give towns the right to have a say (yea or nay) to the local impacts stemming from the legislation pertaining to the retail sale of marijuana. Mr. Turco asked if there was a deadline for the resolution. Ms. Matthews responded that sooner was better than later as the legislation was being drafted now, so this was the time for towns to ask for some local control in dealing with whatever the Legislature decides around retail marijuana. Mr. Turco and Mr. Tarbell wanted to wait until a survey was done to sign the resolution.

f. **Other** – There was no other New Business.

8. Announcements/Other Business

a. **Town Meeting Info & Deadlines** – Articles for the Annual Town Meeting Warning are due by January 16th. Nominating petitions for elected offices are due by January 27th. Town Meeting is on Monday, March 2nd with voting and the Presidential primary on Tuesday, March 3rd.

Ms. Matthews noted that 2020 was a momentous year as it was the 100th anniversary of the passage of the 19th Amendment to the Constitution, the amendment with which women finally won the right to vote. She briefly outlined, from 1776 to 1920, women's persistent efforts to win the right to vote.

9. **Review & Sign Orders** – Reviewed and signed.

10. **Adjourn** – Ron Tarbell made a motion to adjourn the meeting at 7:45 pm, Ms. Matthews seconded, meeting adjourned.

Respectfully submitted: Jennifer Matthews

Minutes Approved: 2.11.2020