

**Mount Holly Select Board Meeting**  
**March 10, 2020**  
**Minutes**

**Present: Select Board:** Mark Turco (chair), Jeff Chase, Jennifer Matthews

**Town Officials:** Susan Covalla, Carol Garrow-Woolley, Russ Garrow, David Johnson, Jon McCann, Lori Norton, Andy Tanger

**Members of the Public:** Bob Bryant, Barbara Hazelton, Steve Hazelton, Jim Heald, Judy Hyjek, Annette Lynch, Stephen Michel, Kassie Niklassen, Gary Norton, Don Richardson, Brigid Sullivan, Raymond Tarbell, Craig Tomkinson, Amy Turco

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 add a letter of resignation from the current Animal Control Officer, Paul Faenza, to **New Business/Other**. It was agreed to do so.

4. **Approval of February 11<sup>th</sup>, 2020 Minutes** – Jeff Chase made a motion to approve the minutes as presented, seconded by Mark Turco, unanimously approved.

5. **Reorganization**

a. **Select Board Chair** – Jeff Chase made a motion nominate Mark Turco; no seconds. Jennifer Matthews made a motion to nominate Jeff Chase; no seconds. Ms. Matthews noted that either individual could decline the nomination. Jeff Chase declined the nomination stating he was new to the Board, and as such, it would probably not be in the best interest of the Town for him to be Chair. Mr. Turco stated he would accept the Chair position if he had the support. As there was no response, Ms. Matthews suggested they revisit the issue later in the meeting and move on to other items on the agenda.

b. **Tree Warden** – Mr. Turco made a motion to appoint Raymond Tarbell as Tree Warden. After asking Mr. Tarbell if he was still interested in serving the Town in the position, with his reply in the affirmative, Ms. Matthews seconded the nomination; unanimously approved.

c. **E911 Coordinator** – Mr. Turco made a motion to appoint Sue Covalla as E911 Coordinator. After asking Ms. Covalla if she was still interested in serving the Town in the position, Ms. Matthews seconded the nomination; unanimously approved.

d. **Rutland County Solid Waste District Representative** – Clinton Woolley indicated he was still interested in the position. Ms. Matthews made a motion to appoint Mr. Woolley as the Town's representative, seconded by Mr. Turco, unanimously approved.

e. **Newspaper of Record** – Ms. Matthews noted that the *Mountain Times* had emailed expressing their interest in serving Mount Holly as the paper of record. Discussion ensued about numbers and method of distribution for the *Mountain Times* and the *Vermont Journal*, the current paper of record. Ms. Matthews made a motion to name the *Vermont Journal* as the Newspaper of Record, seconded by Mr. Chase, unanimously approved.

f. **Town Attorney** – Ms. Matthews noted that the current attorney was located in Middlebury, fairly far afield, but more research into attorneys closer to Mount Holly was needed before making any change. Mr. Turco agreed, and he made a motion to name Carroll, Boe & Pell the Town Attorney, seconded by Mr. Chase, unanimously approved.

g. **Assistant Town Clerk(s)** (appointed by Town Clerk) – Ms. Covalla indicated she would again appoint Nancy Connor, Diana Garrow and Derek Covalla to serve as Assistant Town Clerks as long as all three are still interested.

h. **Assistant Town Treasurer** (appointed by Town Treasurer) – David Johnson stated he would appoint Diana Garrow once again to serve as Assistant Town Treasurer.

i. **Select Board Clerk** – Ms. Matthews stated that appointing a Select Board member to this position was at the discretion of the Board. She noted the Select Board had not done so last year, and it was agreed to maintain the status quo again this year.

j. **Set Day & Time of Regular Meeting** – Mr. Turco stated that presently the meetings were scheduled for the second Tuesday at 6:00 pm. Ms. Matthews explained that many working further away from Mount Holly found it difficult to make a 6:00 meeting in town. She had received several emails supporting a later start time, and she held up a copy of the *Chit Chat* with the meetings of many other organizations in town highlighted, all starting at 7:00 pm, but for one at 6:30 pm. Amy Turco stated she thought the 6:00 start time worked, especially as the meetings were so well attended. Ms. Matthews replied she thought that had less to do with the start time and more to do with the substantial issues the Select Board was addressing. Judy Hyjek asked about the difference in attendance numbers between the current earlier start time and the previous later one. Ms. Matthews replied she thought that was an apples and oranges comparison due to the difference in the issues being discussed. Mr. Turco stated he thought the earlier start time was better. Ms. Matthews suggested a compromise with a 6:30 pm start time, and she made a motion for the regular Select Board meetings to start at 6:30 pm, seconded by Mr. Chase; Mr. Turco voted against the motion.

k. **Name Two (2) Public Posting Places for Agendas** – Mr. Turco made a motion to continue to use the Mount Holly Post Office and the Belmont Post Office as the two public places for posting the agenda, seconded by Ms. Matthews, unanimously approved.

l. **Conflict of Interest Policy – sign** – Ms. Matthews explained that the policy was the same as in the past. Bob Bryant asked what the policy addressed. Ms. Matthews explained it spelled out the nature of conflicts (financial, etc), prohibited conduct, when recusal on an issue was necessary. She also stated that the policy would be on the Town website once signed. Select Board members signed the policy.

**Two additional items: the 911 measuring** – Ms. Matthews noted the Listers were currently doing this; it was agreed to continue to have the Listers do the 911 measuring.  
**Sign the orders weekly** – Mr. Turco stated he would stop in on Mondays to do so. Ms. Matthews pointed out she was in the town office working on Mondays, so she could easily do so. It was agreed Ms. Matthews would sign the orders.

## 6. Reports

### a. Highways & Transfer Station – Clinton Woolley

i) **Update** – Mr. Woolley stated the road crew had posted the roads for mud season, and the roads were beginning to dry out. He said he was also working on grants.

ii) **Uniforms** – Mr. Woolley had a couple of quotes for uniforms for the road crew, one from UniFirst, the other from Foley. UniFirst was less than Foley at just over \$8.00 per person per week. Mr. Woolley stated the road crew could have the funds deducted from their pay if the Town was unwilling to cover the cost of the uniforms. David Johnson noted that the costs could be covered in the Highway budget. Mr. Chase asked if the road crew currently had uniforms; they do not. Ms. Matthews asked if the road crews of other towns in the area of similar size had uniforms; they do. Mr. Turco asked if the Town covered the expense for the uniforms or the employee. Gary Norton recommended the Town cover the uniform cost. Ms. Matthews made a motion to provide uniforms for the road crew from UniFirst at Town expense, seconded by Mr. Chase, unanimously approved.

iii) **One-Ton Truck** - Mr. Woolley is continuing to gather quotes for the one-ton truck replacement.

iv) **Town Highway Structures & Class 2 Roadway Grants** – Mr. Woolley is submitting a grant to cover paving on Hortonville Road with total costs of \$217,000 with potential grant funds covering \$175,000 of that amount. Mr. Chase asked about the structures grant. Mr. Woolley responded that the culvert on Sawyer Hill Road should be replaced. The Agency of Natural Resources recommends a 7-foot high culvert on the 4-foot high roadway which would be costly.

v) **Annual Financial Plan – sign** - Ms. Matthews explained this was to pass along the town highway budget figures and information to the State. Mr. Chase asked how the town highway mileage was measured. Mr. Woolley responded that the State did the measurements. Ms. Matthews

noted that the Select Board had recently certified the town highway mileage. Select Board members signed the Annual Financial Plan.

Mr. Chase asked how many quotes were being gathered for the one-ton truck. Mr. Woolley had three for the cab and chassis of around \$47,000 and a couple for the body of \$21,000+ to \$23,400. The Select Board members also signed the Certification of Compliance for Town Road & Bridge Standards and Network Inventory to accompany the Annual Financial Plan in relaying information to the State, as both are necessary for State grant consideration.

vi) **Municipal Roads General Permit Planning Report – sign** – Ms. Matthews explained this was an annual report to certify the completion of the road erosion inventory. The report is to be signed by the Chair, so it was set aside.

**b. Treasurer – David Johnson**

i) **Monthly Income & Expense Report** – Mr. Johnson noted the following: all bank statements had been received and reconciled by Diana Garrow; the delinquent tax amount was now about \$85,000 after Delinquent Tax Collector Peter Perrino recently received another \$41,000 in tax payments; interest income continues to run higher than the budgeted amount; Solid Waste Labels Sold continues to run higher than the budgeted amount; all town report and election expenses came in under budget; the Vehicle/Equipment Repair & Maintenance Expenses are about half the amount budgeted and we are now two-thirds of the way into the fiscal year; all else is in good shape. Mr. Johnson asked about an attorney for future tax sales. He will contact Mr. Perrino to ask Kevin O’Toole if he is still interested in performing this service for the Town.

ii) **Authorization for Orders** – Mr. Johnson explained he needs the authority to make regular payroll, and to pay payroll taxes, property tax refunds, and for postage as needed. Ms. Matthews made a motion to continue the payment of orders policy as in the past, Mr. Turco seconded, unanimously approved.

Annette Lynch thanked Mr. Johnson for the copies of the financials made available for meeting attendees. She again asked if the financials could be put on the Town website the day before the meeting so that residents could review them before the meeting and so those with aging eyes could more easily read them. Mr. Turco stated we could look into that.

Ms. Matthews stated she had been on the Select Board for a year and the **Planning Commission** had not made a report to the Select Board in that time, as has happened in previous years. It was agreed that Ms. Matthews would send an email to Peter Berger and ask him to attend the April Select Board meeting and report on the Planning Commission’s recent activities.

c. **Rutland Region Transportation Council – Clinton Woolley** stated there was no meeting.

**7. Ongoing & Old Business**

a. **Personnel Policy** – Ms. Matthews inquired if a date could be set to review the personnel policy as a step towards completion of the necessary policy for grants and the like. The Select Board agreed to meet on Tuesday, March 17<sup>th</sup> at 6:00 pm in a Special Meeting for a work session on the policy.

b. **Emerald Ash Borer (EAB) Update**– Ms. Matthews reported that the Regional EAB Resource Committee was meeting this evening to discuss the steps necessary for area towns to do a town-wide inventory of ash trees. The first step for towns will be to identify all ash trees along town roadways, using as many trained volunteers as possible to defray those costs for the Town. Road Foreman Clinton Woolley stated there were 280 ash trees just along Belmont Road into Belmont and then down Healdville Road to VT Route 103. Jon McCann questioned who would bear the cost for tree removal. Mr. Turco responded that would fall on the Town if the ash tree is in the town right-of-way; otherwise, the cost would fall on the landowner. Andy Tanger asked what the Town of Weston had planned to address the imminent EAB arrival as Weston lies between Londonderry, where there is an EAB infestation, and Mount Holly. Mr. Turco said we could look into that. Don

Richardson currently attends the EAB resource committee meetings and he is willing to coordinate a local committee to work on the town-wide ash tree inventory. Ms. Matthews said she would put an item in the *Chit Chat* about a local EAB committee. She also noted that she had put a page up on the Town website devoted to EAB information and resources:

<http://www.mounthollyvt.org/emerald-ash-borer/>

**c. Cannabis (S.54) Update** – Ms. Matthews reported on the current status of the cannabis tax and regulate bill with both the House and Senate having passed differing versions of the bill. The House voted to allow towns to vote by special election to opt in to retail establishments only; towns will have no say in growers, manufacturers, and processors locating in the community. The House also stripped out the 2% local cannabis tax. The Senate version of the bill gives towns the right to vote to opt out of hosting various cannabis operations and it provides Towns with the 2% local option tax if they vote to host retail establishments. The 2% tax provides towns with the financial resources to deal with the consequences of cannabis operations in town, be it neighbor complaints, security, odors, smoking in public places, law enforcement. Ms. Matthews encouraged residents to consider if they wanted a retail marijuana establishment or industrial grow operations or marijuana processing and/or manufacturing facilities in town.

**d. Other** – Ms. Matthews reported that the VT Public Utility Commission had issued a Certificate of Public Good for the proposed **FirstNet/AT&T cell tower** project here in town. The Agency of Natural Resources asked for some last minute conditions on the project. Construction is slated to begin this summer.

## 8. New Business

**a. Set Transfer Station Hours for Spring & Summer with Start Date** – The last Sunday will be March 29<sup>th</sup>. The first Wednesday will be April first from 4:00 to 7:00 pm.

**b. Independent Audit** – There was discussion about the need, frequency and cost of an outside audit, as no audit was performed this past year as the auditor previously used closed up shop. Ms. Matthews reported that according to the VT League of Cities & Towns, it is up to the Select Board or the voters to determine the frequency of the outside audit. State Statute requires that the public accountant be licensed in the State and the audit be performed using generally accepted government auditing standards. Mr. Chase asked what the cost was of the last audit. David Johnson stated it was \$9250. He also noted that there were not a lot of accountants who do municipal audits and that not all CPAs are certified to do those audits. Stephen Michel stated that it was generally more expensive to perform an audit every other year. He asked why the Town wanted an audit. Mr. Chase replied it was a necessary component when securing a bond or loan. Annette Lynch said there was also a structural reason for an audit as both the Select Board members and the Treasurer are elected offices; the audit provides a clear and transparent picture of the town's financial position. Andy Tanger said he had a call in to VLCT to clarify the wording on Article II of the warning so as to avoid the confusion that occurred at town meeting. As the town auditors do not perform an actual audit, could that Article be worded as 'act upon town officers' reports' rather than 'act upon the auditors' report'? This will be answered before the next town report is produced. Additional discussion ensued about the costs of an audit, various audits done and auditors in the area. Mr. Johnson said he would sit down with Ms. Matthews to look into auditors that might be available to perform the annual audit going forward.

**c. EID Grant Program** – Jeff Chase will work with Road Foreman Clinton Woolley to create a list of bridges, roads and highways that will need attention, prioritizing them into a five-to-ten year plan. The list can be utilized in the future to apply for grants to help cover the costs of repair work. The grant deadline for this particular grant is in May with a letter of intent due by the end of March. Mr. Chase and Mr. Woolley will pull the list together in the next few days.

d. **Bob Bryant's Concerns** – Bob Bryant presented the Select Board with a number of photographs of a neighboring property which he stated was a junkyard. He said this property had been a concern for 20 years, and that the Town had an ordinance to address the problem and needed to enforce the ordinance. Mr. Turco said the Select Board could draft a letter to the owner. Mr. Bryant said that had already been done and nothing happened. Ms. Matthews suggested the Select Board write the letter in April so as to give the Select Board time to have all the steps in order to enforce the ordinance and levy a fine if needed. Mr. Bryant agreed to this time line.

e. **Other** - The Select Board received a letter of resignation, due to time constraints, from Animal Control Officer Paul Faenza effective April 30<sup>th</sup>, 2020. Ms. Matthews will place a notice in the *Chit Chat* for an Animal Control Officer, and she will contact the Rutland County Sheriff's office about their current rates and availability to fulfill that role if need be. Ms. Matthews thanked Mr. Faenza for his seven years of service to the Town, and she made a motion to accept his resignation with gratitude for his service. Mr. Turco seconded the motion with gratitude for Mr. Faenza's service and with regret. Motion passed unanimously.

9. **Announcements/Other Business** – Ms. Matthews thanked all for attending Town Meeting and thanked all for being at the meeting this evening. She noted that the issues coming before the Select Board are increasingly complex, and that members of the community have a great wealth of knowledge and expertise. She invited all to share their knowledge with the Select Board as various issues come before the town.

Mr. Turco congratulated Jeff Chase on his election to the Select Board. Mr. Chase said he looked forward to working for the community.

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

Discussion followed about the **Select Board Chair** nomination, given there were two members interested in serving as Chair, Mr. Turco and Ms. Matthews. The possibility of a five-member Select Board, the pros and mechanics of bringing it to be, were discussed. A number of comments were made about Ms. Matthews doing the majority of the work for the Select Board and Mr. Turco being too busy to tend to the work but that he still should be Chair. With no resolution, the matter was tabled.

11. **Executive Session: Title 1 V.S.A. S 313(a)(1)** – Ms. Matthews made a motion to enter executive session to discuss a contractual matter, seconded by Mr. Turco, unanimously approved. No actions were taken in executive session.

Jennifer Matthews made a motion to **adjourn** the meeting at 8:00 pm, Mr. Chase seconded, meeting adjourned.

Respectfully submitted: Jennifer Matthews

Minutes Approved: 4.14.2020  
(with amendment noted in 4.14.2020 minutes)