

## GUILFORD SELECTBOARD MEETING

February 27, 2012

**PRESENT:** Richard Clark (Chair), Troy Revis, Jr., Anne Rider, Katie Buckley (Town Administrator)

**I. Call to order - 6:30 PM.**

**II. Recognition of Public**

- Pat Beu, Herb Meyer, Craig Miskovich, Will Wohnus

**III. Approval Minutes**

- Troy moved to accept the minutes from February 13, 2012. Anne seconded. Motion carried.

**IV. New Business**

- AFD – Authority to Contract with Out-of-District Users & New/Amended Contract with the Town of Bratt/AFD/State for Additional Use of System by Out-of-District Users – Attorney Pat Beu was present representing the Algiers Fire District #1. She was asked by AFD #1 to review a request from Commonwealth Dairy on what was labeled an “allocation” to run its wastewater from its facility located on Pauls Road through the AFD #1 system to ultimately reach Brattleboro’s treatment facility for disposal; this request/agreement is similar to that which exists with the Delta Business Campus. Pat has reviewed the Delta contract and all of the documents available for the creation and operation of AFD #1: Sewer Ordinance, Allocation Ordinance, etc. She felt that all of the authority given to the AFD from the Town of Guilford was to run the system and for them to make allocations within the mapped boundary of the District itself, not outside of the District (as exists with Delta). In 1999, a contract was made between Delta and AFD for Delta to receive a wastewater allocation from the Town of Brattleboro (the hookup fee was paid to Brattleboro for this). Delta’s wastewater would run through the AFD’s lines. A contract was created at that time because this relationship – between Delta and AFD – was different than any of the other connections which existed within the District. A “rental” of the lines was the result of this contract. Commonwealth is now coming to the District looking for the same sort of arrangement as Delta has. Pat has been working with the AFD’s Prudential Committee to determine what the contract with Commonwealth will contain. Based on the existing documents and the lack of clarity on whether the AFD has the authority to contract with someone outside of the District (they have the power and authority inside the boundary of the District but it is not clear if they do for outside of it), Pat felt that she, as Counsel, would be more comfortable if the entity (the Selectboard of the Town of Guilford) that gave the AFD its original authority to operate within the District (which is also within the Town of Guilford) that they (the Selectboard) also be a party to the contract with Commonwealth. Pat recommended that the ordinances guiding the AFD should be reviewed and “tweaked” to ensure that they are legally accurate with regard to interested parties and powers. She explained that there are a number of issues in which the Town is involved and will have to be a party to. She explained that the Prudential Committee has been working to come up with a plan so that the AFD is not operating to serve the two large out-of-District entities: Delta and Commonwealth, but rather is being appropriately compensated for their use without compromising the District itself or its future needs. The issue of capacity has been resolved; even at Commonwealth’s maximum operation the AFD’s system will be able to handle both the quantity and quality of the waste. These concerns were allayed by the Town of Brattleboro and their expertise in this matter. The AFD’s 40,000 gallons reserve capacity remains intact and protected – Commonwealth obtains its

allocation directly from Brattleboro. Pat recommends that the Town of Guilford will be a party to all contracts engaged with Commonwealth, the State of Vermont, the Town of Brattleboro, etc. Anne expressed that she is relieved to have this matter being sorted out; she feels that Commonwealth is a good neighbor for us to have. The Selectboard was thankful that a resolution is finally being reached. Anne moved that the Town of Guilford will sign off on any contracts which the AFD #1 will engage in for out-of-District service (both in Guilford and out of Town). Troy seconded. Motion carried. Katie wanted to give Pat credit for her hard work in bringing clarity to a very difficult structure which had been in place for a long time.

- Property Tax Bill State Payments – Confidentiality – Legal Issues – New legislation has passed which makes the State Payment portion of property tax bills confidential; it is now illegal for towns to disclose this information. This means that Towns are only able to furnish the gross amount of property tax bills, not the net. There is a company called Core Logic which works with financial institutions to gather property tax information and in turn make tax payments for the banks’ customers to Towns. Penny Marine (Town Clerk) has decided that she will no longer furnish the Grand List (property tax information) to Core Logic upon their request; Core Logic will have to deal directly with the banks and property owners to obtain this confidential information.

**V. Executive Session**

- At 7:03 p.m., Anne moved to enter executive session to discuss a personnel matter. She invited Katie to join. Troy seconded. Motion carried.
- Executive session adjourned at 7:20 p.m.
- Anne move to accept with regret the resignation of Joe Hunt as Assistant Town Clerk/Bookkeeper and a note be written from the Selectboard thanking him for his service. Troy seconded. Motion carried.
- Anne would like to post the opening as soon as the details of it are resolved. It probably won’t occur until after Town Meeting. If interviews can be coordinated for the 3/12/2012 Selectboard meeting then we should do so. There was a brief discussion about placing an advertisement in the Reformer if it isn’t too expensive. Katie will write up a job description and post it around town, as well as post it on the website.

**VI. Highway**

- Work on Class 4 Road – Dave Snyder – Dave Snyder has asked for the Town’s permission to perform some work on the unmaintained portion of Fitch Road from his residence to the intersection of Ashworth Road. Dave, his contractor and Dan Zumbruski, Road Commissioner/Foreman have met on site to discuss the project. Dan is in approval of it. Anne moved to allow Dave Snyder to perform the above referenced work. Troy seconded. Motion carried.

**VII. Finance**

- Warrants:

• PR	2/19/2012	\$	5,075.74
• PR	2/26/2012	\$	4,915.80
	<u>TOTAL PAYROLL</u>	\$	9,991.54
	<u>Warrant #16</u>	\$	40,186.38
	<b>TOTAL EXPENSES</b>	<b>\$</b>	<b>50,177.92</b>

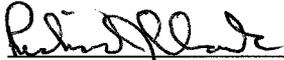
Troy moved to pay the above stated PR Warrants 02/19/2012 and 02/026/2012 and Warrant #16. Anne seconded. Motion carried.

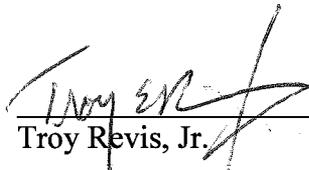
**VIII. Communications**

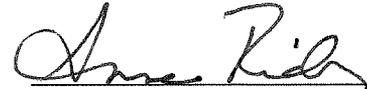
- State of VT, Natural Resources Board, District Environmental Commission #2 – Hearing Recess Memo #2W0485-5
- Letter of Resignation, Joe Hunt, Assistant Town Clerk/Bookkeeper
- State of VT, Operations Traffic Shop – Marking centerline on State-highways
- Prevent Child Abuse Vermont – Consideration of garden planting in support of child abuse prevention
- Windham County Sheriff's Department – January, 2012 STARS report

Troy moved to adjourn the meeting at 7:29 PM. Anne seconded. Motion carried.

The next Selectboard Meeting will be held on Monday, March 12, 2012 at 6:30 PM in the Guilford Town Office.

  
Richard Clark

  
Troy Revis, Jr.

  
Anne Rider