

**HYDE PARK SELECTBOARD
MEETING MINUTES
June 24, 2013**

All minutes are draft until approved by the Selectboard; please check future minutes for approval of these minutes. Meetings may be video taped and such recordings are held by Green Mountain Access Television – Recording Info: PO Box 581, Hyde Park, VT 05655; info@greenmountainaccess.tv or 802-851-1592

Members Present: Brian Jones (BJ), Vice-Chair; Roland Boivin (RB) and Roger Audet (RA)
Members Absent: Pete Couture (PC) and David Gagnier (DG), Chair
Others Present: Ron Rodjenski, Town Administrator; Greg Paus, Chair of Hyde Park Planning Commission; Ron Barre, Belinda Clegg and Jeff Wright from the Wolcott Selectboard; Kane Smart, Esq.; Jay Cooke; Susan Hudson; Scott Griswold; Jim Grant; Green Mountain Access Television videotaped this meeting.

BJ called the meeting to order at 6:00 p.m.

1. **Welcome and Public Comment** – No public comment.
2. **Review minutes** – Motion by RB to approve the May 9, 2013, as written. Seconded by RA. Voting: 3 in favor, 0 against, motion passed.
3. **Harvey Loan - Refinance** – Belinda reported that the Wolcott board feels that 100% of the amount that should have been paid is recovered in a refinancing of the existing loan. Rodjenski reported that Mr. Harvey would like to have the Union Bank's current unpaid balance of \$87,000 be the amount to refinance and he was OK with whatever terms the boards came up with, ideally with monthly payments not exceeding \$1,000 per month. The Hyde Park board discussed the request to waive the interest amount lost over the years because the interest rate was only adjusted once and stayed at 0.25%. The Board reviewed the term and amount to refinance the full amount owed with the feeling that the original terms should be followed as the error could not be attributed to any one party. Motion by RA to refinance the amount due under the original note terms, estimated to be \$133,000 for 15 years at 3% and for the new note payment to be due January 1, 2014 with the condition that Wolcott passes the same motion. Seconded by RB. Discussion: Rodjenski noted that the final amounts and legal work is still pending and a subsequent meeting will be required to review those documents. Voting: 3 in favor, 0 against, motion passed. The Wolcott Selectboard left the meeting at this point.
4. **NEMS Ambulance Agreement** - Mike Paradis from Newport Ambulance Service (NAS) reviewed the NEMS contract and current ambulance protocol being followed for transport which includes a back up vehicle when the regular ambulance is transporting to the hospital. Scott Griswold explained that NEMS manages the transports as best possible to maintained an efficient fleet level of service for the communities. Mike stated that NAS is having a 10-year anniversary and a new 4-wheel drive ambulance is due to NEMS soon. Mike explained that the new health care law may affect revenues. Scott Griswold explained that the contract has three parts; Option 3 to renew for FY2014 per the town meeting day vote; Amendment 4 to remove the oversight board and replace with two NEMS/Selectboard meetings per year – Scott explained that not enough towns were participating on the committee; and the Amendment #5 allows the towns to acquire the assets of NEMS with all the debt pending voter approval. NEMS assets include the Johnson station, ambulances and equipment. Scott explained that the plan is to eventually move to all cash for capital purchases. Five towns have been met with so far on these changes – Amendment 5 is pending a review by Johnson. Motion by RA to sign all three documents for FY2014 ambulance service through NAS. Seconded by RB. Voting: 3 in favor, 0 against, motion passed.
5. **VTel Tower Discussion** – Kane Smart advised that the project is in the 45-day advance permit review period to allow towns to provide recommendations before a formal application is submitted to the Public Service Board for a new tower at the end of the Class 3 portion of Webster Road. Greg Paus reviewed the recent planning commission letter objecting to the tower which was sent to the Public Service Board and VTel. The letter summarized a number of objections to the project including the need to investigate

other locations. Jim Grant advised that the application proposes to add broadband service to 1,700 new customers in Hyde Park but a survey should be completed to prove the need and VTel should explore alternate locations for co-location. Jay Cooke read a letter, dated 06-24-2013, into the record that encourages the Selectboard to decline the recommendation for this site because VTel has not looked into other sites, screening is not available because the site is in an open field; the area is residential not sparsely developed; VTel's 1,700 estimate for new service is not supported in the application and the tower would only support their commercial enterprise which should not hide behind 248a and the preemption of local zoning; a process which is creating conflict amongst neighbors. Jay Cooke continued that the zoning regulations were drafted by the community and the Selectboard should reject the application by writing a strong letter to the applicant and PSB. Susan Hudson noted that the Smith family just bought the Webster Barn property in January 2013 and they were not notified properly so the project should be restarted with proper notice. Greg Paus handed out copies of the VTel photos and copies of the neighbors' letters which were submitted to the planning commission. Kane Smart advised that the notice was the best possible and the adjoining landowners list was taken from the tax maps and Grandlist. Kane advised that the 248a law does provide jurisdiction to the PSB but the process also requires the applicant to meet with neighbors and town bodies to see if there is an acceptable location. Kane advised that the project is screened from VT 100, but agreed, not totally screened, nor completely screened from the immediate neighbors. Kane noted that VTel is looking at possible relocation of the tower to increase the distance from the historic Webster Barn, but remaining on the Lanphear Farm. Kane noted that the farm is not on a ridgeline, is approximately at an elevation of 800 feet, and can be seen from other elevations that are higher. Kane advised that the current parcel provides both micro-wave line-of-sight connection and connection with to other broadband wireless towers, however, two existing tower locations are more than 3 miles away and not useable by VTel. VTel's objective is to fill a void now created by cable systems. Kane noted that VTel towers will be used to implement Green Mountain Power's SmartGrid technologies. Kane presented photos of a new possible location for the tower near the farm buildings and advised that there would not be a new 45-day review period and no additional balloon test. Kane advised that VTel is open to other locations but prefers the Lanphear Farm. Kane stated that the new location is about 1,400 feet away from the original location and away from the Webster Barn, improved screening options are being reviewed, VTel feels that the concerns of the neighbors are being addressed. Jim Grant advised that it feels like the neighbors are now the reason for the new tower impacting other neighbors and he objects to that position. Jim Grant advised that this second location puts the neighbors against the landowner as well as other neighbors when the real issue should be whether or not the project complies with community standards and bylaws and it was not important if a wooded location might cost VTel money more than other locations. Susan Hudson advised that the notification process was flawed and a new notice should be provided. Kane advised that the tower is not intended to be commercial vertical space. Kane would like the Selectboard to offer alternate locations on the parcel. Greg Paus suggested that there appears to be other options on or close to the Lanphear Farm. Motion by RA to support the project if a new site can be found that complies with the town plan or zoning bylaw. Discussion: The location can be on the Lanphear Farm or on a new parcel. Voting: 3 in favor, 0 against, motion passed.

6. **Puckerbrush West** – Rodjenski reviewed the recent discovery that the end of the existing town road is built outside of the deeded strip of land. The Board would like to add an easement to the existing roadway instead of relocate the physical road. Rodjenski will advise the attorneys involved.
7. **Purchase Order #14** – New line striping unit – Motion by RA to sign purchase order #14 for the new line striping unit using FY2013 funds. Seconded by RB. Voting: 3 in favor, 0 against, motion passed.
8. **Cricket Hill Road Speed Limit** – The Board discussed the recently installed 50 MPH speed limit signs. Motion by RB to post temporary a 25 MPH speed limit until a formal speed study is completed. Seconded by RA. Voting: 3 in favor, 0 against, motion passed.
9. **VTrans Route 15 Bridge Project** – An update on the project was received, noting that final design is on-going and then ROW and construction approvals will be pursued with construction possible in 2014.
10. **Depot St Culvert Replacement** – Motion to approve the engineering work and bid process to move forward with the replacement of the Depot St. culvert at HPES. Seconded by RA. Voting: 3 in favor, 0 against, motion passed. Rodjenski will work with the town highway on obtaining bids for the work.

11. **Burkholder Access Permit** – Lyndon Burkholder is proposing a roadside pull-off on Centerville Road at North Hyde Park Road – Motion by RB to sign the access permit for a pull-off area for the trailer sales business. Seconded by RA. Voting: 3 in favor, 0 against, motion passed.
12. **Health Officer** – Review appointment of Brian Murphy – Motion by RB to appoint Brian Murphy to the position of volunteer Town Health Officer with mileage and supplies being paid by the town. Seconded by RA. Voting: 3 in favor, 0 against, motion passed.
13. **2013 Dog Warrant** – The annual list of unlicensed dogs was reviewed. Motion by RA to sign the 2013 warrant for collection of unlicensed dogs which had 36 dogs listed. Seconded by RB. Discussion: Ron noted that multiple notices were sent out this year by the town clerk's office which helped reduce the number of unlicensed dogs compared to the same time last year. Voting: 3 in favor, 0 against, motion passed.
14. **Lamoille Valley Rail Trail** – A proposed environmental testing agreement with VTTrans was deferred until the Selectboard's next regular monthly meeting on July 11.
15. **Personnel Policy** – The April draft was distributed for board review and adoption at a later date.
16. **Accounting Policies and Procedures Manual & Investment Policy** – Motion by RA to approve the Accounting Policies and Procedures Manual which includes the investment procedures and policy. Seconded by RB. Voting: 3 in favor, 0 against, motion passed.
17. **2014 Health Care Changes** – The June 19th health coverage memo from Ron was reviewed. Motion by RB to stay with the current MVP health coverage for town employees through June 30, 2014. Seconded by RA. Voting: 3 in favor, 0 against, motion passed.
18. **LCSD Annual Contract** – The Board began discussion on two possible amendments, deferred to July 11, 2013.
19. **Grandlist Errors and Omissions** – Motion by RA to sign the Errors and Omissions adjustments to the 2013 Grandlist; properties adjusted: Baker and Sterling Meadows Farm LLC. Seconded by RB. Voting: 3 in favor, 0 against, motion passed.
20. **End of Year Report and Review FY2014 Tax Rate** – Deferred to a special meeting to be called after the state provides the school tax rate information. Current estimate is a town tax rate increase of about 4.0% compared to FY2013.
21. **Monthly Reports:** Town Financials and LCSD monthly reports were reviewed.
22. **Town Orders** – Motion by RB to approve town warrants and payroll. Seconded by RA. Voting: 5 in favor, 0 against, motion passed.
23. **Lambert Zoning Fee Refund** – Puckerbrush West DRB Application – Motion by RB to refund \$110 of the zoning fee to Steve Lambert because the zoning process was deemed to be unnecessary once a town road issue was discovered. Seconded by RA. Discussion: Ron advised that \$100 of the total \$210 fee would be retained because the hearing was warned in the newspaper. Voting: 5 in favor, 0 against, motion passed.
24. **Common Acres** – Motion by RB to direct the town attorney to proceed with the court action regarding the zoning violations at Common Acres Campground. Seconded by RA. Voting: 3 in favor, 0 against, motion passed.
25. **Other Business** –
 - a. Fire Department Personnel Issue – RB reported that a personnel issue at the fire department was handled by the fire officers. RB was informed as the Selectboard liaison. An investigation was completed resulting in the suspension and probation for one firefighter. RA suggested that RB speak with the fire chief about VLCT training of some kind just for the fire fighters.
 - b. Financial Management - BJ reviewed the new annual "Financial Management Questionnaire – VT Auditor's Office" which was filled out by Town Treasurer Kim Moulton per 24 VSA 1571(d) and which is required to be shared with the Selectboard.
26. **Adjourn** – Motion by RA to adjourn at 8:42 p.m. Seconded by RB. So voted.