

7 **Members present:** Catherine McMains (Chair), Tim Nulty

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Chuck Lacey, Jessica Alexander
10 (Town Clerk)

12 The public hearing was called to order by Ms. McMains at 7:04 p.m.

14 **1. Public Comment.**

15 Mr. Lacey stated he is sorry to see Mr. Jensen leave. He asked about the speed limit feedback signs. Mr. Nulty
16 stated they will be moving around Town. Ms. McMains said they will look at the data to target hot spots with
17 police coverage. They discussed the radar feedback signs. Mr. Lacey said he noticed some spraying of the
18 Japanese knotweed along the road, noting it was a good job. Mr. Odit noted it was being cut, not sprayed. They
19 discussed where it was cut and how to get rid of it. The Selectboard thanked Mr. Lacey for his feedback.

21 **2. Acceptance of FY12 Paving Bid**

22 Mr. Odit said the capital plan calls for paving the Jericho East development and nearly a mile of Governor Peck
23 Road. He said they opened the bids today. Mr. Nulty asked how the bids compare to expectations. Mr. Odit
24 said the assumption was \$65/ton; the highest bid was \$66.50 and the lowest bid was \$63.90. He said the
25 budget is \$225,000, noting the total bid is \$199,000, under the estimate. Mr. Odit said it will be timed so the
26 work starts after tax collection for cash flow purposes.

28 Ms. McMains asked why more miles were paved in fiscal year 2011 using less tons than is estimated for fiscal
29 year 2012. Mr. Odit said the difference is due to the cul-de-sacs in the development.

31 **On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard approved the bid of S.D. Ireland for**
32 **fiscal year 2012 paving. The motion passed 2-0.**

34 **3. Tax Rate**

35 Mr. Odit stated the budget estimated a tax rate of \$.4617, a 2.25% increase over last fiscal year. He said the
36 recommended tax rate is \$.4579, which is a 1.45% increase. He said the reason for the difference is a 1%
37 increase in the grand list.

39 Mr. Nulty asked why the increase was higher than expected. Mr. Odit said it was mostly renovations and new
40 homes. He noted there were about ten subdivisions where new lots were created but they were not re-
41 assessed and there was a backlog of building permits that were inspected. Mr. Nulty asked about implementing
42 the tax rate approved at Town Meeting and depositing the excess money. Mr. Odit stated the argument is that
43 the Selectboard is supposed to set a rate that raises the revenue set in the approved budget. He said the
44 residents voted on total spending.

46 Mr. Odit explained the tax rate is made up of the regular general fund tax rate and the local agreement rate,
47 which is needed to make up money short changing the schools through tax stabilization and veteran's

48 administration contracts. The Selectboard discussed the various rates. The Selectboard and Mr. Odit discussed
49 contracts and veteran's exemptions and the impact on tax rates.

50
51 Mr. Nulty suggested reexamining the contracts to apply the exemptions only to Town tax rates, not the school
52 or the State since we don't control those budgets. Mr. Odit suggested a tax credit, so the grand list value
53 remains the same, noting he is not sure if it is possible. Mr. Nulty agreed that is a good idea. Mr. Odit also
54 suggested publishing information in the Town Report so people become aware of them. The Selectboard agreed
55 it should be addressed at the next Town Meeting.

56
57 **On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard adopted a town general fund tax rate**
58 **of \$.4462; a town local agreement rate of \$.0117; a homestead school tax rate of \$1.3060 and a non-**
59 **residential school tax rate of \$1.4142 for Fiscal Year 2012. The motion passed 2-0.**

60
61 **4. Petty Cash Policy**

62 Mr. Odit said the policy is part of the ongoing effort to establish financial control policies. Ms. McMains said
63 with more embezzlements found it is a good idea. Mr. Odit noted the Treasurer reviewed the policy. Ms.
64 McMains asked about enforcement and Mr. Odit said it will be easier with a policy.

65
66 **On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard approved the Petty Cash Policy as**
67 **presented. The motion passed 2-0.**

68
69 **5. Approve minutes of 6/14/2011.**

70 Approval of the minutes was tabled.

71
72 **6. Approve warrants of 6/27/2011.**

73 The Selectboard members present signed the warrants.

74
75 **7. Other Business**

76 Mr. Odit stated it is the end of the fiscal year and, although not totally closed out, there is a surplus of
77 approximately \$60,000. He noted there are more bills to come in. He discussed the painting of the bridge on
78 Nashville Road, which will cost approximately \$37,000. Mr. Odit said the work was recommended by the State
79 to increase the life of the bridge. He said the surplus takes into account \$100,000 spent on rain storms and the
80 Town will likely get money back from FEMA. He said transfers would typically occur at the next meeting, but
81 should probably hold off until receiving FEMA money. Mr. Odit said the results are very positive given the
82 number of storms we have had. The Selectboard agreed.

83
84 Mr. Nulty discussed road maintenance, particularly grading which is making many of the dirt roads flat due to
85 the size of the equipment. He said he has noticed this on a number of roads and as soon as it rains the roads get
86 messy again. He discussed how the roads were maintained in the past, crowning the roads. He discussed
87 examples and asked to hear from Mr. Barkyoub about what can be done.

88
89 Mr. Odit said it is a fair question. He noted part of the issue is the size of the plow trucks, saying they are bigger
90 to haul materials and save money. Mr. Odit said he would check with Mr. Barkyoub. Mr. Nulty discussed dirt
91 roads in other towns and their conditions. The Selectboard and Mr. Odit discussed the ability to create proper
92 ditches.

93
94 Ms. Alexander joined the meeting and asked about the Petty Cash Policy. The Selectboard said it passed with
95 very little discussion, noting it makes sense to protect the employees and the Town. Ms. Alexander said she
96 thinks the policy is a good idea.

97

98 Ms. Alexander discussed the letter regarding unlicensed dogs with Mr. Odit and the Selectboard. The
99 Selectboard indicated they would like to keep the initial fees low, but implement larger fees for those who are
100 delinquent. Ms. Alexander noted the list has gone down about twenty without the letter being sent.

101

102 **On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard entered Executive Session at 7:39 p.m.**
103 **The motion passed 2-0.**

104

105 **On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard exited executive session at 8:40 p.m.,**
106 **The motion passed 2-0.**

107

108 **On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard adjourned the meeting at 8:40 p.m.**
109 **The motion passed 2-0.**

2
3 **Selectboard Meeting**

4 **July 21, 2011 at 7:00 p.m.**

5 **Jericho Town Hall, 67 Vermont Route 15**

6
7 **Members present:** Catherine McMains (Chair), Tim Nulty, Kim Mercer

8
9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Bob Uerz, Mark Walker, Richard
10 Frick, Mary Neighbours, Tom Vogelmann, Matt Zambarano, Scott Roberge, Darby Brazosei, Chuck Lacy, Matt
11 Munns, Bob Bolin

12
13 The public hearing was called to order by Ms. McMains at 7:00 p.m.

14
15 **1. Public Hearing – Enhancement Grant Application.**

16 Ms. McMains stated the public hearing is to discuss an enhancement grant application for design and
17 construction of a sidewalk/multi-use path from Jericho Center to Pratt Road. She said a presentation was made
18 this spring and one way to get it done is to break the project into segments. Ms. McMains stated the Town is
19 interested in applying for a grant. She said the grant rules have changed requiring design and construction to be
20 done at the same time and explained the reasoning for the change. She said the project can be spread over
21 multiple years.

22
23 Public Comment

24 Mr. Frick clarified the location and discussed usage. Mr. Nulty noted it is dangerous in that area. The
25 Selectboard discussed with those present the location of the segments.

26
27 Mr. Roberge asked about the cost. Ms. McMains said the total project is estimated at \$1 million. She said the
28 only way to get it done is with grants, noting there is a 20% match, over multiple fiscal years to limit the impact
29 on the tax rate. Mr. Nulty noted there are some sidewalks the Town can do on its own less expensively,
30 explaining the Town cannot if there are engineering or wetland issues.

31
32 Mr. Roberge asked if the Town would be doing the easy section. The Selectboard said the first segments will be
33 easier, but still require outside assistance, noting there is no guarantee the Town will get the grant.

34
35 Mr. Zambarano asked if Jericho Center is viewed as a growth area and if that is where the highest population
36 density is located that will use the sidewalks. He discussed the school track teams and said it is his general
37 perception there is not a lot of room for growth in the Center. Ms. McMains stated the Town is working on
38 sidewalks in other areas of the Town. Mr. Nulty explained they are working on the three main population
39 centers. He discussed where they are located and how the sidewalks have been constructed. Mr. Nulty said the
40 goal is to eventually have sidewalks throughout the Town. Ms. McMains said one of the goals of the 2011
41 Jericho Town Plan is to improve pedestrian access.

43 On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard approved the proposed grant
44 application. The motion passed 2-0.

45
46 Ms. Mercer joined the meeting at 7:11 p.m. Ms. McMains closed the public hearing and called the regular
47 meeting to order at 7:12 p.m.

48
49 **2. Public Comment.**

50 There was none.

51
52 **3. Review Proposed Changes to Personnel Policy.**

53 Mr. Odit said he has been updating the Personnel Handbook. He stated that University of Vermont (UVM)
54 offered assistance from an intern and he accepted, so Darby helped to ensure all human resources policies are
55 updated. Mr. Odit discussed the changes made, including: employee classification, benefits, health insurance,
56 vacation accrual, and comp time for hourly employees.

57
58 Ms. Mercer suggested clarifying that comp time is only available to hourly employees. Mr. Odit stated it is in the
59 employee classification, but agreed there is no harm adding it. Ms. McMains stated it is a lot of good work. Mr.
60 Odit said he would take initial feedback and make any necessary changes.

61
62 Ms. McMains said it applies to volunteers and elected officials. She asked for clarification that the Town
63 Administrator will propose candidates for open employee positions. Ms. McMains asked if the combination of
64 the vault has been given to the appropriate individuals yet and Mr. Odit said no.

65
66 Ms. Mercer stated there is a lot of information regarding sexual harassment. Mr. Odit said it has been a while
67 since it was updated with federal laws. He noted the recently adopted Fraud and Conflict of Interest policies
68 were incorporated into the handbook.

69
70 Ms. Mercer asked for clarification on the process for complaints relating to employment discrimination and Mr.
71 Odit explained. Ms. Mercer asked if the updated handbook has been shared with the staff. Mr. Odit responded
72 no, but noted some staff assisted with the updated descriptions. Mr. Nulty asked if there would be discussion
73 with staff about the updates. Mr. Odit said yes and explained most of the changes would apply to new
74 employees, while existing employees will be grandfathered. Ms. Mercer said she liked the section encouraging
75 employees to take off at least five consecutive days per year. The Selectboard discussed with Darby her
76 participation in the project and thanked her for her assistance with the project. Ms. McMains asked Mr. Odit to
77 discuss the handbook with employees and return with the final product.

78
79 **4. Review Revised Noise Ordinance and Draft ATV Overlay Regulation.**

80 Mr. Odit said based on comments regarding the previous draft ordinance staff looked outside the state for a
81 more thorough ordinance, instead of making changes to the draft. He noted this draft does not include decibel
82 limits because the Town does not have the capacity to enforce them. Mr. Odit discussed how this draft
83 ordinance differs from the previous draft and the public comments that were incorporated. He explained how
84 zoning regulates motorized recreation currently and said the draft ATV Overlay Regulation is an example of how
85 motorized recreation could be regulated through zoning. Mr. Odit stated the overlay is purely an example of
86 how, not the specific limits, which should be reviewed by the Planning Commission.

87
88 Ms. McMains asked if the concerts in the park would need a waiver based on the draft ordinance and Mr. Odit
89 said yes. Mr. Nulty expressed concern about prohibiting activities, when the issue is the decibel levels. He
90 asked why certain noises outside decibel levels while people are sleeping are not addressed and noted there are
91 an awful lot of activities not allowed. He discussed examples, and asked if we should equip the staff to enforce

92 decibel levels. Mr. Nulty stated the point of an ordinance is to be able to call police for enforcement and he
93 does not want them called for quiet activities on the list.

94

95 Ms. McMains discussed the logistics involved with getting the necessary equipment to the varying individuals for
96 enforcement. Mr. Odit mentioned regulating recreation vehicles through zoning, since that is the activity that
97 generates the most comments. Mr. Nulty said he prefers to intrude as little as possible on the use of private
98 land.

99

100 Ms. McMains said the draft does address comments from the previous meeting and the Selectboard can remove
101 other sections. The Selectboard discussed the frequency and consistency of activities that create a lot of
102 persistent noise. Ms. McMains noted interest in the zoning approach. Mr. Nulty asked if they should give more
103 thought to how to deal with consistent decibels at awkward times of the day.

104

105 Ms. Mercer stated she solicited and received a lot of feedback. She said some people wondered how the issue
106 came up. Ms. Mercer said it seems there is a real specific issue and we are casting a wide net to solve a narrow
107 problem. She noted that generally people are opposed to a Noise Ordinance in Jericho. Mr. Nulty discussed
108 input from Town Meeting, Two Towns Online, and Front Porch Forum, both for and against an ordinance. He
109 stated it is a severe problem and a broad ordinance.

110

111 Mr. Uerz said he brought up the issue of a Noise Ordinance at Town Meeting, stating it must be reasonable and
112 enforceable. He said he reviewed the draft documents and neither is. Mr. Uerz stated the combined
113 documents would elevate the racing dirt bikes to a protected class of noise generators. He discussed his
114 concerns with the documents, including: the frequency of noisy activities, the time and public comment involved
115 throughout the process, and the Town obtaining language from another state. Mr. Uerz also discussed
116 registration requirements and enforcement, mufflers on vehicles, and allowing use anytime of the day.

117

118 Ms. McMains stated these are examples only and none of the details are in stone, just a way to approach the
119 issue. Mr. Uerz discussed further concerns with the drafts, including: enforcement issues with prohibiting an
120 ATV within 100' of a dwelling and allowing the vehicles to run until dark and again the next morning. He
121 discussed lighting, tracks, and guests allowed with and without a zoning permit. Mr. Uerz stated the draft would
122 allow more noise than the current condition and asked why we would want that.

123

124 Ms. McMains agreed and stated it is a draft concept for how to lay out a district. She stated there would be
125 public hearings to refine an ordinance and/or overlay district before anything would be implemented. Mr. Uerz
126 noted there was a gentleman at the last hearing who was willing to buy a decibel meter for the Town. The
127 Selectboard discussed enforceability.

128

129 Ms. Neighbours stated she spoke with someone at the Noise Pollution Clearinghouse in Montpelier who said the
130 current Town regulations are unenforceable. She said the gentleman stated decibel readings must be done by
131 an expert and there are only two in the state. Ms. Neighbours said more research is needed. Mr. Nulty said the
132 implication if decibel levels are not enforceable is that the only way to address the issue is to ban loud activities.

133

134 Mr. Zambarano asked if decibel level thresholds are measured at a single point in time or over a period of time.
135 Mr. Odit said noise performance standards are an average over a continuous period of time. The Selectboard
136 and Mr. Zambarano discussed examples.

137

138 Mr. Zambarano commented the Noise Ordinance seems to be a way to regulate dirt bikes. He asked if he could
139 get chainsaws outlawed if he got enough people to support his dislike of them. Mr. Nulty said he is opposed to
140 the approach. Mr. Zambarano said a specific issue is being attacked with a blanket Noise Ordinance. Mr. Nulty

141 said the Selectboard is trying to deal with excessive noise and they don't want to be intrusive into activities that
142 are not causing public harm.
143
144 Mr. Frick said the overlay is alarming since he didn't know it was an example. Ms. Mercer explained the
145 example was put together by a new staff person as a sample. The Selectboard discussed whether motor
146 vehicles or noise is the overreaching issue.
147
148 Mr. Uerz said it is a noise issue, not the activity. Ms. McMains said they are trying to keep a balance, discussing
149 an issue in another Town that went to court. She discussed the importance of enforceability and how zoning
150 regulations could be applied. She noted the Selectboard is trying to determine the best way to address the
151 ongoing issue so everyone can enjoy their property.
152
153 Mr. Munns said we seem to have lost the concept of neighbor communications instead of rules and restrictions.
154 He discussed his successful experiences with neighbors. The Selectboard discussed with Mr. Munns the
155 reasoning for an ordinance when communications with neighbors break down and the Town must step into a
156 situation.
157
158 Ms. Mercer stated there are a lot of people in Town this ordinance will not help or apply to, noting it could be a
159 form of discrimination. She discussed traffic noise that affects many residents.
160
161 Mr. Lacy said he lives on a busy road and farms near the interstate and the noise from the motocross track is the
162 only thing that ever bothered him. He discussed the situation, which he said didn't compare to highway noise.
163 He stated he is not sure the annoying nature of the sound is captured by decibels, discussing the whining noise.
164
165 Mr. Zambarano said people have varying perspectives on noise. Ms. Mercer discussed the difference in traffic
166 on Route 15 from Browns Trace Road. Mr. Frick noted there is no right to complain when someone moves to a
167 nuisance, stating it is a legal argument. Mr. Frick, Mr. Zambarano and the Selectboard discussed property
168 ownership, decibel meters, motorized vehicles and enforcement.
169
170 The Selectboard and those present discussed the Hinesburg case, decibel measurements, motor biking and
171 noise complaints. The Selectboard noted the request at Town Meeting was to discuss a Noise Ordinance, which
172 is what they are doing. They discussed the possible outcomes. The Selectboard discussed various tools to
173 address the issue, including decibel levels and vehicle specifications to limit noise.
174
175 Ms. McMains said there has been a lot of input and there is no clear delineation. She suggested more research
176 and the possibility of referring the matter to the Planning Commission during the interim. Mr. Nulty discussed
177 enforcement mechanisms. The Selectboard discussed the recent situation in Hinesburg with Mr. Zambarano,
178 Mr. Frick, and Ms. Neighbours. Mr. Frick reiterated that moving to a nuisance is a legal concept. Ms. Mercer
179 noted that nuisances grow and change over time.
180
181 Ms. McMains stated the draft Noise Ordinance proposed is overkill. Ms. Neighbors stated it would allow the
182 type of riding that caused the problems last year.
183
184 Mr. Roberge asked the people who are opposed to dirt biking what a compromise would be. Mr. Walker said he
185 is not opposed to dirt biking, but he is opposed to lots of noise. He stated the neighbors couldn't approach the
186 landowner because of the response they received and felt they needed to take another route. He discussed the
187 situations and the problems it caused during the year in the residential area. Mr. Walker stated he would like to
188 see a track somewhere that would not bother people, noting he wondered about the gravel pit in Richmond.
189

190 Ms. McMains asked if there is a limited way to approach the problem of multiple motorbikes riding together
191 frequently. Mr. Odit discussed how the zoning regulations apply to motorized recreation and how they might be
192 revised to address the issue.

193
194 The Selectboard discussed how to proceed and asked for input from the neighbors. Mr. Bolin said he believes
195 most people are good, but may have values that conflict. He stated this summer has been good, but last
196 summer was really bad. He said they would like to develop a fair way to air issues in the future. Ms. McMains
197 suggested developing a process and/or adding something to the zoning regulations relating to the numbers of
198 bikes riding together to address concerns. Ms. Mercer suggested the Town assist with mediation. Mr. Nulty
199 noted the process needs to be timely. Ms. Neighbours stated it must be proactive and be able to start when
200 someone is ready, not until a full blown problem exists.

201
202 Ms. McMains said the Town should have a policy or process to follow where people can enjoy their property and
203 be aware of their neighbors. She noted that most of the complaints over the years have involved motorized
204 vehicles. Mr. Nulty added he would like to see several options that provide a tool to deal with an issue when it
205 arises, discussing examples.

206
207 Mr. Odit stated the difficult thing as a municipality is to determine when something is a private or public
208 nuisance. He said the Town can only intervene when there is a public nuisance.

209
210 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard agreed to table the current drafts and**
211 **request the Town Administrator propose several alternatives, with the guiding principal to provide the**
212 **Selectboard a tool for timely action in egregious situations, which is minimally intrusive.** The motion passed
213 3-0.

214
215 The Selectboard recessed at 8:30 p.m. and resumed at 8:41 p.m.

216
217 **5. Adopt Penalties for Late Filed Homestead Declaration.**

218 Mr. Odit said there was a change in the law that gave the Selectboard discretion to charge fees and
219 recommended the Town have a policy. He recommends assessing a penalty when someone files late or
220 incorrectly because there is time involved in making adjustments to correct bills. He discussed the penalties and
221 costs involved. Mr. Odit clarified the penalty calculation at Mr. Nulty's request. Ms. McMains agreed it made
222 sense. Mr. Odit noted the declaration was required annually, but now is only filed when someone moves or
223 their circumstances change.

224
225 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard adopted the penalties for late filed**
226 **homestead declaration as presented.** The motion passed 3-0.

227
228 **6. Approve Policy on Objects in the Highway Right of Way.**

229 Ms. McMains asked if the policy is due to winter time complaints. Mr. Odit said yes. He noted this has been the
230 Town's policy, but it was not stated officially and will be easier to enforce. He discussed examples. On a **motion**
231 by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard approved the policy on Objects in the Highway Right of**
232 **Way.** The motion passed 3-0.

233
234 **7. Approve minutes of 6/14/2011 and 7/5/2011.**

235 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the 6/14/2011 minutes as**
236 **amended.** The motion passed 2-0. On a **motion** by Ms. McMains, seconded by Mr. Nulty, **the Selectboard**
237 **approved the 7/5/2011 minutes as written.** The motion passed 2-0.

238

239 **8. Approve warrants of 7/19/2011.**

240 The Selectboard members present signed the warrants.

241

242 **9. Other Business**

243 Mr. Odit said the Town submitted expenses to FEMA for over \$100,000 and should get 90% back. The
244 Selectboard noted the money would help and discussed the costs involved.

245

246 Ms. McMains said the Housing and Urban Development (HUD) Sustainability Project is not meeting in July, so
247 the representatives have been asked to get broad input on the goal statements. She asked for the matter to be
248 added to the next meeting agenda and to be discussed by the Planning and Conservation Commissions. The
249 Selectboard discussed the benefits of the project.

250

251 Mr. Odit said there is an easement from the McLane subdivision on Skunk Hollow Road and he needs
252 authorization to sign the transfer form. Mr. Nulty clarified the location of the easement and Mr. Odit explained.
253 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard authorized the Town Administrator to**
254 **sign the property transfer tax form.** The motion passed 3-0.

255

256 The Selectboard discussed the meeting schedule, noting August 16th will be the next meeting.

257

258 The Selectboard discussed the recent article about wild parsnips and how it is being spread throughout the
259 state.

260

261 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard entered Executive Session at 8:56**
262 **p.m.** The motion passed 3-0.

263

264 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard exited Executive Session at 9:16 p.m.** The
265 motion passed 3-0.

266

267 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard adjourned the meeting at 9:18 p.m.** The
268 motion passed 3-0.

269

270 Respectfully Submitted,

271 Amy Richardson

2

3

Selectboard Meeting

4

August 16, 2011 at 7:00 p.m.

5

Adjourned until August 24, 2011 at 8:00 am.

6

Jericho Town Hall, 67 Vermont Route 15

7

8 **Members present:** Catherine McMains (Chair), Tim Nulty, Kim Mercer

9

10 **Others present:** Todd Odit (Town Administrator), Mary Neighbours, Tom Vogelmann, Chuck Lacy, Wayne Howe,
11 Phyl Newbeck, Stewart Alexander, David Villeneuve, Matt Feske

12

13 The public hearing was called to order by Ms. McMains at 7:00 p.m.

14

15 **1. Public Comment.**

16 Mr. Howe commented that it has been interesting to watch the meetings related to the dirt track and to see both
17 sides of the issue.

18

19 **2. Appointment of Second Zoning Administrator.**

20 Mr. Odit stated is customary to appoint a back-up Zoning Administrator. He said the role has been typically
21 filled by the planner and recommended the Selectboard appoint Matthew Feske as the second Zoning
22 Administrator.

23

24 **On a motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard appointed Matthew Feske as the back-up**
25 **Zoning Administrator.** The motion passed 3-0.

26

27 **3. Discussion of Noise Regulation.**

28 Mr. Nulty noted there is a second dirt track in Jericho and he can hear it from his residence. He asked if any
29 complaints have been filed and Mr. Odit stated he has not received any. The Selectboard discussed the situation
30 and different views about the noise regulation.

31

32 Ms. Mercer shared the results of a survey, noting the following:

- 33 • 96 people took the survey;
- 34 • When asked if there is a noise problem in Jericho: 78% said no; 13% said somewhat; and 8% said yes;
- 35 • When asked what is the cause of excessive noise (using examples from a draft Noise Ordinance): #1
36 response was road traffic; 20% responded animals and firearms, tied; and 17% answered recreational
37 vehicles; 48% said they didn't think there is a problem at all;
- 38 • When asked if they would support a Noise Ordinance: 24% said not so much; and 45% answered no;
- 39 • 63% did not think noise should be prohibited at any time; and
- 40 • When asked about penalties: 36% said no penalty; and 40% said a warning.

41

42 Ms. Mercer provided comments submitted with the survey to the Selectboard members for review. She
43 summarized that most people don't support a noise regulation. Mr. Nulty clarified that is out of the 96 people
44 who participated in the survey. The Selectboard discussed views expressed at Town Meeting in support of a
45 noise regulation.

46

47 Mr. Vogelmann noted it might be interesting to have college students or an intern draft a survey that asks
48 questions in a variety of different ways, without biases, and to see what the results would be on this topic. The
49 Selectboard members agreed that would be a good idea.

50
51 Mr. Odit said he provided the Selectboard with descriptions of the options available to them for enforcement in
52 a memo, which include: adoption of a public nuisance ordinance; addressing the issue through zoning; and doing
53 nothing, but following State law.

54
55 Ms. McMains asked Ms. Neighbours if she had found out anything more about enforcing decibel levels. Ms.
56 Neighbours said she had not been able to, but when she spoke to the expert before he said they would not be
57 enforceable. Ms. McMains noted how frustrating it would be to institute an ordinance that could not be
58 enforced.

59
60 Ms. Neighbours commented that some people have moved to Jericho so they may do what they like on their
61 own land and asked about regulations versus ordinances. The Selectboard said ordinances are laws and are
62 enforceable.

63
64 Ms. McMains discussed conducting a survey, if there are funds available, or approaching the issue through
65 zoning. The Selectboard discussed the different approaches.

66
67 Ms. Mercer noted there was a really extensive survey before the previous Town Plan, which should be reviewed.
68 Mr. Vogelmann explained the process of setting up a survey to ensure its independence.

69
70 Mr. Odit noted that during the majority of the issue that took place last summer the Town did not have a Zoning
71 Administrator. He said the staffing shortage may have had an impact on the response to the issue. He noted
72 there are tools within the regulation to assist with enforcement. Mr. Odit discussed how the specific issue was
73 addressed.

74
75 The Selectboard discussed the situation that occurred last summer. Mr. Lacy noted that not every hour of the
76 day is the same. He said that when a certain activity occurs two or three nights a week, for a couple of hours, it
77 limits the outdoor enjoyment you can have during that time. The Selectboard discussed surveys and involving
78 the Planning Commission.

79
80 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard referred the matter to the Planning**
81 **Commission, asking them to examine the possibility of zoning to address the problem.** The motion passed 3-0.

82
83 **4. Discussion of ECOS (Environment. Community. Opportunity. Sustainability.) Project Goals.**

84 Ms. McMains said she would like to hear the Conservation Commission's view on this. Ms. Neighbours said the
85 commission was looking for Selectboard input.

86
87 Ms. McMains stated she is on the committee. She said Chittenden County Regional Planning Commission
88 (CCRPC) got a \$1 million grant for sustainable communities and they are looking for broad input on the goal
89 statements by September 15th. Ms. McMains said she would like to get the word out through the Selectboard,
90 the Town's website, and through Two Towns Online. She said they are asking anyone who wants to, to
91 comment on the goal statements.

92
93 Ms. Neighbours asked what the grant covers. Ms. McMains explained the money can be spent on planning and
94 implementation, noting some Town projects may qualify for funding through the program.

95

96 Ms. Mercer noted concerns about invasives, stating she has had conversations with vTrans representatives
97 about roadside maintenance. She discussed the possibility of getting funding to get rid of some of the invasives
98 along the roads. Ms. Neighbours commented the snow plows are also dragging plants along the roadsides.
99

100 Ms. Mercer added that sidewalks are important to sustainable communities and discussed the benefits of
101 sidewalks in the community. Ms. McMains agreed. Ms. Mercer also commented that alternative energy
102 programs should be included. Ms. McMains noted that some of the goals are conflicting, using ATV recreation
103 as an example.
104

105 Ms. McMains asked if the Conservation Commission could comment by September 15th. Ms. Neighbours
106 clarified how their input should be submitted. She noted the Energy Task Force in Town should also be included.
107 Ms. McMains explained the committee hopes to refine the goal statements after receiving input.
108

109 Mr. Nulty discussed the solar subsidy programs, noting there have been changes, and asked if it is worth
110 investigating again. Ms. McMains suggested adding to the list of Selectboard items that need follow up. Mr.
111 Lacy discussed solar power, smart meters, reimbursement rates, and the tax implications. Mr. Nulty discussed
112 the changes in the law with Mr. Lacy. Mr. Odit suggested involving the Energy Committee and the Selectboard
113 agreed.
114

115 Mr. Lacy stated the Town is hostile to multiple units being built in Town, while it is needed for sustainability.
116 Ms. McMains encouraged him to comment on the website about the goal statements. Mr. Lacy and the
117 Selectboard discussed the benefits of multiple units housing.
118

119 Ms. Mercer asked Ms. Neighbours about best practices for relocating predators or pest animals when they have
120 been caught in Have a Heart traps. Ms. Neighbours recommended contacting a Game Warden or the Vermont
121 Department of Fish and Wildlife.
122

123 The Selectboard thanked those present for their input.
124

125 **5. Approve Catering Permit.**

126 The Selectboard discussed the catering permit application. On a motion by Ms. Mercer, seconded by Mr. Nulty,
127 **the Selectboard approved the catering permit for Yebba, Inc. doing business as The Abbey Pub & Restaurant.**
128 The motion passed 3-0.
129

130 **6. Approve minutes of 7/21/2011.**

131 On a motion by Ms. Mercer, seconded by Mr. Nulty, **the Selectboard approved the 7/21/2011 minutes as**
132 **amended.** The motion passed 3-0.
133

134 **7. Approve warrants of 7/25/2011, 8/3/2011, 8/8/2011, 8/10/2011, and 8/12/2011.**

135 The Selectboard members present signed the warrants.
136

137 **8. Other Business**

138 Ms. McMains noted that Mr. Villeneuve made contact regarding a fence that is being changed around the
139 cemetery that abuts his property and he was not notified. She said he is concerned about his property line.
140

141 Mr. Odit said he became aware of the situation early last week and apparently something fell between the
142 cracks. He said a survey is on file with the application and the Boy Scouts are putting the new fence in the same

143 location of the previous fence. Mr. Odit said the survey uses the fence as property line markers, drawing a
144 diagram for the Selectboard.
145
146 Mr. Nulty suggested a letter from the Selectboard. Ms. McMains asked Mr. Odit to check the property access to
147 ensure it is not encroaching on his property.
148
149 Ms. McMains stated Mr. Villeneuve would also like to schedule a meeting with the Selectboard to discuss the
150 road. The Selectboard agreed to schedule a meeting.
151
152 Mr. Odit suggested having a broader scope survey, in light of the noise discussion and capital planning, to get
153 input to help guide planning. The Selectboard agreed it would be a good idea.
154
155 On a **motion** by Mr. Nulty, seconded by Ms. Mercer, **the Selectboard entered Executive Session at 8:14 p.m.**
156 The motion passed 3-0.
157
158 On a **motion** by Ms. Mercer seconded by Tim Nulty, **the Selectboard adjourned Executive Session 9:00 pm until**
159 **8:00 am on Wednesday August 24 at the Jericho Town Hall.** The motion passed 3-0.

160
161 August 24, 2011
162

163
164 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard exited executive session at 8:35 am.**
165 The motion passed 2-0.
166
167 Ms. McMains instructed the Town Administrator that based on his performance review; he would be given the
168 same raise as other employees: 2% COLA and 1.5% performance.
169
170 On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard adjourned the meeting at 8:37 a.m. The
171 motion passed 2-0.
172
173
174 Respectfully Submitted,
175 Amy Richardson

2

3

Selectboard Meeting

4

September 1, 2011 at 7:00 p.m.

5

Jericho Town Hall, 67 Vermont Route 15

6

7 **Members present:** Catherine McMains (Chair), Kim Mercer

8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary)

10

11 The public hearing was called to order by Ms. McMains at 7:07 p.m.

12 Ms. McMains called a recess at 7:07 p.m. and the hearing resumed at 7:30 p.m.

13

14 **1. Public Comment.**

15 There was none.

16

17 **2. Jericho Corners Village Center Designation Renewal.**

18 Ms. McMains said the town needs to renew the designation periodically. Mr. Odit recommended renewing the
19 application for the Village Center Designation for Jericho Corners with the 2011 current boundary. Ms. McMains
20 noted it allows funding opportunities.

21

22 On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard approved the renewal application.

23 The motion passed 2-0.

24

25 **3. Fiscal Year 2011 End of Year Transfers.**

26 Ms. McMains said it is good the town has a positive fund balance, especially considering the storms. Mr. Odit
27 stated that prior to the audit and the transfers; the fund balance is \$94,521.91. He proposed transferring
28 \$86,673.31 to reserves, as follows:

- 29 • \$20,000 to the Sidewalk and Path Fund
- 30 • \$20,376 to the Record Restoration Fund
- 31 • \$25,000 to the Equipment Fund (highway equipment)
- 32 • \$17,306 to the Reappraisal Reserve
- 33 • \$2,491 to Land Improvement
- 34 • \$1,500 to Stormwater

35

36 Mr. Odit explained the rationale for each transfer to the Selectboard. He stated that after the transfers
37 recommended there would be a fund balance of \$7,848.60. Mr. Odit said the Town should receive \$90,000
38 from FEMA, assuming approval, and he will make a recommendation regarding what to do with those funds
39 upon receipt.

40

41 Ms. Mercer clarified who was involved in the transfer recommendations and Mr. Odit explained which staff
42 members gave input or reviewed the information. Ms. Mercer asked how this year is different from last year.
43 Mr. Odit stated that last year there was more money to transfer, so more money was added to the Road
44 Upgrade Fund. He said the only discretionary transfers recommended this year are to the Equipment and
45 Sidewalk and Path Funds, noting the reasons warrant the transfers.

46

47 The Selectboard commented the transfers are easier to understand this year. Mr. Odit stated that part of the
48 capital budget discussion should include the Cumulative Unrestricted Fund balance and possible policy regarding
49 the use of the fund.

50

51 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the proposed FY11 transfers**
52 **to the reserve funds as shown on the spreadsheet dated August 25, 2011.** The motion passed 2-0.

53

54 **4. Adopt Revised Personnel Handbook.**

55 Mr. Odit said the staff has reviewed and discussed the handbook, but no changes have been made. The
56 Selectboard discussed the section encouraging employees to take at least five consecutive days off per year,
57 agreeing the section is important and should remain in the handbook.

58

59 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard adopted the revised Personnel**
60 **Handbook.** The motion passed 2-0.

61

62 **5. Review Draft Fiscal Year 2013 Capital Budget and Plan.**

63 Mr. Odit provided the Selectboard a draft FY13 Capital Budget and Plan. He asked the members to review the
64 draft and let him know if they have any changes. Mr. Odit suggested the Selectboard warn a public hearing at
65 their next meeting in September.

66

67 Mr. Odit said he learned this week that all public buildings are required to have a ramp by March 15, 2012. He
68 said if one is not installed, they must have a plan to install one. Mr. Odit suggested it would make sense to install
69 a ramp at the library in place of painting.

70

71 Ms. McMains discussed the issues with the ramp at the Town offices. Mr. Odit said they would take a look at it
72 this winter and see how it can be addressed. He said perhaps there is a temporary solution that could be
73 implemented this winter and include something permanent in next year's budget.

74

75 Ms. McMains asked about highway asphalt. Mr. Odit stated the cost analysis for paving or leaving a section of
76 Skunk Hollow Road gravel had overestimated the cost to pave. He said the new estimate is \$190,000 versus the
77 consultant's estimate of \$340,000. Mr. Odit said the new estimate makes it significantly less expensive and
78 cheaper to maintain as a paved road. He discussed the reasons the materials were overestimated. He explained
79 the options for paving given the budget.

80

81 The Selectboard and Mr. Odit discussed lane and shoulder widths. They discussed using narrower lanes as a
82 traffic calming measure and to allow for alternative transportation.

83

84 The Selectboard discussed with Mr. Odit some potential cost saving opportunities for the meeting packets,
85 including: double sided printing; use of tablets; copying using an ink saving mode; and use of recycled paper.

86

87 Ms. McMains asked if there will need to be more money allocated to facilities. Mr. Odit said he would have a
88 better idea by the next meeting.

89

90 Ms. Mercer asked about the location of Bridge 15. Mr. Odit said it is south on Browns Trace Road, after the
91 highway garage. Ms. Mercer asked about Bridge 17. Mr. Odit said it is located at the Browns Trace Road, Lee

92 River Road, and Ethan Allen Road intersection. The Selectboard discussed with Mr. Odit the work that will be
93 done on Bridge 17.

94

95 Ms. McMains asked if there is any way to facilitate the pathway while the bridge work is being done. Mr. Odit
96 said he does not believe so, but he will check into it. He said the work is to maintain the structure and it would
97 likely cost significantly more to change the structure.

98

99 Ms. Mercer asked about the Equipment and Vehicles budget. Mr. Odit explained the budget is for lease
100 payments, noting they will be replacing a tandem truck. He discussed the lease payments this year, next year,
101 and the following year.

102

103 Mr. Odit asked the Selectboard to look the information over and let him know if they have further questions.

104

105 Ms. McMains noted it is good there are more years left on the grader. Mr. Odit stated it will last longer with
106 fewer gravel roads. Ms. McMains stated the Town lucked out with the recent storm and discussed damage.

107

108 The Selectboard agreed the information provided was really good. They said it is very helpful for planning for the
109 future. Mr. Odit stated it should improve over the next year.

110

111 **6. Review Fiscal Year 2013 Budget Adoption Timeline.**

112 Mr. Odit discussed the budget adoption timeline, noting Town Meeting will be a week later than usual due to
113 when the Tuesday falls next year. The Selectboard appreciated the timeline and the ability to have more
114 opportunities to get input prior to Town Meeting.

115

116 **7. Appoint VLCT Town Fair Voting Delegate.**

117 Mr. Odit indicated that Mr. Nulty would like to attend the Town Fair. The Selectboard appointed Mr. Nulty as the
118 Town's voting delegate.

119

120 **8. Approve minutes of 8/16/2011.**

121 On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard approved the 8/16/2011 minutes as
122 amended. The motion passed 2-0.

123

124 **9. Approve warrants of 8/23/2011.**

125 The Selectboard members present signed the warrants.

126

127 **10. Other Business.**

128 There was none.

129

130 On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard entered Executive Session at 8:08
131 p.m. The motion passed 2-0.

132

133 On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard exited Executive Session at 8:25 p.m.
134 The motion passed 2-0.

135

136 On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard adjourned the meeting at 8:26 p.m.
137 The motion passed 2-0.
138
139 Respectfully Submitted,
140 Amy Richardson

2 _____
3 **Selectboard Meeting**
4 **September 15, 2011 at 7:00 p.m.**
5 **Jericho Town Hall, 67 Vermont Route 15**
6

7 **Members present:** Tim Nulty (Chair), Catherine McMains, Kim Mercer
8

9 **Others present:** Todd Odit (Town Administrator), Kristine Bickford, Kris Carlson, Dee Barbick, Mary Morissey
10

11 The public hearing was called to order by Mr. Nulty at 7:00 p.m.
12

13 **1. Public Comment.**

14 There was none.
15

16 **2. Chittenden Unit for Special Investigations (CUSI) Presentation – Kristine Bickford.**

17 The following representatives from CUSI introduced themselves to those present: Kris Carlson, Director; Kristine
18 Bickford, CAC Director; and Dee Barbick, Lieutenant. Ms. Bickford explained who each of them are and gave
19 some background on their unit. Mr. Nulty shared an experience from his past, stating he has a great deal of
20 respect for what CUSI does.
21

22 Ms. Bickford explained how towns provide funding to CUSI. She said historically Jericho has not paid what it has
23 been billed, as well as some other towns. Ms. Bickford said the formula used to calculate each town's
24 contribution has been based on a three-year case load average. She said it will now be based on a percentage of
25 the population, resulting in a lower cost to Jericho this year.
26

27 Mr. Nulty asked for clarification of how the three-year average formula worked. Mr. Carlson explained the
28 previous formula was complex and not always fair, giving an example. He said Jericho's bill went down. Mr.
29 Carlson said they scrutinize their budget each year.
30

31 Mr. Nulty asked if Jericho was having higher occurrence of cases since the cost went down using the population
32 method formula. The Selectboard discussed with Ms. Bickford how the case load can significantly impact CUSI's
33 and the Town's budget using the old formula. Mr. Carlson discussed the importance of specially trained
34 personnel in dealing with the cases CUSI handles. He said their reputation is nationally known, with many areas
35 using the CUSI model in forming their programs. Mr. Carlson said this is the first year using this formula and it
36 will be reevaluated over the next few years.
37

38 The Selectboard discussed the fiscal years, noting the budget for FY12 has already been approved and it would
39 be helpful to have an estimate for FY13 prior to Town Meeting. The Selectboard discussed the impact of outside
40 agency funding on the budget.
41

42 Ms. McMains asked how the multiplier works. Mr. Carlson explained that towns contributing in-kind donations
43 are removed from the formula and a multiplier is applied to the remaining towns equally. Mr. Nulty suggested
44 providing the information about the in-kind contributions to the towns, rather than the multiplier approach.
45 Mr. Carlson agreed, stating they will do that in the next round.
46

47 The Selectboard and CUSI representatives discussed the differences in the towns within Chittenden County. Ms.
48 Mercer asked about the history of underpayment and reasoning. Ms. Bickford said a reason was not given and
49 CUSI did not follow up with the towns that underpaid. Mr. Carlson explained that some towns were issued a
50 refund, but the towns didn't accept them so follow up was not needed. He explained those situations go away
51 with the new formula.

52

53 Ms. Mercer asked about CUSI's authority to bill the towns. The CUSI representatives and the Selectboard
54 discussed CUSI's history with the Town. Mr. Carlson explained an agreement is signed between CUSI and each
55 of the towns in the county. The Selectboard discussed budgeting and the Town's contribution to CUSI.

56

57 Ms. Bickford stated they have a great team and CUSI's conviction rate is very high. Mr. Carlson said they intend
58 to have an open house, inviting each of the towns to come. The Selectboard thanked the representatives for
59 their presentation.

60

61 **3. Improving Efficiency in Municipal Street Lighting Project.**

62 Mr. Odit said the Energy Task Force would like the Town to enroll in Efficiency Vermont's Improving Efficiency in
63 Municipal Street and Public Lighting program. He said the program does not require the Town to implement
64 and fund a project, but it does require development of a project so that funding can be considered.

65

66 Ms. McMains said the subcommittee has looked at all the fixtures and expect to have the recommendations on
67 all by December 2011. Mr. Nulty asked why this is an issue. Ms. McMains explained there are incentives for
68 doing it through Efficiency Vermont. Mr. Odit explained the benefits of participating in the program, noting the
69 Town only owns the fixtures involved in the Streetscape Project.

70

71 Ms. McMains explained the qualifications of a committee member. Mr. Odit explained how towns handle
72 ownership of fixtures. Ms. McMains said they will have a nice presentation. Mr. Nulty asked about the
73 experience with the lights that are owned. Mr. Odit said there is approximately one year of experience, so now
74 would be a good time to look at it.

75

76 On a motion by Ms. McMains, seconded by Ms. Mercer, **the Selectboard approved a Memorandum of**
77 **Agreement between the Town of Jericho and Efficiency Vermont for their Improving Efficiency in Municipal**
78 **Street and Public Lighting program.** The motion passed 3-0.

79

80 **4. Warn Fiscal Year 2013 Capital Budget & Plan Public Hearing.**

81 Mr. Odit stated he added some information on gravel road improvements after the last meeting. The
82 Selectboard and Mr. Odit discussed the plan for improvements of various roads in Town. Mr. Odit explained the
83 options for addressing Skunk Hollow Road. The Selectboard discussed the importance of making any
84 improvements pedestrian and bicycle friendly and ways to accomplish that.

85

86 On a motion by Ms. Mercer, seconded by Ms. McMains, **the Selectboard warned a public hearing on the**
87 **proposed FY13 Capital Budget and Five Year Plan for Thursday, October 20, 2011 at 7:05 p.m., at the Jericho**
88 **Town Hall.** The motion passed 3-0.

89

90 **5. Approve minutes of 9/1/2011.**

91 On a motion by Ms. Mercer, seconded by Ms. McMains, **the Selectboard approved the 9/1/2011 minutes as**
92 **amended.** The motion passed 2-0.

93

94

95 **6. Approve warrants of 9/6/2011.**

96 The Selectboard members present signed the warrants.

97

98 **7. Ratify Settlement Agreement RE: Town of Jericho CUD & Site Plan Amendment.**

99 Mr. Odit stated a mediation session was held on September 1, 2011 regarding Mobbs Farm. Ms. McMains asked
100 whether the plan needs to go back to the DRB and Mr. Odit said that is unknown until the agreement goes
101 before the court. He said the only unsolved issue at the meeting was screening of the parking lot and he met
102 with the neighbors today to discuss. Mr. Odit discussed what was agreed upon and the estimated costs.

103

104 On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard ratified the Settlement Agreement
105 dated September 1, 2011 regarding Town of Jericho CUD and Site Plan Amendment Docket #67-5-11 and the
106 Screening Agreement dated September 15, 2011. The motion passed 3-0.

107

108 **8. Other Business.**

109 Ms. McMains stated the Energy Task Force met this week and asked that the Selectboard discuss the following:

110

111 *Would the Selectboard allow the Task Force to do research on municipal solar, similar to what Charlotte*
112 *is considering?*

113

114 Ms. McMains discussed the Charlotte situation. Mr. Nulty said he would encourage it and discussed the
115 reasoning. The Selectboard agreed, suggesting the research also include residential participation.

116

117 Ms. Mercer clarified the Streetscape Project is mostly done. Mr. Odit said mostly, explaining what remains is
118 some drainage and some tree planting. Ms. Mercer asked about crosswalk marking. Mr. Odit explained which
119 ones vTrans permitted to be marked and which ones could not. The Selectboard and Mr. Odit discussed the
120 rules for crosswalk marking. Ms. Mercer expressed outrage over the difficulty crossing Route 15. The
121 Selectboard agreed and discussed other problem areas in Town.

122

123 Mr. Odit stated the Listers who wanted to be reappointed needed to submit a letter. He presented the letters
124 to the Selectboard and said it will be added to the agenda for the next meeting.

125

126 On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard adjourned the meeting at 8:09 p.m.
127 The motion passed 3-0.

128

129 Respectfully Submitted,

130 Amy Richardson

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3

Selectboard Meeting

4

October 6, 2011 at 7:00 p.m.

5

Jericho Town Hall, 67 Vermont Route 15

6

7 **Members present:** Catherine McMains (Acting Chair), Kim Mercer

8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Bert Lindholm, Tim Clark

10

11 The public hearing was called to order by Ms. McMains at 7:10 p.m.

12

13 **1. Public Comment.**

14 There was none.

15

16 **2. Jericho Center Cemetery Request.**

17 Mr. Lindholm presented a proposal to the Selectboard that he and Mr. Barkyoubm put together. He discussed
18 the steepness of the entrance to the cemetery and the severe washouts that occurred this spring. Mr. Lindholm
19 said Mr. Barkyoubm looked at the situation and he described how it could be fixed. He stated the estimated
20 costs are broken down between work for the Jericho Center Cemetery Association (JCCA) and the Highway
21 Department. Mr. Lindholm said they would like to do the work over two years and JCCA can help with the
22 paving costs. The Selectboard discussed with Mr. Lindholm and Mr. Odit the budgeting implications and logistics
23 of the project.

24

25 **On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard authorized the Highway Department**
26 **to complete items 1-4 in the proposal dated September 15, 2011 as time permits. The motion passed 2-0.**

27

28 **3. Review Sidewalk Snowplowing Bids.**

29 The Selectboard discussed the sidewalk snow removal bids with Mr. Odit, commenting on the large spread
30 between them. Mr. Clark discussed the challenges with the snowy winter last year and the increase in his bid
31 for this year with the Selectboard. They also discussed what the bid included versus what would cause
32 additional charges to the Town. The Selectboard thanked Mr. Clark for coming in and answering their questions.

33

34 **4. Approve Angelino Tax Stabilization Agreement Termination.**

35 Mr. Odit stated the Selectboard needs to approve a piece of paper for the Land Records to recognize the
36 agreement is terminated. He said that as a result of the termination, the landowners paid the Town back money
37 owed from taxes that were avoided under the agreement. The Selectboard and Mr. Odit discussed what
38 happened with the property.

39

40 **On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard approved the Angelino Termination**
41 **of Five-Year Tax Stabilization Agreement and Reacquisition of Rights. The motion passed 2-0.**

42

43 **5. Lister Appointments.**

44 Mr. Odit said the Town of Jericho Listers terms expired at the end of September. He stated that two of the three
45 asked to be reappointed, Andrew Levi and Lori Dykema. He said the third opening could be filled by appointing
46 Assessor Sandra Costes. Mr. Odit discussed the benefits of appointing Ms. Costes with the Selectboard.

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The Selectboard discussed with Mr. Odit how many hours the Listers work and what is budgeted for each year. Mr. Odit discussed the evolution of the job. Ms. Mercer asked about benefits and Mr. Odit discussed them.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard appointed Lori Dykma, Andrew Levi, and Sandra Costes as Listers, with terms expiring March 2012. The motion passed 2-0.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard approved the salary for the Lister/Assessor position increase to \$23/hour and elevated the position to regular part-time status, for an average of 20 hours a week, or a total of 1,040 in a year. The motion passed 2-0.

6. Request for Joint Meeting with Planning Commission.

Mr. Odit stated the Planning Commission has requested a joint meeting with the Selectboard on Tuesday, January 17, 2012 at 7:00 p.m. He discussed the reasons for the meeting. Ms. McMains noted there used to be annual meetings and she discussed the format of the meetings in the past. The Selectboard agreed to meet with the Planning Commission as requested.

7. Approve minutes of 9/15/2011.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard approved the 9/15/2011 minutes as amended. The motion passed 2-0.

8. Approve warrants of 9/19/2011, 9/29/2011 & 10/3/2011.

The Selectboard members present signed the warrants.

9. Other Business.

Ms. McMains asked if the Mobbs agreement has gone before the courts and if it needs to go before the Development Review Board. Mr. Odit stated he has not heard yet. He discussed the landscaping plan, which the neighbors agreed to.

Ms. Mercer and Ms. McMains discussed the name change and branding of the new Regional Planning Commission. They talked about the process and what has already occurred.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard entered Executive Session at 7:55 p.m. The motion passed 2-0.

Mr. Nulty joined executive session via telephone call.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard exited Executive Session at 8:25 p.m. The motion passed 2-0.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard approved ending the employment of Matthew Feske during his probationary period. The motion passed 2-0.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard approved awarding the 2011-2012 winter season sidewalk snowplowing contract to Tim Clark, for \$13,474. The motion passed 2-0.

93 **On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard adjourned the meeting at 8:30 p.m.**
94 **The motion passed 2-0.**
95
96
97 **Respectfully Submitted,**
98 **Amy Richardson**

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3

Selectboard Meeting

4

October 20, 2011 at 7:00 p.m.

5

Jericho Town Hall, 67 Vermont Route 15

6

7 **Members present:** Tim Nulty (Chair), Catherine McMains, Kim Mercer

8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Jessica Alexander (Town Clerk),
10 Heather Furman

11

12 The public hearing was called to order by Mr. Nulty at 7:04 p.m.

13

14 **1. Public Hearing – FY13 Capital Budget.**

15 Mr. Odit gave a general overview of the capital budget. He noted the big items are as follows: Town Hall Bond,
16 paving, gravel road improvements, highway vehicles, sidewalks/paths, and Mobbs Farm parking lot. Mr. Odit said
17 the Planning Commission approved criteria that will be used to evaluate future capital projects. He said this will
18 wrap into financial policies that will come to the Selectboard sometime in November.

19

20 Mr. Odit said the Planning Commission commented on the budget, as follows: 1) add the Ross Lane project,
21 which was an oversight; and 2) add the pedestrian bridge, with no money, to keep it on the radar.

22

23 Ms. McMains noted the Vermont Agency of Transportation has the right of way slated for fiscal year 2012;
24 however, a representative stated they do not know how much will be impacted by the damage from Irene. She
25 said many projects are being pushed back. Mr. Nulty stated it must be a first that the budgeted total for paths
26 and walkways exceeds that for roads.

27

28 Ms. McMains asked if there has been any response from Mt. Mansfield Union High School about the sidewalk
29 segment near the school. Mr. Odit said no. He stated that due to the changes in the rules, he felt it was not
30 worth asking about at this time.

31

32 Ms. Furman stated she was pleased to see money budgeted for the Mobbs Farm parking lot. Ms. McMains said
33 the issue was resolved through mediation. Mr. Odit noted the court has not accepted it yet, but it is being
34 included in the budget.

35

36 Ms. Mercer asked how the capital budget relates to the annual budget and if everything included in the capital
37 budget will be marked as such. Mr. Odit said yes and no. He explained the descriptions in the binder indicate
38 which items are capital projects. He discussed ways to indicate which items are capital projects and how some
39 line items are mixed.

40

41 The public hearing closed at 7:14 p.m.

42

43 **2. Public Comment.**

44 There was none.

45

46 **3. Recreation Trails Grant Work Contract & Bridge Replacement Request.**

47 Mr. Odit explained there are two bridge replacement requests for Mobbs Farm. He said the first is work related
48 to a grant received at Mobbs Farm and they are proposing to split the work into two phases with two contracts.

49 Mr. Odit said the Selectboard is being asked to approve work this fall totaling \$12,193. He said the Town match
50 will be approximately \$2,500, which can come from the sidewalk construction line item, since it is a path.

51
52 Ms. McMains asked about the life expectancy of the materials in the proposal. Mr. Odit stated that all the wood
53 will be pressure treated. Ms. Furman discussed the materials and the current condition of the bridges. Mr.
54 Nulty discussed his experience with similar materials recently and the use of the materials. Ms. Mercer asked
55 what else could be used. Ms. Furman discussed the design, noting it is a complicated site and there is some
56 metal involved.

57
58 Ms. Mercer asked when the work would be done. Ms. Furman said when the contract is authorized the
59 materials will be ordered and work could start in early November. The Selectboard asked Ms. Furman to follow
60 up on the life expectancy of the materials with the contractor. Mr. Odit noted the information would help with
61 planning for the future.

62
63 **On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard accepted the bid of Timber & Stone**
64 **and approved the contract for Site 8, Bridge Replacement in the amount of \$12,193.** The motion passed 3-0.

65
66 The Selectboard discussed with Ms. Furman which sites and bridges are involved. Ms. Furman stated the
67 needs were prioritized needs last year and discussed the bridge status report. She noted the Vermont Youth
68 Conservation Corps (VYCC) replaced Bridge #4 with free labor and the Town paid for the materials. She said
69 they used the project as training and they offered to replace Bridge #1. Ms. Furman provided a photo of the
70 bridge. She explained the cost difference between the bridges.

71
72 Mr. Nulty clarified whether Bridge #3 was the one that was just approved. Ms. Furman stated it was. The
73 Selectboard and Ms. Furman discussed which bridges have been replaced and which will need to be soon. Ms.
74 Mercer asked what the "!" on the map indicated. Ms. Furman said they indicated technical trails. Mr. Odit
75 recommended using the sidewalk construction funds again.

76
77 **On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard authorized the replacement of Bridge**
78 **#1 at Mobbs Farm for an estimated cost of \$2,500, using sidewalk construction funds.** The motion passed 3-0.

79
80 The Selectboard thanked Ms. Furman.

81 82 **4. David Villeneuve.**

83 The Selectboard briefly discussed the materials provided by Randy Clark. Mr. Odit suggested having the Tree
84 Warden evaluate where the Town can do selective cutting to assist with maintaining proper ditches. The
85 Selectboard agreed that would make sense. Ms. Mercer noted the warned agenda did not include a discussion
86 of trees or roads and suggested the topic be added to the next agenda.

87 88 **5. CUSI Intergovernmental Agreement.**

89 Mr. Nulty stated the Chittenden Unit for Special Investigations (CUSI) made the presentation at a prior meeting
90 and asked if there were any surprises in the agreement. Mr. Odit said the only thing he noticed is the Board
91 structure. He said it doesn't look like there is an opportunity for a Town who doesn't have a police force to have
92 a position on the Policy Committee. He discussed the requirements and which towns would be excluded.

93
94 Ms. McMains noted they can expand the Board. Mr. Nulty said it is a big enough issue to withhold signatures.
95 Ms. Mercer asked about similar agreements the Town has in place. Mr. Nulty said agreements are common and

96 discussed differing situations, agreements, and representatives. Ms. McMains stated the only one the Town
97 does not have a representative on is the Chittenden County court system.

98
99 Mr. Odit stated towns similar to Jericho will not have representation. Ms. McMains noted some that have a
100 police force do not send a representative. Mr. Odit listed the towns that send a representative. Mr. Odit noted
101 the representatives decide how the assessment formula is created. Mr. Nulty stated it is a legitimate question
102 and recommended withholding signatures from the agreement tonight. He asked Mr. Odit to politely raise the
103 issue with CUSI and see what their response is. Ms. McMains noted the Board can go up to 15 members and
104 discussed who shall have representation, according to the agreement. Mr. Odit agreed to follow up.

105
106 **6. Adopt FY13 Capital Budget & Plan.**

107 The Selectboard agreed it was a big improvement. Ms. McMains suggested adding it as an addendum to the
108 Town Report. Mr. Odit said the timing should allow for it to be in the report. Ms. Mercer stated it will need an
109 introduction and Mr. Odit agreed.

110
111 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard adopted the Fiscal Year 2013 Capital**
112 **Budget and Five Year Plan.** The motion passed 3-0.

113
114 **7. Approve minutes of 10/6/2011.**

115 On a **motion** by Ms. McMains, seconded by Ms. Mercer, **the Selectboard approved the 10/6/2011 minutes as**
116 **written.** The motion passed 2-0, Mr. Nulty abstained.

117
118 **8. Approve warrants of 10/3/2011 & 10/17/2011.**

119 The Selectboard members present signed the warrants.

120
121 **9. Other Business.**

122 Ms. McMains stated that the Chittenden County Regional Planning Commission (CCRPC) name change vote was
123 not valid, so after much discussion the name will stay CCRPC, although it was not a unanimous decision. She
124 said they would tweak the new logo. Mr. Nulty said he couldn't believe the time and money spent on this
125 matter.

126
127 Ms. McMains stated that Jericho's percentage of equalized education grand list went down, so the dues will go
128 down also. She noted the towns that grew.

129
130 On a **motion** by Mr. Nulty, seconded by Ms. McMains, **the Selectboard entered Executive Session at 7:45 p.m.**
131 **The motion passed 3-0.**

132
133 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard exited Executive Session at 7:59 p.m.**
134 **The motion passed 3-0.**

135
136 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard adjourned the meeting at 8:00 p.m.**
137 **The motion passed 3-0.**

138
139 Respectfully Submitted,
140 Amy Richardson

2

3

Selectboard Meeting

4

November 3, 2011 at 7:00 p.m.

5

Jericho Town Hall, 67 Vermont Route 15

6

7 **Members present:** Tim Nulty (Chair), Catherine McMains, Kim Mercer

8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), Kristian Omland, Brian Stevens

10

11 The public hearing was called to order by Mr. Nulty at 7:05 p.m.

12

13 **1. Public Comment.**

14 There was none.

15

16 **2. Mobbs Committee Interviews: Chad DeJong & Kristian Omland**

17 The Selectboard interviewed Mr. Omland, but Mr. DeJong did not make the meeting. Mr. Omland said he lives
18 adjacent to the Mobbs Farm property and it was one of the reasons they bought their home. He said he enjoys
19 the trails and has volunteered doing trail work. He discussed his background, including work with the Bolton
20 Conservation Commission.

21

22 Mr. Odit stated both candidates were interviewed by the Mobbs Committee and recommended. He said there
23 are currently three vacancies on the committee. Mr. Odit noted terms were not set when the committee was
24 formed, so he is recommending three of the following, each expiring in March: 3 year terms, 2 year terms, and 1
25 year terms and after these terms expire, that all terms are for three years.

26

27

28 Heather Furman – 3-year term expiring March 2014

29 Howie Kargman – 3-year term expiring March 2014

30 Derek Burkins – 3-year term expiring March 2014

31 Terry Hook – 2-year term expiring March 2013

32 Andy Dumas – 2-year term expiring March 2013

33 Sharon Fosbrook – 2-year term expiring March 2013

34 Chad DeJon – 1-year term expiring March 2012

35 Kristian Omland – 1-year term expiring March 2012

36 Vacant – 1 year term expiring March 2012

37

38 After the initial appointments, all terms should be for 3 years.

39

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On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard appointed Chad DeJong and Kristian Omland to the Mobbs Committee for one year terms that expire in March 2012, respectfully asking Chad DeJong to meet with the Selectboard before March 2012. The motion passed 3-0.

The Selectboard thanked Mr. Omland for his interest in the committee, noting they like to meet committee members. Mr. Odit stated he would email Mr. DeJong asking him to attend a Selectboard meeting.

3. Appointment of E911 Coordinator

Mr. Odit stated Lori Dykema is a Lister and recommended her appointment as the E911 Coordinator.

On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard appointed Lori Dykema as the E911 Coordinator for the Town of Jericho. The motion passed 3-0.

4. Request to Use Town Roads for "Old Route Relay"

Mr. Odit said the Heart of Vermont Production is requesting permission to use Browns Trace Road, Packard Road, Orr Road, and Raceway Road for a portion of its Old Route Relay which will be held on Sunday, April 22, 2012. The Selectboard and Mr. Odit discussed the organization and other events it has had in the State.

Ms. Mercer asked if the roads will be closed. Mr. Odit stated they will not be closed and the organization will provide traffic control. Ms. Mercer said she does not think running is fun, but supports events for people who think it is. She asked if this will be an annual event. Mr. Odit said it was not an annual request. Ms. Mercer asked if it would bring tourism and commerce. Mr. Odit said it will bring both to the area, but not necessarily directly to Jericho. Ms. Mercer asked about the number of racers. Ms. McMains said there would not be more than 250 people. Ms. Mercer asked about the organizations supported by the event, noting they have donated over \$65,000. Mr. Odit said he didn't know, but the information could likely be found online.

On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard allowed the use of the requested Town roads for the Old Route Relay. The motion passed 3-0.

5. Approve minutes of 10/20/2011.

On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard approved the 10/20/2011 minutes as amended. The motion passed 3-0.

6. Approve warrants of 10/31/2011.

The Selectboard members present signed the warrants.

7. Other Business.

Mr. Nulty stated he received an email from Underhill about the shared employee with Underhill Jericho Fire Department and Essex Rescue. He said they wanted to brief the Selectboard. Mr. Odit stated the Fire Department is on the agenda for the next meeting to discuss the budget and the shared employee.

Ms. McMains asked if there has been a response about the Chittenden Unit for Special Investigations (CUSI) Board structure. Mr. Odit stated he spoke with Kristine Bickford who felt it was a great idea for a Town like Jericho to be represented. He said they are meeting tonight, so they will discuss the matter and get back to us. Mr. Odit stated it will be on the agenda for the next meeting.

87 Mr. Odit said Randy Clark was not available tonight to discuss the information he submitted about trees and
88 roads, so he will attend the next meeting.

89
90 Mr. Odit stated the Town received approval for its FEMA request for the April 2011 storm. He stated the storm
91 expenses were approximately \$121,000 and the Town will get approximately \$108,000 from FEMA. He
92 discussed monies already received, noting the rest should be coming soon. The Selectboard agreed it was good
93 news. Mr. Stevens noted it is interesting financially that the money will be received in a different fiscal year.
94

95 Mr. Odit stated Mr. Stevens is here because of the capital budgeting process. He said they are developing
96 financial management policies, which will be comprehensive. Mr. Stevens said it will help create financial
97 awareness. Mr. Odit discussed what will be included in the policies, noting some of the information will be
98 procedures. He said Mr. Stevens will be working on providing financial information to the Selectboard and
99 suggested a meeting might be helpful.

100

101 Mr. Stevens stated it will be an evolving process, but he is trying to provide information he would want as a
102 Selectboard member. He discussed the types of reports that could be provided and the timing. Mr. Nulty said
103 the cash position and profit and loss reports would be useful. Mr. Stevens stated they will be working on getting
104 important information to the members in a format that makes sense.

105

106 The Selectboard agreed this is outstanding work and will help as there are changes in members. Mr. Nulty
107 stated that most expenses are predictable and stable, so it will be important to think about those that are not.
108 He said they should focus on the exceptions.

109

110 Mr. Stevens discussed how the August storm impacted the tax base of other towns. He said deciding how much
111 of a reserve is necessary could be a topic for conversation when discussing the financial policies. Mr. Odit said
112 the reporting would likely be quarterly to start and said with the recent embezzlement cases it is important that
113 the Selectboard feel comfortable with what is happening. Mr. Nulty discussed how to ensure they receive the
114 right information. Mr. Stevens noted sometimes it is helpful to have another set of eyes looking over things and
115 performing some testing.

116

117 Ms. McMains stated she received an email about the Municipal Equipment Loan Fund (MELF) and asked if it is
118 being considered as an alternative to leasing equipment. Mr. Odit stated he has thought about it, noting there is
119 a truck purchase in the budget. He said the MELF is competitive and discussed the loan terms available. He said
120 he will look at it when they are getting closer to getting the new truck. Mr. Odit notes the maximum loan
121 amount is not as much as the truck costs, but it is still a possibility. Mr. Nulty asked if there is a municipal credit
122 union. Mr. Stevens noted there may be something in the Town charter that prohibits the use. Mr. Omland
123 noted one of the candidates for Governor had such a proposal. Mr. Nulty said he would look into it.

124

125 Mr. Odit stated he met with the Planning Commission and the first interviews for the Town Planner vacancy will
126 be held next week. Ms. Mercer asked who was participating in the interviews. Mr. Odit said it would be Lisa
127 Rector, Barry King, and himself.

128

129 Ms. McMains asked about posting the minutes on the VPR public post section. Mr. Odit said it is on the list of
130 things to do. The Selectboard discussed its use and the transparency, noting people can make comments on any
131 posts to the website.

132

133 Mr. Odit stated the Village Center designation was reapproved for Jericho Corners. Ms. McMains asked if the
134 designation can be lost. Mr. Odit said it can if the renewal application is not submitted.

135

136 Ms. Mercer asked if the contract for road crew clothing is standard. Mr. Odit said it is, noting it is included in the
137 budget under miscellaneous. Ms. McMains asked how the postage meter is working and Mr. Odit said it is
138 great.

139
140 Ms. Mercer stated how the pumpkin display on Cilley Hill Road exploded in popularity this year. She asked if the
141 Town could offer assistance in some way to the people who host the event to solve the traffic problem. The
142 Selectboard discussed the situation where people are driving and walking, causing a dangerous situation. Ms.
143 Mercer agreed to discuss with the organizers of the event to see if they are open to the Town's assistance. The
144 Selectboard agreed it is a great community event and they would like to support it and make it safer next year.

145
146
147 On a **motion** by Ms. Mercer, seconded by Ms. McMains, **the Selectboard adjourned at 7:48 p.m.** The motion
148 passed 3-0.

149
150 Respectfully Submitted,
151 Amy Richardson

2 _____
3 **Selectboard Meeting**
4 **November 17, 2011 at 7:00 p.m.**
5 **Jericho Town Hall, 67 Vermont Route 15**

6
7 **Members present:** Tim Nulty (Chair), Catherine McMains, Kim Mercer

8
9 **Others present:** Todd Odit (Town Administrator), Chuck Lacy, Todd Fischer, Shawn Martell, Mathew Champlain,
10 Randy Clark Jr.

11
12 The public hearing was called to order by Mr. Nulty at 7:04 p.m.

13
14 **1. Public Comment.**

15 There was none.

16
17 **2. Underhill Jericho Fire Department (UJFD) FY13 Budget Discussion - UJFD Members.**

18 Mr. Fischer distributed copies of the draft UJFD budget for discussion. He noted the department is still in
19 discussion with Essex Rescue about the possibility of a shared employee. He explained the budget presented is
20 without the addition of a shared employee and if an agreement is reached the department will come back with a
21 revision. The Selectboard and Mr. Fischer discussed how the shared employee would change the income and
22 expenses of the budget.

23
24 Ms. McMains asked how the department's budget for the current fiscal year is when compared to actual. Mr.
25 Fischer explained the variance in Volunteer Stipends & Salaries is due to the storms experienced this year. He
26 noted the department sent people to assist other towns and they were reimbursed by FEMA.

27
28 Mr. Nulty asked for clarification of the changes to income related to the shared employee. Ms. McMains and
29 Mr. Fischer noted the amount would be shared between Jericho and Underhill. Ms. Mercer clarified that the full
30 time employee was recently separated into Career Salary & Benefits. Mr. Fischer confirmed and discussed how
31 the expense was broken down.

32
33 Mr. Nulty asked for an overview of how the fire department is transitioning. Mr. Fischer discussed the
34 transition, noting that Mr. Clark is still helping out where needed. Mr. Nulty stated it has been a smooth
35 transition from the community's perspective. Mr. Fischer stated the department has added sleeping quarters.

36
37 Mr. Champlain discussed a request to Vermont Municipal Employees' Retirement System (VMERS) the
38 department made on behalf of its full time employee. He said the request was denied and asked for the
39 Selectboard to sign a letter supporting the request. He discussed other entities within the Town that are
40 eligible. Mr. Champlain stated if this request is denied, they may come back to request the Selectboard's
41 support to ask the legislature for change.

42
43 Mr. Nulty suggested the Town consult its attorney to discuss how to classify the fire department as a municipal
44 instrumentality. He stated such a classification could possibly eliminate this problem and others in the future.
45 He discussed an example. Mr. Nulty agreed to look into the possibility further.

47 On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard authorized the Chair of the Jericho
48 Selectboard to sign a letter as presented by the Underhill Jericho Fire Department to the VMERS' Board of
49 Directors. The motion passed 3-0.

50
51 Mr. Lacy asked about the status of the gravel pit. Mr. Fischer explained the status of the gravel pit, noting the
52 department has a contract with them, which is renewed annually. Mr. Lacy asked if the gravel pit still has a
53 useful life. Mr. Fischer stated they are still pulling sand and fill out of there, but he is unsure how much gravel
54 remains.

55
56 Ms. Mercer asked about the increase in Vehicle Maintenance. Mr. Fischer said that is due to the age of the
57 trucks and is part of the capital plan. He added that fuel costs, the costs to maintain the vehicles and garage
58 have also increased. The Selectboard and the public discussed the cost of fuel.

59
60 Mr. Fischer asked when the budget is sent to the printers. Mr. Odit stated it would be sent in mid-January.

61
62 Mr. Lacy asked about coverage for General Dynamics at the range. Mr. Fischer stated they will provide
63 coverage, but have never had a call there. He also noted the company makes an annual contribution to the fire
64 department. Mr. Lacy explained the relationship between the Vermont National Guard and General Dynamics
65 at the Ethan Allen Firing Range. He said the company is receiving fire protection for a minor contribution. Mr.
66 Nulty suggested the fire department estimate what the fair cost of protection. Mr. Lacy suggested that if they
67 want municipal services the company should contribute financially. Mr. Nulty said he is willing to look into it.

68
69 Ms. Mercer asked how to determine what the property value is. Mr. Fischer suggested the property is insured
70 for a certain amount, which would take into consideration the hazards. Mr. Lacy asked if the department has
71 specialized training and Mr. Fischer said they did not.

72
73 The Selectboard thanked the UJFD members for their time.

74
75 **3. Request to Discuss Tree Maintenance Along Town Roads - Randy Clark Jr.**

76 Mr. Clark said he is coming forth as a citizen of the town, not part of the fire department. He said Jericho is not
77 alone with this issue and it is an issue all around the Town. He said he enjoys the country view and is not
78 suggesting the Town clear the trees, but it is becoming unsafe.

79
80 Mr. Nulty agreed with Mr. Clark, noting that each time the Town tries to do anything about it the Town hears
81 from those who are affected by it. Ms. McMains stated the Selectboard has discussed implementing a Roads
82 Policy, which would include tree cutting, but they have not gotten there yet. Mr. Nulty discussed the situation
83 on Fitzsimmonds Road. He said getting a statement about when it becomes dangerous would be useful to be
84 able to effectively respond to negative feedback from the landowner.

85
86 Ms. McMains said it is important to balance the safety issue with the aesthetics, which is why many people
87 move into the area. Mr. Nulty asked Mr. Clark for his input. Mr. Clark said he took into account the varying
88 perspectives when preparing the material he submitted to the Selectboard. He discussed the various levels of
89 clearing for road maintenance and the safety implications.

90
91 Mr. Nulty said the Town needs a policy that relies on safety standards. He asked Mr. Clark if he would be willing
92 to Chair a committee to work on developing a policy. The Selectboard discussed who should participate on the
93 committee. Mr. Clark asked if the insurance company provides any guidance. Mr. Nulty discussed a situation
94 where the Town consulted the insurance company and the results of those discussions.

95

96 Ms. Mercer discussed a situation on Skunk Hollow Road where objects were placed in the right of way. She said
97 objects, including trees, in the right of way should be removed for safety. She discussed the statutes that apply
98 and possible exceptions to the rules.

99
100 Mr. Clark said there must have been a point in the past where roadside mowing was not done to allow these
101 situations to arise. Ms. Mercer asked if the landowners are notified in advance. Mr. Nulty discussed situations
102 in the past. Ms. Mercer stated the Road Crew should not be responsible for deciding or for informing the
103 landowners. She suggested the decisions be made by the Tree Warden. Ms. McMains stated some of the
104 reasons it is important to have a policy. The Selectboard discussed the differences between the Town use of
105 rights of ways and that of utility companies with those present.

106
107 Mr. Lacy discussed the landowner perspective. Mr. Nulty stated there are standards in place. Mr. Lacy said the
108 safety reasons are important and should be clear. Mr. Nulty thanked Mr. Clark for bringing this matter forward
109 in an orderly manner. Mr. Clark said he is not blaming the Road Crew and discussed some situations he has
110 encountered.

111
112 The Selectboard discussed how to proceed. Mr. Clark pointed out the importance of not going all the way to the
113 right of way and allowing the canopy effect. He said it will require more frequent maintenance. Mr. Odit said
114 the standards are available and it is more about putting them together in a comprehensive document with the
115 appropriate reasoning. He discussed possible funding to get assistance in starting the process. Mr. Nulty
116 discussed the benefits of using a committee.

117
118 Mr. Clark agreed with Ms. Mercer about defining standards. He noted there should be a process where
119 landowners can get the information supporting the decisions. Mr. Odit stated he would bring information back
120 to the Selectboard on how to proceed on the matter.

121
122 Mr. Lacy discussed a specific intersection that should be evaluated. Mr. Clark discussed another situation he
123 resolved with the power company. The Selectboard thanked Mr. Clark for the information he provided. Ms.
124 Mercer discussed pedestrian safety. Ms. McMains discussed a recent tragedy in New York involving pedestrians.

125
126 **4. Chittenden Unit for Special Investigations (CUSI) Intergovernmental Agreement.**

127 Mr. Odit said we asked about representation, but the Board said it is not needed. Ms. McMains asked about the
128 number of representatives from each town. Mr. Odit discussed the composition, noting which members are
129 Town Managers and members of the police departments.

130
131 Mr. Odit asked what happens if the Selectboard decides not to sign the agreement and they said they would get
132 back to him with an answer, but have not yet. Ms. McMains stated she would like to know exactly who is on the
133 Board. The Selectboard discussed the number of members permitted and the number that are filled with Mr.
134 Odit. Mr. Odit discussed which towns benefit more from the funding formula and suggested delaying action until
135 further discussion occurs. The Selectboard agreed to delay signing the agreement until further discussion
136 occurs, noting the agreement changes the funding.

137
138 **5. Approve minutes of 11/3/2011.**

139 On a motion by Ms. McMains, seconded by Ms. Mercer, the Selectboard approved the 11/3/2011 minutes as
140 amended. The motion passed 3-0.

141
142 **6. Approve warrants of 11/14/2011.**

143 The Selectboard members present signed the warrants.

144

145 **7. Other Business.**

146 There was none.

147

148 **On a motion by Ms. Mercer, seconded by Ms. McMains, the Selectboard adjourned at 8:21 p.m. The motion**
149 **passed 3 -0.**

150

151 Respectfully Submitted,

152 Amy Richardson

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6

7 **Members present:** Kim Mercer (Chair), Catherine McMains, Tim Nulty

8

9 **Others present:** Todd Odit (Town Administrator), Amy Richardson (Secretary), David Villeneuve, Jessica
10 Alexander, Jon Willard, Jon St. Amour, Bob Schermer, Ken Barkyoub

11

12 The public hearing was called to order by Ms. Mercer at 7:00 p.m.

13

14 **1. Public Comment.**

15 Ms. Alexander stated she represents a group petitioning to designate a Town tree. She said they are
16 recommending the Elm tree on Route 15 near the Essex line. She said Route 15 used to be lined with elm trees
17 and the designation would be symbolic. Ms. Alexander said they are hoping to obtain the necessary signatures
18 to have it added as a Town Meeting item. She discussed other trees that have been suggested by residents.

19

20 Mr. Villeneuve asked if he could schedule a meeting with the Selectboard to discuss the following issues:

- 21 • Cemetery boundary line with his property;
- 22 • Zoning Law revision effect on fuel sales issue;
- 23 • Roads and tree maintenance (the Selectboard noted this issue was discussed at the last meeting);
- 24 • Dickenson Street;
- 25 • Sidewalks in the Riverside area; and
- 26 • AARP meeting update (the Selectboard noted they will review the report tonight).

27 Ms. Mercer noted that time was set aside at a previous meeting, but there was a miscommunication. She said
28 they will schedule some time on an agenda after January 18, 2012.

29

30 **2. Deborah Rawson Library Budget Presentation.**

31 Mr. Odit said a representative is not present. The Selectboard suspended the agenda item.

32

33 **3. Consideration of Planning Commission Appointment - Jon Willard.**

34 The Selectboard discussed the position with Mr. Willard. Mr. Willard discussed his experience and qualifications.

35

36 On a **motion** by Mr. Nulty, seconded by Ms. McMains, the Selectboard **appointed Jon Willard to the Planning**
37 **Commission for an unfilled 3-year term which expires in 2014.** The motion passed 3-0.

38

39 Ms. Mercer asked whether the Selectboard should consider having a member who is on the Jericho Planning
40 Commission and the Development Review Board to improve communication and to help the Planning
41 Commission develop usable regulations. Ms. McMains discussed the history, noting the Town Planner provides
42 the connection for both groups. Mr. Nulty noted the concern about a potential conflict of interest. He discussed
43 the reasoning and said it outweighed the previous communication issue.

44

45 **4. Jericho Center Traffic Calming Request - Robert Schermer.**

46 Mr. Schermer discussed traffic concerns in the Jericho Center area, discussing some specific examples that were
47 very concerning. Ms. McMains asked if the increased police coverage has helped. Mr. Schermer said it has had
48 some impact, but there is still a problem. He said he is speaking as Jericho Center Preservation Association
49 (JCPA) President and as a resident along Browns Trace Road. Mr. Schermer discussed the following:

- 50 • Debated the matter with JCPA Board;
- 51 • Discussed with residents between Plains Road and Browns Trace Road;
- 52 • Appreciated increased police presence;
- 53 • Concerned that traffic is still moving too fast through the center;
- 54 • Concerned speeds are still very high, in spite of sidewalks and increased enforcement;
- 55 • Concerned traffic will increase in the coming years;
- 56 • Road is the main access to Interstate 89; and
- 57 • Asked Mr. St. Amour to relay his observations in front of the store.

58
59 Mr. St. Amour discussed crossing the road in front of the Jericho Country Store with his children. He discussed
60 the blind spot traveling from south to north created by the parking spaces and the location of the cross walk. He
61 said the Town needs to be proactive.

62
63 Mr. Nulty discussed increased police coverage and the most effective ways to reduce traffic speeds. He asked if
64 JCPA has considered physical traffic calming mechanisms. Ms. Mercer noted JCPA cannot make changes to the
65 roads. Mr. Nulty clarified that he was asking what the community members find desirable. He discussed some of
66 the history and asked if there is public support for something more effective.

67
68 Ms. McMains stated flashing pedestrian lights were considered so that people coming into the center know the
69 pedestrians are there. Ms. Mercer said the planters were an interesting idea to slow traffic and look pleasing at
70 the same time. She noted they narrow the road, are effective, and cost effective.

71
72 Mr. Schermer said they have a statistical base now in terms of traffic and would like traffic to be slowed. He said
73 they have suggestions, but they are not engineers. He suggested consulting with a professional. Mr. Schermer
74 discussed the possibility of an enlarged pedestrian crossing zone.

75
76 Ms. McMains stated it would be useful if the committee would work with the Town Planner. Ms. Mercer agreed,
77 suggesting the committee identify some possible solutions. She said the Selectboard is in favor of traffic calming
78 that is cost effective. Mr. Nulty discussed traffic concerns in another area. He said the JCPA should find out what
79 measures will be supported in the community.

80
81 The Selectboard discussed with Mr. Schermer how to move forward on the issue, noting it will be important to
82 demonstrate support with signatures or at a public hearing. Mr. Schermer suggested placing yield signs in the
83 road and making the radar signs permanent. The Selectboard discussed reaction when radar signs are
84 permanent, the cost, and the need to rotate them throughout the Town. Mr. Schermer noted that permanent
85 radar signs with intermittent enforcement are the most effective deterrent.

86
87 Mr. Odit stated the radar feedback signs tend to reduce speeds by 3 miles per hour. He discussed the cost and
88 the possibility of installing something more effective for the same cost. Mr. Nulty discussed the difference in
89 someone going 5 miles over the speed limit versus someone going twice the speed limit. Ms. Mercer noted that
90 implementing some obstacles would cause traffic to slow.

91
92 Mr. Schermer stated they would like to compile statistics after traffic calming measures are implemented to
93 gauge the effectiveness. The Selectboard agreed and discussed traffic calming throughout the Town. Mr. Nulty

94 stressed the importance of finding a cost effective solution that the residents support. Mr. Schermer noted that
95 resistance to change is normal and discussed an example.

96
97 Mr. Odit suggested implementing some temporary solutions that could mimic permanent solutions. He said this
98 would be less costly and help to gauge the effectiveness. The Selectboard encouraged Mr. Schermer to work
99 with the Town Planner and the residents. Mr. Schermer stated there is unanimous concern about the safety in
100 front of the store. The Selectboard thanked Mr. Schermer and Mr. St. Amour for their time.

101
102 **5. Draft Active Living Workshop Report.**

103 Mr. Odit stated he received the draft Active Living Workshop Report. He said he will share the report with Mr.
104 Villeneuve as requested. Mr. Odit said it represents the citizen process. The Selectboard discussed how some of
105 the recommendations do not apply to Jericho.

106
107 Mr. Odit said the budget allowed for only one photomorph, so they chose the bridge because the area seemed a
108 priority. Ms. Mercer discussed the location. The Selectboard discussed the reasoning for the location. Mr. Odit
109 said the Town now needs to review the report, determine feasibility, and create an action plan. He said the
110 report contains some great ideas, but not all are necessarily functional or within the budget.

111
112 The Selectboard discussed priorities, costs, and report format. Mr. Odit said once the final report is issued the
113 Selectboards from both towns should meet to discuss it. He discussed areas the towns could work on versus
114 those that are beyond their control. Ms. McMains pointed out the irony that Dickenson Street was made one
115 way due to pedestrian issues, but they cannot cross Route 15 from Raceway.

116
117 Mr. Odit said he will pass the comments along, as will Underhill. He said when the final report is received he will
118 coordinate a joint meeting. The Selectboard discussed the next steps, the Steering Committee and priorities,
119 which are: safety, budget, and areas the Town can work on. Ms. Mercer discussed a public space in Burlington
120 that was used as a garden. The Selectboard discussed the Master Gardeners' program at UVM.

121
122 **6. Request to Amend FY12 Budget to Purchase Highway Radio Repeater.**

123 Mr. Odit stated there are certain spots in Town where the highway crew is unable to communicate with each
124 other. Mr. Barkyoub discussed the dead zones in Town and repeaters. He said the school agreed to let the
125 Town use a pole they have off Packard Road to install the repeater. Mr. Barkyoub stated it is important to have
126 communications throughout the Town. He also noted the highway radios need updating, as they are over 20
127 years old.

128
129 Mr. Nulty asked about using Nextel or T-Mobile. He and Mr. Barkyoub discussed different systems and their
130 use. Mr. Barkyoub asked about the ability to communicate with the school and other town. He discussed the
131 good service from Motorola over the years and the transition to narrowband, noting they will likely transition to
132 very narrowband in less than 20 years. Mr. Nulty discussed bandwidth. Mr. Barkyoub said he is willing to look
133 into the other communication devices if they are compatible with the schools, buses, and other towns.

134
135 Ms. Mercer discussed a communication issue between the buses and the highway crew last winter. She said if
136 Mr. Barkyoub says a repeater is needed, the Town should authorize it. Mr. Nulty asked Mr. Barkyoub to look
137 into the best way to improve communications, whether it is the repeater or a trunk mobile device.

138
139 Mr. Odit stated it sounds like the Selectboard is willing to spend the money to do something. He and the
140 Selectboard discussed how to fund the purchase within the budget. Mr. Odit said he and Mr. Barkyoub will
141 look into the options and report back to the Selectboard. Mr. Barkyoub said they have been working on this

142 for a while, but they needed permission from the Water District and the school to move forward and save the
143 Town some money. The Selectboard thanked Mr. Barkyoub.

144

145 **7. Continued Draft FY13 Budget Review.**

146 The Selectboard discussed the draft FY13 Budget with Mr. Odit, including the following:

- 147 • State Aid for Roads;
- 148 • Marriage Licenses;
- 149 • Highways and Bridges - Miscellaneous Grant Match;
- 150 • Street Lights;
- 151 • Contingency Reserve; and
- 152 • Unrestricted Fund Balance.

153

154 The Selectboard discussed the proposed tax increase. Mr. Odit discussed the implications of using the fund
155 balance. He said part of the financial policies the Selectboard will be setting next year will be to determine what
156 an appropriate level to maintain in fund balances. Ms. McMains said it is a nice budget and the estimated tax
157 rate change is reasonable. Ms. Mercer asked Mr. Odit to outline the changes from the previous draft budget.
158 Mr. Odit gave an overview as follows:

159

160 First Draft

- 161 • Overall spending increase of 5.06%;
- 162 • Increase in taxes of 2.5%; and
- 163 • Estimated tax rate increase of 1.7%.

164

165 Mr. Odit said after researching CPI, finding it to be 3.9%, and keeping the salaries increase at 3%, he found some
166 areas where he made some cuts.

167

168 Revised Draft

- 169 • Overall spending increase of 3.8%;
- 170 • Increase in taxes of 0.79%;
- 171 • Estimated tax rate increase of 0.05%; and
- 172 • Expenses reduced from first draft.

173

174 The Selectboard discussed the housing market, the economy, and the improved budgeting process. Mr. Odit said
175 he will schedule a date in January to discuss talking points for Town Meeting.

176

177 Ms. Mercer discussed a segment on VPR about municipal law and email. She noted it is better to discuss
178 everything at a meeting so it is in the records. The Selectboard discussed the differences between a meeting and
179 sharing information. Ms. Mercer said they need to be sure to keep discussions public and the Selectboard
180 agreed.

181

182 **8. Approve minutes of 11/17/2011 & 12/1/2011.**

183 On a motion by Mr. Nulty, seconded by Ms. McMains, the Selectboard approved the minutes of 11/17/2011 as
184 amended. The motion passed 2-0; Ms. Mercer abstained. On a motion by Ms. McMains, seconded by Mr. Nulty,
185 the Selectboard approved the minutes of 12/1/2011 as written. The motion passed 2-0; Ms. Mercer abstained.

186

187 **9. Approve warrants of 12/5/2011, 12/8/2011 & 12/12/2011.**

188 The Selectboard members present signed the warrants.

189

190 **10. Other Business.**

191 Mr. Nulty discussed the road paving issue and the recent attention on Front Porch Forum (FPF) and the local
192 newspaper. He noted he does not have a strong opinion on the matter since one option is not massively more
193 expensive than the other. Ms. McMains noted a resident brought the FPF discussion to her attention and
194 summarized the posts. Mr. Nulty noted those on FPF are a self-selected group.

195
196 Ms. McMains noted there have been several public meetings to discuss the matter, with little attendance, and
197 now the discussion is being held on the web and in the newspaper. She stated it is not all about the cost; it is
198 about safety and equipment wear and tear. The Selectboard discussed how the residents are divided.

199
200 Mr. Nulty suggested adding the discussion to the agenda for Town Meeting and sending out a fact sheet. Ms.
201 McMains stated the decision to pave a road is the Town's decision and the Town is liable for safety. The
202 Selectboard discussed the reasoning for paving. Mr. Nulty discussed the practice of not paving roads that are
203 not already paved.

204
205 The Selectboard discussed the evolution of Skunk Hollow Road and traffic changes. Mr. Nulty discussed the
206 importance of having a Traffic Policy and determining which roads in Town are through roads. He discussed
207 ways to prevent a road from being a through road. Ms. Mercer discussed the differing views of residents. Mr.
208 Nulty discussed which roads in Town are controlled by the State and said the Town should designate which of
209 the local roads are used as through routes. He suggested the Selectboard members think about the
210 characteristics of a through road.

211
212 Ms. Mercer stated it is 0.3 mile. She said the concerns are about safety and vehicles, not whether we want
213 traffic on the road. Mr. Nulty and Ms. Mercer disagreed as to what the debate is about. The Selectboard
214 discussed heavily traveled roads and Ms. McMains pointed out that Nashville Road is the most heavily traveled
215 gravel road in the State.

216
217 The Selectboard discussed traffic, speed, paving, and traffic calming. Mr. Nulty stated the Town can do things to
218 calm and slow traffic which will make it less attractive for people to use the road as a through route. He said it is
219 about making traffic go slower and reducing the number of people who go through there. Ms. McMains
220 discussed the reasons supporting paving the 0.3 mile section, including: need for two sets of equipment to
221 maintain; and safety issues. She said calming mechanisms are needed.

222
223 Mr. Nulty said the underlying concern people have with paving is there will be more traffic and more speeding.
224 He said people who support paving are those going too fast and in accidents. Ms. Mercer said the road is a
225 wreck and the dust is bad. She discussed the perception about why such a small amount of the road is not
226 paved.

227
228 Mr. Nulty said the Town should channel the traffic. Ms. Mercer stated that will cause problems on other roads.
229 Mr. Nulty stressed the importance of a Traffic Plan to be used when making paving and other decisions about
230 the Town's roads. The Selectboard discussed Town policy, paving, safety, budget, and speeding.

231
232 Mr. Nulty asked how to proceed. Ms. McMains said the Selectboard will need to discuss it further. She said
233 they need to separate policy issues from road maintenance, Capital Plan, and budgeting. Mr. Nulty discussed
234 the importance of looking at the bigger picture. Ms. McMains said the decision was made based on the traffic
235 study and the additional safety study. The Selectboard discussed further slowing traffic, paving, and reducing
236 traffic.

237
238 Mr. Odit stated the decision was made by the Town at some point to make the road a Class II instead of a Class
239 III road. He said he can research the timeframe and reasoning for the reclassification. The Selectboard and Mr.

240 Odit discussed the implications of changing a road classification. Mr. Odit stated the classification is a matter of
241 function and discussed some examples.
242
243 The Selectboard and Mr. Odit discussed the newspaper article and interviews. They discussed what response
244 the Town should have and press releases. Mr. Odit noted he is updating the cost analysis information. He
245 discussed what information was being included in the updated analysis and asked Mr. Nulty to work with him.
246 The Selectboard discussed paving and traffic calming.
247
248 Mr. Nulty stated he is not opposed to paving, but he would like to see anything done in the context of a Traffic
249 Management Policy. He said it should be done in such a way that it deals with the underlying concerns of
250 reducing traffic and speed. Ms. Mercer and Ms. McMains agreed.
251
252 Ms. Mercer stated the road is not safe for pedestrians. Mr. Odit and the Selectboard discussed what traffic
253 calming measures could be implemented. Mr. Odit discussed some measures used in a nearby town. Ms.
254 Mercer asked Mr. Odit to contact the town. The Selectboard discussed the reasons for not adding the issue to
255 the Town Meeting agenda, including: not everyone can participate; a lot of business to be addressed during the
256 meeting; and a smaller meeting with those interested would be more effective.
257
258 Mr. Odit stated he finished a draft Tree Policy/Ordinance. He said he distributed it to the Town Tree Warden
259 and Randy Clark for review and comment. He said the policy will be presented to the Selectboard once it has
260 been vetted.
261
262 Mr. Odit stated the audit should be completed in January, with no significant deficiencies. He asked if the
263 Selectboard would like to meet with the external auditors. The Selectboard agreed they would like to meet with
264 the auditors.
265
266 On a **motion** by Mr. Nulty, seconded by Ms. McMains, **the Selectboard adjourned at 9:13 p.m.** The motion
267 passed 3 -0.
268
269 Respectfully Submitted,
270 Amy Richardson