

MINUTES OF THE LOWELL ANNUAL TOWN MEETING AND SCHOOL DISTRICT MEETING 2019

The legal voters of the Town of Lowell, Vermont are hereby warned and notified to meet at the Lowell Graded School on **TUESDAY, MARCH 5, 2019** at **10:00 a.m.** to act on the following articles of business:

Note: The Town of Lowell has a checklist of 611 eligible voters. The highest number of votes cast for Town Elections was registered at 63 votes for the NCSU Ballot and 107 for the Town floor votes.

- The School District Meeting was called to order at 10:00 a.m. Moderator Alden Warner asked voters to take a moment to honor our American Flag and led voters in the Pledge of Allegiance.
- Alden announced several upcoming events.
- Alden reviewed the Roberts Rules of conduct to be adhered to throughout the meeting.
- Alden Warner announced the hours of the Australian ballot voting for North Country Supervisory Union Budget.

SCHOOL DISTRICT MEETING:

ARTICLE 1: *To ELECT SCHOOL MODERATOR for the ensuing year.*

- Alden Warner nominated; voice vote / carried.
- **ALDEN WARNER – ELECTED**

ARTICLE 2: *To ELECT an ELEMENTARY SCHOOL DIRECTOR for a three-year term.*

- Jason Blay was nominated; voice vote/carried
- **JASON BLAY-ELECTED**

ARTICLE 3: *Shall the voters of the LOWELL TOWN SCHOOL DISTRICT approve the school board to expend **\$1,768,225.00**, which is the amount the school board has determined to be necessary for the ensuing fiscal year **2020**. It is estimated that this proposed budget, if approved, will result in education spending of **\$13,525.00** per equalized pupil. This projected spending per equalized pupil is 2.20% higher than spending for the current year? The overall budget has decreased 1.87% from the current year.*

- Article moved and seconded.
- A request was made to explain why there was an increase in the cost of the budget.
- Steve Mason, School Board Chair explained that it was a complicated thing to explain. He stated that with there being less students and teachers, there is less State aid and grants for the school, which causes an increase in the budget. The amount of money the State gives changes every year, So the budget has to change to compensate for the extra cost.
- Question was asked if the 13,525.00 per student was budgeted based on the number of students. Steve Mason answered yes.
- Arlon Warner asked about the consolidation merger of schools. Steve explained that they went before the Agency of education to fight not to have our school merged. The Agency decided that it would be in the best interest of our school not to have to join the merger. If we had been forced to do so, our Town would have to take on the responsibility of having to pay half the debt of the Town they decided to merge us with.
- Richard Dingee had inquired about the use of the maintenance money that was used to pave the school parking lot. He stated that the paving company had paved way more then the

contract had allowed for. Steve had answered that it had been done before we knew they had paved it all. There was further discussion back and forth on this matter.

- A motion was made to call the question-seconded/Motion to call the question passed by voice vote.
- **Motion to take article 3 as written, passed by voice vote.**
- Steve Mason took a moment before Article 4 started to introduce some Lowell Graded students to share speeches they had written and projects they have been working on through this year in science. The Speeches were on Stream Restoration. The Students Were Miriah Langmand 8th grade, Mckenna Blay 8th grade, Kayla Kennison 7th grade, and Haleigh Tetreault 6th grade. The students worked very hard on both the projects and the speeches. They had also shared that they had gone to Montpelier to read their speeches at the State house. Steve had told the students how proud of them he was for all their hard work and to keep on fighting for what they are working towards.
- Steve Mason had also taken a moment to express his appreciation to all the people who do things for the School and for the Town.

ARTICLE 4: *Shall the voters of the **LOWELL TOWN SCHOOL DISTRICT** authorize the Board of School Directors to use **\$50,000.00** of the unallocated, unaudited general fund balance from the 2017-2018 school year, to **reduce taxes** in the 2019-2020 school budget?*

- *Motion made and seconded to authorize Article 4 as written.*
- **Motion for ARTICLE 4 AS WRITTEN, passed by voice vote.**

ARTICLE 5: *Shall the voter of the **LOWELL TOWN SCHOOL DISTRICT** Authorize the Board of School Directors to transfer to the Tax Stabilization Fund \$44,320.00 of unallocated, unaudited General Fund balance from the 2017-2018 school year to be used in future budgets when the tax rate is to increase more than 3 cents?*

- Article moved and seconded; voice vote/carried
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 6: *To transact any other non-binding business which may legally come before this meeting.*

- *Gordon Spencer asked if the school were to have merge, what would that do to the budget, and would the State effect that? Steve Mason answered that the budget is audited by an outside auditor not by the State, we have control not the State.*
- *Question was asked, how is the budget decided? Steve answered, the Bookkeeper and Principle go over expenses line item by line item.*
- *Article moved and seconded; voice vote/carried.*

ARTICLE 7: *To Adjourn.*

- *Article moved and seconded; voice vote/carried.*
- *Meeting ended at 10:48 a.m. for school portion.*

OUTCOME OF AUSTRALIAN BALLOTING FOR NORTH COUNTRY UNION HIGH SCHOOL:

Polls were open from 10:00 a.m. to 7:00 p.m.

ARTICLE IV: NCUHS BUDGET- TOTAL VOTES CAST: 63
IN FAVOR-38 OPPOSED-25 BLANK-0
ARTICLE PASSED

ARTICLE VI: NCUHS CAPITAL IMPROVEMENT RESERVE FUND

TOTAL VOTES CAST: 63
IN FAVOR-40 OPPOSED-23 BLANK- 0
ARTICLE PASSED

ARTICLE VII: NCUHS SCHOOL IMPROVEMENT RESERVE FUND
TOTAL VOTES CAST: 63
IN FAVOR-40 OPPOSED-23 BLANK-0
ARTICLE PASSED

Attest:

MODERATOR: Alden Warner _____

SCHOOL BOARD DIRECTOR: Steve Mason _____

TOWN MEETING: Moderator call Annual Town meeting to order at 10:50 a.m.

ARTICLE 8: *To ELECT TOWN MODERATOR for the ensuing year.*

- Alden Warner nominated; voice vote / carried.
- **ALDEN WARNER – ELECTED**

ARTICLE 9: *To HEAR and ACT upon reports of TOWN OFFICERS.*

- Motion made and seconded to accept the reports as written.
- Moderator asked for any errors or omissions in the town reports.
- There were three small errors, too many zeros in the Library Fund amount, the word depreciation was misspelled in the balance sheet, and the page numbers say 2017 annual town report.
- Motion made and seconded to accept the Town Report as written with corrections noted; voice vote / carried.
- **TOWN REPORT ACCEPTED AS WRITTEN, WITH CORRECTIONS.**

ARTICLE 10: *To ELECT the following OFFICERS required by law:*

a. SELECT PERSON 3-year term

- Darren Pion- nominated.
Alden Warner-nominated.
Request to vote by paper ballot; seconded-used pink paper ballots for voting.
Results: Darren Pion-27, Alden Warner-80, Total votes 107
- **ALDEN WARNER – ELECTED**

b. ROAD COMMISSIONER 3-year term

- Calvin Allen-nominated
- There were no other nominations, the Moderator using unanimous consent, instructed the Clerk to cast one paper ballot for Calvin Allen.
- **CALVIN ALLEN-ELECTED**

c. LISTER 3-year term

- Mark Higley- nominated.
- There were no other nominations, the Moderator using unanimous consent, instructed the Clerk to cast one paper ballot for Mark Higley.
- **MARK HIGLEY - ELECTED**

d. AUDITOR 3-year term

- Gordon Spencer- nominated.
- There were no other nominations, the moderator using unanimous consent, instructed the clerk to cast one paper ballot for Gordon Spencer.
- **GORDON SPENCER – ELECTED**

e. AUDITOR 1-year term

- Melanie Richardson-nominated
- There were no other nominations, the Moderator using unanimous consent, instructed the Clerk to cast one paper ballot for Melanie Richardson.
- **MELANIE RICHARDSON-ELECTED**

f. 1st CONSTABLE 1-year term

- Steven Cyr- nominated; voice vote / carried.
- **STEVEN CYR – ELECTED**

g. 2nd CONSTABLE 1-year term

- No one nominated, voters left the decision up to the Selectboard to appoint one.

h. TOWN AGENT 1- year term

- Andre Tetreault Sr. nominated; voice vote / carried.
- **ANDRE TETREAUULT Sr. - ELECTED**

i. GRAND JUROR 1-year term

- Andre Tetreault Sr. nominated; voice vote / carried.
- **ANDRE TETREAUULT Sr. – ELECTED**

ARTICLE 11: *Shall the legal voters appropriate the sum of \$ 280,000.00 for TOWN EXPENSES AND LIABILITIES (Select Board’s Account)?*

- Article moved and seconded to appropriate \$280,000 for the select board account. Moderator asked for comments, questions, or amendments. Motion was made and seconded to require the select board to instruct the road commissioner to house the grader in the town garage rather than housing the road commissioner’s truck. Moderator ruled amendment out-of-order, not being germane to the main motion, but reminded the voters they could over-rule the moderator. Moderators ruling was defeated by show-of-hands vote. Moderator asked for comments, questions or secondary amendment to the primary amendment.
- Question was asked why does the Road Commissioner now, not have to house the Grader in the Town Garage rather than the trucks that belong to the Road Commissioner personally. It was also stated that the Road Commissioner before him had to abide by those rules and so should he.
- Question was asked to hear the other side of the story rather than just here the people’s side of it. The Road Commissioner answered that the Grader is industrial equipment and is kept plugged in. He stated that the reason he keeps the trucks and the loader in the garage is so

that in the extreme cold and blizzard conditions, he needs his equipment ready to go, rather than trying to fight to get it all going.

- There was a little more discussion on the Housing of the equipment.
- Motion was made seconded to call the question. Motion to call the question passed by voice vote. Motion to require the select board to instruct the road commissioner to house the grader instead of his truck was defeated by a requested paper ballot vote. Results were: Yes-40 and No-55
- Moderator asked if any more questions, comments or amendments to the main motion. There being none, the main motion to appropriate \$280,000 to the select board account carried by voice vote.

ARTICLE 12: *Shall the legal voters appropriate \$ 135,000.00 plus Vermont State Aid funding for **WINTER ROADS?***

- Article moved and seconded.
- Question was asked, how much State aid will be received? The Town Treasurer responded with, we won't know till the end of the year.
- Moderator asked if there were any other questions. There being none, the main motion to appropriate \$ 135,000.00 to Winter Roads carried by voice vote.
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 13: *Shall the legal voters appropriate \$ 135,000.00 plus Vermont State Aid funding for **SUMMER ROADS?***

- Article moved and seconded.
- Motion carried by voice vote.
- **ARTICLE PASSED AS WRITTEN**

ARTICLE 14: *Shall the legal voters appropriate \$ 30,000.00 for the **FIRE DEPARTMENT?***

- Article moved and seconded.
- Question was asked why the Fire Department stipends and training cost \$ 10,000? Alden Warner (the Fire Department Treasurer) answered the question.
- Question was asked about the selling of the four-wheeler and the old jaws of life, and the purchase of a new Jaws, and wanted to know where the money came from. Calvin Allen (the Fire Chief) had answered that the Fire department has their own special equipment fund to allow them to be able to purchase what they need and to help buy things in the future.
- Moderator asked if there were any other questions. There being none, the main motion to appropriate \$30,000.00 for the Fire Department carried by voice vote.
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 15: *Shall the legal voters authorize the **SELECTBOARD** to borrow funding for the replacement of the **KEMPTON HILL BRIDGE?***

- *Article moved and seconded.*
- *Question was asked if there is anyway to reclassify the road? The Selectboard Chair answered that there is but there are a lot of legal channels to go through to do this.*
- *Mark Higley was asked as a Lister to speak about the bridge replacement and what it would or could do to the town taxes.*
- *Question was asked if the grant was approved would it put the town at the bottom of the list for any future grants for other bridges if the were to be decommissioned. The Road Commissioner stated that structure grants and road grants are separate, and yes, we would be put at the bottom of the list for any future structure grants.*

- Question was asked, wasn't it an option to do away with the bridge? The Selectboard answered there is the option of voting down the bridge, or to vote to replace it.
- There was further discussion on this matter and what the cost would be to replace it. Mark Higley addressed this discussion.
- Question was asked, how does the Selectboard feel about it. The Board Chair answered that we/ I do not feel comfortable spending any large amount of money without the Town's People's approval.
- Arlon Warner spoke on his own behalf on how he feels about the bridge situation and issues that have come along with it. He stated years ago when he bought the property it was with two ways out. With there only being one way out it not only effects his everyday life, but his business as well. He stated that he has ran his Tax service business out of his home for quite some time and his clients as well as himself needs to have access in and out of his place. During the winter months with only the steep hill as an in and out point, is very difficult. There was further discussion from other towns people stating their difficulty of their own driveways.
- Question was asked, how much money has the town already spent in Lawyers fees? The Town Treasurer stated that we had spent \$9,750.00 in preliminary engineering cost, and \$2,236.00 in Legal costs.
- It was noted that if we don't fix the bridge, we would go to court and could loose and still have to fix the bridge.
- Question was asked, what about putting in a box culvert rather than replacing the bridge? The Board Chair stated that there was to much ledge for a box culvert to go in.
- Question was asked how can we vote on something when we don't even know how much it's going to cost. There was discussion on the Board needed to do more research before asking the Town to vote for something.
- Question was asked, would it be a possibility for the town to purchase the landowner's property?
- Question was asked, if all the possibilities had all been ruled out before making this decision to replace the bridge. Alden Warner a Selectmen explained that we only had two options, either to vote to replace the bridge or to not replace the bridge. He also stated that the Law suite that had been put on hold will continue in 3 to 4 days if we vote to not replace the bridge.
- Question was asked, if we were planning to go with a Mabey Bridge for the replacement? The Selectboard stated yes if it is approved.
- Question was asked if anyone could bid on the job, the Selectboard responded with yes anyone will be able to bid on the job. There was a little further discussion on bids.
- It was inquired, why is it safe for our road crew to travel on Kempton Hill Road, if it's not safe for our Fire Trucks, Ambulances, or clients for Arlon's Tax Service?
- Question was asked, why is everyone scared of this law suit, and is there a counter suit, and if not why? Alden Warner, spoke on behalf of the Selectboard, and stated that they were following the advisory of the Town Attorney.
- Question was asked, could we change the class of the road? Richard Pion, Selectboard Chair stated that there are legal ways we have to follow and can still be sued on making that decision.
- Motion was made to call the question-seconded/ called for a show of hands. Results for show of hands was: YES-72 and NO-6
- Request for paper ballot vote was made for replacement of Kempton Bridge: White paper ballots were used. Results were: YES-57 and NO-43, Total votes 100
- **ARTICLE PASSED WITH YES VOTES.**

ARTICLE 16: *Shall the legal voters appropriate \$ 6,000.00 for the COMMUNITY LIBRARY?*

- Article moved and seconded.
- Motion carried by voice vote.
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 17: *Shall the legal voters appropriate \$ 3,000.00 for the LITTLE LEAGUE & T-BALL teams?*

- Article moved and seconded.
- Motion carried by voice vote.
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 18: *Shall the legal voters appropriate \$ 1,000.00 for the JR. HOOP BASKETBALL teams?*

- Article moved and seconded.
- Question was asked if there could be a budget submitted in the future to know what is being spent for Jr. Hoop. It was noted and acknowledged by the Town Treasurer.
- Motion carried by voice vote.
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 19: *Shall the legal voters appropriate the sum of \$ 3,500.00 to the ORLEANS ESSEX VNA & HOSPICE, INC. for the services of Skilled Nursing, Physical Therapy, Speech Therapy, Occupational Therapy, Medical Social Work, Licensed Nurse's Aide, Homemaker, Personal Care Attendant, Hospice, and Maternal Child Health Programs, and other community health programs provided by the Agency?*

- Article moved and seconded; voice vote / carried.
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 20: *Shall the legal voters appropriate the following sums:*

- a) \$ 500 to AMERICAN RED CROSS
- b) \$ 250 to GREEN MOUNTAIN FARM-to-SCHOOL, INC
- c) \$ 50 to GREEN UP VERMONT
- d) \$ 200 to JAY PEAK POST NO. 28, INC. - AMERICAN LEGION
- e) \$ 200 to MISSISQUOI RIVER BASIN ASSOC.
- f) \$ 300 to NORTHEAST KINGDOM COMMUNITY ACTION, INC. – ORLEANS COUNTY COURT DIVERSION
- g) \$ 300 to NORTHEAST KINGDOM COUNCIL ON AGING
- h) \$ 923 to NORTHEAST KINGDOM HUMAN SERVICE, INC.
- i) \$ 200 to NORTHEAST KINGDOM LEARNING SERVICES INC
- j) \$ 659 to NORTHEASTERN VT DEVELOPMENT ASSOCIATION
- k) \$ 200 to ORLEANS COUNTY CHILD ADVOCACY CENTER
- l) \$ 500 to ORLEANS COUNTY CITIZEN ADVOCACY
- m) \$ 500 to ORLEANS COUNTY HISTORICAL SOCIETY
- n) \$ 500 to POPE MEMORIAL FRONTIER ANIMAL SHELTER
- o) \$ 700 to RURAL COMMUNITY TRANSPORTATION
- p) \$ 825 to UMBRELLA
- q) \$ 100 to VACD - VERMONT RURAL FIRE PROTECTION
- r) \$ 200 to VT ASSOC for the BLIND and VISUALLY IMPAIRED
- s) \$ 90 to VT CENTER FOR INDEPENDENT LIVING
- t) \$ 100 to VERMONT SYMPHONY ORCHESTRA
- u) \$ 200 to PREVENT CHILD ABUSE VERMONT

Total for above appropriations = \$7,547.00

- Article moved and seconded.
- Letter e. was discussed with discretion of who has actual control of the organization.
- Motion made and seconded to remove item e
- By show of hands results were: YES-20 and NO-21, the NO'S have it, Motion to amend this article failed.
- **ARTICLE PASSED AS WRITTEN.**

ARTICLE 21: *To transact any other business that may legally come before the Town.*

- *Arlon Warner made a suggestion that the employee that took the place of the previous Assistant, doing the Clerk work, should get a raise to equal the amount the previous Assistant was making before she left the job. The Selectboard stated that it was up to the Selectboard only to make this decision.*
- *Mark Higley took this time to speak about Energy and Technology, and what they are trying to do to help the communities have better service with these programs. It is all about getting better internet services for not only businesses, but regular households as well. For more information on this a statement is available in the Lowell Town Clerks Office.*
- *Question was asked about the new DMV requirements for admissions. Mark Higley explained that any car 10 years or older did not have to qualify for the new rules.*
- *There was further discussion on bills that have not passed yet.*
- *No other business was discussed.*

ARTICLE 22: *TO ADJOURN*

- *The motion was made and seconded to adjourn the Town Meeting; voice vote / carried.*
- **MEETING ADJOURNED AT 3:48 P.M.**

Attest:

MODERATOR: Alden Warner _____

JUSTICE OF THE PEACE: Steve Mason _____

PRESIDING OFFICER: Priscilla Matten_____

Received for recording in Town Proceeding Book

Attest: Priscilla Matten- Town Clerk