

**MINUTES**  
**SELECT BOARD MEETING**  
**TOWN OF COVENTRY**

**Monday April 17<sup>th</sup>, 2017 at 5:00 p.m.**

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**Board Members Present:**

Michael Marcotte / Chairman; Bradley Maxwell; Scott Morley

**Town Officials Present:**

Amanda Carlson/Town Administrator

Lyell Reed/Lister; Gary Petit/Lister; Anita Gariepy/Lister

David Barlow/Trustee of Cemetery Funds

Kate Fletcher/Delinquent Tax Collector

Maurice Jacobs/Planning Commission; Skip Gosselin/Planning Commission

**Guests:**

Adam Messier; Joshua Griffes; Martha Sylvester; Viola Poirier; John Miller; Jeanne Desrochers

**Press:**

Elizabeth Trail/Barton Chronicle; Robin Smith/Caledonia Record; Chris Roy/Newport Daily Express

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1. **Mike Marcotte called the meeting to order at 5:00 p.m.**
  
2. **Approve the minutes of the March 22<sup>nd</sup> and March 27<sup>th</sup>, 2017 meeting**
  - Brad Maxwell made the motion to approve the minutes of the March 22<sup>nd</sup> and March 27<sup>th</sup>, 2017 meetings.
  - Seconded by Scott Morley. The Board signed and approved the minutes as written.
  
3. **Allow for public comment**
  - Viola Poirier thanked Scott Morley for following up with the complaint of neighbor's dogs made to the Board a few weeks ago. Viola reported that since Scott had spoken to them the dogs have been moved farther from the house which resulted in some improvement on noise disturbance; however, there have been instances which make the couple fearful of their safety.
  - Viola requested the Board consider adopting a Town wide Dog Ordinance similar to the one currently in place for the Village limits.

- The Board agreed to look at adopting the ordinance and will review the existing Ordinance at the next meeting.
- Skip Gosselin voiced concerns about the nature of the compostable materials being disposed of in the landfill.
- The Board explained that this is State regulated and monitored.
- Skip was advised that if there are ever odor issues then residents are asked to contact the landfill immediately, or they can call the Select Board office and request the odor issue be reported.
- Skip Gosselin asked the Town Administrator to provide a list of what materials are accepted at commercial and residential compost facilities.

#### **4. Town Attorney**

- The Board agreed unanimously that with many issues surrounding the Town and the changes being made, that it was time to consider a change of Town Attorney going forward. The current Town Attorney is Bill Davies from May & Davies.
- When questioned by residents on the reason, the Board stated that there were no events or singular problems with the current Town Attorney, however, the Board agreed it was time for a fresh perspective and fresh eyes on the Town.
- Brad Maxwell recommended appointing Paul Gillies from Tarrant, Gillies & Richardson, as the Town's Attorney.
- Mr. Gillies is representing the Board in a law suit against the Town Clerk and Treasurer. Mike Marcotte stated his concerns that if the Clerk and Treasurer needed legal advice for daily Town business, that it might create a conflict of interest.
- The Board granted Scott Morley unanimous authority to speak with Attorney Paul Gillies to inquire if he is interested in being appointed the Town attorney.
- No changes or decisions made at this time by the Board.

#### **5. Pound Keeper**

- Former Pound Keeper Rob Geisler contacted Mike Marcotte to recommend Rene Falconer as his successor. Rene currently performs the duties for several other Towns.
- Mike Marcotte explained to the Board that the Town Clerk approached him the previous week stating that there have been several dog complaints coming into the office and there was no enforcement officer since Rob Geisler resigned. Mike asked Cynthia to call Rene Falconer and ask if she would work for the Town until a formal agreement could be established.
- The Clerk reported back that Rene would help the Town and the cost would be \$10 per hour plus mileage.
- Rene Falconer will be asked to attend an upcoming Select Board Meeting to discuss a more formal agreement with the Town as the Pound Keeper.

## **6. Upstairs Office Setup**

- Scott Morley was previously granted authority by the Board to meet with the Listers to determine office requirements. It was agreed that the upstairs space would be used to set up the Listers Office.
- Amanda Carlson provided the Board with the estimates for running internet connections to the upper floor. Gates Electric and Tech Patrol were consulted and both agreed that all internet hubs that are currently housed in the Town Clerks Office should be moved to a secure location upstairs. The estimate to move all equipment and run new internet cables for upstairs was reported at approximately \$1,500.00.
- Mike Marcotte made the motion to proceed with hardwiring the upstairs of the Community Center with internet access, as well as move all internet hardware to the upstairs as recommended. Motion seconded by Brad Maxwell.
- The upstairs office is in need of updating, furniture and equipment. Scott Morley stated that he felt the Board could not put price limits on this at the moment, and that it needed to be done to provide a functional office space for elected officials.
- The Board granted Scott Morley unanimous authority to meet with the Listers on Friday April 21, 2017 to work on cleaning out the space, and reviewing the furniture and equipment needs.
- The Board agreed unanimously to allow the room to be painted at the same time as the gym next week. Amanda will contact BJ's Cleaning Service who is doing the painting, to ask if it can be included and what the additional cost is.
- Lyell Reed addressed the handicapped accessibility of the upstairs space and stated that if/when it is an issue with appointments, then an office or the gymnasium downstairs would need to be utilized.
- The Board agreed that the former library upstairs will need to be cleaned out so that other Town Organizations such as the Planning Commission, Town Foundation and Fire District, could utilize for meetings as needed.
- David Barlow, acting as the computer support person for the Office of the Listers, requested read-only access to prior year's Grand Lists in the NEMRC module. Scott Morley made the motion to allow the read only access to David Barlow. Seconded by Brad Maxwell. The Board agreed unanimously and instructed Amanda Carlson to contact NEMRC on behalf of the Board to arrange.
- The Board agreed unanimously that when passwords are updated by NEMRC for access to the server, they will be sent to the Select Board Chain only. The Chairman will then provide as required.

## **7. Coventry Day**

- Anita Garipey was asked to speak with the Clerk on behalf of the Board to confirm if planning was being done for Coventry Day. Anita reported that the response was not favorable to committing to planning.
- The Board has reached out to the Recreation Committee several times with no response.

- Mike Marcotte stated that this was a good opportunity to get community members involved.
- A notice will be placed on the website asking for volunteers, and the Board will discuss the appointment of a new Recreation Committee at the next Select Board Meeting.
- Amanda Carlson will call Brault's Meat Market to ensure they are available for the day of the event. Fireworks display and bouncy houses have already been booked.

#### **8. Gymnasium Painting**

- The painting of the gymnasium will begin next Monday April 24<sup>th</sup>, 2017 by Bobbi Jo Roberts / BJ's Cleaning Service as agreed upon by the Board.
- Any groups that have scheduled events in the Gymnasium have been notified.

#### **9. Solid Waste Implementation Plan Update and Grant Review**

- The Town applied for the Solid Waste Implementation Grant to assist with the costs of the two-mandatory household hazardous waste days in 2017.
- A grant application was submitted with the total estimated costs of the events at \$9,185.00.
- The Town was awarded a total grant of \$2,117.00 from the Department of Environmental Conservation. It was noted on the application that the Town was considered high-risk and would be subject to additional reporting and follow up throughout the year to receive the reimbursement funds.
- The Board noted that the Town has not applied for this grant in the past.
- For yearly Solid Waste Implementation Planning and reporting, Mike Marcotte asked the Town Administrator to provide information on the 2017 requirements for review at the next meeting.
- Mike Marcotte will contact the Town Clerk to request all quarterly reports received from haulers.
- Martha Sylvester expressed concern for needles found roadside in Town. The Board stated that if needles are found then they can call the Road Commissioner who has the proper equipment and training for disposal.

#### **10. Investments**

- The Board agreed unanimously that it was time to act on the recently adopted Investment Policy.
- The Board granted Scott Morley unanimous authority to meet with Hunt's Financial to review the current investment portfolio. The Board agreed unanimously that this meeting would also include the Town Administrator, Amanda Carlson; and the Trustee of Public Money, David Barlow.
- Once the information is received from the investors, the Board will discuss the process of putting the investments out to bid as defined in the Investment Policy.
- The Board reviewed the investment statement from Edward Jones for March 2017 listing a total account value of \$394,341.84.

### **11. Update on civil court case**

- Status Hearing is scheduled with the Civil Court on Tuesday April 25<sup>th</sup>, 2017 at 8:45 a.m.
- Under unanimous authority from the Board for Scott Morley to continue conversations with the Board's Attorney Paul Gillies; Scott will contact Paul to review the expectations of Tuesday's hearing.
- Mike Marcotte stated that it was very important for the Judge to be aware of the issues the Board is dealing with. Source documents requested from the Town Treasurer continue to not be provided on request; the Treasurer did not respond to a request from the Board to report on over 44 missing dog licenses; Annual Town Meeting minutes were requested and have not been provided even though the Statute gives 14 days to produce; checks continue to be written before the Board Warrant is issued; and the Board Warrant signed on February 6, 2017 for transfer of funds to savings accounts has still not been completed by the Treasurer.
- The Town Administrator reported that there were 25 accounts payable checks written prior to the Board Warrant being issued. 5 checks were voided because the amount was incorrect. The other 20 were verified with the invoices and included in the warrant. Amanda Carlson expressed concern that the checks predated the warrant.
- The Board agreed unanimously that the checks written prior to the warrant this week will be accepted only to avoid any late payments or penalties that Town may incur.
- The Board agreed unanimously that going forward, any checks that are written prior to the Board Warrant being issued to the Treasurer for payment will be rejected and voided. The Treasurer is responsible to provide the Select Board Office with any invoices due for payment; only after receiving the warrant from the Board should the checks be written for payments listed on the warrant.

### **12. Update on VLCT insurance claim**

- Scott Morley reported that auditor Jeff Graham has met with Kelly Kindestin from the VLCT and communications are continuing.
- There are no updates to report, and no decisions have been issued by the VLCT.

### **13. Discussion of Treasurer's refusal to process approved Board Warrants**

- The Board agreed this was addressed in agenda item #11 and legal council will be consulted on how to proceed.
- The Treasurer was not present to comment.

### **14. Discussion of Treasurer's refusal to provide supporting documentation for accounts payable**

- As discussed in agenda item #11, documents continue to not be provided.
- The Town Administrator has been notifying vendors of the change of mailing address to ensure copies are sent to the Select Board Office going forward.
- The Board agreed to appeal to the Judge for assistance and guidance on how to proceed when documents are not provided.

- The Treasurer was not present to comment.

#### **15. Request Treasurer's report to include detailed list of Town revenue for two preceding calendar weeks including all source documents**

- The Board reviewed the report provided by the Treasurer. It was noted that the majority of the report only included check copies and that no source documents were provided. There was no summary attached and no explanation of what checks were received for.
- *No summary of income was provided for entry into meeting minutes.*
- The Treasurer included a note to the Board asking for the last receipt number provided to the Board as she was unclear on where she had left off on reporting.
- The Town Administrator expressed concern that if there were gaps in information received, then the Select Board records would not be accurate.
- Scott Morley stated that the Board would not be supplying the information to the Town Treasurer. The Treasurer should be aware of all previous reports made and the Board should not be detailing her work for her.
- The Town Treasurer was not present to reply.

#### **16. Review summary of delinquent tax payments received for prior weeks**

- The Board reviewed reports provided by the Town Administrator detailing payments received for Delinquent Taxes in her office on March 27<sup>th</sup>, and March 29<sup>th</sup>, 2017. Total amount received; *\$5,859.01*
- Checks were given to the Town Treasurer for Deposit. Reports were given to the Delinquent Tax Collector.
- Delinquent Tax Collector, Kate Fletcher, stated she is in the process of reviewing all of the delinquent tax reports to produce accurate totals for Board, and Auditor, approval. Kate has questions about the process and expectations of the position and requested a Board member be appointed to work with her outside of the meeting.
- The Board granted Scott Morley unanimous authority to meet with Kate Fletcher to work on the process of Delinquent Tax Collection.

#### **17. Other Business**

- Attorney Bill Davies provided a Notice of Proposed Sale for land purchased by New England Waste Services. The Board was asked to sign the notice and post in the Town for Public view.
- The Board was unclear on the situation and did not sign the notice. The Town Administrator was asked to contact Mr. Davies for more information.
- Mike Marcotte signed and approved a letter to the Vermont Fish and Wildlife Department supporting the purchase of a 8.6 acre parcel in Coventry.
- The information was reviewed and accepted at the Board meeting on March 20<sup>th</sup>, 2017.

- The Board reviewed a letter received from John Miller and Jeanne Desrochers outlining their concerns over the Rounseville house on Conway Court that was destroyed by a fire in December 2016. They would like the Town to assist with the cleanup for health and safety reasons.
  - The Board received a copy of the letter prior to the meeting. Mike Marcotte had asked Amanda Carlson to contact the Vermont League of Cities and Towns for advice on the Towns legal obligations and liability issues. The Board reviewed a copy of the VLCT's response in conjunction with the letter.
  - The VLCT cautioned the Board on taking action with private property and stated that legal rights are very limited. VLCT Staff Attorney, Cal Andeer, advised the Board to have the Town Health Officer inspect the property and then consult the Town Attorney before taking any action.
  - It was also suggested the Town look at adopting a Dangerous Building Ordinance going forward.
  - The owner listed on Town records is deceased and the property is currently in Probate Court for official ownership determination.
  - The Board stated that they would contact the Town Health Officer to inspect the property; however, he would be instructed that he must first contact the courts to clarify who has legal responsibility over the house to allow him permission for inspection.
  - The Board stated that they wanted to help but it was a complicated issue that would need to be considered before a precedent is set.
  - The Board also noted that the owner was not present at the meeting and no decisions can or should be made without their consent and cooperation.
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- The Board reviewed the list of unlicensed dogs provided by the Town Clerk.
  - The Board noted that this was the first time they recall seeing this report and were unsure of the obligations required going forward.
  - The Board asked the Town Administrator to research the Statutes on dog licensing and enforcement for Board review at the next meeting.
  - Mike Marcotte will contact the Town Clerk to clarify if residents on this list have already received a delinquent notice.
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- Community Center Coordinator, Richard Lussier, reported that on Saturday April 8, 2017, a renter of the Community Center smelled propane in the building. The fire department was contacted. No gas was detected and the building was confirmed as safe.
  - The Board agreed unanimously that the Community Center policy needs to be updated outlining the safety protocol for renters in order to avoid the extra costs associated with calling emergency crew at their discretion. However, the Board agreed that the safety of all residents was the most important.
  - The Town Health Officer will be asked to inspect the premises for gas detectors and other recommended equipment before anything is purchased.

- The Board approved the cost of an additional email address under the domain coventryvt.org at a cost of \$4.49 per month for a one year term. The email address will be set up for the Delinquent Tax Collector.
- The Board approved the Town Administrators request to purchase an additional filing cabinet for the Select Board Office at an estimated cost of \$229.00.
- The Board approved the cost for Amanda Carlson to attend the upcoming VLCT Workshop on May 10<sup>th</sup>, 2017 in Montpelier entitled; Municipal Employment Law and Human Resources Workshop. The cost for attending the all-day seminar is \$60.
- The Board received notification from Downs Rachlin Martin PLLC, legal representatives of New Cingular Wireless in connection with a proposed modification to the existing wireless communications pole located at 458 Spencer Hill Road, Coventry. A certificate of public good has been requested and the Board was asked to contact the firm if they should have any comment or question.
- No action taken by the Board.

#### 18. Sign Orders

Payroll	For week ending 04/01/17	\$ 2,133.72
Payroll	For week ending 04/08/17	\$ 1,983.72
Payroll	For week ending 04/15/17	\$ 2,142.95
Accounts Payable	EFTPS – IRS monthly payroll ACH transfer	\$ 3,217.83
Accounts Payable	Quarterly State withholding ACH Transfer	\$ 1,090.42
Accounts Payable	AP#22 – 04/17/17	\$ 21,398.20
<b>Signed by the Board for the Treasurer to draw checks totaling</b>		<b>\$ 31,966.84</b>

**19. Meeting adjourned at 8:25 p.m.**

**The next Select Board meeting will be held on Monday April 24<sup>th</sup>, 2017 at 5:00 p.m.**

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**Michael Marcotte / Chairman**

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**Bradley Maxwell**

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**Scott Morley**

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**Amanda Carlson / Town Administrator**