

PUBLIC HEARING FOR TOWN PLAN  
MONDAY JUNE 16, 2014  
6:00PM  
TOWN CLERK'S OFFICE  
APPROVED MINUTES

PUBLIC: Mary Falcon, Gene Hammond, Danial Sargeant-Fire Chief, Stephen Webster-WRVA representative.

**6:00-6:30PM Public Hearing for Town Plan**

**Victoria Crowne Moved to approve the 2014 Town Plan as revised by Mary Falcon. Cheryl Sargeant 2<sup>nd</sup> All in favor.**

**6:30 Adjourn Public Hearing for Town Plan- moved by Cheryl Sargeant and 2<sup>nd</sup> by Victoria Crowne – All in favor**

BIMONTHLY SELECTBOARD MEETING  
MONDAY JUNE 16<sup>TH</sup>, 2014.  
APPROVED

Call to order 6:12pm by Cheryl Sargeant

**PUBLIC:** Gene Hammond, Danial Sargeant-Fire Chief, Stephen Webster-WRVA representative. Cheryl Sargeant- Selectboard Chair, Michele Brown- Selectboard member, Victoria Crowne- Selectboard member, Diane Eramo- Town Website chairman.

**COMMENTS AND COMMUNICATION: None**

**6:35- OLD BUSINESS**

**Open Bids for Auditor Proposal- Victoria Crowne moved to table until July 7<sup>th</sup> meeting. 2<sup>nd</sup> Cheryl Sargeant- All in favor**

**Town Highways- culverts and Roadside Mowing**

The Town Line culvert near Helen Dillon received 2 quotes. One from Harvey's for \$410 and ECS for \$595. **Victoria Crowne Moved to accept Harvey's Bid of \$410. Cheryl Sargeant 2<sup>nd</sup>- All in favor**

The Puddle Dock Culvert was estimated by Charlie Needham to only need 3 written quotes. We may wait until the next fiscal year for this.

The West Hill culvert is estimated to be enough money to put it out to bid in the papers. We will address this again in the next fiscal year. This project will affect the alternate FEMA projects. We will wait to hear from FEMA regarding their answer on all the alternative projects we submitted first and then address this culvert.

**Roadside mowing** will be discussed and updated with Charlie Needham- Road Commissioner this week.

**Discuss WRVA Tri-Town Selectboard Meeting and Next steps.**

Steven Webster, the Treasurer from WRVA, attended tonight to answer questions we may have.

The WRVA proposal of \$70 started June 1<sup>st</sup>. This means the Ambulance will be housed in Bethel and dispatched from Bethel like all the other towns they service. The board's assumption is that the ambulance would be over in this valley from 8-5pm on the weekdays. Currently, Granville has paid for July and has a credit balance.

At some point in the future, WRVA is hoping to bring the cost down to \$58.90 per Capita which would be in line the other towns they service.

Dan Sargeant asked Steve Webster whether or not it may be feasible to get an ambulance and team over here if we helped them find grant money to do so. Steve felt that option should be brought to the WRVA Board.

WRVA is providing a first responder training but realizes that our first responder team can't be a permanent solution.

#### **6:40 FINANCIAL MANAGEMENT**

**Approve Selectmen's orders**-Cheryl Seargent moved. Michele Brown- 2<sup>nd</sup>- all in favor.

**Approve Meeting Minutes**- Michele Brown moved 2<sup>nd</sup> by Cheryl Sargeant. All in favor

**Discuss & Approve Short Term Loan**- Victoria moved to table until our next meeting in July. 2<sup>nd</sup> Michele Brown

**Discuss & Approve Town Web site Update of Service Expenses**- The current application with One And One needs to be up graded to be able to move the information over to our new site. The new price is \$4.99. **Michele moved to approve the new temporary cost of \$4.99 when we move over to GoDaddy for Web master. 2<sup>nd</sup> by Cheryl Sargeant**

#### **6:47 NEW BUSINESS**

##### **Discuss & approve Maintenance to town Garage GVFD.-**

**GVFD** wants to replace some of the trim and paint the metal siding of the town Fire Department. They will be using the money out of the GVFD municipal fund to do these repairs. The GVFD wanted to ask the selectboard if this was acceptable. They also want to sell some outdated equipment ie, PTO pump, booster hose reel and suction hose, all of which they don't use and is in the way. If they can sell them can they keep the money for it? The money would be put into their equipment fund.

Valley Rescue donated the Base station radio from when Valley Rescue was liquidated. The radio was originally bought with Grant money and has been given to Granville. GFVD is requesting that the Base Station radio be installed here at the Town Hall for our emergency operations center. GVFD will work with John Crowne, Emergency Coordinator and Kathy Werner, town clerk for installation and operations.

**Michele Brown moved to accept the upgrade to the Fire Station and the selling of the old products. Cheryl Sargeant 2<sup>nd</sup>- All in Favor.**

**WRVA EMERGENCY MEDICAL TRAINING EMR (JULY 7<sup>TH</sup> – THE END OF AUGUST.) MONDAY NIGHTS 6:30-9:30 A FEW WEDNESDAYS AND 2 SATURDAY'S.** This would enable our residents that are certified to join our Granville 1<sup>st</sup> responder team. Granville is sponsoring all three towns for now to encourage participation.

Victoria Crowne wanted to revisit where we stood with a possible charter change regarding the Lister's office. VLCT said that The lister's office will have to petition the town as to what they want to do regarding a charter change or not. There is a process after that decision which the State will walk us through. It is regarding hearings and such if the Lister's want to change the Charter of their office for Granville.

**This next part is from an e-mail received from Garret Baxter at VLCT-on 5/19/2013 to let us know what Attorney Jim Barlow from the State of Vermont said.**

Here is a response from our Senior Attorney Jim Barlow that lays out the possible solutions laid out by Vermont law.

*The primary obstacle for the selectboard to overcome is the provision in 17 V.S.A. 2646 that requires a town to elect listers. There are three work-arounds by which a town may employ an assessor to perform the duties of the elected listers, two of which are not permanent and will probably not work for you.*

*The first is under this statute:*

*32 V.S.A. § 4041. Examination of property; appraisal*

*On April 1 the listers shall proceed to take up such inventories and make such personal examination of the property which they are required to appraise as will enable them to appraise it at its fair market value. When a board of listers are of the opinion that expert advice or assistance is needed in making any appraisal required by law, they may, with approval of selectboard or by vote of the town, employ such assistance.*

*This authority is usually invoked on a temporary basis when the town is undertaking a complete reappraisal. The statute is not intended to provide a permanent replacement for the elected listers.*

*The next opportunity is here:*

*17 V.S.A. § 2651c. Lack of elected lister; appointment*

*Notwithstanding any other provisions of law to the contrary, in the event the board of listers of a municipality falls below a majority and the selectboard is unable to find a person or persons to appoint as a lister or listers, the selectboard may appoint an assessor to perform the duties of a lister as set forth in subchapter 2 of chapter 121 of Title 32 until the next annual meeting. The appointed person need not be a resident of the municipality and shall have the same powers and be subject to the same duties and penalties as a duly elected lister for the municipality.*

*This is also a temporary solution. The person appointed assessor serves until the next annual meeting, when presumably a board of listers will be elected.*

***The only permanent solution is found through adoption of a municipal charter. Here are some examples of municipalities that have charter provisions allowing for appointment of an assessor:***

*Berlin*

*§ 105-50. Assessor*

*(a) The selectboard may appoint an assessor or arrange for assessing services. Appointees shall be competent in assessment procedures and shall serve at the pleasure of the selectboard.*

*Appointees shall have the same powers, duties, responsibilities, and liabilities as established by law for listers, except as otherwise provided in this charter.*

*(b) Prior to appointing an assessor, the selectboard shall appoint a committee, composed of three members of the selectboard and four residents of the town of Berlin, to review and recommend to the selectboard qualified candidates for the position of assessor. The committee shall have the authority to solicit candidates, to advertise notice of the vacancy in the assessor's position, and to make such investigation of a candidate's credentials and background as the committee deems appropriate. Upon completion of the investigation and interviewing of candidates, the committee shall submit to the selectboard the names of those candidates deemed qualified for the position of assessor. The selectboard shall appoint an assessor from among those deemed qualified by the committee. In the event that the committee does not submit at least three qualified candidates to the selectboard, the selectboard shall either appoint an assessor from among the qualified candidates or notify the committee, in writing, that none of the candidates shall be appointed. The committee shall then reconvene and submit the names of additional qualified candidates to the selectboard.*

*(c) The selectboard shall appoint an assessor or, if applicable, notify the committee that none of the candidates shall be appointed, no later than 30 days following submission of the names of candidates deemed qualified by the committee.*

*(d) Members of the committee described in subsection (b) of this section shall serve until an assessor is appointed by the selectboard. Meetings of the committee shall be warned and conducted as public meetings in accordance with the requirements of Vermont statutes and this charter, and the committee shall be entitled to meet in executive session as authorized by Vermont statutes.*

#### *Colchester*

##### *§ 113-501. Department of assessment*

*There shall be established a Department of Assessment headed by a professionally qualified real estate appraiser who shall be appointed by the manager with the approval of the Selectmen. The three elected listers shall comprise a Board of Assessment which shall hear assessment grievance appeals.*

##### *§ 113-502. Appraisal of property*

*The Department of Assessment shall appraise all real property for the purpose of establishing the grand list. Appraisals shall be reviewed periodically and updated. Technically qualified individuals or firms may be employed as needed.*

##### *§ 113-503. Duties*

*(a) The Department of Assessment shall have the same powers, discharge the same duties, proceed in the discharge thereof in the same manner, and be subject to the same liabilities as are prescribed for listers or the board of listers under the laws of the State of Vermont, except as herein otherwise provided.*

*(b) The department shall review, or cause to be reviewed, the appraisals of all real property in the town which is subject to taxation, in accordance with the standards for appraising established by the laws of the State of Vermont.*

#### *Essex*

##### *§ 117-501. Creation of department*

*There shall be established a department of real estate appraisal headed by a professionally qualified real estate appraiser, who shall be appointed by the manager with the approval of the selectmen.*

##### *§ 117-502. Appraisal of property*

*The department of real estate appraisal shall appraise all real and business personal property for the purpose of establishing the grand list. Appraisals shall be reviewed periodically and kept up to date. Technically qualified individuals or firms may be employed as needed.*

*§ 117-503. Appraisal of business personal property for tax purposes*

*Appraisal of business personal property shall be in accordance with the provisions of Vermont Statutes Annotated Title 32, Section 3618, as the same may from time to time be amended provided that all business personal property acquired by a taxpayer after September 30, 1995 shall be exempt from tax.*

*§ 117-504. Duties of department*

*The duties and powers of the department of real estate appraisal shall be the same as those established for listers under the general statutes.*

*§ 117-505. Purpose*

*The purpose of the department of real estate appraisal is to provide for appointment of a qualified real estate assessor rather than the election of listers. The Town shall be governed by, and each taxpayer shall have rights granted by the applicable statutes concerning real and personal property taxation, appeal therefrom, and other statutes concerning taxation.*

*Milton*

*d) Board of Listers.*

*(1) The Board of Listers shall perform all duties as prescribed by the Vermont State Statutes and this charter.*

*(2) The Board of Listers may appoint an appraiser to help perform their duties. The appraiser shall be under the direction of the Board of Listers who shall delegate the appraiser's duties and responsibilities and said appraiser shall adhere to all personnel rules and regulations of the Town of Milton.*

*The charter adoption process is described in the Selectboard Handbook. It really is not very complicated:*

*Amending Charters. Seventeen V.S.A. § 2645 provides the process by which a municipality may propose charter amendments to the General Assembly. This same process should also be used when a town initially seeks to adopt a charter or when it wishes to repeal its charter.*

*In order to request that the Legislature amend its charter, a majority of the legal voters of the municipality must have approved the amendment by an Australian ballot vote at an annual or special meeting properly warned for that purpose. First, a proposal to amend a municipal charter may be made either by the legislative body of the local government or by petition of five percent of the voters. An official copy of the proposed amendments must be filed with the city or town clerk at least ten days before the first public hearing, and copies must be made available to members of the public upon request.*

*Next, the legislative body must hold at least two public hearings prior to the vote on the proposed charter amendments. The first public hearing must be held at least 30 days before the meeting at which a vote will be held. Proposals made by the legislative body may be revised by that body as a result of recommendations made at a public hearing, but such revisions must be made and posted no less than 20 days before the date of the meeting at which the vote will be held. Notice of the revisions must be posted in the same places as the warning for the meeting,*

*and copies of the revisions must be attached to the proposal in the clerk's office for public inspection. 17 V.S.A. § 2645(a)(4).*

*If the proposal to amend the charter was made by petition, the second public hearing must be held no later than ten days after the first hearing. After the warning and hearing requirements have been satisfied, the petitioned amendments must be submitted to the voters at the next annual meeting or next primary or general election in the form in which it was filed, except for technical corrections. 17 V.S.A. § 2645(a)(5). It appears that a petitioned amendment must be presented to the voters as it was proposed and thus will be voted either "yes" or "no." If it is voted "no," then it is back to the drawing board for any proposed amendment.*

*Notice of the public hearings and of the annual or special meeting must be given in the same way and time as for annual meetings of the local government. Therefore, the meetings and hearings must be posted and published in accordance with 17 V.S.A. § 2641. Because the first hearing must be held at least 30 days before the annual or special meeting, and must be warned in accordance with 17 V.S.A. § 2641, the first hearing must be warned no later than 60 days (or earlier than 70 days) prior to the meeting at which the amendment will be considered. The second hearing must also be warned no later than 30 days or more than 40 days before it is to be held.*

*Once the town has voted to amend its charter, the municipal clerk must announce and post the results and, within ten days of the vote, certify to the Secretary of State each proposal of amendment, its origin and the procedure followed. The Secretary of State must file the certificate and deliver copies of it to the Attorney General, the Clerk of the House of Representatives, the Secretary of the Senate and the chairs of all committees concerned with municipal charters. The amendment will become effective upon affirmative enactment of the proposal, either as proposed or as amended, by the General Assembly. 17 V.S.A. § 2645.*

*Though all of these examples come from municipalities with very complete charter documents, it is certainly possible to have a one-issue charter, addressing only the appointment of an assessor to fulfill the legal duties of listers. Last year, Williamstown adopted a charter providing only for appointment of its treasurer.*

Sincerely,

Garrett A. Baxter

7:50pm Cheryl Sargeant moved to adjourn. Victoria 2<sup>nd</sup>- all in favor

RESPECTFULLY SUBMITTED