

**Town of Montgomery**  
**Annual Town Meeting Minutes – 2018**

Moderator, Timothy Murphy, called the meeting to order at 9:00AM on Tuesday, March 6<sup>th</sup>, 2018.

**1) Elect a Moderator for the ensuing year (Tim Murphy – term expires)**

Tosca Smith nominated Timothy Murphy. Hearing no other nominations, Timothy was elected by voice vote.

The Moderator, hearing no objections, recognized Cynthia “Cindy” Weed of Enosburg, State Representative. Cindy gave a short summary of notable items in and out of the Government Operations Committee in Montpelier.

**2) Accept the reports of Town Officers**

Charles Hancock made a motion to accept the reports and was seconded. Discussion ensued and Charles made a motion, and was seconded to make the following amendments to the report:

- 1) Correction to the Minutes of Town Meeting 2017, Article 5, Item L (found on page 10) to read “Cheryl Wisell was re-elected by voice vote.”
- 2) Corrections on page 28. Line 9 to read \$448,700 and 38% and Line 18 to read \$129,029 and 11%.

The amendment passed by voice vote. The reports of Town Officers, as amended, were accepted by voice vote.

**3) Elect the remaining Town Officers as required by law:**

**a. A Selectperson for a term of two years by ballot (Leanne Barnard, appointed to fill remainder of Colin Sorenson’s two year term – term expires)**

Tosca Smith nominated Leanne Barnard. Hearing no other nominations and without objection, the Moderator instructed the Town Clerk to cast a single ballot to elect Leanne Barnard.

**b. A Selectperson for a term of three years by ballot (Mark Brouillette – term expires)**

Suzanne Wilson nominated Mark Brouillette. Hearing no other nominations and without objection, the Moderator instructed the Town Clerk to cast a single ballot to re-elect Mark Brouillette.

**c. A Town Clerk for a term of three years by ballot (Deanna-Dee Robitaille – term expires)**

Suzanne Wilson nominated Deanna-Dee Robitaille. Hearing no other nominations and without objection, the Moderator instructed the Town Clerk to cast a single ballot to re-elect Deanna-Dee Robitaille.

**d. A Town Treasurer and Collector of Current Taxes for a term of three years by ballot (Deanna-Dee Robitaille – term expires)**

Wendy Howard nominated Deanna-Dee Robitaille. Hearing no other nominations and without objection, the Moderator instructed the Town Clerk to cast a single ballot to re-elect Deanna-Dee Robitaille.

**e. A Lister for a term of three years by ballot (Lynda Cluba – term expires)**

Deanna-Dee Robitaille nominated Lynda Cluba. Hearing no other nominations and without objection, the Moderator instructed the Town Clerk to cast a single ballot to re-elect Lynda Cluba.

**f. A First Constable for a term of one year (Brent Godin – term expires)**

Suzanne Wilson nominated Brent Godin. Hearing no other nominations, Brent Godin was re-elected by voice vote.

**g. An Agent to prosecute and defend suits in which the Town is interested for a term of one year (Barry Kade – term expires)**

Wendy Howard nominated Barry Kade. Hearing no other nominations, Barry Kade was re-elected by voice vote.

**h. One of more Grand Jurors for a term of one year (Selectboard – term expires)**

Wendy Howard nominated the Selectboard. Hearing no other nominations, the Selectboard was re-elected by voice vote.

**i. A Cemetery Commissioner for the Center Cemetery Association for a term of five years (Lynda Cluba– term expires)**

Wendy Howard nominated Lynda Cluba. Hearing no other nominations, Lynda Cluba was re-elected by voice vote.

**j. A Cemetery Commissioner for the Village Cemetery Association for a term of five years (Joy Bosley – term expires)**

Wendy Howard nominated Joy Bosley. Hearing no other nominations, Joy Bosley was re-elected by voice vote.

Charles Hancock made a motion to suspend the rules to correct the term length for items **k.** through **m.** Hearing no objection, the rules were suspended with a two-thirds voice vote. Charles made a motion to correct the terms of each item from “five years” to “three years” and was seconded. The motion to amend passed by voice vote.

- k. A Library Trustee for a term of three years (Patricia Perl – term expires)**  
Patricia Hathaway nominated Patricia Perl. Hearing no other nominations, Patricia Perl was re-elected by voice vote.
  - l. A Library Trustee for a term of three years (Claire Draper – term expires)**  
Marijke Cordes-Dollois nominated Claire Draper. Hearing no other nominations, Claire Draper was re-elected by voice vote.
  - m. A Library Trustee for a term of three years (Rita Kalsmith – term expires)**  
Merle VanGieson nominated Rita Kalsmith. Hearing no other nominations, Rita Kalsmith was re-elected by voice vote.
  - n. A Fire Commissioner for a term of two years (William Baker Sr. – term expires)**  
Suzanne Wilson nominated William Baker, Sr. Hearing no other nominations, William Baker, Sr. was re-elected by voice vote.
  - o. A Planning Commission member for a term of three years (Kenneth Miller, appointed to fill remainder of Abe Barnard’s three year term – term expires)**  
Roberta Baker nominated Kenneth Miller. Hearing no other nominations, Kenneth Miller was elected by voice vote.
  - p. A Planning Commission member for a term of three years (Barry Kade – term expires)**  
Patricia Hathaway nominated Barry Kade. Hearing no other nominations, Barry Kade was re-elected by voice vote.
- 4) Shall the Town authorize the elimination of the Police/Constable Operating Reserve Fund and reprogram the balance to the general fund. All future expenditures paid through General Fund, Town Officers?**  
Suzanne Wilson made a motion, as written, and was seconded. Discussion ensued. Charles Hancock stated that the origins of this reserve fund went back to when Montgomery had a Police Department and the Town received funds that were granted explicitly for police use. He further stated that those funds have been completely spent down and that, for accounting purposes, it does not make sense to continue the process of an annual appropriation to fund a Constable service that we can and should fund directly from the General Fund. Hearing no further discussion, the motion as written was passed by voice vote.
- 5) Shall the Town authorize the elimination of the Rescue Department Reserve Fund and reprogram the balance to the general fund. All future expenditures paid through Rescue Operating Expenses and Contracted Services?**  
Charles Hancock made a motion, as written, and was seconded. Charles gave a brief speech recognizing Morgan Daybell and Kevin Scheffler for their years of service and dedication to providing Montgomery with Rescue service for a combined 47 years. The traditional gift for extended service to the Town, inscribed trunnels, were displayed as both Morgan and Kevin were not available to accept them. Discussion continued regarding the future of Emergency Services. Hearing no further discussion, the motion as written passed by voice vote.

Jacob Racusin made a motion to suspend the rules to recognize guest, Paul Costello from Vermont Council on Rural Development (VCRD). Hearing no objection, the rules were suspended and Mr. Costello gave an overview of the program that Montgomery has been competitively chosen to participate in. This process is slated to begin later in 2018 and extensive outreach will be provided by VCRD with the assistance of the Selectboard.

- 6) Shall the Town authorize the elimination of the Hectorville Bridge Reserve Fund and reprogram the balance. All future expenditures paid through the general fund?**  
Wendy Howard made a motion, as written, and was seconded. Merle Van Gieson gave a brief statement summarizing the origins of the Hectorville Bridge Committee, it’s plan to place the bridge at the Recreation Center, and that the impetus for disbanding the Committee was their inability to raise capital. Merle asked for volunteers to resurrect the committee. Barry Kade made a motion to amend the motion to include “to the general fund” and was seconded. Motion to amend passed by voice vote. Merle again asked for volunteers. The Moderator stated that resurrecting the committee was not in the purview of the Article in question and suggested that, if the Article were to fail, then that discussion could be had. Jacob Racusin stated that this project may be considered by the Town during the VCRD process. Hearing no further discussion, the motion as amended passed by voice vote.
- 7) Shall the Town vote the following sums of money to defray expenses in the ensuing year for:**
- a. Fire Department: 2017 - \$28,000; 2018 - \$34,000**  
Merle VanGieson made a motion for \$34,000 and was seconded. Motion passed by voice vote.
  - b. Rescue Department: 2017 - \$29,600; 2018 - \$0**  
Suzanne Wilson made a motion for \$0 and was seconded. Motion passed by voice vote.

- c. **Machinery Replacement Fund: 2017 - \$10,000; 2018 - \$32,000**  
Wendy Howard made a motion for \$32,000 and was seconded. Charles Hancock stated that the increase seen here represents a down payment for a new pumper truck for the Fire Department. Motion passed by voice vote.
- d. **Infrastructure Replacement Fund: 2017 - \$87,000; 2018 - \$52,700**  
Mark Brouillette made a motion for \$52,700 and was seconded. Following discussion about future projects to be paid from this fund, the motion passed by voice vote.
- e. **Library Operating Expenses and Payroll: 2017 - \$18,917; 2018 - \$19,032**  
Marijke Cordes-Dollois made a motion for \$19,032 and was seconded. Motion passed by voice vote.
- f. **Building Capital Improvement & Maintenance: 2017 - \$25,000; 2018 - \$50,000**  
Charles Hancock made a motion for \$50,000 and was seconded. Following discussion about the use of these funds and the status of the former Town Offices and Post Office building, the motion passed by voice vote.
- g. **Recreation Department: 2017 - \$22,000; 2018 - \$20,000**  
Suzanne Wilson made a motion for \$20,000 and was seconded. Motion passed by voice vote.
- h. **Reappraisal Fund: 2017 - \$6,000; 2018 - \$8,000**  
Suzanne Wilson made a motion for \$8,000 and was seconded. Motion passed by voice vote.
- i. **Conservation Commission: 2017 - \$750; 2018 – Same**  
Suzanne Wilson made a motion for \$750 and was seconded. Motion passed by voice vote.
- j. **Emergency Management: 2017 - \$1,200; 2018 - \$1,200**  
Wendy Howard made a motion for \$1,200 and was seconded. Motion passed by voice vote.
- k. **Restoration of Records: 2017 - \$2,500; 2018 - \$4,000**  
Wendy Howard made a motion for \$4,000 and was seconded. Following discussion regarding the current level of investment and use of the fund, the motion passed by voice vote.
- l. **Police/Constable Operating: 2017 - \$500; 2018 - \$0**  
Merle Van Gieson made a motion to passover and was seconded. Motion to passover passed by a two-thirds voice vote.

8) **Shall the Town vote the following sums of money for the Town Officers as requested?**

- a. **Town Clerk: 2017 - \$16,500; 2018- \$18,000**  
Tosca Smith made a motion for \$18,000 and was seconded. Following discussion, motion passed by voice vote.
- b. **Town Treasurer: 2017 - \$14,500; 2018 - \$16,000**  
Tosca Smith made a motion for \$16,000 and was seconded. Motion passed by voice vote.
- c. **Each Selectboard Member: 2017 - \$1,000 + thanks; 2018 – Same**  
Wendy Howard made a motion for \$1,000 and was seconded. Barry Kade made a motion to amend to \$1,000 and THANKS” and was seconded. Motion to amend passed by voice vote. Motion, as amended, passed by voice vote.
- d. **Listers: 2017 – 1<sup>st</sup> year members \$15.00/hr, 2<sup>nd</sup> year members \$18.00/hr. 2018 – same**  
Charles Hancock made a motion for 1<sup>st</sup> year members \$15.00/hr, 2<sup>nd</sup> year members \$18.00/hr. and was seconded. The motion was amended to add “and beyond” after second year members. Motion to amend passed by voice vote. Motion, as amended, passed by voice vote.
- e. **Board of Civil Authority: 2017 - \$10.00/hr.; 2018 – Vermont Minimum Wage**  
Suzanne Wilson made a motion for Vermont Minimum Wage and was seconded. Following discussion, Barry Kade made a motion to add “and our thanks.” and was seconded. Motion to amend passed by voice vote. Motion, as amended, passed by voice vote.
- f. **Board of Abatement: 2017 - \$10.00/hr.; 2018 - Vermont Minimum Wage**  
Wendy Howard made a motion for Vermont Minimum Wage and was seconded. Following discussion, Barry Kade made a motion to add “and our thanks.” and was seconded. Motion to amend passed by voice vote. Motion, as amended, passed by voice vote.
- g. **All duly elected or appointed Town Officers the IRS allowance for mileage for travel as part of official duties, and reimbursement of expenses related to those duties if approved in advance by the appropriate governing body or duly appointed board?**  
Jacob Racusin made a motion, as written, and was seconded. Motion passed by voice vote.

**9) Shall the Town of Montgomery appropriate the following sums of money as requested by the specified agencies?**

Scott Perry made a motion to suspend the rules and take up Article 9 in its entirety and was seconded. Motion to suspend the rules passed by a two thirds voice vote. Suzanne Dollois asked to amend item h to read “Montgomery Center for the Arts” and was seconded. Motion to amend passed by voice vote. Article 9 passed in its entirety, as amended, by voice vote.

- a. Age Well (formerly Champlain Valley Agency on Aging) 2017 - \$1,800; 2018 - requested \$2,000**
- b. Franklin Home Health 2017 - \$2,522; 2018 – requested \$2,522**
- c. Franklin County Industrial Development 2017 - \$500; 2018- requested \$500**
- d. Hazen’s Notch Association 2017 - \$1,000; 2018 – requested \$1,000**
- e. Missisquoi River Basin Association 2017 - \$500; 2018 – requested \$500**
- f. Green Up Day Vermont 2017 - \$0; 2018 – requested \$100**
- g. Green Mountain Transit 2017 - \$0; 2018 – requested \$568**
- h. Montgomery Center For the Arts 2017 - \$1,000; 2018 – requested \$1,000**

Loretta Heimbecker, resident and member of the Franklin County Home Health Board of Directors, gave thanks to the assembly for their generosity and support.

**10) Shall the Town vote to appropriate \$458,758 for Contingent Selectboard? 2017 - \$460,043**

Barry Kade made a motion for \$458,758 and was seconded. Motion passed by voice vote.

**11) Shall the town recommend the Selectboard adopt the *Vacant and Dangerous Building Ordinance* as proposed, appearing elsewhere in this report?**

Marijke Cordes-Dollois made a motion, as written, and was seconded. Darren Drevik summarized the impetus for this proposed ordinance. Following discussion and recommendations for amendments to the Selectboard, the motion for this advisory vote passed by hand vote 43-19. Charles Hancock provided the Selectboard’s email address and encouraged correspondence for further suggestions and edits,

**12) Shall the town recommend the Selectboard publish the full *Delinquent Tax Collector’s Report (including names and amounts of delinquent property owners) as of December 31, 2018 in the Town of Montgomery & Montgomery School District 2018 Report(s)*.**

Suzanne Wilson made a motion, as written, and was seconded. The requestor of this article, Bernadette Early, summarized her request and reasoning. Following discussion, the motion passed by voice vote.

**13) Shall the town recommend the Selectboard publish a list of *Delinquent Water Accounts (including names and amounts of those delinquent accounts) as of December 31, 2018 in the Town of Montgomery & Montgomery School District 2018 Report(s)*.**

Merle Van Gieson made a motion, as written, and was seconded. Following discussion, the motion failed by voice vote.

**14) Shall the town vote to approve a half cent increase in the tax rate to be allotted to a fund for conservation, hereby establishing a Conservation Reserve Fund in accordance with 24 V.S.A. §2804. The fund will be saved and used to leverage additional monies to conserve land in the public interest. Priorities will be placed on community projects, and/or projects that are not traditionally funded by local, state, or federal conservation entities or agencies. This money may be held in reserve over a number of years before being used for a specific project. Public hearing(s) will be held prior to the use of any monies from the Conservation Reserve Fund, awarded at the discretion of the Selectboard, by recommendation of the Conservation Commission. This appropriation would be contingent on the annual approval by the voters of Montgomery.**

Patrick Farmer made a motion, as written, and was seconded. By request, Charles Hancock addressed questions on this topic and summarized how the program could be used. Motion passed by voice vote.

**15) Shall the Town vote to change the final Property Tax installment date to the second Friday in November (currently the second Friday in October) to better accommodate the Vermont Department of Taxes Homestead Declaration and State Payment download schedule?**

Tosca Smith made a motion, as written, and was seconded. Following discussion, the motion passed by voice vote.

**16) To do any other business proper to be done at said meeting.**

Deanna-Dee Robitaille asked for a show of hands for the continued publication of Vital Statistics in the Annual Town Report. There has been an increased concern across the state that these reports could aid in identity theft and may infringe on privacy now that the reports are published online. Support of the assembly to continue publication passed by voice vote.

Brent Godin requested that the Selectboard provide a more detailed accounting of the Highway expenditures.

Roberta Baker noted that the Planning Commission now meets at 6PM and not 7PM.

Barry Kade asked the assembly to instruct our federal delegation to support the following language: “Prohibition – Notwithstanding any other provision of law, the President may not use the Armed Forces of the United States to conduct a first-use nuclear strike unless such a strike is conducted pursuant to a declaration of war by Congress that expressly authorizes such strike.” The assembly supported the language as written by voice vote.

Tosca Smith made a motion to adjourn at 12:18pm and was seconded. Motion to adjourn passed by voice vote.

A true record this 6<sup>th</sup> day of March, 2018.

Attest: Signature on file  
Deanna-Dee Robitaille, Town Clerk

Attest: Signature on file  
Timothy Murphy, Moderator

Attest: Signature on file  
Charles Hancock, Selectboard Chair