MINUTES OF THE ANNUAL TOWN MEETING

MARCH 1, 2004

The legal voters of the Town of Ripton met at the Community House in Ripton on Monday, March 1, 2004 at 8:35 p.m. to act upon articles one through nine of the 2004 Warning. There were approximately 80 people in attendance.

Moderator Joyce Dicianna called the Meeting to order at 8:35 p.m.

Article 1: **Will the Town vote the sum of $365,314.64 to pay General Fund and Road expenses for the ensuing year, and pay outstanding orders or obligations of the Town, with interest, the tax rate on the 2004 Grand List to be determined by the Selectmen, divided as follows:**

Roads, Including Winter Work	**$ 146,780.00**
General Fund Costs	**$98,841.40**
Enhancement Grant and Pedestrian Bridge	**$62,693.24**
Peddler's Bridge Grant Project	**$57,000.00**
Total	**$ 365,314.64**

Article 1 was moved by Warren King and seconded by Carol Ford.

William Ford, Chair of the Board of Selectmen, referred townspeople to the Selectmen's Report and budget narrative in the Annual Report. He highlighted the following items:

- Progress has been made on the Class 2 road project on the Lincoln Road from Whitman Road northward. This involved paving, ditching, cutting trees, and culvert work, bringing that stretch of road up to the State standards that Ripton has adopted. The many and varied improvements result in safer roads with better run-off, and the Board would like to continue to upgrade roads and take advantage of available State funding. At $25,000 per year it would take 44 years to bring roads into compliance so it seems appropriate to get started and make more of an effort in this area. Such effort is reflected in the 9% increase in budgeting for road expenditures.
- Progress is also being made with the Enhancement Grant Project, although the pace of work with VTrans and the Federal Government has been frustratingly slow. It is hoped that curbing and installation of the pedestrian bridge will occur this year.

Nola Kevra asked who was responsible for the decision to plow beyond Forest Road 59. Tim Hanson and Ron Wimmet explained that the National Forest Service made this determination. The plowing makes forestry work and logging possible and also accommodates a number of private landowners.

Ed Sullivan inquired whether new money is being requested for the Enhancement Grant. Mr. Ford replied that no new money is involved—it is the same funding but progress has been slower than the Board and Project Manager would like. The pace of the permitting process has been particularly frustrating. The pedestrian bridge component arose as an unexpected opportunity, further complicating and slowing progress.

Dick Collitt asked about the status of the Peddler's Bridge Culvert Project. Tim Hanson explained that this project is to address the undersized culvert just past the Fire Station which allowed the road washout in 2000's flooding. The Board received a grant to place a second culvert beside the existing culvert, but the State's water quality engineer refused to allow this approach. He has advised the true fix to be a $200,000 bridge, of which the Town would have to pay 10%. The warned $57,000 would have been the cost of the now disallowed culvert (with the Town paying a 10% match of $5,700). The Town is now applying for a different culvert—if the $57,000 is not to be spent, the 10% thereof will not be raised in taxes. Jeremy

Grip asked whether the situation would still be important given that the Fire Station is to be moved. Tim Hanson responded that the problem would still need be to be addressed.

Richard Kimler called the question and Ed Sullivan seconded.

Article 1 was adopted by a unanimous voice vote.

Article 2: **Will the Town vote the sum of $19,000.00 to Ripton Fire and Rescue to help pay Fire Department and First Response expenses for the year?**

Carol Ford moved the question and Barry King seconded.

Fire Chief Erik Eriksen briefly discussed the proposed budget. The Department is requesting an increase of $1,500 over last year's budget, largely to fund purchase of a carbon monoxide detector. $3,000 has been budgeted for tanker repair and maintenance.

Mr. Eriksen noted that both the Fire Department and First Response urgently need volunteers. Volunteers can help with any variety of functions, from driving to directing traffic.

Warren King inquired as to the status of the dry hydrant installation program begun a few years ago. He understood three had been installed. Tim Hanson replied that State money for the hydrants "had dried up" (a comment inspiring communal groans). He also noted that the State-designed hydrants had not worked well, that the Town had in fact "gotten burned" (further groans), and that the Department would design any future hydrants itself. The hydrant off the North Branch Road, for example, cost $3,200 and does not work very well.

Richard Kimler called the question and Ed Sullivan seconded.

Article 2 was adopted by a unanimous voice vote.

Article 3: **Will the Town authorize the Selectmen to borrow a sum, not to exceed $212,500.00, and for a period not to exceed ten (10) years, for the construction of the new quarters for the Ripton Volunteer Fire and First Response Department? Said funds to be repaid with grants from the Federal Emergency Management Agency (FEMA) and from Town funds.**

Barry King moved the question and Richard Ruane seconded.

Tim Hanson spoke to this article. He said the State had approved water and sewer hook-up with the School. Plans have yet to be approved by Ripton's Planning Commission, and State approval is needed regarding electrical, plumbing, and other issues relating to a public building. An Act 250 permit will not be required. Mr. Hanson showed a photograph of Monkton's facility, as it is similar to Ripton's planned design. Five bays are envisioned, four for trucks and one for quarters. The design is functional and affordable, a steel shell which will be placed on an 83 by 40 foot concrete slab. The insulation is incorporated in the building, and its value is a reasonable R-24. The single pitch roof will shed water and snow away from the entrances. School input will be sought on considerations such as color. The cost of the building itself is $100,000, which does *not* include electricity, plumbing or heating. Mr. Hanson showed a site plan with the building lines, parking space, and buffers.

He explained that there are two grants. $50,000 would go to the School in connection with leasing land for the new building's site. A $100,000 grant from FEMA is to compensate the Fire Department for the value of the old station, which must be demolished and its site restored. The $100,00 will eventually be forthcoming but funds are needed now in order to construct a new building before tearing down the old building. The idea is to borrow funds through the Selectboard because they can obtain a better rate than the Fire Department. It is proposed that the Selectboard set up an account for processing orders as they come

in. While the Warning reads that the loan period is "not to exceed ten (10) years," the bank has said such a loan could not be for more than five years. A loan of longer duration might need a formal bond vote.

Mr. Hanson then explained a handout he had distributed to the Meeting—"Fire Station Report for Town Meeting 2004"—and which is appended to these minutes. He stated the following:

- Land acquisition will mostly be paid for by the grant. However, in order to maximize the amount of the grant the School receives, it is estimated the School will be paid $13,500 from the loan funds to meet the "match" of the grant.

- Site work is estimated at $90,000 by the engineer, which the Fire Department hopes is high.

- The building will cost $100,000, for which there is a firm quote.

- There are no hard numbers for the cost of the quarters, which are estimated at $50,000. This is not an actual quote.

- The estimated cost of demolition of the old fire station is $20,000.

Adding a contingency of $16,500, the total cost is estimated to be $290,000. This is an increase of $77,500 over the amount given in the Warning, which is awkward. Mr. Hanson stated that the Meeting could move to increase the amount warned in Article 3. If such was not the desire of the Meeting, the Fire Station could be built without the quarters portion and the Department could return to ask for funding of quarters at a future date.

Barry King asked why the full amount was not known. Mr. Hanson said that they had gotten more information after the article was warned. Ms. King asked about the implication of the discrepancy between the loan period (not more than ten years) in the Warning and the bank's advice that the loan could be no longer than five years. Mr. Hanson said that the longer loan period would require a bond vote in 2005.

Ann Barker asked why the building is proposed in a new site. Mr. Hanson explained it needs to be located outside the flood plain. She asked about the "green area" on the site plan, whether it indicated grass or woods. Mr. Hanson said the green area would remain as woods. Ms. Barker asked if the proposed building's five bays would each house a truck. Mr. Hanson replied that it would house the Department's four trucks; the fifth bay would be for quarters.

Jeremy Grip assumed the $90,000 for site work includes clearing, gravel, engineering, and utility hook-ups. Mr. Hanson concurred, and added that it also includes preparing the subgrade for concrete and an underground storage tank so that School water is not used to fill trucks. Mr. Grip asked if river water would be used to fill the tank. Mr. Hanson said it would, augmented by roof run-off. Mr. Grip asked for clarification of the matching grant. Mr. Hanson said that $50,000 would go to the School. As to the $100,000, it would be necessary to spend $130,000 to receive the full $100,000 amount. This latter money is only for getting rid of the old station and returning the site to a natural state.

In response to Michael Rowe's question, Mr. Hanson said the lot size is about 3 acres. Mr. Rowe asked who would have authority to clear land. Mr. Hanson replied that the School Board would have this authority and that no significant tree cutting beyond the need for the site would occur.

Jorene Doria asked if there were any chance the $100,000 grant from FEMA would not come through. Mr. Hanson replied that there was always such a chance. He stressed money must be spent by July 2005 or we will not receive the grant monies, and if we do not spend the $30,000 match we will not receive the full $100,000. No extension of the grant is possible. Ms. Doria reiterated that the old Fire Department must be demolished for us to receive the grant monies, and Mr. Hanson concurred.

Bonnie DeGray asked how the neighbors would feel about the new Fire Department. Mr. Hanson responded that there had naturally been some unhappiness with the construction of the Ripton School and

then with the North Branch School. He emphasized the need for sensitivity about visual impact and noted that citizens will have an opportunity to express concerns at Planning Commission meetings.

Ross Elliot felt that people would benefit from the Fire Station's proximity and that their insurance rates might be lowered.

Jerry Shedd asked about the need for such an expansion of the building. Mr. Hanson explained the new Fire Station would not be that much larger, but rather a different and improved configuration. The new building would be one bay deep (one bay for each of 4 trucks), whereas trucks are parked two deep in the current building.

Eric Warren asked if the bottom line was an expense to the Town of $135,000; Mr. Hanson concurred.

Julia Purdy, who resides on the Pearl Lee Road, told of her recent need for First Response and opined that a centrally located facility would be appreciated by all. She "wondered about all this quibbling" when she felt the planning seems very thorough.

Bill Ford responded that he did not believe that anyone was quibbling about costs, but rather that they did not like surprises. Only in the last few days was the estimate received from the civil engineer and it was significantly higher than expected. He stated that we all receive great benefit from the Fire Department/First Response, but that we need good value for money. He stated the Selectboard will need to know what the project will cost, which will not be fully clarified at this Meeting—whether the amount voted is $212,000 or $290,000, full estimated value will be required before the bidding process starts.

Lawrence Miller stated that this process is not an easy one, especially for volunteers. It should be kept in mind that bidders will be aware what level of funding is authorized at this Meeting. He suggested Article 3 be amended to authorize $265,000. Warren King asked if the amendment would change the loan's period of time. Mr. Miller suggested the loan's duration be left to the discretion of the Selectmen.

Lawrence Miller put forward a motion to amend Article 3 by replacing $212,500.00 with $265,000.00. Richard Kimler seconded the motion to amend.

Discussion ensued on the motion to amend. Warren King asked if the $265,000 figure was arbitrary or represented a compromise between the $212,500 which was warned and the $290,000 requested at the Meeting. Mr. Miller replied that he had reviewed the line items and it appears there would be enough funding for quarters, but if necessary to defer finished construction of quarters at least rough-ins could be done.

Eric Warren asked whether the $265,000 figure would jeopardize receiving grant monies, and Mr. Hanson replied that it would not.

Jeremy Grip noted that the article authorizes a "sum not to exceed." What process will the Selectboard use in implementing the project? Bill Ford stated that there has not been a proposal made to the Selectboard about process yet, and that the process needs to be defined. He stated that multiple bidders would enable the Town to get respectable prices.

Ed Sullivan asked whether it would be better for the Fire Department/First Response to return to the Town for additional funding once actual costs were clear or receive authorization for increased costs at this Meeting. Bill Ford said he personally would rather they return for additional funding, but this was strictly his opinion and the Selectboard had not discussed the matter. He would rather come back to request more funds rather than see a temptation to "buy an extra widget." Mr. Sullivan asked whether economies would be made possible by full funding up front. He further stated it would be nicer to have full funding, get the job done, and return to the Town saying "We didn't spend it all." Bill Ford commented that although individual components had been estimated he would like to hire a professional commercial estimator to put a price on the project. As it now stands there is estimation from one supplier and from one civil engineer—

until a proper estimate is done he wouldn't risk a guess at costs. Mr. Sullivan asked if he were comfortable with the lower amount. Mr. Ford replied that he was, but the decision was to be made by the Meeting.

Richard Kimler moved to close the discussion; Bonnie DeGray seconded.

Richard Kimler called for a vote on the amendment to change $212,500 to $265,000 in Article 3, and Warren King seconded.

Article 3 was amended, by voice vote, to read as follows:

Article 3: **Will the Town authorize the Selectmen to borrow a sum, not to exceed $265,000.00, and for a period not to exceed ten (10) years, for the construction of the new quarters for the Ripton Volunteer Fire and First Response Department? Said funds to be repaid with grants from the Federal Emergency Management Agency (FEMA) and from Town funds.**

Barry King asked what the implications of the amendment would be for progress on the new Fire Station. Mr. Hanson said an estimator would be hired and the work put out to bid. If the bids come in higher than $265,000, it would remain to be seen what would happen.

Anjanette Sidaway asked about the worth of the old building. Mr. Hanson explained that any compensation for such materials would be counted against the grant monies and so there is no fiscal advantage therefrom.

Catherine Lloyd wanted to know if returning to ask for more money would delay taking the old fire station down. Mr. Hanson said we would have to make sure the project progresses—at worst the quarters portion of the new station would not be started.

Ed Sullivan said that there were enough questions about the $290,000 versus $265,000 amounts to warrant proposing a further amendment increasing Article 3 to authorize the higher amount. If the Meeting agreed with the higher figure there would be no need to return for more funding at a future date.

Ed Sullivan made a **motion to amend Article 3 to authorize a sum, not to exceed $290,000.00**. Diane Dunsmore seconded the motion.

Jeremy Grip asked for clarification. Did he understand correctly that the budget went from the original $212,500 to $290,000 based on one civil engineer's estimate? Mr. Hanson replied this was correct. Mr. Grip felt the building could be built and most of the work on the quarters for the $265,000 figure. Did Mr. Hanson have some level of comfort with this? Mr. Hanson replied that he did, that there would be no hard feelings. He hoped the Town would be understanding if there was a need to ask for more funds next year.

Jeremy Grip also said he was hearing from Bill Ford that there is a tendency when budgets are authorized to use the full amount, and it seemed reasonable to keep the budget to $265,000. Mr. Hanson commented that the Fire Department/First Response personnel are taxpayers too and do not want to see unnecessary expenditures. He feels the building to be about as "low entry" as possible.

Richard Ruane said he understood that authorizing the full $290,000 did not mean that it would be spent, but did mean there would be enough to see the project through to completion.

Jeremy Grip saw two issues: that the Selectboard might spend more money and that bidders might come in higher if the $290,000 were authorized. Bill Ford said he was not concerned that the Selectboard would overspend, that he is involved in construction, and that he wants to see the Town well served. He wants to see people comfortable with the authorized amount, and needs to have the implementing process on paper. As to a higher budgeted amount influencing bidders, Mr. Hanson commented that bidders will not know what other bidders are proposing.

Richard Kimler moved to call the question of amending Article 3 to authorize $290,000, and Joyce Henderson seconded.

This motion to amend Article 3 to authorize a sum not to exceed $290,000.00 was defeated by voice vote. There were twenty-seven (27) ayes and thirty (30) nays.

Lawrence Miller moved to vote on Article 3, as amended. Joyce Henderson seconded.

Article 3, as amended, was passed by a unanimous voice vote.

Article 4: **Will the Town authorize the Selectmen to sell the old Town Office at fair market value? Any funds realized from this sale would be used to perform needed repair and maintenance work on the Ripton Community House and the Town Office.**

Article 4 was moved by Warren King and seconded by Barry King.

Bonnie DeGray asked whether offers had been made on the building. The Board indicated there has been some interest.

Warren King inquired whether the property was not attractive as a rental. Tim Hanson responded that it has not been offered for rent. Bill Ford explained that the building had been rented by Verizon in a ten-year lease and it was only in year nine of the lease that they realized they were renting it. The lease has expired.

Andrea Chesman asked if there was plumbing. Tim Hanson said there is cold-water plumbing, but it probably wouldn't pass for residential use. Bill Ford said there is basically a sink, toilet, and what remains of the vault.

Lawrence Miller asked about the fair market value and what would be spent on work at the Community House and Town Office. Bill Ford replied that the money could be used for such items as fixing the flashing at the Town Office and/or as a reserve fund. There are no estimates for this work at present. The Board is not publicizing the appraised value. It would probably be most appropriately used as an office. Parking/access issues would preclude use as retail space.

Jeremy Grip asked what rent Verizon had been paying. Tim Hanson replied they paid about $5,000 annually.

Richard Kimler asked about the annual cost to the Town of maintaining the building. Tim Hanson replied that it costs $1,500 to $2,000 for heating, mowing and the like. Mr. Kimler asked if Verizon had been paying that amount. Bill Ford said they had, that it had been a great deal for the Town.

Catherine Lloyd called the question and Erik Eriksen seconded.

Article 4 was adopted by unanimous voice vote.

Article 5: **If the answer to the previous article is yes, how does the Town wish to rededicate the plaque that has been on the wall of the building since it was built?**

Article 5 was moved by Barry King and seconded by Richard Kimler.

Richard Collitt asked what the plaque says. Laurie Cox indicated it reads "Dedicated to Orris Manning." Mr. Collitt asked why we should care about the plaque. Bill Ford responded that when sale of the building was raised in Town Meeting ten years ago, it was voted down because of sentimental feeling about this plaque. A townsperson suggested that any sale be contingent upon the plaque staying on the building.

Bill Ford commented that the Selectmen must have come up with this article at the end of a long meeting, as they hadn't thought it through. He asked that the Board be given the chance to come up with a specific proposal for the plaque, and bring such a proposal back to the Town in 2005.

Richard Ruane moved to table Article 5, seconded by Joyce Henderson.

Article 5 was tabled by unanimous voice vote.

Article 6: **Will the Town have current property and personal taxes collected by the Treasurer, with a tax due date of November 8, 2004?**

Article 6 was moved by Warren King and seconded by Ed Sullivan.

There was no discussion of Article 6.

Richard Kimler called the question and Sandra Lance seconded.

Article 6 was adopted by a unanimous voice vote.

Article 7: **Will the Town authorize the Selectmen each year to add to the reappraisal fund an amount equal to the amount paid to the Town for reappraisal and Grand List maintenance by the State? This amount in 2003 was $3,598.00. This use of these funds is consistent with the intent of the law under which these funds are disbursed to towns.**

Article 7 was moved by Warren King and seconded by Erik Eriksen.

Lister Alison Joseph explained that the State sends the Town money for reappraisal purposes and that Article 7 simply asks that we spend these funds accordingly.

Richard Kimler called the question and Erik Eriksen seconded.

Article 7 was adopted by a unanimous voice vote.

Article 8: **Will the Town authorize the Listers to expend the accumulated Reappraisal Fund for the purpose of a Town-wide reappraisal in 2004, including the additional State funds added to this fund in 2004?**

Article 8 was moved by Richard Kimler and seconded by Richard Ruane.

Alison Joseph explained that the Town's level of appraisal fell below 80% this year and a reappraisal is therefore required by the State. She stated that townspeople do not *have* to allow listers to visit—a sign-up sheet is available for those who do not want visits or have specific times when listers may visit. Ms. Joseph explained the general methodology which will be used in the reappraisal. Property owners will receive a change notice with their old and new values. A list of everyone's values will also be sent, for purposes of comparison. The overarching goal of the reappraisal is fairness.

Richard Kimler called the question and Ed Sullivan seconded.

Article 8 was adopted by unanimous voice vote.

Article 9: **Any other business proper to come before this meeting.**

Anjanette Sidaway asked about the situation with Middlebury College and taxation, especially about gifts in lieu of taxes. Tim Hanson explained that the College pays about a third of what it would pay if fully

taxed. Bill Ford gave a brief history of the taxation situation, explaining that the negotiated settlement had been deemed better than going to court and risking losing a case.

Persis Rowe noted the Town Report's acknowledgement of Jean Todd's years of service, and communicated Jean's appreciation of the recognition.

Win Colwell complimented the cover photo on the Town Report taken by Tim Hanson. He mentioned that he and some other townspeople were investigating the possibility of obtaining high-speed Internet access. Anyone interested in the subject should contact him or Paonie Ezrine.

Richard Kimler reminded everyone of the monthly Pot Luck suppers.

Steve Zwicky noted the following day's Addison County Solid Waste Management District bond vote regarding proposed improvements to the transfer station. He is our representative to the ACSWMD and reported that its Board members unanimously felt the improvements to be necessary. The monies would not be a tax but rather be collected via increased costs of tonnage.

Carol Ford moved that the Meeting be adjourned, seconded by Richard Kimler.

The Meeting adjourned at 10:15 p.m.

Joyce Dicianna announced that the Meeting would be reconvened on Tuesday, March 2, 2004, at the Community House to vote by Australian ballot on election of Town officers and approval of certain allocations from the General Fund.

Ripton Selectmen

Ripton Town Clerk