

Minutes  
SELECTBOARD, TOWN OF PAWLET  
March 13, 2018  
7:00 pm at Pawlet Town Hall  
Regular Meeting

Members in Attendance:

Mike Beecher  
John Malcolm  
Bob Jones  
Ed Cleveland  
Chuck Weeden

Others in Attendance:

Timothy Hughes-Muse  
Frank Nelson  
Judy Coolidge  
Eric Mach  
Bob Morlino  
Janet Baierlein  
Gary Baierlein  
Ray Duquette Jr.  
Dale Decker  
Ms. Decker  
Deb Hawkins  
Ariel Tarbell  
Ben Tarbell

**EVENT**

1. Call to order at 7:04 pm
2. Organization of the board.
  - Motion to keep the same townspeople in the appointed positions as listed.  
Mover: Cleveland  
Second: Jones  
Result: Approved [unanimous]
  - Motion to accept the Rules of procedure for the selectboard as printed.  
Mover: Jones  
Second: Malcolm  
Result: Approved [unanimous]
  - Motion to appoint members to the Development Review Board and Pawlet Planning Commission  
Mover: Jones

Second: Malcom

Result: Approved [unanimous]

Motion to appoint John Thrasher as the Grand Juror.

Mover: Mr. Jones

Second: Mr. Malcolm

Result: Approved [unanimous]

3. Addition or Deletion of Agenda Items

- a. Additions: New Business-
- b. Old Business-None.
- c. Deletions: None

4. Introduction of those present by chairperson

5. Approval of minutes from previous meeting

- a. Motion to accept the Minutes with edits of February 27, 2018.

Result: Approved [Unanimous]

Mover: Mr. Malcolm

Second: Mr. Cleveland

Discussion: None

6. Appearances by local citizens and visitors.

- a. Mr. Nelson suggested that the town lease property to the state rather than sell it to the state.
- b. Gary Baierlein asked if the town had an update on the slag pile. Mr. Baierlein asked if the new owner would be install the berm along the quarry hole and if the town would add the stated restrictions to the deed.
- c. Dale Decker asked how the chair of the board would operate if there is an injunction. Mr. Beecher stated that John Thrasher would be able to answer his questions.
- d. Deb Hawkins requested that the board keep communicating with her office early and often as she is picking up the slack from the vacant Assistant to the Selectboard Position.

7. Announcements- none

8. Reports:

- a. Zoning Administrator's Report- Mr. Mach briefed the board on two zoning violations.
- b. Road Foreman's Report- Mr. Mason presented a job description for a Highway Maintenance Worker. The board agreed to post it in the newspaper for 4 weeks. Applicants should submit a letter of interest and resume to the Town Clerk by April 10, 2018 by 3 pm.
- c. Listers' Report-
- d. Emergency Management Director's Report- None
- e. Public Safety Officer's Report- Mr. Morlino updated the board on the status of the fuel oil leak in West Pawlet Village. He has not been able to identify the source of

the leak or spill. Additionally, he did a home inspection of two rental homes for the presence of lead paint and other safety violations.

- f. Brad Myerson on behalf of the Beecher Family has contacted the Town's Attorney, John Thrasher, claiming that the Town is in adverse possession of the land that was recently awarded to Mr. Tarbell. There is a recommendation from Mr. Myerson that the property be sold to Mr. Baierlein as remediation.
  - g. Town Clerk's Memo - The board reviewed the Town Clerk's Memo.
  - h. Town Treasurer's Memo
    - a. The board reviewed the Treasurer's memo. The board discussed removing the "postmark" loophole. Ms. Coolidge's recommendation is to remove the rule.
    - b. Review of bills and signing of selectboard's orders
      - Motion to approve the warrants
      - Result: Approved [Unanimous]
      - Mover: Mr. Jones
      - Second: Mr. Cleveland
      - Discussion: None
    - i. WWTF- Mr. Beecher update the board with latest details of the RBC repair. The correct parts have arrived and Phil Laramie will be back down to complete the repair. Mr. Beecher solicited Mr. Thrasher's opinion on possible legal action for recovering damages.
9. Old or unfinished business
- a. Assessor: Mr. Malcolm volunteered to spearhead the search for an assessor.
  - b. Assistant to the Selectboard- the board reviewed an application for the position.
  - c. Library Access report- Mr. Cleveland read a letter from Ralph Nimitz regarding the design and project development of the Library.

#### 10. New Business-

Motion made to appoint John Malcolm as acting chair of the selectboard.

Motion to find that premature general public knowledge of possible legal action will clearly place Pawlet at a substantial disadvantage by disclosing legal strategy

Motion to enter executive session to discuss the possible litigation under the provisions of Title 1, Section 313(a)(1)] of the Vermont Statutes."

Mover: Mr. Jones

Second: Mr Cleveland

Result: Approved [unanimous]

The board exited the board 9:31 with no decisions made.

Motion to Authorize Mr. Thrasher to respond to the adverse possession claim of Beecher and Beecher, stating that per state statute adverse possession claims are not valid within town right of way.

Mover: Cleveland

Second: Jones

Result: Approved [unanimous]

11. Motion made to Adjourn at 9:35pm

Result: Approved [Unanimous]

Mover: Mr. Jones

Second: Mr. Cleveland

Discussion: None