

# MINUTES FROM 10/24/2017

## SELECTBOARD MEETING

**PRESENT:** Chairman, Lee Kimball, Alton Brusco, Chuck Pease, Cheryl Moomey, Clerk, Donna L. Bohannon

**GUESTS:** Jr. Cameron, Jim Ross, Jennifer Hebert, Chris Hebert, Michael Groff, Janice Parrott, Jen Parro, Joan Whitesell, Terry Tatro, Shane Brown, Paul Cabassa, Rosie Cabassa, Bethany Remmers, Leeann Porto, Renee Creller, Stu McGowan

### 7:00pm - OPEN REGULAR MEETING:

- Meeting called to order at 7pm by Chairman, Lee Kimball

### ADJUST AGENDA (if needed):

- Three adjustments made:
  - ADJUSTMENT #1: Appoint a Vice-Chairperson -
  - ADJUSTMENT #2: Complaint received –
  - ADJUSTMENT #3: Update on Florio property -

### NEW BUSINESS:

- Paul Cabassa – Dog control issue – Cedar Lane
  - Chairman Kimball read the complaint and the report from the Animal Control Officer.
  - Paul's dog was attacked, unprovoked, by a dog, owned by Michael Groff.
  - Michael stopped the fight as soon as he realized it was happening.
  - Paul's dog sustained injuries to her face that required a veterinary's attention.
  - Paul and Michael were both in attendance at the meeting and had talked prior to the meeting,

- Paul would like Michael to keep his dog on a shorter leash and warn people about his dog's aggression toward other dogs.
- Michael stated that he has been keeping his dog on a shorter leash and he purchased a muzzle for her. He will make people aware of his dogs' disposition toward other dogs when they are around him.
- Both parties were satisfied with the outcome of the meeting.
- No action needed by the Selectboard.
- Sandy Sturgeon – Abandoned building on Main Street
  - Tabled until further notice
- Transfer Station – winter hours – change
  - Tabled until further notice
- Blue Cross Blue Shield Insurance – renewal – same or changes?
  - There was some discussion about the current plan.
  - *Cheryl Moomey motioned that the Town renew the insurance policy with Blue Cross Blue Shield without changes – seconded by Alton Brusio – motion carried*
- Bethany Remmers – Streetscape – update.
  - Three bids for sidewalk construction were submitted and opened on October 2<sup>nd</sup>.
  - Bids were submitted for the main part of the project which runs from the corner of Peterson Place to the corner of Champlain St.
  - Bids were submitted as follows: Engineer's Construction Inc, (\$189,828.50) – Griffin & Griffin Excavating, Inc. (\$215,350.00) – J.P. Sicard. Inc. (\$233,278.00)
  - The apparent low bidder was Engineer's Construction Inc, (\$189,828.50).
  - A bid analysis was performed by Dubois and King (the Town's design engineering consultant) and it was determined that the all criteria was met by Engineer's Construction Inc,
  - The bid analysis was reviewed by and approved by VTRANS.
  - Recommendation is that the Town accept the bid from Engineer's Construction Inc,
  - The agreement needs to be signed by the Chairman of the Selectboard.

- *Chuck Pease motioned that Chairman, Lee Kimball sign the agreement accepting the bid of Engineer's Construction Inc, (\$189,828.50) – seconded by Cheryl Moomey – all in favor – motion carried.*
- Chairman Kimball signed the agreement.
- Planning Commission – present Land Use Regulation with modifications.
  - Terry Tatro spoke on behalf of the Planning Commission and explained that they (the Planning Commission) made some changes to the original document.
  - He explained that they (the Planning Commission) were turning the proposed regulations over to the Selectboard.
  - The Selectboard will be required to hold an informational meeting and hearing before adding this to the March ballot.
  - The Selectboard can make changes to the document if they feel it is necessary.
  - The Selectboard will review the document and hold a special meeting on Wednesday, November 8<sup>th</sup> to discuss possible changes to the document and to determine dates for the informational meeting and formal hearing.
  - Tabled until the special meeting on Wednesday, November 8<sup>th</sup> – beginning at **6:30pm** - (Corrected time from 7pm. 6:30 is correct.)
- **ADJUSTMENT #1: Appoint a Vice-Chairperson –**
  - Alton Brusco suggested that a Vice-Chairperson be appointed to conduct meetings in the absence of the Chairperson. Board agreed.
    - *Alton Brusco motioned to appoint Cheryl Moomey as Vice-Chairperson – seconded by Lee Kimball – all in favor – motion carried – Cheryl Moomey is Vice-Chairperson*
- **ADJUSTMENT #2: Complaint received –**
  - Chairman Kimball read, to all present, a complaint that was received in the office.
  - This matter was discussed, and it was determined that the complainant should be referred to the Sheriff's department.
- **ADJUSTMENT #3: Update on Florio property –**

- Clerk reported that a letter was sent to the Florio's expressing that they need to resume/continue work on their property.
- Joan Whitesell reported that they have been doing some work in the yard, wood has been getting burned and there is progress being made.
- This topic will remain on the agenda.

**OLD BUSINESS / UPDATES / TABLED TOPICS AND / OR WAITING RESULTS:**

- Shane Brown - Update
  - Shane reported that he received his deed and mortgage paperwork.
  - Engineers have been on site – water line will be placed as soon as the permit is received.
  - Sewer line is scheduled to be placed by November 15<sup>th</sup>.
  - Tentatively all the work will be completed by 17 November 2017
  - Shane will report again when the work is complete.
- Renee Creller – Proposing a No Smoking policy on Town lands.
  - Renee presented a revised smoking policy to the Board for review.
  - Lee read the proposal to the room.
  - There was some discussion about the policy, as it was written.
  - Lee asked that Renee clarify in the document specific rules for specific Town owned locations.
  - Renee will re-write the policy and present it again at a future meeting.
  - Tabled until further notice.
- Transfer Station – lean to needed – update –
  - Tabled until further notice.
- Burial Grounds in Alburgh Springs (Reynolds property) – (revisit from 04/14/2015)
  - Connie Boutin asked that care of the cemetery in Alburgh Springs on the property of James and George Reynolds be taken over by the Town of Alburgh.
  - The cemetery has become overgrown, some of the stones are broken and need repairs.

- There was some discussion about state law concerning Town's taking over abandoned cemeteries.
  - According to State law, when a cemetery is abandoned: *When three voters of a town make a request to the Selectboard or cemetery commissioners to maintain a private burial ground that has been abandoned and which has become "unsightly" or has displaced headstones and monuments, the board is required take some action. First it must publish a notice in a newspaper of general circulation in the town for three consecutive weeks, calling on any person who is interested in the burial grounds to put the cemetery into proper condition within three months of the notice. After the expiration of the three months, if no one has come forward to repair and maintain the cemetery, the Selectboard must proceed as though it were a public burial ground. 18 V.S.A. § 5321. Note that a "private burial ground" is generally considered a burial ground that is on property that is otherwise dedicated to a non-cemetery use, such as a farm or a homestead.*
  - Alton suggested that action be taken only after three letters of request are received.
  - Lee requested that the Clerk reach out to the Reynold's and ask for permission to access the cemetery.
  - He also asked that the Forsythe's, owners of land abutting the cemetery be asked for access to the cemetery via their property.
  - Tabled until further notice
- Parking near the North Hero bridge (revisit from 10/13/2015)
    - Robert Brown asked that this item be added to the agenda again.
    - Alton stated that this issue was addressed in the past and that the Board at the time determined this was not a Town problem.
    - The Board requested that if there are other complaints about this, the complainant be invited to attend a Board meeting and address it directly.

**VISITOR INPUT:**

- Leeann Porto asked about the benefits of zoning.
- Lee Kimball read a list of benefits that are included in the proposed regulations.

**APPROVE THE FOLLOWING MEETING MINUTES:**

- **10/10/2017 - SELECTBOARD MEETING**

- *Alton Brusco motioned to approve the minutes from the 10/10/2017 Selectboard meeting as written – seconded by Cheryl Moomey – all in favor – motion carried*
- **10/17/2017 – SPECIAL SELECTBOARD MEETING - INTERVIEWS FOR SEASONAL HIGHWAY DEPARTMENT EMPLOYEE**
  - *Alton Brusco motioned to approve the minutes from the 10/17/2017 Special Selectboard meeting as written – seconded by Cheryl Moomey – all in favor – motion carried*

**APPROVE INVOICES AND / OR OVERWEIGHT PERMITS:**

- No overweight permits.
- All invoices approved and signed.

**ADJOURN:**

- *At 9:05pm Chuck Pease motioned to adjourn – seconded by Cheryl Moomey – all in favor -motion carried – meeting adjourned.*

Respectfully submitted,  
Donna L. Bohannon  
Alburgh Town Clerk

Please note the above minutes HAVE NOT been approved. Approval or changes to the minutes will be addressed at the next regular meeting, currently scheduled for 11/14/2017

UNOFFICIAL