

MINUTES FROM 04/23/2019 SELECTBOARD MEETING

PRESENT: Chairman, Lee Kimball, Alton Brusco, Chuck Pease, Ken Millman, Clerk, Donna L. Bohannon

GUESTS: Terry Tatro, Susan Millman, George Boutah, Kaitlin Pease, Carol Behrman, George Hakey, Russel Duchaine, Jonathan Driver, Danielle Choiniere, Tenzin Choiniere

6:00pm - PUBLIC HEARING FOR VIOLATIONS OF ORDINANCE TO REGULATE NUISANCE PROPERTIES – 26 LAKE STREET

- Called to order at 6:18pm by Chairman, Lee Kimball.
- The property owners of 26 Lake Street were not present so testimony could not be heard from them.
- Lee Kimball read pertinent sections of the Ordinance to Regulate Nuisance Properties.
- He explained the steps outlined in the ordinance, described what steps the Town has already taken and what the next actions will be.
- He explained that the current step was the hearing.
- The next action that will be taken is enforcement.
- *Lee Kimball motioned that a letter be sent via certified mail to the owners of the property located at 26 Lake Street, giving them ten days from receipt of the letter to provide an acceptable plan to the Selectboard, for removal of the burned structure. The letter will outline the violations and the penalties as well as the action that will be taken if failure to provide a plan within the allotted time – seconded by Ken Millman – all in favor – motion carried – Clerk to draft a letter.*
- A letter will be sent to the owners of the property explaining that the hearing, of which they were notified, has taken place and that they have 10 days from receipt of the letter to produce an acceptable plan to the Selectboard, for remediation of the violations.
- If they fail to submit an acceptable plan, the Town will take legal action against them.
- Tabled until the next Selectboard meeting, currently scheduled for 05/14/2019.

**6:30pm - PUBLIC HEARING FOR VIOLATIONS OF ORDINANCE TO REGULATE
NUISANCE PROPERTIES – 107 LAKE STREET**

- The property owners of 107 Lake Street were not present so testimony could not be heard from them.
- This was incorrectly warned as a violation of the Ordinance to Regulate Nuisance Properties – it is a violation of the Junk Ordinance.
- The letter that was sent to the property owners listed the correct ordinance and a copy of the junk ordinance was included.
- Lee Kimball read pertinent portions of the Junk Ordinance and outlined the steps that have been taken, and the next steps that need to be taken.
- He explained that the current step is the hearing and that enforcement of the ordinance would follow.
- The enforcement that will be taking place is a letter and ticket being sent, 30 days after the date of the original notification, which was April 10th, to the owners of the property located at 107 Lake Street.
- *Lee Kimball motioned that the matter be referred to the Town of Alburgh enforcement officer and that the officer issues a ticket in the amount of \$50 for being in violation of the Junk Ordinance. The letter and ticket be mailed on 10 May 2019, thirty days from the original notification – seconded by Ken Millman – all in favor – motion carried.*
- The letter and subsequent ticket will be mailed on 10 May 2019, thirty days from the original notification of a violation.
- Tabled until the next Selectboard meeting, currently scheduled for 05/14/2019.

7:00pm - OPEN REGULAR MEETING:

- Called to order at 7pm by Chairman, Lee Kimball

ADJUST AGENDA (if needed):

- Five adjustments requested.
- ADJUSTMENT #1: Repairs to steps at Alburgh Beverage Mart
- ADJUSTMENT #2: Fire Department coin-drop approval
- ADJUSTMENT #3: Greenwoods complaint - update

- ADJUSTMENT #4: Paving bid approvals
- ADJUSTMENT #5: Alburgh Family Clubhouse – update

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

- 328 South Main Street property complaint – Update.
 - In accordance with the Ordinance to Regulate Nuisance Properties, the owners of this property have been notified of the complaint filed.
 - They property has been boarded up to deter trespassers.
 - The Town would like to have the building removed.
 - A hearing will be held on Tuesday, May 14th, 2019 beginning at 6:30pm.
 - A letter, notification of the hearing and a copy of the Ordinance will be mailed to the owners of 328 South Main St.
 - Tabled until the next Selectboard meeting, currently scheduled for 05/14/2019.
- 1209 Border Road property complaint– Update.
 - Placed back on the agenda – no new updates.
 - Waiting for notification from the Judicial Bureau about a court hearing.
 - Tabled until the next Selectboard meeting, currently scheduled for 05/14/2019.
- Symquest vs. National – for new copier contract
 - The Clerk present the comparable information from both companies.
 - Side by side, Symquest offered a better contract in several areas.
 - *Lee Kimball motioned to accept the Symquest State contract for a four tray, black & white and color for the contract price of \$123.50 per month, black & white usage over 5251 pages per month at 0.0060¢ per page and color usage over 200 pages per month at 0.0570¢ per page – contract agreement included – seconded by Chuck Pease – all in favor – motion carried.*
- Speed study on various roads – update.
 - Ken spoke with Millman spoke with Sheriff Ray Allen who informed him that the speed study unit is “in the shop” but that it will be set up once it is in working order again.
 - Ken will stay in contact with Sheriff Allen.
 - Tabled until the next Selectboard meeting, currently scheduled for 05/14/2019.
- Transfer Station – plan of action to keep track of everything that comes into the T.S.

- Lee will continue to work with Danielle, Dan and Brendan on maintaining the information needed for reporting.
- Chuck Pease will also offer his assistance as needed.
- Tabled until the next Selectboard meeting, currently scheduled for 05/14/2019.
- The Clerk asked if the Board intended to have a “Free / ½ Price Dump Day” again this year.
- The Board agreed that they would have a “Free / ½ Price Dump Day” and chose the date of June 22nd, 2019.
- The pricing will be the same as in 2018. Household garbage and tires will be ½ price and Household refuse, C&D and metal will be free.
- Lee informed the Board that the new lock has been ordered for the gate at the Transfer Station and that he will order keys to provide to a small list of people. Each key will be numbered and cannot be duplicated as the “blanks” are only available from a locksmith.
- Each numbered key will be assigned to and signed out by the individual it is intended for. That person will be responsible for their key.
- Lee expressed that there needs to be a process to follow when the transfer station employees plan to burn brush there.
- Terry Tatro stated that, as the Fire Warden, he was aware that they would be burning.
- It was agreed that they need to burn smaller amounts at a time.
- Lee explained that the highway employees have repaired what they are capable of on the forklift at the Transfer Station, but it needs additional work that they are not equipped to do.
- Jason Reynolds got a quote of \$5,000 from Liftech for the additional repairs that are needed. A new forklift would cost around \$25,000.
- *Ken Millman motioned that they allow Liftech to fix the forklift for a cost not to exceed \$5,000 – seconded by Lee Kimball – all in favor – motion carried.*
- Planning Commission - electric vehicle charging station grant needs signature.
 - Carol informed the Board that the grant amount for the electric vehicle charging station is \$40,000 (with a 10% match by the Town) and the total cost is \$48,000. The additional funds and the match would be provided by the Town.

- Carol informed the Board that the deadline for applying for the grant is April 30th.
- There was some discussion about the value to the Town vs. the cost.
- *Ken Millman motioned to apply for the grant for the electric vehicle charging station – seconded by Chuck Pease – all in favor – motion carried.*
- The Selectboard signed the necessary documents.
- July 4th road closure – signature on letter of approval needed.
 - Martha Goodsell requested a letter, signed by the Selectboard Chair, stating that the Board approves a road closure for the annual 4th of July parade.
 - Lee Kimball, Chairman, signed the approval letter.
 - Terry Tatro asked if the Board would make a motion authorizing him to order the fireworks for the 4th of July.
 - *Chuck Pease made a motion to authorize Terry Tatro to order the fireworks for the July 4th, 2019 fireworks display – seconded by Ken Millman – all in favor – motion carried.*
- **ADJUSTMENT #1:** Repairs to steps at Alburgh Beverage Mart
 - Skip Waters submitted an estimate of \$643.96 for the repairs to the steps at his store, the Alburgh Beverage Mart.
 - The sidewalk plow hit the steps while plowing over the winter
 - *Lee Kimball motioned that the Town Treasurer issue a check in the amount of \$644.00 to Skip Waters for the repair of the steps at Alburgh Beverage Mart – seconded by Chuck Pease – all in favor – motion carried.*
- **ADJUSTMENT #2:** Fire Department Auxiliary coin-drop approval
 - The Fire Department Auxiliary requested Board approval to hold a coin drop on Saturday, May 26th with a rain date of Monday, May 27th, 2019.
 - This is the yearly auxiliary coin-drop.
 - Lee Kimball signed the paperwork authorizing a coin drop for the Fire Department Auxiliary for the stated dates.
- **ADJUSTMENT #3:** Greenwoods complaint – update
 - No update currently.
 - Item will remain on the agenda.
- **ADJUSTMENT #4:** Paving bid approvals

- Alton Brusco presented the Board with the bid costs for the paving that will take place in the summer of 2019 and asked for approval of each.
- As presented, Industrial Park Road will be paved by Pike Industries for a total of \$15,526.80.
- *Lee Kimball motioned to approve the paving of Industrial Park Road for \$15,526.80 – seconded by Ken Millman – all in favor – motion carried.*
- As presented, West Shore Road from the Isle Lamotte bridge, north for two miles will be paved by Pike Industries for a total of \$221,795.10, including shoulder gravel. This will be paid in part by a State grant.
- *Lee Kimball motioned to approve the paving of West Shore Road for \$221,795.10 – seconded by Ken Millman – all in favor – motion carried.*
- As presented, West Shore Road will be paved by Pike Industries for a total of \$221,795.10.
- Windmill Point will be paved by Pike Industries for a total of \$294,743.70.
- *Lee Kimball motioned to approve the paving of Windmill Point for \$294,743.70 – seconded by Chuck Pease – all in favor – motion carried.*
- **ADJUSTMENT #5: Alburgh Family Clubhouse – update**
 - Ken Millman informed the Board that the grant request for \$500,000 was denied because there was information missing on the original request.
 - He informed all that Alburgh Family Clubhouse was awarded a \$60,000 development grant which can be used to complete the information so that they can re-apply for the larger construction grant.
 - He also wanted to inform everyone that there will be a meeting at the Library on May 1st at 5pm to talk about this subject.
 - The Clerk will get the details and help publicize the meeting.
- Moving forward – ATV Ordinance creation.
 - Ken Millman contacted Sheriff Ray Allen and asked him to attend a meeting about the ATV ordinance that the Board will be creating. Ray was not able to be at this meeting but does want to attend and offer his input.
 - Chuck Pease researched other towns that have an ATV ordinance, including Isle Lamotte to get feedback from them on any problems they have seen since adopting their ordinance.

- He reported that Isle Lamotte adopted theirs very recently and hasn't had any issues. Danville's ordinance has been in effect for three or four years and hasn't had any problems and Enosburg has had an ATV ordinance for thirteen years and the only problem they reported is a that many of them are not registered.
 - Ken and Chuck will continue to work on the ATV ordinance for Alburgh.
 - The Board will meet at 6pm on Tuesday, May 14th to go over the draft created by Ken and Chuck.
- Updates on 26 and 107 Lake Street addressed at hearings.

VISITOR INPUT:

- No visitor input

APPROVE THE FOLLOWING MEETING MINUTES:

- 04/09/2019 – SELECTBOARD MEETING
 - *Chuck Pease motioned to approve the minutes from the 04/09/2019 Selectboard meeting as written – seconded by Lee Kimball – all in favor – motion carried.*
- **APPROVE INVOICES / SIGNATURES NEEDED:**
 - All invoices approved and warrants signed.
- **EXECUTIVE SESSION: For the purpose of negotiating or securing of real estate purchase or lease options (RS149); 1 V.S.A. § 313.**
 - *At 9:45pm Lee Kimball motioned to enter into Executive Session for the purpose of negotiating or securing of real estate purchase or lease options (RS149); 1 V.S.A. § 313. – seconded by Ken Millman – all in favor – motion carried – board in Executive Session.*
 - *At 9:50pm Lee Kimball motioned to come out of Executive Session – seconded by Ken Millman – all in favor – motion carried – board out of Executive Session.*
 - **No action taken**

- **ADJOURN:**

- *At 9:50pm Chuck Pease motioned to adjourn – seconded Ken Millman – 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 05/14/2019.