

**MINUTES FROM 05/14/2019**  
**SELECTBOARD MEETING**

**PRESENT:** Chairman, Lee Kimball at 6:10pm, Vice-Chair, Cheryl Moomey, Alton Brusco, Chuck Pease, Ken Millman, Clerk, Donna L. Bohannon

**GUESTS:** Russell Duchaine, Damien Henry, George Hakey, Terry Tatro, George Boutah, Raleigh Palmer, Susan Millman, Jonathan Driver, Mike Deyo, Matthew Lavigne, Tom Jacobsen, Cheryl Dunn, Carol Behrman, Bob Stock (Census Bureau), Jill Meyers (Census Bureau), Katherine Timmer, Mike Comeau

**6:00pm:** ATV ORDINANCE CREATION – Review/revise draft ordinance –

- Meeting was called to order at 6:03 by Vice-Chair, Cheryl Moomey
- Ken Millman and Chuck Pease presented a draft ordinance they collaborated on and Cheryl began reading it section by section, asking for visitor input as she went.
- A copy of the draft ordinance that they Board will be working from can be found on the Town website; [www.alburghvt.org](http://www.alburghvt.org)
- There were no comments on **Section #1; “State Restrictions”, Section #2; Rights Conferred by State Laws, Section #3; Authority, Section #4; Purpose and Section #5; Definitions.**
- There was some discussion about **Section #6; Town Highways Opened.**
- The draft ordinance lists several roads that will be closed for travel because they are State roads. Included in that list are Route #2, Route #78, Route #129 and Route #225.
- There was some debate about Route #225 being a Town road or a State Road as it is listed in VTRANS as a State road but is maintained entirely by the Town.
- This led to questions about the status of Alburgh Springs Road and West Shore Road as some present were under the observation that the two roads were in the same category as Route #225.
- It was not determined for certainty if Route #225 would count as a Town Road or if it would be considered a State road which would exempt it from the ordinance.
- Alburgh Springs road and West Shore road also were not determined.
- Lee Kimball would like to have clarity on the topic before deciding if the three roads in question can be considered a part of the Alburgh ordinance.

- It was determined that for the time being, Route #225 will be taken out of the list in Section #6. Alburgh Springs road and West Shore road are not on that list.
- There was discussion about **Section #7; Operation.**
- The words “on or adjacent to the ATV trail”, from subsection A. will be removed as there currently are no ATV trails in Alburgh.
- Subsection B. will be eliminated entirely as the Board does not feel the need to limit hours of operation.
- There will be the addition of “if vehicle is not equipped with turn signals”, in subsection D. (this subsection will now be C.) in order to clarify when hand signals are required.
- The addition of “without prior permission from landowners” will be added to the end of subsection E. (now D.)
- There was some discussion about speed limits, and it was decided that subsection F. (now E.) would be combined with subsection A. and addressed there when the Board determines what if any regulations they will create.
- Subsection G. (now E.) will be reworded to allow 12-18-year old’s to operate an ATV with direct supervision by an adult that remains within 50 feet of them at all times.
- There were no discussions on subsections H. and I. (now F. and G.)
- The next meeting to further discuss the ATV ordinance will take place on 05/28/2019 to begin at 6PM.

**6:30pm - PUBLIC HEARING FOR VIOLATIONS OF ORDINANCE TO REGULATE  
NUISANCE PROPERTIES - 328 SOUTH MAIN STREET**

- The owners of the subject property were not present but sent a letter explaining that they did board the windows and doors as they were asked to do and that it is on the market for sale.
- They were under the impression that this would suffice until they could be in Town because this addressed the issues in the old ordinance.
- They were sent a copy of the new ordinance with pertinent sections highlighted. The Board would like, for clarity, another letter to be sent to them explaining that the ordinance is a new one.
- They will be back in Alburgh in late May.
- Tabled until the next regular meeting, currently scheduled for 05/28/2019.

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

- Regular meeting called to order at 7Pm by Chairman, Lee Kimball.

### **ADJUST AGENDA (if needed):**

- Three adjustments were made.
- **ADJUSTMENT #1:** Raleigh Palmer was advanced on the agenda to the beginning.
- **ADJUSTMENT #2:** Visitor input was advanced on the agenda to be addressed after the Census Bureau discussion.
- **ADJUSTMENT #3:** Alton Brusio - quote for the remaining Library windows.

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

- **ADJUSTMENT #1:** Raleigh Palmer was advanced on the agenda to the beginning.
- Raleigh Palmer – Concerns about paving Windmill Point.
  - Raleigh was present to offer his advice about the Selectboard’s decision to blacktop Windmill Point.
  - His concern is that the base under the road is not solid enough to be blacktopped but that a better alternative would be to double chip seal that road.
  - He explained the difference between blacktop and chipseal and offered his opinion about the two.
  - Several examples of the different product on local roads were given for comparison.
  - In his opinion, chipseal would be a better choice for Windmill Point because it “heals” itself as the ground shifts and blacktop does not.
  - The Road Commissioner and the Board will take this information into consideration.
- 2020 Census Bureau – Job opportunities.
  - Jill Meyers and Bob Stock attended the meeting to discuss the importance of the 2020 census and explain that there are jobs available to residents of the Town.
  - They explained that the census isn’t only important to keep an accurate count of the population but is also important for Federal assistance.
  - The results of the census provide the basis for redistributing the number of congressional seats and determines how federal funds will be distributed.
  - The 2020 census will be creating 2000 jobs in Vermont and there is a need for about 8000 applicants.

- They explained that there are different jobs available, from office jobs in Burlington to confirming the number of people in the household.
- They left some literature and thanked the Board for their time.
- Information on the census jobs is available at the Town Clerks office.
- **ADJUSTMENT #2:** Visitor input was advanced on the agenda to be addressed after the Census Bureau discussion.
  - Mike Comeau and Kathy Timmer were present to request that the Board consider lowering the speed limit on Poor Farm Road from 35 to 25 MPH.
  - They were informed that all the speed limits on Town roads will be looked at.
  - Chuck Pease suggested that Poor Farm Road be added to the list of roads that a speed study be conducted on.
  - Mike and Kathy asked if they could place temporary speed bumps on Poor Farm Road.
  - The Board would prefer that they do not place speed bumps on the road.
  - Poor Farm Road will be added to the list of Roads that will have a speed study done on when the machine is back in service.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.
- Matthew Lavigne was present to ask the Selectboard for a letter of permission to open and operate a fireworks business on Route 2 South in Alburgh.
  - His plan is to set up “Green Mountain Fireworks” in the parking lot of the building located East of Island Bargain Barn.
  - He will set up a tent and operate from that for this year and purchase the building at that location to house his business in future years.
  - He realizes that the building he wants to purchase is larger than his needs. His plan is to sublet out a portion of the building to another business or businesses.
  - Carol Behrman suggested that a bicycle repair/sale business would do well in that location. Others suggested that a live bait shop would be profitable in the winter.
  - Matthew was receptive to those suggestions.
  - He was asked how secure the fireworks would be under the tent. He explained that he has two alarm systems around the tents and he will have a camper on site that he will stay in while the tent is set up for sale of fireworks.

- He also explained that he has a strict policy for selling fireworks to an individual, which includes several fireworks safety sheets, a Safe and Considerate Use Policy, a warning page and waiver of liability that each customer must sign acknowledging the risks and safety precautions necessary to use fireworks.
  - He asked that the Board sign a letter of permission for him so he can proceed to the next stage.
  - *Alton Brusco motioned that Lee sign a letter once it is drafted, giving Matthew Lavigne permission to operate a fireworks business in the Town of Alburgh – seconded by Chuck Pease – all in favor – motion carried.*
  - Matthew will send a proposed letter to the Town Clerk who will get it to Lee to sign.
  - It was mentioned that the fire chief is required to sign off on any fireworks display that will take place in Alburgh.
  - Matthew will work with Ron Kumetz to ensure that Ron is aware of any fireworks displays in Alburgh that would be a result of a Green Mountain Fireworks sale.
- Susan Millman – New proposal.
    - Susan introduced an idea to the Selectboard that she, Carol Behrman and Laura Limoge have been working on implementing
    - They introduced the idea of holding an “Alburgh Choo Chew”. This event would be held on the Town Office lawn, would consist of local and not so local people bringing and selling their handmade/homemade items.
    - The goal is to attract potential businesses to the Town.
    - They have lined up several food related vendors that are prepared to attend.
    - The group would like the Town to purchase 5 white pop up tents to be used for the event and could potentially be used at other events, such as Green-Up day and at the Transfer Station on free/half price dump day.
    - They will also be inviting local realtors to attend the event so that they could show properties to potential business owners that may be interested in creating a coop. or setting up a business in Alburgh.
    - There was some discussion about the first date that this event will take place and it was decided that June 29<sup>th</sup> would be the best date for the first event.
  - At this point, a coin drop request was submitted.

- The Alburgh Public Library would like to hold a coin drop on Saturday, June 22<sup>nd</sup>, with a rain date of June 29<sup>th</sup>. The coin drop will take place in front of the library.
  - *Lee Kimball motioned to approve the requested coin drop on Saturday, June 22<sup>nd</sup>, with a rain date of June 29<sup>th</sup> and to be held in front of the library – seconded by Cheryl Moomey – all in favor – motion carried.*
  - Lee will sign a letter for Michael Chrastina approving the coin drop.
  
- 1209 Border Road property complaint– Update.
  - Waiting to hear from the Judicial Bureau about a hearing date.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.
  
- 26 Lake Street complaint – Update
  - The Board was informed that there are animals living in the structure, which could pose a danger to the children that play on the library playground.
  - The Board will proceed with enforcing the ordinance.
  - The Clerk will contact Town attorney, to be sure that we proceed correctly.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.
  
- 107 Lake Street complaint – Update
  - The Board was informed that there appears to be more cars added and that they appear to be selling parts from their home.
  - Lee Kimball will contact Gary Urich from the State of Vermont and inform him of the possibility of an illegal “junk yard” in the Town of Alburgh.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.
  
- 328 South Main Street complaint – Update
  - The owners of the property received the certified letter and replied that they thought they had done everything they were asked to do by the enforcement officer. They Boarded the openings and placed the property on the market for sale.
  - The Board would like the Clerk to send them another copy of the ordinance with a letter explaining that this is a new ordinance that was adopted after they spoke with enforcement officer.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.
  
- 3083 & 3131Greenwoods complaint – Update
  - The attorney overseeing the disbursement of these properties received the letter but has not replied.

- Tabled until the next regular meeting, currently scheduled for 05/28/2019.
- Speed study on various roads – Update.
  - Poor Farm Road will be added to the list that consists of Greenwoods Road, Martell Road, Alburgh Springs Road, and the Village center.
  - The radar speed detector is still being repaired.
  - It will be getting set up in Alburgh once it's repaired.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.
- Transfer Station items
  - Progress on forklift – Update
  - The original amount of \$5,000 to repair the forklift is going to be closer to \$7,000 – 8,000 with \$2,000 being invested already.
  - Lee asked that the Board approve the work to continue.
  - The Board was in agreement that they should continue.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.
  - Plan to keep inventory of items coming into Transfer Station – Update
  - Lee will continue to work on this.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.

#### **VISITOR INPUT:**

- **ADJUSTMENT #3:** Alton Brusio - quote for the remaining Library windows.
  - Alton presented a quote from Windows and Doors by Brownell for the replacement of the remaining four windows at the Library.
  - The quote is for \$6,150. Included in that is the removal of the old windows and installation of the new windows, removal of all debris and garbage as well as the old windows and filling any nail holes inside and outside.
  - The windows are all double hung windows, made of INTEGRITY wood ultrex. The new units will be caulked and insulated and new j-channels and Azek will be applied to the exterior.
  - The Board felt that the quote was high compared to what they paid for the previous windows and installation and would like to secure at least one more quote before deciding.
  - Alton Brusio and Lee Kimball will both secure a quote from other sources before deciding.
  - Tabled until the next regular meeting, currently scheduled for 05/28/2019.

- Lee Kimball informed the Board that he condemned the trailer located at 49 North Main Street due to the presence of black mold.

**APPROVE THE FOLLOWING MEETING MINUTES:**

- **04/23/2019 – SELECTBOARD MEETING**

- *Lee Kimball motioned to approve the minutes from the 04/23/2019 Selectboard meeting as written – seconded by Cheryl Moomey – all in favor – motion carried.*

- **APPROVE INVOICES / SIGNATURES NEEDED:**

- All invoices approved and signed.

- **ADJOURN:**

- *At 9:34pm Lee Kimball motioned to adjourn – seconded by 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 05/28/2019.