

MINUTES FROM 09/25/2019 SELECTBOARD MEETING

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

GUESTS: Carol Behrman, John Goodrich, Tom Jacobsen, Susan Millman, Russell Duchaine, Damien Henry, Jennifer Hebert, Chris Hebert, Ariel Brace, Ron Kumetz, Renee Creller, Danielle Choiniere

7:00pm - OPEN REGULAR MEETING:

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

ADJUST AGENDA (if needed):

- **ADJUSTMENT #1:** Addition of an Executive Session at the end of the meeting.

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

- Clay Purvis and Corey Parent –
 - Tabled until the next regular meeting, currently scheduled for 10/08/2019.
- Planning Commission – improvements to recreation trail.
 - Tom Jacobson and Renee Creller, on behalf of the Planning Commission introduced ideas for improvement in certain sections of the Town.
 - The first idea they introduced was clean up and maintenance of the recreation trail from the end of Industrial Park Road to the Town Beach in East Alburgh.
 - Tom pointed out that the 2016 Town Plan refers to the rec. trail and the public beach area as points of interest but noted that neither of these areas has been well maintained, inhibiting their use.
 - The rec. committee asked if the highway department could maintain the trails by mowing/brush-hogging, making the use of them easier.
 - There was some discussion about what section of the trail is owned by the Town and what section is owned by the State and if the Town would be willing to take over the maintenance of the State portion.

- Tom explained that if the Town took over the maintenance of the State portion that there are three conditions that must be met by the Town.
- Condition one was that any work needs to be completed before October 10th.
- Condition two is that any equipment used be cleaned of debris, grass, seeds, to prevent spread of invasive species, before entering the State lands.
- Condition three is that the maintaining agency carry their own insurance.
- Russell Duchaine explained that the Alburgh Sno-Springers have an agreement with the State of Vermont to maintain the portion of the trail that is State owned and they (Sno-Springers) will be working on all the trails soon.
- The Board discussed three possible solutions to getting the trail work done.
- Plan A. would be to talk to John Beaulac (Beaulac Construction)
- about brush-hogging the trail as he has the equipment and the ability.
- Alton Brusio will talk to John Beaulac (Beaulac Construction) about getting the work done for this year.
- Plan B. would be to ask Wright Cut and Clean about brush-hogging the trail as they too have the equipment and the ability.
- The Clerk informed them that Wrights is short on staff, but they could be asked.
- Plan C. would be for the highway crew or Charmaine from the Transfer Station to do the work with Town equipment.
- This plan was ruled out for this year as there isn't a lot of time for training on the equipment.
- This will be a topic of discussion for next year as well so that the trails stay maintained throughout the summer months.
- Tabled until the next regular meeting, currently scheduled for 10/08/2019.
- Animal Control Officers – response to calls.
 - A verbal complaint and “chatter” on Facebook claimed that the Animal Control Officers could not be reached when needed.
 - The verbal complainant stated that the previous ACO was still receiving calls from the State Police because of this.
 - Jen Hebert (Animal Control Officer) and Ariel Brace (assistant Animal Control Officer) were both present and explained that they investigated the complaint by approaching the Facebook complainant and calling the State police to find out why the former ACO is still getting calls.
 - They were told by the FB complainant that they were never called directly by that person, therefor it was not a valid complaint.

- They were told by the State Police that they had the former ACO as the contact for animal control issues in the Town of Alburgh. They have updated their information to show Jen Hebert and Ariel Brace as the ACO's for Alburgh.
- This issue has been resolved and will be removed from the agenda.
 - As a side-note, Jen and Ariel wanted the Board to be made aware of the possibility of someone impersonating the Alburgh Animal Control and unlawfully taking an animal.
 - Ariel received a call from a citizen in New York that wanted to know how their dog was and explained that the Alburgh ACO took their dog to rehome it.
 - Ariel didn't know what the caller was talking about but thought maybe Jen had taken a call that she wasn't aware of.
 - Neither Jen or Ariel took the animal and told that Board that they would not take an animal from New York or another Town out of Alburgh.
 - They don't know who took the animal but wanted the Board to be made aware of the issue in case of a complaint.
 - No action needed on this issue.
- Citizen brought cats to Charlotte - Requesting mileage reimbursement.
 - Joan Krizer came to the Town office and explained to the Clerk that she trapped several cats on Greenwoods Road, brought them to Charlotte and would like to trap more to bring there.
 - She would like to have mileage reimbursement for doing this.
 - There was some discussion about this among the Board and the public and it was determined that a precedence would be set if this were approved.
 - There was also some discussion about where the animals were trapped.
 - If they were trapped on Joan's property it would be her responsibility to take care of them.
 - If they were trapped off her property, they could have been someone pet and Animal Control (Jen or Ariel) should have been called.
 - Jen and Ariel follow procedure when taking an animal if the owner is unknown.
 - Proper procedure being; advertise for at least 7 days, that they have the animal, allowing the owner to come forward and claim their pet.
 - There was more discussion on this topic, the Board agreed that procedure should be followed and the ACO's should be contacted if there are stray or feral animals that need to be taken care of.

- *Lee Kimball motioned to **NOT** approve mileage pay for Joan Krizer and that unless the traps are on her property, Joan should not be trapping animals that are not her own land and that if they are off her property she should call the Jen or Ariel about the animal(s) so that proper procedure could be followed – seconded by Cheryl Moomey – all in favor – motion carried.*
- Animals that are not on the property of the owner should not be captured by anyone but the Animal Control Officers of Alburgh, Jen Hebert and Ariel Brace.
- 107 Lake Street – Update.
 - Ken Millman took new photos (from the road) of the property to assess if the same vehicles have remained on the property.
 - The previous photos were taken with snow on the ground and on the vehicles, making it difficult to determine if they were the same vehicles.
 - Ken will take a series of photos in the future to assess if they are the same vehicles staying on the site.
 - The Board explained that a representative of the State had previously asked them to hand the issue to them as they (the State) wanted to assess if the landowner was in violation of the State rules on operating a salvage yard.
 - The State has since determined that they are not in violation of the salvage yard regulations and will not be pursuing the issue other than periodically checking to see if that has changed.
 - This does not address the local Junk Ordinance that the property owners are violating.
 - Lee Kimball will draft a letter to be sent to the property owner with a copy of the Junk Ordinance. This letter will be emailed to the Town office, and the Clerk will send it to the owners via certified/return receipt mail.
 - Tabled until the next regular meeting, currently scheduled for 10/08/2019.
- 26 Lake Street – Update.
 - The Town attorney recommended that a letter and inspection report be delivered to the property owner via the Franklin County Sheriff's department as they have not signed for previous letters sent via certified/return receipt.
 - Lee Kimball drafted a letter that was altered by the Town Attorney for clarity.
 - This letter and inspection report, written by Lee as Health Officer will be mailed to the Franklin County Sheriff's department with a request to them to serve it on the owner of 26 Lake Street.
 - Tabled until the next regular meeting, currently scheduled for 10/08/2019.

- 328 South Main St. – Update.
 - There are not new updates currently.
 - Tabled until the next regular meeting, currently scheduled for 10/08/2019.
- Fireworks Ordinance creation.
 - The Clerk researched this subject, and drafted, from existing ordinances of other towns, a proposed ordinance for the Town of Alburgh.
 - The Selectboard will review this, make changes or additions and it will be added to the next agenda for 6PM.
 - Tabled until the next regular meeting, currently scheduled for 10/08/2019. This topic will be discussed starting at 6PM.

VISITOR INPUT:

- It was brought the attention of the Board that there is a car still parked in the parking lot of the Library and that it has two flat tires.
 - This is the car that was previously on the sidewalk across from the Library.
 - Alton Brusio will inform the owner of the car that it must be moved and that it cannot go back on the sidewalk.
 - Tabled until the next regular meeting, currently scheduled for 10/08/2019.
- Terry Tatro requested that the Planning Commission meeting minutes be added to the Town website.
 - The Clerk will add them to the Town website.
- John and Ann Goodrich gave the Board a box of chocolates thanking them, on behalf of the residents of Windmill Point, for the paving of the road.
 - The chocolates were shared around the room.
- Ken Millman presented the Board with several options for speed devises.
 - These will be reviewed by the Board and a discussion will take place at a future meeting.
 - Tabled until the next regular meeting, currently scheduled for 10/08/2019.
- The topic of appointing a Town Administrator was brought up and briefly discussed.
- This topic will be added to the next agenda.
- Tabled until the next regular meeting, currently scheduled for 10/08/2019.

APPROVE THE FOLLOWING MEETING MINUTES:

○ **09/10/2019 – SELECTBOARD MEETING**

- *Chuck Pease motioned to approve the minutes from the 09/10/2019 meeting as written – seconded by Lee Kimball – all in favor – motion carried.*

• **APPROVE INVOICES / SIGNATURES NEEDED.**

- All invoices approved and signed.

ADJUSTMENT #1: Addition of an Executive Session.

- *At 9:10PM Cheryl Moomey 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 Lee Kimball – all in favor – motion carried – Board in Executive Session*
- *At 9:15PM Chuck Pease motioned to come out of Executive Session – seconded by Cheryl Moomey – all in favor – motion carried – Board out of Executive Session.*
- No action taken

• **ADJOURN:**

- *At 9:15PM Chuck Pease motioned 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 10/08/2019