

# MINUTES FROM 12/10/26/2019

## SELECTBOARD MEETING

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

Meeting called to order at 6:30pm by Chairman, Lee Kimball

**6:30pm – EXECUTIVE SESSION** for the purpose of negotiating or securing of real estate purchase or lease options (RS149); 1 V.S.A. § 313 - Update

- *At 6:30pm, 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 Chuck Pease – all in favor – motion carried – Board in Executive Session.*
- *At 6:35pm Cheryl Moomey motioned to leave Executive Session – seconded by Lee Kimball – all in favor – Board out of Executive Session.*
- No action taken.

**6:45pm - EXECUTIVE SESSION for the purpose of a disciplinary or dismissal action against a public officer or employee. 1 V.S.A. § 313(a)(4)**

- *At 6:35pm, Lee Kimball motioned to enter into Executive Session for the purpose of a disciplinary or dismissal action against a public officer or employee. 1 V.S.A. § 313(a)(4) – seconded by Chuck Pease – all in favor – Board in Executive Session.*
- *At 7:00pm Cheryl Moomey motioned to leave Executive Session – seconded by Chuck Pease – all in favor – Board out of Executive Session.*
- This executive session will resume at the end of the regular meeting.
- **Action taken was motioned later in the meeting. (\*)**

**GUESTS:** Ariel Brace, Danielle Choiniere, Terry Tatro, Jen Parro, Lynn Blair, George Hakey, Russell Duchaine, Susan Millman, Leeann Porto, Jennifer Hebert

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

- Meeting called to order at 7:05pm by Chairman, Lee Kimball

**ADJUST AGENDA** (if needed): Two adjustments/ additions were requested

- **ADJUSTMENT #1: Move bid opening to top of agenda.**
- **ADJUSTMENT #2: Set a date for next budget meeting.**

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

- **ADJUSTMENT #1: Move bid opening to top of agenda.**
  - Five bids were received and opened.
  - Bid #1 from Billy Duchaine in the amount of \$7720.20
  - Bid #2 from Bette Dinsmore in the amount of \$4099.00
  - Bid #3 from Matthew Ladd in the amount of \$3675.00
  - Bid #4 from Michael Scandore in the amount of \$5500.00
  - Bid #5 from Dave Couture in the amount of \$3750.00
  - *Lee Kimball motioned to accept the bid from Billy Duchaine, the high bidder, in the amount of \$7720.20 – seconded by Cheryl Moomey – all in favor -motion carried.*
  - The winning bid goes to Billy Duchaine in the amount of \$7720.20.
- Planning Commission / Alburgh Sno-Springers - Grant to improve the recreation trails.
  - This was discussed at the previous meeting where pros and cons were presented.
  - *Cheryl Moomey motioned that the Town of Alburgh NOT apply for the Recreation grant requested by the Planning Commission – seconded by Ken Millman – all in favor -motion carried.*
  - This will be removed from the agenda.
- 107 Lake Street – Update.
  - No new information at this time.
  - Tabled until the next regular meeting currently scheduled for 12/17/2019. (This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- 26 Lake Street – Update.
  - Lee Kimball will finish the letter and send it to the Clerk.
  - Tabled until the next regular meeting currently scheduled for 12/17/2019. (This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- 328 South Main St. – Update.
  - Quotes were requested from 3 vendors for tear down cost. Awaiting quotes.

- Tabled until the next regular meeting currently scheduled for 12/17/2019. (This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- Health Officer issues: 49 North Main
  - No new information at this time.
  - Tabled until the next regular meeting currently scheduled for 12/17/2019. (This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- New Year's Eve event at Senior Center – alcohol allowed? - Update
  - Information from VLCT indicated that this would be permissible unless there is a provision in the Town bylaws or an agreement that prohibits it.
  - The lease between the Town and Islands in the Sun Senior Center states that “*service, consumption or use of alcohol on the premises is strictly prohibited, and any use, service or consumption thereof on the premises shall be grounds for immediate termination of this lease...*”
  - The Board agreed that alcohol cannot be served or consumed at the Islands in the Sun Senior Center.
  - It was noted that the lease expired on the 1<sup>st</sup> of December.
  - The Clerk will modify dates on the lease and present it at the next Board meeting for signature.
  - Tabled until the next regular meeting currently scheduled for 12/17/2019. (This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- Town truck – Old F550 – open sealed bids
  - This topic was addressed at the beginning of the meeting and will be removed from the agenda.
- Animal Control topics:
  - How to dispose of dead animals unclaimed.
    - Cheryl Moomey contacted VLCT to determine if it is the responsibility of the Town and the Animal Control Officers to pick up and dispose of domestic animals that are found on the side of the road.
    - She was informed that ACO's are not required to take on that task.
    - There was some discussion about how the animals would be taken care of if the ACO's did not take on this task.
    - It was agreed that they would continue to take care of domestic animals.

- The Clerk reached out to Island Memorial, a crematory that handles dead animals to ask if there was a municipal rate for disposing of dead animals unclaimed.
  - The cost for municipalities to use their services is \$1.10 per pound for the cremation and disbursement of the ashes.
  - The ACO's were asked to check state statutes to be sure of what duties they are required to perform in regard to domestic animals found dead on town roads.
  - They have also been asked to contact Island Memorial to inquire about pick up of animals that need to be cremated and the cost associated with that, if any.
  - Tabled until the next regular meeting currently scheduled for 12/17/2019. (This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- o Other topics if needed.
- Lee mentioned the animals that are being held at the Town kennel as State's evidence and asked why the Town is responsible for holding them.
  - Ariel Brace explained that there is not a State facility to house these animals, therefore it falls onto the municipality to take over the care until a hearing can be held to determine if the animals can go back to the owners or re-homed.
  - She also explained that there is going to be an arraignment hearing on 12/19/2019 to determine if a forfeiture hearing is warranted.
  - If a forfeiture hearing is scheduled, it can take up to six weeks.
  - There are multiple costs associated with the care for these animals, including hourly pay to the ACO's, food, heat and veterinary fees.
  - These costs will be calculated, and the court will require restitution for these costs from the owners.
  - The Board was informed that NorthCountry Federal Credit Union will donate to the community if a request is written.
  - The Clerk drafted a letter to NCFCU asking that the cost of the repairs to the pellet stove be donated to the Town.
  - Lee read the letter and all Board members agreed that it was acceptable but the small amount it cost for the parts is only a portion of the expenses incurred.
  - The Clerk will work with Jen and Ariel to come up with a "wish list" of items that are needed by the ACO's on a regular basis, such as blankets, food, toys, flea and de-worming medications.
  - This list will be included with the donation request letter to NCFCU.

- Tabled until the next regular meeting currently scheduled for 12/17/2019. (This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- Town Administrator – discussion – pros and cons. (This topic was discussed at the end of the meeting. – Documented here.)
  - Lee suggested that the discussion of what a Town Administrator would and would not do would be a good starting point.
  - Ken suggested looking at what tasks are being taken on, who they are being allocated out to and what tasks are not being completed in a timely manner.
  - There was some discussion about the topic and how to proceed.
  - The Board agrees that if they decide to move forward with this, it will go to a Town vote before making the final decision.
  - Chuck suggested a special meeting to discuss this further.
  - Tabled until further notice.
- Transfer Station - use of “resident” stickers, price changes, and other topics as needed.
  - **(\*) Actions taken pertaining to Executive Session -**
  - *Lee Kimball motioned to terminate employment for Kyle Ploof immediately – seconded by Ken Millman – all in favor – motion carried.*
  - *Lee Kimball motioned to terminate employment for Charmaine Bouvier immediately – seconded by Ken Millman – all in favor – motioned carried.*
  - Two prospective employees will be asked to fill the vacancies.
  - The Transfer Station will operate on the normal schedule with no interruptions.
  - There was some discussion about charging a fee for accepting recyclables.
  - This and other topics will be discussed at a future meeting scheduled solely for Transfer Station topics.
  - The Clerk presented a copy of the window cling that will be used to identify vehicles belonging to residents. This will make it clear to the attendants who is a resident of the town and who is not so that they can be charged accordingly.
  - The Board approved the design. The Clerk will order 2000 window clings in the approved design.
  - Lee informed the Board that there is a training at Northwest Solid Waste on 12/17/2019 and that the two prospective employees will be asked to attend.
  - Lee also stated that there are many returnable bottles again at the Transfer Station and he would like to get them to the recycling center.

- Alton will talk to Jason Reynolds about returning them with the Town truck.
- Some topics tabled until the next regular meeting currently scheduled for 12/17/2019.  
(This will take the place of the regular meeting date of 12/24/2019 due to Christmas)
- Fireworks Ordinance review – If time allows.
  - This topic will be discussed at a later date.
  - Tabled until further notice

#### **VISITOR INPUT:**

- Lee informed the Board that he received a call from Raleigh Palmer asking that, as the Selectboard Chair, Lee write a letter to the State explaining that there is no public transportation for Alburgh residents and being a rural area, this makes it difficult for some residents to get to work, doctors appointments and other events.
- There was some discussion about this because public transit does go through Alburgh at certain times of the day.
- Lee asked the Board if they approved of him writing a letter explaining that there is public transportation in Alburgh, but it is limited.
- All Board members agreed that a letter to that effect would be acceptable.
- Russell Duchaine stated that the American flags that hang on the utility poles on Main Street are in terrible shape and look worse than no flags up at all.
- Everyone agreed with him, but he was informed that the American Legion has been responsible for caring for the flags in the past.
- Lynn Blair will talk to Phil Pearo, the commander of the Legion and ask that they replace them or at least remove them from the poles.
- George Hakey asked why the Town is responsible for enforcing the ordinances if they are rules of the state.
- It was explained to him that some of the items in the ordinances are rules of the state but that the ordinances are specific to Alburgh and the town wrote them, therefore it is up to the town to enforce them.
- Russell asked why there are so many more issues than there were in the past.
- The Board replied that more complaints are being submitted and that they Board is obligated to answer those complaints.

- Lee explained the process that is involved when a complaint is received, from writing a warning letter to issuing tickets if other methods don't produce results.
- **APPROVE INVOICES / SIGNATURES NEEDED.**
  - **11/26/2019 – SELECTBOARD MEETING**
    - *Chuck Pease motioned to approve the minutes from the 11/26/2016 Selectboard meeting as written – seconded by Ken Millman – all in favor – motion carried.*
- **EXECUTIVE SESSION** for the purpose of negotiating or securing of real estate purchase or lease options (LS004); 1 V.S.A. § 313 - Update
- This topic was not discussed. Board did not enter into Executive Session for this.
- **EXECUTIVE SESSION for the purpose of a disciplinary or dismissal action against a public officer or employee. 1 V.S.A. § 313(a)(4)**
  - *At 9:14pm Cheryl Moomey motioned to enter into Executive Session for the purpose of a disciplinary or dismissal action against a public officer or employee. 1 V.S.A. § 313(a)(4) – seconded by Ken Millman – all in favor – Board in Executive Session.*
  - *At 9:33pm Cheryl Moomey motioned to leave Executive Session – seconded by Alton Brusio – all in favor – Board out of Executive Session.*
  - The decision to terminate both employees at the Transfer Station, Kyle Ploof and Charmaine Bouvier was motioned earlier in open meeting.
  - The Board agreed to ask Brendan Letourneau to return to work at the Transfer Station and to ask a previous applicant, Dean Tallman, if he is interested in the second position.
- **ADJOURN:**
  - *At 9:48pm Cheryl Moomey motioned to adjourn – seconded by Alton Brusio – 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 12/17/2019