

Minutes
Town of St. Johnsbury
Board of Selectmen
Monday, June 9, 2003

The Board of Selectmen of the Town of St. Johnsbury held their regular SelectBoard meeting on Monday, June 9, 2003. Before the Regular SelectBoard meeting – members of the Board held a Site Visit at the private way known as Frost Avenue beginning at 6:30p.m.

Board Members Present: Chairperson Gib Handy, Reg Wakeham, Bryon Quatrini, Elwin Cross, and Dale Urie.

Others Present: Stan Wilkins, Paul Devenger (Chief of Police), William Willis, Kim Achilles (Caledonian Record), Jo Guertin (Animal Control Office), Rich Leighton (Lt. St. Johnsbury Police), Steve Berard, Valerie Dillon, Vernon E. Moyse, Gloria Moyse, Steve Watson (Community Justice Center), Wesley Locke, Elizabeth Locke, Don Cota, Ray Roy, Flora Roy, Susan Cherry, Larry Gadapee (Highway Superintendent), Vera Wilkins, Robert Wilkins, Priscilla Messier (Planning & Zoning Office), Dan Scott (Water & Sewer Superintendent), and Mike Welch (Town Manager).

- 1) **Minutes** – The Board of Selectmen reviewed the Minutes from the Regular Meeting held on May 12, 2003, and from the Special SelectBoard Meeting held on May 20, 2003. It was moved by Bryon Quatrini, seconded by Elwin cross, and unanimously voted to approve these minutes as presented.
- 2) **Frost Avenue** – The Manager informed the Board that Tru-Line surveying had laid out a proposed 1 rod roadway on Frost Avenue – so that neighbors could see the impact of laying out a roadway 1 rod wide. The Board of Selectmen are considering whether or not to “lay-out” the private way known as Frost Avenue Valerie Dillon stated that she was not satisfied with a proposal that would not include the drive in front of her house. She indicated that she felt that the proposal as laid out was very unfair. Highway Superintendent Larry Gadapee said that he did not understand why the Board would consider taking over a private drive that does not meet the specifications for a Town Highway. Following discussion, Chairperson Handy stated that the Board would not take any action on the Frost Avenue proposal this evening. Bryon Quatrini asked the Manager to explore any other private drives in Town that are currently being maintained by the Town. Sue Cherry asked when a decision would be finalize – Gib Handy stated that a final decision would probably be made in August.
- 3) **Dog Complaint** – Adams Drive – (It is noted for the record that SelectBoard Member Dale Urie recused himself from the Board for discussion related to this agenda item.) The Manager stated that the Selectboard had received a petition signed by several neighbors in the Adam Drive, Carroll Blvd., Sunset Drive requesting that the Board of Selectmen take action regarding a long-standing

problem with barking dogs owned by the Travssos on Adams Drive. Don Cota stated that this problem has been going on for over 5 years. He said that often the dogs bark during the night for hours. Jo Guertin said that the Travassos have added an area for the dogs on the back of their garage. She said that there are three dogs. Jo said that the Travssos did buy barking collars after the meeting that was held with the Community Justice Center – but the collars no longer work. Ray Roy stated that these animals bark during the day and the night, it is constant. Mr. Roy said that to the neighborhood these animals are a nuisance. Vernon Moyse said he has been retired for five years – and he has yet to enjoy his retirement because of the barking. The Chief of Police provided members of the Board with a summary of the calls to the police that have been made about these dogs. Chairperson Handy advised residents that if the Town takes the matter to court – some of the neighbors may need to be prepared to testify. Following discussion, it was moved by Bryon Quatrini, seconded by Reginald Wakeham (and voted 4-0 Dale Urie abstaining) to direct the Town Manager to work with the Town Attorney to bring about a public nuisance action against the Travssos. It was suggested by the Board that the Town Attorney explore getting an immediate injunction to remove the animals. The Board directed the Manager to move quickly on this item.

- 4) **Town Highway Specifications – Major Subdivisions** – Mr. Willey was present to advise the Board that he represents a developer that is seeking subdivision approval for a major subdivision off from Mt. Pleasant Road. Mr. Willey said that the Town Road serving this area is gravel, and will probably not be paved anytime soon. Mr. Willey said that the gravel section of Mt. Pleasant Street is actually in better condition than the paved section – due to the age of the asphalt. Highway Superintendent Larry Gadapee said that he believed that new Town Roads should be paved. The Manager stated that based on the present subdivision regulations – “there shall be no private streets or drives in any subdivision. Every lot in a subdivision shall be served from a publicly dedicated street.” Mr. Willey said that the developer is proposing that a private road be allowed – or that the Town Highway Specifications be changed to allow a gravel town road. Presently, the SelectBoard policy requires that all streets in a subdivision must be paved. Dale Urie pointed out that only 4 lots would be served from the proposed street. A portion of the subdivision is located in RL1 which has a 10-acre lot requirement. Reginald Wakeham said that he felt that the Town needed to find a way to try to accommodate good residential development in the community. Chairperson Gib Handy suggested that the Town would be willing to postpone paving until lots are sold – this could be done through a performance bond. Mr. Willey stated that the issue is one of overall cost – not timing. The developer does not want to invest into paving the road for 4 lots as it will reduce significantly return on investment. Gib Handy stated that the Board needs to consider what is best for the Town overall. Bryon Quatrini indicated that the Town needs to reviews the paving policy and try to develop a solution that will allow development to occur. Following discussion, it was agreed by the Board that this item will be tabled until the June 23rd meeting.

- 5) **Local law Enforcement Block Grant** – 3rd Police Cruiser – Police Chief Paul Devenger was present to request that the Board of Selectmen take action on his request to purchase a 3rd police cruiser with Local Law Enforcement Block Grant Funds. Chief Devenger indicated his strong belief that a 3rd cruiser is necessary for many reason. Chief Devenger pledged to the Board that if grant funds are not approved in the future, then he would not request that a 3rd cruiser be maintained by the Town. Chief Devenger said that he has reviewed his plans for purchase of a cruiser with the Town’s representative for the LLEBG – and that purchasing the cruiser and replacement cruiser with LLEBG funds is an allowable grant expense. Chief Devenger said that purchasing a cruiser through the grant program will actually reduce the amount that the Town needs to raise for the replacement of police cruisers. Bryon Quatrini said that it is very difficult to justify purchasing the cruiser because grant funds are available to do so. Bryon said that when grant funds run out the Board may still hear an argument about maintaining the 3rd cruiser. Following discussion, it was moved by Reginald Wakeham, seconded by Dale Urie, and voted 3-2 (Handy & Quatrini opposed) to acquire the 3rd Police Cruiser with LLEBG Funds provided that Chief Devenger demonstrate that his overall budget for vehicle replacement is actually reduced, and that if LLEBG funds are no longer available in the future then the Police Department will return to two (2) police cruisers.
- 6) **Update Breezy Hill Sewer** – The Manager stated that a Bond Information meeting will be held on Monday, June 16th beginning at 7:00p.m. in the Board Room of the Municipal Building. The Manager said that financing for the \$312,500 could only be provided for up to 30 years through the USDA. Repayment would be \$19,088 at 30 years. Gib Handy stated that the Town Manager should prepare recommendations relative to the Connection Fees for the Water and Sewer Connections. The Town’s current fee of \$100 does little to recover any of the costs associated with connecting to a system that others have paid for.
- 7) **Tax Anticipation Note** – It was moved by Reginald Wakeham, seconded by Elwin Cross, and unanimously voted to approve the Tax Anticipation Note as recommended by the Town Clerk & Treasurer Sandy P. Grenier.
- 8) **Manager’s Report:**
- Mountain View CDBG** – It was moved by Elwin Cross, seconded by Dale Urie and unanimously voted to sign the VDCP Resolution Authoring the Town Manager to sign documents related to the VCDP Award for the rehabilitation of Mountain View Apartments.
- Parking Restrictions** – The Board signed the Parking Restrictions that had been approved by the Board at a previous meeting.

Public Hearing Zoning By-Law Amendments – Thursday, June 12th – The Manager reminded the Board that a Public hearing has been scheduled for Thursday, June 12, 2003 to take public comments on the proposed revisions to the Zoning By-Law. This meeting is warned for the Board Room at 7:00p.m.

Bond Vote & Bond Informational Hearing – The Manager reminded the Board that a Bond Informational Meeting is scheduled for Monday, June 16th, beginning at 7:00p.m. in the Board Room of the Municipal Building.

Calendar of Events – The Manger provided the members of the Board with a Calendar of Events and Upcoming Meetings.

Executive Session – It was moved by Bryon Quatrini, seconded by Elwin Cross and unanimously voted to go into Executive Session to discuss the Evaluation of a Public Officer or Employee at approximately 9:00p.m. It was moved by Dale Urie seconded by Reginald Wakeham and unanimously voted to return to regular session at approximately 9:15p.m.

The Board took no action following the Executive Session.

Having no further business or requests the Board voted unanimously to adjourn at approximately 9:16p.m.

Respectfully submitted,

Michael A. Welch
Town Manager