

**Town of St. Albans
Selectboard Meeting Minutes
Monday, October 1st, 2018
5:30 p.m.**

On Monday, October 1st, 2018 at 5:30 p.m., at Town Hall the Town of St. Albans Selectboard met.

Officials and staff present: Chair, Bill Nihan, Vice Chair, Bruce Cheeseman, Brendan Deso, Stan Dukas, Al Voegele, Town Manager Carrie Johnson and Town Attorney Chad Bonanni.

B. Nihan called the meeting to order at 5:30 p.m. The purpose for the earlier start to the meeting was to conduct an executive session to discuss legal and contractual issues.

Executive Session

MOTION: B. Deso made a motion to go into executive session at 5:30 p.m. to discuss legal, contractual or personnel issues where premature general public knowledge of the subject matter would place the Town (or person involved) at a substantial disadvantage. It was further moved to enter into executive session to discuss legal, personnel and contractual issues under the provisions of Title 1, section 313(a)(1) of Vermont Statutes and to invite in Town Attorney, Chad Bonanni, and Town Manager, Carrie Johnson. All in favor, none opposed, motion carried.

MOTION: B. Nihan made a motion to recess the Selectboard meeting at 5:55 p.m. All in favor, none opposed, motion carried.

Regular Meeting – 6:00 p.m.

Officials and staff present: Chair, Bill Nihan, Vice Chair, Bruce Cheeseman, Brendan Deso, Stan Dukas, Al Voegele, Town Manager Carrie Johnson, Director of Public Works Alan Mashtare, Public Safety and Fire Chief Bob Cross, and Recording Secretary Jenn Gray.

Public: St. Albans Messenger Reporter, Michael Frett, Town Attorney Chad Bonanni, Corey Signor and Alyssa Page.

Chair, B. Nihan called the meeting back to order at 6:05 p.m.

The Pledge of Allegiance.

Vicious Dog Hearing

Town Attorney Chad Bonanni gave a brief overview of what a Vicious Dog hearing is and what it entails. A. Voegele read the warning for the hearing to open the hearing. C. Johnson went over the complainant's report.

Mr. Bonanni swore Corey Signor in, the most effected victim of the dog attack. Mr. Signor explained the dog attack took place on Sunday, September 2nd. He then explained how the dog attack occurred.

B. Cheeseman pointed out that no one knows whether or not the dog is vaccinated. B. Cross explained that he called the State Health Department and spoke to the doctor on call there. You're supposed to get shots immediately. However, the doctor told D. McWilliams that the likelihood of a domestic animal have rabies is low.

Mr. Bonanni swore the second victim, Alyssa Page in and she explained the dog attack.

Mr. Bonanni asked D. McWilliams if he had tried locating the dog. D. McWilliams explained that he did check local hotels and that a certified letter was mailed to the dog owner's last known address as well as through regular mail. Tonight's hearing was also posted in paper. D. McWilliams did locate the dog owner's car and left a copy of the hearing notice on their car. He stated that the dog is not registered in the Town.

A. Voegele asked when the symptoms of rabies present. D. McWilliams stated it was 10 days. He also completed a dog census of the buildings where the attack occurred as well and all dogs there are now licensed.

Health Officer Bob Cross tried a phone number of a place in Georgia he was provided to try and locate the dog owners and didn't get an answer. The doctor B. Cross spoke with at the Department of Health is going to try to get in touch with the homeowner in Georgia and Mr. Signor.

Mr. Bonanni stated that at this point, the Board needed to decide whether or not the dog fit the definition of a vicious dog and then prepare an order. Any other violations the Animal Control Officer can handle.

B. Nihan asked for clarification on "owner's premises". Mr. Bonanni explained that the premises is the house, building and lands surrounding it. The Board agreed to move into deliberative session and to hold it publicly.

B. Cheeseman said there is no doubt in his mind that this is a vicious dog.

MOTION: B. Cheeseman made a motion stating it was determined that this is a vicious dog. Motion carried with a 3-0 vote with B. Nihan and A. Voegele abstained.

B. Cheeseman suggested D. McWilliams get a warrant to seize the dog. B. Nihan explained that he would hate to order the dog be put down. He knows that pit bulls have bad reputations due to their owners. He would like the dog ordered to be muzzled and leashed at all time outside the residence. B. Deso stated that the order should include proof of license and rabies shots. If they don't comply they will be held accountable. B. Cross suggested that if the owners fail to comply, the dog should be put into a rescue organization.

MOTION: B. Nihan made a motion to have the order include muzzling and leashing the dog when outside as well as proof of license and vaccination. Penalty would be the Town taking possession of the dog and placing it with a rescue organization. All in favor, none opposed, motion carried.

The Board requested that the order be published in the newspaper, then they closed the hearing.

General Warrant

MOTION: S. Dukas made a motion to approve the general warrant dated October 1st, 2018 in the amount of \$383,752.54. All in favor, none opposed, motion carried.

Pike Industries had a couple of large invoices in the grant this week for paving. A. Mashtare did receive a rant for \$168,000 for Class 2 paving to offset some of the costs.

B. Cheeseman asked A. Mashtare who Team AJ Prescott's was and what their invoices were for. A. Mashtare explained the invoices were for hydrant work on Brigham Road for the Department of Public Works (DPW) relocation project.

Industrial Park Warrant

MOTION: B. Cheeseman made a motion to approve the Industrial Park warrant in the amount of \$2,326.50. All in favor, none opposed, motion carried.

Payroll Warrants

MOTION: B. Deso made a motion to approve the payroll warrants dated September 10th through September 16th, 2018 in the amount of \$17,147.30 and September 17th through September 23^d, 2018 in the amount of \$26,554.86. All in favor, none opposed, motion carried.

Minutes

MOTION: B. Nihan made a motion to approve the 'special' Selectboard meeting for Thursday, September 13th, 2018. Motion carried with a 3-0 vote with A. Voegele and S. Dukas abstaining as they were not present for this meeting.

MOTION: B. Nihan made a motion to approve the Selectboard meeting minutes for Monday, September 17th, 2018. Motion carried by a 4-0 vote with A. Voegele abstaining as he was not present for this meeting.

Town Manager's Report
Second Round of Survey Mailing

C. Johnson stated the second round of surveys has been mailed out and encouraged those receiving them to return them.

Department of Public Works Update

On September 27th, an update on the DPW relocation project was emailed to the Board explained that Matt Young with Ascent Consulting was hired as the Project Manager. A meeting with Mr. Young and the Selectboard will be held on October 3rd. C. Johnson explained that Mr. Young would like to pre-qualify vendors for this project prior to awarding contracts.

DPW Salt Shed Grant

S. Dukas asked A. Mashtare to remind the audience that he applied to VTTrans for a grant for a new salt shed. A. Mashtare explained the Town was awarded a grant \$376,000. A. Voegele thanked the State for helping the Town with this project.

Act 250 Notice of Application Filing – Newton's Forest Development, LLC

Their permit expired in 2013 and they are now applying for an extension. This is a project located off Lower Newton Road. They will have to go back to the Development Review Board (DRB) as well. Just informational, no action required.

Letter to Industrial Park Tenants

C. Johnson had received a revised letter to the Industrial Park tenants from Tim Smith to encourage compliance when it comes to truck traffic. B. Nihan stated the letter has a much more friendly approach and suggested adding an appropriate route for truckers.

B. Cheeseman explained that the City of St. Albans Council has approved and adopted a new ordinance in effect immediately for trucks in the City of St. Albans. A. Voegele suggested that we forewarn the following routes laid out in the City's ordinance.

Selectboard Meeting in Executive Session

A. Voegele asked why the meeting on October 3rd was going to be in executive session. C. Johnson explained that Project Manager, Matt Young suggested holding the meeting in executive session. The Board agreed to hold the meeting as a public meeting and not in executive session.

Public Comment

None.

Schedule

On Wednesday, October 3rd there will be a meeting with DPW Project Manager, Matt Young at 5pm.

A meeting to discuss the draft Impact Fee report will be on Monday, October 8th at 6pm.

The next regular Selectboard meetings are Monday, October 15th and Monday, November 5th, 2018.

Other Business

None.

Adjournment

MOTION: A. Voegele made a motion to adjourn the Selectboard meeting at 7:25 p.m. All in favor, none opposed, motion carried.

Respectfully submitted
Jenn Gray, Recording Secretary