

SANDGATE VERMONT SELECTBOARD MINUTES – JANUARY 2, 2024

CALL TO ORDER: 6:00 p.m.

ATTENDANCE: Board members: Joe Nolan, John Phelps, Charlie Pike, Linda Schmidt, Karen Tendrup. Also present: Elizabeth Daut, Jim Henderson, Melissa Mattison, Margaret Phelps. Minute taker: Sandy Reidy.

GROGAN UPDATE: Joe Nolan says all Board members have driven by the property in the past few days and have seen the pile of bread in front of the house. He says Karen Tendrup spoke with Vonda Grogan, who said the pile had been cleaned up, but it had not. Melissa Mattison says she and her neighbors want to make clear to the Board that complaints surrounding the property are ongoing: conditions have not improved. Karen says she talked with Lisa Brassard, of the Waste Management and Prevention Division of the DEC, who advised Karen to call Patrick Lowkes (802-747-8127), the Environmental Enforcement Officer assigned to the Town's DEC complaint. Karen called him five times today and got no response. Karen says she received phone messages from the McMurray and La Penta households over the weekend, and she went to the property to investigate. Melissa says Nicole Tafoya has sent Karen more photos of the property; Karen says she did not receive them. Karen has asked her DEC contacts repeatedly for an update on the complaint she filed last summer and has been told the agency is not required to update the complainant once a complaint has been filed. The problem of rats is discussed. Karen says she has been told by Lisa Brassard that she [Karen] must see rats in order to file a complaint, and Karen has not seen them. Elizabeth Daut says there must at least be evidence of rats and adds that serious pathogens can be spread by other animals (raccoons, for example) attracted to garbage. Karen has told Patrick Lowkes that rats have been seen. She will file a new DEC complaint to address the new refuse on the property. Linda Schmidt says she also received calls from the McMurrays and the LaPentas. Linda then went back through the last several months of meeting minutes, plus did some web searching, and compiled a spreadsheet of contact information for all the agency representatives who have visited the property recently, along with the status of issues raised and complaints filed, and she will continue to keep this updated as issues are addressed.

This will help the Board track developments. Linda says Vincent Chiorgno of the Waste Management Division of the DEC and Wendy Houston-Anderson of the Agency of Agriculture visited the property last fall. Karen says she will contact them for updates. Jim Henderson says both the Board and he himself (as a contractor with the DEC for water quality) should submit complaints to the DEC and Agency of Agriculture. John Phelps agrees that all applicable forms must be filed. Linda says she talked with Town officials in Rupert to see if they have advice in situations like this, and they said Vincent Chiorgno visited one such site in Rupert and that action was eventually taken by a state attorney with the Agency of Natural Resources, after a long initial silence from the agencies involved. Delinquent taxes on the property are discussed; the tax due in October 2023 has not been paid. Linda reads the decision made by the Vermont Superior Court on May 13, 2020, regarding removal of junk cars from the property: "The Order required defendants to remove all inoperable vehicles from the Property within thirty (30) days and to maintain the Property in full and complete compliance with the Bylaws thereafter." Linda suggests the Board consult Merrill Bent, the Town's legal counsel, on this matter. Sheila says the Selectboard can direct the Zoning Board to pursue another violation for the cars. Joe makes a motion to do so; Linda seconds; all in favor. Sheila requests and the Board agrees that the Board will accompany her when she serves the violation order. Sheila explains the protocol involved: she will first send a certified letter to the owner, saying the Selectboard has authorized her to inspect the property. She will consult Merrill as needed. Melissa asks again why large-animal fines have not been imposed in the past and how they can be imposed going forward. Sheila says any fines, whether for animals or cars, must be carefully tracked by the Board, which must also decide when a backlog of fines becomes a lien on the property. Sheila points out that there are other properties in Town with unregistered cars, and the Board should be prepared to hear more such complaints if fines are now enforced. Jim says this particular situation is dire, and the existence of other situations should not prevent the Town from acting on this one. Sheila says she is not suggesting the Board should not act in this case; she is only saying the Board should be prepared for other inquiries. Joe summarizes: the Board as well as Jim will file additional complaints with the DEC and Agency of Agriculture. Elizabeth emphasizes the issue of animal health and proper feeding; she has offered to write to the state veterinarian about the problem. Linda says there are many issues that could be addressed in this situation and that the work should not all fall on the Health Officer but should be shared among the Board members when that is helpful.

CITIZEN CONCERNS/OTHER BUSINESS: Sheila notifies the Board that the **newly drafted zoning bylaws** will be discussed at a **public meeting on Wednesday, January 17 at 6 p.m.** in Town Hall. A final version of the bylaws will be sent to the Selectboard by February 5th, after which date the Selectboard will schedule its own public meeting. The main changes are (1) inclusion of subdivision regulations in the zoning regulations, (2) addition of river-corridor to existing flood-corridor protections, (3) addition of duplex housing as a possibility within Rural Residential zoning.

Linda asks about installation of the **generator at Town Hall**. Joe says the excavator is parked behind Town Hall and work will be completed soon.

Jim says Diane O'Brien offered to help the Town better equip Town Hall to shelter citizens in the event of an emergency. Potable water is a particular need. There is general discussion about improving the Town's **emergency preparedness**, in conjunction with (1) current rewriting of the Hazard Mitigation Plan, and (2) the grant received recently for building informal community networks. Sheila suggests to Linda that a project plan be drawn up specifically for equipping Town Hall as an emergency shelter. Linda mentions the potential availability of help through the Municipal Technical Assistance project with the BCRC.

DRAFT OF TOWN WARNING: Sandy Reidy shares a draft of the warning, which the Board members will review. Sheila and Sandy review which annual appropriation requests have been received by Town Hall for inclusion in the Town Report. Jim offers to write a summary for the Town Report of the traffic studies done early last year.

ROAD REPORT: Joe says no plowing or sanding has been needed. Sheila asks that the Road Crew begin again to do regular activity reports, for the Board and the Auditors, on what work is completed in a given week.

SIGN ORDERS.

REVIEW OF DECEMBER 18 MINUTES: Joe makes a motion to approve the minutes (with one correction to Joseph Gajewski's name in the Attendance list); Linda seconds; all in favor.

ADJOURN: Charlie makes motion to adjourn; Joe seconds; all in favor.

January 2, 2024

**THE NEXT MEETING WILL BE ON TUESDAY JANUARY 16 AT 6:00
IN THE SANDGATE TOWN HALL.**

Respectfully submitted by Sandra Reidy and Linda Schmidt.

A complete recording is available by request at Sandgate Town Hall.

January 2, 2024