

Royalton Selectboard  
Royalton Academy Building

July 13, 2010

Public Present: See attached

Selectboard Present: Larry Trottier, Ernie Amsden, Peggy Ainsworth, Joan Goldstein, Phil Gates

Moderator David Ainsworth opened the public hearing on the adopted noise ordinance that will be voted on by Australian ballot on July 20, 2010 at the South Royalton High School Gym. Voting will take place from 10:00 a.m. to 7:00 p.m.

Peggy Ainsworth gave a brief history behind the adopted ordinance. She explained that the ordinance was drafted to provide a tool to address issues associated with obnoxious noise that currently cannot be addressed through current town ordinances or state statutes.

Town Agent Frank Berk explained that the ordinance was drafted from existing ordinances that are in place in Burlington, Hartford, and a sample ordinance that the Vermont League of Cities and Towns had drafted. He noted that the Burlington ordinance had been challenged in court. The courts have deemed the Burlington ordinance to comply with state law and the US Constitution.

#### Points of interest

- A motocross racetrack caused noise that was continuous and obnoxious to neighbors
- The Selectboard was first asked to address the issue in 2006
- There are currently no state laws or town ordinances that address obnoxious noise between the hours of 6:00 a.m. and 10:00 p.m.
- The Selectboard was required by state statute to hold a town wide vote on the ordinance.
- The town currently has two police officers who would be responsible to enforce the ordinance.
- Some residents expressed a concern that the ordinance was written in an ambiguous way.
- Residents expressed a concern that an isolated neighborhood issue was causing ramifications for all residents.
- It was noted that many at the hearing felt that residents should address neighborhood issues not the Selectboard
- Cost of enforcing the ordinance would be covered by taxpayer money.
- Unreasonable noise is determined by the officer who issues the ticket.
- Agricultural practices are exempt from the proposed ordinance.
- If a ticket was issued for violating the proposed ordinance it could be challenged in court.

Moderator D. Ainsworth closed the meeting at 9:02 p.m.

## **Selectboard Meeting**

### **Selectboard Meeting Minutes of June 22, and June 29, 2010**

The Selectboard reviewed the minutes from 6/22/10 and 6/29/10. J. Goldstein and P. Ainsworth made minor amendments.

**A motion was made by P. Ainsworth and seconded by E. Amsden to approve the minutes of June 22, and June 29, 2010 as amended. The motion passed unanimously.**

## **Police Department**

### **Police Cruiser**

The Selectboard reviewed the bill of sale, odometer verification, and tax statement for the new police cruiser that the Town is purchasing from Grace Quality Cars. The vehicle is a 2004 Ford Crown Victoria Interceptor with just over 41,000 miles. The purchase price is \$7,000.00. The Police Department is also required to apply for a "blue light" permit from the State of Vermont.

**E. Amsden made a motion that was seconded by J. Goldstein to authorize Chairman L. Trottier to sign the purchase documents and the light permit application. The motion passed unanimously.**

## **Highway Department**

### **Bloss Ballou Rd.**

Administrative Assistant reported that Sunwise Surveyors has completed the survey of the disputed portion of the Bloss Ballou Rd. that begins at the intersection of Post Farm Road. The survey was needed to verify the three rod right of way that as originally laid out runs through a barn and pond as attempts to relocate the road around the structures were unsuccessful. The survey will need to be recorded before any further action may be taken. A court ruling determined that the road was a town highway and that any structures within the Town's right of way must be removed.

### **Crawford Gravel Pit**

Road Foreman McCrillis has asked that the closure cost be increased from the current \$.10 to \$.50 per yard. This cost per yard covers the expense of reclaiming the gravel pit when it is closed.

**P. Gates made a motion that was seconded by E. Amsden to increase the Crawford Gravel Pit closure cost to \$.50 per yard of material. The motion passed unanimously.**

## **Carpenter Gravel Pit**

Road Foreman McCrillis has reported that the gravel that is being crushed at the Carpenter Gravel Pit is being applied to roads. The gravel is becoming more difficult to extract as there is a lot of clay that is being unearthed.

#### **Dairy Hill Rd.**

Pike Paving, Inc. completed the paving on the entire paved portion from VT Rte. 14 to McIntosh Pond Rd.

#### **Excess Weight Permit**

The Selectboard reviewed an excess weight permit application received from Harvey Ballou.

**P. Gates made a motion that was seconded by E. Amsden to approve the excess weight permit for Harvey Ballou. The motion passed unanimously.**

#### **Other Business**

##### **Happy Hollow Rd. - Storage Container within town right of way**

The Selectboard discussed the State Statutes pertaining to items that are placed within the Town's right of way. Discussion ensued on the process to remove that storage container that has been in the town's right of way for over two years.

#### **Sewer Department**

Administrative Assistant Cleveland reported that Mark Simon, owner of Simon Operation Services (SOS) the firm that the Town currently contracts with to operate the Town Pollution Abatement Facility (sewer system) will be at the July 27<sup>th</sup> meeting to discuss the renewal contract. The current contract expires August 1, 2010.

#### **Royalton Memorial Library/Royalton Branch Library**

Discussion ensued on the need to replace a blower motor in one of the heaters at the Royalton Memorial Library. It was noted that Robert Tracey has worked on the heaters in the past.

**E. Amsden made a motion that was seconded by P. Gates to replace the blower motor in the heater at the Royalton Memorial Library. The motion passed unanimously. It was noted that Robert Tracey should be hired to work on the heater as he is familiar with the units.**

Discussion ensued on the need to repair the soffits on the Royalton Branch Library. P. Gates noted that small animals have caused damage to the building and a cost estimate to repair the soffits to prevent additional damage. Administrative Assistant Cleveland was asked to obtain cost estimates for the work.

#### **Dog Control Ordinance**

E. Amsden noted that the Royalton Recreation Commission would like to review the current Dog Control Ordinance. Complaints have been made concerning people allowing their dogs to run off leashes and the dogs owners are not picking up dog waste on the Carpenter Recreation Fields. Administrative Assistant Cleveland was asked to review the

current ordinance and forward to the Selectboard. This issue will be discussed further at the next Selectboard meeting.

**Additional Business**

Discussion ensued on town office options. Administrative Assistant reported that Ann McLaughlin, owner of 46 North Street is interested in selling her property. Discussion ensued on potential town office options. The Selectboard also discussed presenting a non-binding survey to the voters at the upcoming primary elections. The survey would ask voters if they would support multiple options for new town offices. Initial survey questions include renovating the second floor of the Royalton Academy Building with an addition to accommodate a new vault and town clerk/treasurer office, reducing the total square footage of the proposed town office building to 3,000 square feet to be constructed on the “Hope property”, renovating the “Meeting House” on the Royalton village common, or waiting a period of time before pursuing construction. Discussion continued on building options for new town offices.

**Accounts Payable**

The Selectboard reviewed and signed accounts payable.

Meeting adjourned at 10:40 p.m.

Respectfully submitted by:  
Nathan P. Cleveland