

Town of Eden  
71 Old Schoolhouse Rd  
Eden Mills, VT 05653

September 28, 2021 Selectboard Meeting

The Eden Selectboard met at the Town Office on September 28, 2021. Present: Ricky Morin, Clayton Whittmore, Jubal Durivage, Candace Vear, Freeda Powers. Also present: Donna and Ethan Hill (Hillside Trash Co.), Joining by phone: Katie Belval (Eden Dog Officer), Hosanna Bogert (property owner), Peter Danforth (Lamoille County Conservation District).

1. Open Meeting: Ricky opened the meeting at 6:02pm.
2. Additions and Deletions to the Agenda:
  - a.) Under #3c) Hills/Hillside Trash company
  - b.) Under #11c) Recommendations from Town Attorney
  - c.) Under #13b) Animal Bite Report from Copley.

To accommodate those present, the Board went to Agenda item #3c next.

3. Citizens Input:
  - c.) Ethan and Donna Hill came before the Board to discuss what the Town is seeking in the way of trash removal at the Eden transfer site on Rte. 100. The Board explained that they are looking at options. Ideally, a hauler will be able to collect at the Town Garage site on Saturday or Sunday for a few hours to serve the local residents and save them from traveling to Johnson or Stowe. Ricky said the Town road crew will agree to keep the site plowed and sanded. The goal, the Board said, is to have the site operate with no additional cost to the taxpayers. The State requires the following items be collected: Trash, Recycling and Food Scraps. The Hills said they would take trash and recycling, but not food waste. They could do Saturdays, but not Sundays. They approximated collection hours between 7-11 or 8-11. There was a question about the existing structure onsite. The Town has not received a clear answer from the District yet regarding the use of the building. Freeda will contact Susan Alexander to find out if the Town may use the building for weekend use and to get an estimate of the average cost to heat it for a season.

Freeda will get that info to the Hills who will then be able to quote their rates. This discussion will continue at a future meeting. The Hills thanked the Board for their time.

Returning to the Agenda:

a.) Camp Road property owner response to driveway concerns. Hosanna Bogert,

property owner on Camp Road, joined by phone to offer her response to the letter she received in the mail recently. The Board had authorized Freeda to send a letter to the land owner in regards to work done last weekend to improve the driveway. The resulting increase in slope to the driveway increased the potential for storm water runoff onto the town roadway. This is in violation of State mandates which the Town is responsible for adhering to. Storm water cannot flow off a property onto roadways. Ms. Bogert indicated she was aware of the work being done, although she was not present when it was done. Based on photos included in the letter, she did not see that the work done increased storm water runoff. Furthermore, she said, in her experience of many years of owning property on that road, there has been longstanding poor storm water drainage in that location. Water pools in the roadway there, she said. The Board explained that work cannot be done on the property that results in increased storm water runoff onto the road. Ricky explained that no driveway may be put in without a driveway permit, as well. Ms. Bogert said her mother, the other owner of the property, will be in Eden in a couple of weeks. She requested a face to face meeting with the Board at that time for a clear explanation of what is expected so that they can do their best to comply. The Board thanked her for her time and agreed to a further discussion in a couple of weeks when her mother is available.

b) Trash complaint on Rte. 100. Freeda relayed the complaint which came into the Town Office by phone recently. The caller indicated a property on Rte. 100 in Eden had trash on site in large trucks and the smell was awful. They requested someone look into it.

Freeda contacted the Town Health Officer to forward the report. Amanda Cady, Health Officer, indicated the property being noted was the site of trash hauling trucks. The business owners leave their work trucks there overnight and this is likely the source of the smell. Soon, colder temps will mean the smell will no longer be an issue. There is nothing actionable for the Town to do about this complaint at this time as no violations are present. Freeda will follow up with the complainant to notify them.

4. Sign orders: Five (5) orders were reviewed and signed.
5. Minutes: The Board reviewed the minutes of 9/14. Jubal made a motion to approve the minutes of 9/14/21 as written. Clayton seconded the motion. The Board voted 3-0.

6. Dog Officer Update: Katie Belval joined by phone to offer her update. She said she has completed a partial canvassing and will continue next week. She said the dog that was found tied to the local store early one morning was returned that day to its owner and was registered. More recently, a German Shepard was located loose and was later returned to its owner as well.

The Board reiterated the importance of follow through in her position; once a warning has been issued, it is important to follow the protocol and work closely with the Town Clerk to ensure that the ticket is sent out in a timely manner. Consistent application of the existing rules is of utmost importance. Katie said she understands and will continue to work with the Clerk to do this.

Katie reported that there is a potential neglect case on North Road that has been reported by several parties. The property appears to house several puppies and kittens in poor condition. She wondered if this is a concern she should handle and if so, what should her next steps be. The Board advised her to send potential health concerns to the Health Officer, Amanda Cady and potential animal abuse or neglect cases to the Humane Society first, and the VSP second. Katie said she will contact the Humane Society this week to follow up. She said the bylaws do cite neglect and abuse cases. The Board said they approve of her checking into the reports she gets but to forward the case on to the appropriate authorities if it is at that level. If she has any safety concerns around going to the property, she should have one of the Town Constables accompany her.

7. Lakeshore Discussion with Peter Danforth (LCCD) Peter called in to join the Board for this discussion about possible options for implementing best management practices along lakeshore properties. Peter said he will be in Eden the first week of October assisting landowners along Lakeshore Drive and wanted to offer his services to the Town via the Board as well. He said they will hold off for the remainder of this year for any larger projects in Eden as they look towards next year to do work in this area. The Board thanked Peter for his time and offer. At this time, the Board is in favor of holding off on any work being done especially on Lakeshore Drive, saying they feel the property owners in that area value their unrestricted access to the lake. Peter understood and agreed saying next year if the Board wishes they could focus on the town beach area and do some plantings where folks are not entering or accessing the water.

Peter wrapped up the call by saying he will submit proposed projects in Eden using the G1 funds to the Board in the next few weeks. He ensured the Board he is focusing on possible projects that have a town interface: Griggs Road, Lakeshore Drive, etc.

8. Beach Update:

- a.) Water: A level II assessment was done Sept. 3<sup>rd</sup>. We still await response from the State. John Campagna will do the seasonal water system shut down on October 18<sup>th</sup>.
- b.) Managers Report: None. Season winding down; folks moving out.

- c.) Review Rates/Rules: The Board reviewed and made changes to the rates. The Board reviewed rules and felt no changes were necessary at this time.

Jubal made a motion to approve the revised rates for LERA. Clayton seconded the motion. The Board voted 3-0. d.) Set date for Fall Walk Through. The Board agreed to Oct. 19<sup>th</sup> at 5pm to have the Fall walk through.

9. G1 Funds: The Board discussed and considered additional projects for the remaining available funds of approximately \$120,000. The Board was clear in their preference that this money be used towards a single large project vs. several smaller projects. The Board requested Freeda to draft a project proposal for consideration for the future structure recommended at the Boy Scout Camp Road location which is being engineered this year with grant funds. They will propose completing the structure with a future application to a large project funding grant such as Municipal Storm water Mitigation funds or some other funding source. This would present the G1 funds as the Town match, a similar approach as was done in the Knowles Flat bridge project.

10. ARPA Funds: The Board was encouraged to start thinking ahead to how they want to solicit local input on the funds from the COVID relief efforts. Eden will receive approximately \$143,000. More funds will be assigned to Eden from the County funds but that amount has not yet been determined. The Board discussed and agreed that Town Meeting Day would be a good opportunity to discuss this. Candace cautioned that such a discussion could derail Town Meeting and it was agreed that this would not be the only opportunity for residents to voice their input and partake in conversations about the funds and talking time limits would be enforced at Town Meeting Day to ensure the day did not go too long.

11. Road Commissioner's Report:

a.) Driveway application: The Board reviewed a driveway application from Mr. St. Pierre for property located on Camp Road. No objections were voiced to the application. Ricky asked that the applicant abide by the Town specifications and build to the profile submitted with the application. Jubal made a motion to approve the driveway application for Camp Road, built to town specs and to the profile submitted. Clayton seconded the motion. The Board voted 3-0.

b.) Excavation application: The Board reviewed an application for excavation to install utility lines across Camp Road. Ricky said the utility lines must be outside of the town right of way and the work must comply with town specs regarding depth, sleeve etc. Freeda agreed to supply the applicant with pertinent town requirements. Ricky made a motion to approve the application for excavation to install utility lines across Camp Road. Work must be done to town specs and be inspected prior to backfilling. Jubal seconded the motion. The Board voted 3-0. The Board reviewed a separate town road ROW occupancy request from the utility VT Electric Coop, Inc. Ricky made a motion to approve the Town Road ROW Occupancy Request from VT Electric Coop., Inc. for property located on Camp Road. Clayton seconded the motion. The Board voted 3-0.

c.) Update on Camp Rd. The Board reviewed input from the Town Attorney regarding ongoing concerns on Camp Road. The Town Attorney recommends sending an annual letter to residents on Camp Road emphasizing the importance of keeping the town road ROW clear for plowing and road maintenance. The Board also reviewed an email from VT State Police Lieutenant Robert Lucas indicating he is retiring in the near future and directing the Town and Selectboard to his replacement, Lt. Tara Thomas. The Board authorized Freeda to reach out to Lt. Thomas to offer an invitation to meet with the Selectboard.

d.) Other activities of the Highway Dept.: Ricky said they have completed grant funded work on ditching of Square Road. South Pond Road will be their next area of focus, working on crowns, berms, ditching and culvert replacement, all under grant funding as well.

They have approximately 3,500 yards of sand put up so far. Albany Road has been repaired by the beaver pond; he said they had to clear the plugged culvert there. Parts ordered for the plows are not yet in. Pike will begin reclaiming work on Knowles Flat Road next week.

12. Ratify Additions and Deletions of 9/14/21:

Under #8: Animal bite report from Copley Hospital.

Ricky made a motion to approve the additions and deletions from 9/14/21, as listed above (#12a). Jubal seconded the motion. The Board voted 3-0.

13. Other Business: Appoint Regional Emergency Management Committee members. The Board asked Freeda to reach out to Marvin Whitcomb for potential appointees. The Board will make appointments at their 10/12/21 meeting.

14. FYI: None.

15. Adjourn: Ricky made a motion to adjourn. Jubal seconded the motion. The meeting adjourned at 9:15pm.

Minutes Approved on 10/12/21 by Ricky Morin, Clayton Whittemore, Jubal Durivage.

Freeda Powers, Town Administrative Assistant