



MONTGOMERY  
FOUNDED 1789

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REGULAR MEETING OF THE  
SELECTBOARD & WATER COMMISSION  
Temporary Town Office (86 Mountain Road)  
Monday, February 18<sup>th</sup> 2019  
6:30pm

Selectboard: Charlie Hancock, Leanne Barnard, Darrin Drevik, Mark Brouillette (arrived 6:41PM), Jacob Racusin (arrived 7:05PM)

Clerk: Suzanne Dollois

Visitors: Gregory Lamorie, Dan Cunningham, Annemarte Cunningham, Sue Wilson, Brent Godin, Anita Woodward, Larry Letourneau, Rep. Felicia Leffler (Franklin-7)

Charlie called the meeting to order at 6:37 PM.

1. Review and make any changes to the agenda

Charlie added item under New Business regarding temporary radar traffic speed signs.

2. Review/approve minutes of the February 4<sup>th</sup> meeting

Amend item 6.c. to end the sentence at the word "letter"; Amend item A.c., last sentence change "observance" to "observation." Darren moved to approve the minutes as amended, seconded by Mark. Motion passed unanimous 3-0. Leanne abstained as was not present (*Jacob had not yet arrived*).

3. Public Works

a) Roads and Bridges

a. Grants—Status Updates → None at this time.

\*\*note regarding outstanding paperwork for Route 58 culverts grant. Mark will follow up with Michael.

b. Brady Road

b) Buildings and Grounds

a. Center Post Office repairs estimate → Carry over.

4. Visitors

→ Sue Wilson, Health Officer:

- Question regarding status of new Welcome to Montgomery signage; in process, Selectboard will follow up.
- As health officer on Feb 8th, Sue received complaint regarding 34 Sylvester Road and the presence of rats, confirmed by neighbors. Property was sold at Auction, but has yet to close.

Current owners are VT Federal Credit Union (as of Oct. 31st, 2018) with certificate of non-redemption. Bank coordinated to have garbage and car removed, but no action taken due to outstanding bill with garbage removal service. Bank is not taking action as of yet and has been unresponsive. Sue spoke to prospective new owner, but he cannot take action until closing and concurs with removal of rubbish and car. New owner also informed Sue about two major water leaks on property; parcel Water account delinquent \$1813.69. Mark confirmed shut off notice sent, but no action taken to date. Sue will call the bank to press for car and rubbish removal.

Darren moved to authorize Sue to have a rubbish removal company clear the property of garbage and unregistered vehicle at 34 Sylvester Road if bank is non-responsive by February 25th, and place lien on the property if the bank is not able to pay; seconded by Leanne. Motioned carried 4-0 (Jacob abstained as entered meeting at tail end of conversation).

- Sue Pressed the Board to seek new Health Officer to relieve her of interim position.

→ Dan Cunningham: Resident on Deer Run Lane. Had an incident with VSP and Sheriffs on 12<sup>th</sup> of September; spoke with Charlie recently, and is present to express his vested interest in the VSP conversation.

→ Rep. Felicia Leffler: Response to letter regarding VSP. She reached out to Senators Starr and Rodgers, and responded with their concern regarding the matter. Also reached out to Commissioner Anderson with limited response. Her office is continuing to press the matter.

#### 5. Water Commission Issues

→ There are a number of delinquent accounts past 120 days, list forwarded from Treasurer. Notices sent on January 17<sup>th</sup>. Mark will follow up with Ross at SOS to confirm.

#### 6. Old Business

- a. Vermont State Police Conduct in Town of Montgomery—update on response from letter to Commissioner Anderson and meeting with Colonel Birmingham

##### *Summary:*

Board received quick response from the office of Colonel Matthew Birmingham (Director of State Police) to set up a meeting. Charlie had a conversation with Captain Robert Cushing (Commander of Troop A) to arrange a meeting. Command leadership and staff were not available on proposed dates of upcoming regular meetings of the Board. Instead, the board authorized Charlie and Darren to meet with leadership outside of a regular meeting. Present were Colonel Birmingham, Captain Cushing, Major John Merrigan (Field Force Division Commander), and Lieutenant Maurice Lamothe (St. Albans Barracks Commander).

Colonel began by giving overview of State Police objectives and practices. Captain supported that after reviewing incident reports for activity in town nothing appeared out of the ordinary. Discussion ensued regarding the difference between a ‘directed patrol’ and ‘saturation patrol’, either of which could be directed by individual trooper or by command. According to command leadership no saturation patrols have occurred in the town of Montgomery, and press releases would be issued following any future potential saturation patrol. Discussion moved to issues cited in the letter that are considered locally as targeted incidents, and leadership stated that there was no known targeting happening and that conduct has been standard. The Colonel did ask for prompt follow-up with the Lieutenant should future incidents of concern occur so he could investigate. Per the concerns regarding the individual officer whose conduct has been brought to question, the attendees responded that hard copies of the communications cited need

to be procured in order to garner a response or discipline. If community members have a specific incident in which a trooper has violated the law, a complaint should be filed with Internal Affairs in order to trigger a formal an investigation. This Selectboard wants to see the practices of policing administered in a fair and just manner that is enforced in a responsible way that does not adversely affect residents or businesses. The Lieutenant will be reaching out directly to the Montgomery Fire Dept, as well as the owners of the Snowshoe Pub, to schedule meetings to address individual concerns.

The conclusion that Charlie and Darren reached from the conversation is that Leadership is willing to participate in an ongoing dialogue regarding the Board's position in this matter and see no evidence of a systemic issue within VSP or leadership, and feel that individual incidents as cited are a result of one or more troopers practicing aggressive behavior, likely the result of personal intentions. It is unclear what the discipline or consequence for those individuals' in question may or may not be at this time. At the meeting Charlie conveyed to the Colonel that he should expect at least one formal complaint to be filed in the near future (and that other individual issues of concern will be promptly relayed to the Lieutenant as requested).

Selectboard noted that Montgomery is bucking the trends in regards to community and economic growth in rural communities, and that we want to avoid anything (including recent issues with VSP) that could threaten that, directly or indirectly as alluded to in the letter. The Selectboard reiterated that they support responsible policing in the community in line with practice standards, and supports efforts to keep our roads safe. The board looks forward to working with VSP as a partner towards these ends, while continuing to hold them accountable to the interests of the community, its residents, and businesses.

- b. Cemetery Commission Consolidation (*to be taken up after Town Meeting*). Carry over.
- c. Grant Updates:
  - i. Electric Vehicle Charging Station Grant (VEC). Carry over.
- d. Act 46—status update  
Charlie asked Felicia to offer review of recent case meeting. David Kelly gave impassioned speech that articulately summed up the schools' argument. State responded with non-specific, redundant points. Plaintiffs requested TRO; denied. Judge's response pending.
- e. Montgomery Thrives—committee updates  
Broadband Committee survey pending.  
Other boards actions in development.
- f. Town Office facility needs—next steps at PSB location. Carry over.
  - i. USDA Community Facilities Grant
- g. Ordinance Discussion: Parking Ordinance (Proposed); ATV Ordinance (Proposed Amendments)—*Please Note: No action will be taken at this meeting, rather discussion will be held on planning dates for future action.*  
Parking ordinance: March 18th  
ATV ordinance: April 15th

- h. Town Meeting 2019  
Town Report has been completed and submitted; will be available by Friday at the latest.
- i. Temporary Traffic Radar Sign  
Per request from community member, the Board will authorize borrowing a speed radar sign to act as a temporary reminder to drivers of speed going into the Center.

#### 7. New Business

- a. Overweight Truck Permits  
Mark moved to approve the overweight permit for IH Charbonneau & Sons, seconded by Leanne. Unanimous 5-0.
- b. Liquor/Tobacco Licenses  
Mark moved to approve the liquor licenses for Jolley Associates and DarraLynn Inc., seconded by Jacob. Passed 4-0 (Darren abstained)

#### 8. Open Mail / Sign Orders / Administrative Matters

#### 9. Review Action Items for Board Members

#### 10. Adjourn

Jacob moved to adjourn the meeting at 8:30PM, seconded by Darren. Unanimous 5-0. Meeting adjourned at 8:30PM.