

Selectboard Member's present: Chair Peeker Heffernan, Michelle Perlee, Peter Coffey, Ted Lylis and Joel Bouvier. Also present was Town Administrator Therese Kirby, Board Clerk Tasha Bouvier, filming for NEAT TV by Shawn Kimball, Lt. Bruce Nason, Sgt. Randy Crowe, Ed Cutler, Jim Quaglino, Bob Depino, Amos Martin, Travis Friend, Paige Friend, Virginia Bukowski, Lance Perlee, Steve Fielding, Matthew Prime, Kim Chamberland, Jack Brown, H. Chauncy Wallace, Jordan Fritz, Carroll Griggs, Stephen Kiely, Robert Bingham, Jason Gurney, Marcel Cardinal, Tonya Lawyer, Carol T Eldridge, Chauncy Eldridge, Richard D. James, Loren Lathrop, Pete Lossmann, Cole Lossmann, Danielle Madison, Aaron Masterson, Will Simmons, Michael Menard, Bryon E. Nye, Gaen Murphee, Brad Bushey, Fred Schroeder, Richard Bedell Sr., Robert Bedell, Lewis Barnes, Christine Whitcomb, Derek Whitcomb, Diane Cushman, Gerry Nugent, Lance Laliberte, Jano Chapin, Colleen Schuster, Diane Skeffington, Ruth Farmer, Craig Allen, Randy Benedict, Diane Saunders, Donald Lathrop, David Lathrop, Steven Heffernan, Kelly Rosen, Brian McCormick, Harold Masterson, Danny Grace, Bryce Nye, Dan Briggs, Karien Wisell, Thomas Everest and Bruce Acciaratti.

1. At 7:02 p.m. Peeker Heffernan called the meeting to order. The meeting is taking place at Holley Hall upstairs in the Main Hall.
2. Public meeting of the draft ordinance regulating Discharge of Firearms. Peeker Heffernan asked that the community speak no more than 3 minutes and don't speak again until everyone that has had the chance to speak has spoken. Be respectful. This is a fact finding mission for the Selectboard. The Board is not making a decision tonight. Matt Prime spoke in opposition to the ordinance and feels it could violate section 16/17 of the Vermont Constitution. Danielle Madison, Vice President of the Bow Hunters Association spoke in opposition to the ordinance, as none of the incidents involved bows. Colleen Schuster spoke in favor of the ordinance as she is a resident of Broadview Estates and was scared when the incident in her neighborhood occurred. Jim Quaglino spoke in opposition to the ordinance, stating there have only been 2 complaints. The Police Department can be contacted and deal with the issue(s). Diane Heffernan felt there are too many ordinances and not enough enforcement. Lance Perlee spoke in opposition to the ordinance. He stated the Police Chief would have to go outside of the Police District and doesn't feel the residents that do pay for the Police District should have to pay for the Police Department to go out of the Police District. Brian McCormick spoke in opposition to the ordinance. He feels that 2 people out of the 3,500 in the town shouldn't constitute having an ordinance. Bruce Acciavati spoke in agreement with the ordinance, but felt the 500 feet was a little far. Bryon Nye spoke in opposition with the ordinance and there isn't a spot on his 12 acre property he would be able to shoot. Ed Cutler spoke in opposition of the ordinance. He stated the North Country Association won in court for discharge of firearms is unconstitutional is illegal. There is already a state law that they can post there property and post safety zones. There is already a state law that if someone points or shoots a gun at a person there are heavy fines. Fred Schroeder spoke in opposition to the ordinance. He feels there is no severe change that would need to do this ordinance. He feels the police will be very busy looking at each place

to determine where someone can shoot on their property let alone the rest of the community asking for a permit. Tonya Lawyer is in agreement with the ordinance. Tonya was one of the residents that voiced concern to the Selectboard. Tonya's issue was a gentleman that was shooting toward the road and drinking. A state police officer eventually came to the property and the gentlemen said he wasn't drinking; however there is nothing the State Police could do since there is no ordinance. Tonya lives in the Broadview Estates community where houses are very close. Amos Martin is opposed to the ordinance. He spoke regarding the Town of Barre amending their discharge of firearms ordinance since a judge ruled it being illegal. Steven Heffernan spoke in opposition of the ordinance. He stated the Police would fine an individual, but there is nothing that would make the individual pay that fine or stop them from doing it again. Virginia Bukowski spoke in agreement with the ordinance. She was the other individual that came to the board regarding a different situation that happened besides the Broadview Estates incident. Virginia stated a few months ago an individual was shooting in her yard. This man was teaching his mother how to shoot. Her yard is full of boulders and the area they were shooting was less than 100 feet from her house in her yard. He started shooting there because he asked the State Police where he can shoot or if there is an ordinance. The State Police stated there isn't an ordinance and he could shoot anywhere. Signs being posted on properties are only for hunting not for target practicing. Brad Bushey spoke in opposition with the ordinance. He stated he feels the 500 feet seems a lot. Pete Lossman is opposed to the ordinance. He stated you can't fix stupid. Most gun owners are responsible people and treat their neighbors' right. Diane Saunders spoke in opposition with the ordinance. She stated, some people don't care about an ordinance or the law and they will just keep doing it. Cole Lossman spoke in opposition to the ordinance. The ordinance only applies to law abiding citizens. This is restricting safe firearms and there should be more training instead. Travis Friend is in agreement with the ordinance. He feels this ordinance is to protect the community's safety. He is trying to lookout for his family and even it's a 1% chance that something might happen we can help with this. Bryce Nye spoke in opposition to the ordinance and stated this is going to cause hoops for law abiding citizens and punish people for trying to do the right thing and he feels the 500 feet is ridiculous. John Chapin stated there are people living in town and then there are people that are living out of town. Seems reasonable that people that live in town that they have a concern with this safety issue. Randy Bennedict spoke in opposition with the ordinance. He feels the police department shouldn't have to take the responsibility giving permits to residents and that would be a liability for the Town. Tom Lathrop spoke in opposition to the ordinance. His property is posted to keep him and other people safe. If you do not have permission, you should not be on the property. Tom Everest spoke in opposition of the ordinance. There are a few businesses that deal with guns. In order for them to test their firearms they need to shoot them which may mean on their property and this ordinance wouldn't allow them to do this. Will Simmons spoke in opposition with the ordinance. On his 10 acre property he wouldn't be able to shoot on his property because he has a business on one side and Town property on the other. Dan Briggs spoke in opposition with the ordinance. He has a small area of land and he wouldn't be able to target practice. He asks where would you site in your gun for deer hunting? Be safe and responsible. Richard Bedell spoke in opposition

with the ordinance. He stated in the last 25 years on person has been shot by a policeman. Steve Kylie spoke in opposition to the ordinance. He doesn't understand why these 2 issues get to control the rest of town. Fear and paranoia are driving this ordinance, Government to regulate and control people. Anyone been shot by an avid sportsman – none! Cannot have an ordinance with just fear and paranoia. Robbie Bedell spoke in opposition to this ordinance. He has been hunting and fishing for 51 years, taught his daughters, legally, he cannot fire at his house if this ordinance passes. Ed Cutler spoke again. He asked if Chief Gibbs is a certified range officer. If the Police Chief has to check a fire range is he trained to do so and will the future Chief be able to do this also. Fred Schroeder spoke again, stating he did not feel there was enough advertisement done for Selectboard meetings and if he applied for the 500' distance as outlined in the draft ordinance, people would need to own 18 acres to shoot safely. Steve Heffernan stated this forum is for due process. Virginia Bukowski spoke we need to be safety conscientious. She feels we need to give the Police something, so they can have someone obey the law rather than a slap on the wrist. Karien Wisell spoke in opposition to the ordinance. She stated Vermont has kids that are growing up without education. Bows do a lot more damage than they used to. People need to have respect for a weapon no matter what type. She feels education is the answer, not these rules. Tonya Lawyer appreciates the Board taking on this issue. It's our right as residences of Bristol to come to the Board and voice there concern. Looking for a way for the Police to be able to deal with the issue when there is an individual who is not being compliant or reasonable. Danny Grace spoke in opposition with the ordinance. He doesn't think an ordinance will solve the issue that happened. Bottom line to this whole thing is respect. Tom Lathrop spoke in opposition of the ordinance. He stated there are 5 months of hunting season and coyotes are legal all year long. This ordinance will not fix the foolishness of people. Colleen Schuster said maybe something needs to be done so State Police can come to deal with these issues. Brian McCormick asked where these incidents took place which was on East Street and Broadview Estates. Stated about ordinance would also affect the Mount Abe Physical Ed won't be able to do archery, throw javelin, play baseball, etc. Gary Clark spoke in opposition in the ordinance. He thanked the Board for holding this hearing tonight and thanked the people that came and participated. He has read the Vermont statutes and seen all the different ordinances and they didn't do anything. This ordinance won't solve the problem at hand. The problem is the respect for your neighbor. Matt Prime spoke in opposition to the ordinance. He stated this is a state police matter since they didn't come to deal with the issues that happened. Susan Hawkins spoke in agreement with the ordinance. She appreciates people that have worked on this ordinance, but feels the 500 feet may be a little much. Colleen Schuster stated once three Broadview Estates residents called the VSP, they came. They thought maybe the Selectboard could work that out with the VSP. Fred Schroeder stated that maybe VSP didn't take it seriously because they thought someone was target shooting. Randy Benedict stated the State Police are not under any legal obligation to respond to every issue. Steve Kylie said he called VSP in the past regarding a similar incident. It took them a while to respond. He wonders if there is a disconnect between how police view these issues versus non gun owners. Travis Friend stated the same thing can happen if someone is stupid and shooting as if someone is drunk driving. Someone can get killed. Glad The Board is

considering this ordinance. Brian McCormick spoke and asked the Board if the individuals posted “no trespassing signs” on their property. If they did they could call the Fish and Game who could have them handled the issue. Virginia Butkowski did consider posting the signs however it’s only for hunting not target shooting. Tonya Lawyer called Fish and Game regarding posting and if the posting isn’t posting “EXACTLY” on their property that it doesn’t matter. Brad Bushey can’t believe there isn’t an ordinance regarding the Broadview Estates issue. If the State Police didn’t come then that is negligent on their part. Tonya Lawyer stated there is nothing the Police can do since there is no discharge of firearms ordinance. The Policeman did go over to speak with them. The State Police suggested they request that Bristol gets an ordinance. The State police did pass on the information to the State Attorney’s office for reckless endangerment and the State Attorney’s declined to prosecute. Steve Fielding lives in Broadview Estates and opposes this. He stated last year that a motion was passed within the Broadview Estates community to not discharge firearms. Public comments closed at 8:52 p.m.

3. Joel Bouvier moved to approve sole source purchase of \$32,000 worth of sand from Rathbun Sand & Gravel and \$50,000 worth of salt from Cargill. Ted Lylis seconded, so voted.
4. Joel Bouvier moved to authorize Conservation Commissions grant application to Otter creek Natural Resources Conservation District for \$2,600 in trees and shrubs to be planted at the Saunders River access; no matching funds required. Peter Coffey seconded, so voted.
5. Michelle Perlee moved to “Turn the Town Teal” the month of September in support of Ovarian Cancer Awareness. Peter Coffey seconded, so voted. This is all volunteer.
6. Ted Lylis moved to authorize Town Treasurer to open a new account at National Bank of Middlebury with Jen Myers and Pam Correia as signors with same signing duties as all existing National Bank of Middlebury accounts. Michelle Perlee seconded, so voted. Joel Bouvier sustained from voting.
7. Fire Chief Brett LaRose regarding Homeland Security Grant with no matching funds and Cadet Resignations. The grant is for a request for specialized equipment to assist with special operations. This would help with equipment for special rescue teams and water rescues. The \$8,000 is to purchase 16 sets of minimal equipment of throw bags, helmets, etc. Joel Bouvier moved to authorize Kevin LaRose to submit the grant of \$8,000. Ted Lylis seconded, so voted. Cadet resignations Victor Hinojosa and Delaynah Leavitt. Joel Bouvier moved to accept their resignations with regret. Michelle Perlee seconded, so voted. No update on Engine one. Looks like we may be spending less than we expected, but won’t know until later.
8. Peter Coffey moved to authorize Town Administrator to sign closing documents for sale of 18.08 acres to Stan Livingston. Michelle Perlee seconded, so voted.

9. Michelle Perlee moved to authorize purchase up to \$2,000 from Technology Fund for one year subscription to NEMRC's cloud based access, any other associated fees and new computer for the Treasurer's Office via the State Contract. Joel Bouvier seconded so voted.
10. Peter Coffey moved to authorize Selectboard Chair to sign Loan Servicing Agreement with Community Bank for the Revolving Loan Fund; agreement reviewed by Town Attorney. Michelle Perlee seconded, so voted. Joel Bouvier asked if the National Bank of Middlebury was looked at as well. Therese Kirby said no, but could see how this goes and if it doesn't go well then could look at NBM.
11. Michelle Perlee moved to sign agreement between Selectboard and Independently Elected Officers Jen Myers, Peter D. Ryan, Valerie Hanson and Wendy Traux, to be bound by personnel policy. Joel Bouvier seconded, so voted. Joel Bouvier asked why Peter, Valerie and Wendy are considered elected officials. They are considered Statutory Assistances. Therese Kirby will look at the statutes.

Michelle Perlee moved to approve minutes of July 10, 2017 with no corrections. Ted Lylis seconded, so voted.

Authorize Accounts Payable Warrant: 2016 – 2017 is \$156,787.85 and 2017 – 2018 is \$126,765.91.

Selectboard Concerns. Michelle Perlee wanted to thank the Road Crew for mowing the side of the roads. Peter Coffey is looking at fixing the sidewalks and how to replace them all. He will be doing an evaluation of the sidewalks, but has no timeline. Ted Lylis said the 4th of July went good however the electricity on the park needs to be looked at. The 4th of July spends a lot of time dealing with the electricity on the park. Therese Kirby said what could be possible is have an electrician come and work with Ted Lylis on what needs to be done. Therese Kirby will contact Eastview, Smith & McLane and Eli Irwin. She will call each of them and set up appointments with Ted Lylis. Joel Bouvier asked about the hydrant on Pine Street near Stetson's, but Peter Coffey said this is all set. Joel wanted to know how many service lines to homes are going to be replaced during the West Street project. Therese Kirby stated Munson isn't willing to do this. The idea never went any further than this. Joel Bouvier idea is to have residents put in Copper lines and then if they do copper lines would be reduced cost from there water bill. Therese Kirby will ask Green Mountain Engineering to note if they are connecting to galvanized or copper service lines.

Town Administrator's Report. West Street Road was very bad Monday July 24, 2017, so Therese Kirby called Green Mountain Engineering, who contacted Munson to come fix the road. She also called BPD and Lieutenant Bruce Nason helped with the flagging. Therese Kirby asked Lt. Bruce Nason to contact the Sergeant for Vermont State Police regarding the Broadview Estates issue. Bruce advised they said the Vermont State Police did come and if anyone has anything further they can contact the Vermont State Police. Therese Kirby will speak with Lt. Bruce Nason to get some more information regarding other laws already on the books regarding discharge of

firearms. The funding for Pleasant Hills was denied by the Community Development Board. Work at the reservoir to be done on July 25, 2017. Three Day Stampede is July 28-30, 2017. Gas monitoring wells have been installed at Landfill & GME to GPS locations to add data to map. Better Back Roads Grant was awarded to ACRPC. They will be working with the Road Foreman to update our road & culvert inventory. Ted Lylis will be repairing side porch steps and west end of front porch on Holley Hall. LaRose Survey finalized survey of Stoney Hill property. Closing will be either August 10th or 11th. Joel Bouvier accepted Eric Forand's resignation with regret and asked Therese Kirby to send him a letter thanking him for his service. Peter Coffey seconded, so voted. Eric Forand's last day is August 25, 2017.

At 9:52 p.m. Michelle Perlee moved to enter executive session to discuss the employment and evaluation of one public officer(s) and employee(s), per 1 V.S.A. § 313 (a) (3). Joel Bouvier seconded, so voted.

The Board came out of executive session at 10:10 p.m. No motions were made. At 10:15 p.m. Michelle Perlee moved to adjourn the meeting. Joel Bouvier seconded, so voted.

Respectfully Submitted,

Tasha Bouvier