

Town of Isle La Motte
Selectboard Meeting
September 4, 2019
Town Hall @ 5:00PM

Members present: Stephen Stata, Selby Turner.

Others present: Mary LaBrecque, Paul Zera, Joyce Tuck, Chet Bromley, John Yartz & Sarah Noble.

Meeting called to order at 5:05PM by Chair, Stephen Stata

1. Additions to agenda- Under other business
2. Executive session- No need
3. Minutes of August 7, 2019
 - **Motion by Stata to approve August 7, 2019 regular minutes, 2nd by Turner-- All in favor.**
 - **Motion by Stata to approve August 7, 2019 Liquor Control Board minutes, 2nd by Turner-- All in favor.**
4. Warrants for payroll & payables
 - **Motion by Stata to ratify 08/20/2019 payroll, signed by Turner in the amount of \$2050.83, 2nd by Turner-- All in favor.**
 - **Motion by Stata to ratify 09/03/2019 payroll, signed by Turner in the amount of \$1987.41, 2nd by Turner-- All in favor.**
 - **Motion by Stata to ratify 08/28/2019 payable, signed by Turner in the amount of \$2664.67, 2nd by Turner-- All in favor.**
 - **Motion by Stata to approve 09/04/2019 payable, in the amount of \$3442.27, 2nd by Turner-- All in favor.**
 - **Motion by Stata to ratify 08/28/2019 EFT payable, signed by Turner in the amount of \$516.98, 2nd by Turner-- All in favor.**
 - **Motion by Stata to approve 09/04/2019 EFT payable, in the amount of \$409.64, 2nd by Turner-- All in favor.**
5. Monthly budget & balance sheet
6. Affirmation of LaBombard Homeowner's Assoc. Proxy
 - **Motion by Turner to give 3 proxy votes to Paul Zera, 2nd by Stata— all in favor.** (see attachment)
7. Wastewater permit discussion/decision
 - Stata had discussion; Perron wastewater permit for parcel 10693 acknowledged. No further discussion. (See attachment)
8. Emerald Ash Borer Tree Ordinance
 - **Motion by Turner to adopt Tree Policy, 2nd by Stata—All in favor.** (See attachment)
9. Woodmen update
 - Stata had discussion; a representative for the Woodmen has contacted Stata about the process of cancelling the woodmen's lease. Stata instructed them to write a letter to the Town.
10. Errors and Omissions
 - Mary LaBrecque had discussion; the listers found a few instances where in NEMRC, only part of a parcel was incorrectly labeled as non-resident. Terry Anderson 10303; garage apartment. Joheny Nunes-Wales 10629; shed & Paul Carson 11355; lake access.

- Motion by Turner to approve correction of aforementioned list of errors & omissions; 2nd by Stata—All in favor.

11. Tax sale discussion/ decision

- Mary LaBrecque had discussion; The Marcoux property 10029 will still be going to tax sale, the Laurin property 10125 has since been paid off by the owner. Attorney Fletcher suggested the Town possibly buy the land if it is not bid on at the tax sale.
- Stata & Turner had discussion; at this time the Town is not interested in acquiring another parcel, but will discuss after the tax sale.

12. Road commissioner's report

- Turner had discussion; Hungerford is poised to start work on the West Shore in October.
- Noble had discussion; two property owners have notified the town about the tree that had fallen over part of North Shore Rd. & also about the 'free' piles that are accumulating there. Noble willing to pick it up and put it in the Town totes in hopes that no one adds more.
- Stata had discussion; ask Eric Noble to take a look at the tree to see if he can clean it up.
- Joyce Tuck had discussion; are there any plans to add more patches to the pot holes in church St.? Also there are still tree limbs hanging over the street.
- Turner had discussion; it is on Island Tree Service's list, but with all of the tree work after the wind storms he has been very busy.

13. Town hall update discussion

- No committee present; no further discussion.

14. Other business

- Discussion/decision regarding Selectboard recommendation of unified school board member as per statute. (See attachment)
- Stata had discussion; Michael Clark contacted Stata stating that the previous ad looking for someone to replace the positions Jane Zera held was incorrect (see attachment). Per statute the Selectboard must be the entity to appoint a replacement. After brief discussion the Selectboard to recommend Chet Bromley for both positions.
- John Yartz had discussion; spoke with Civil Engineer, Jay Buerman; he offered to discuss sites that need to be remedied. He has the insurance & ability to sign off on projects. He can do this hourly or by contract.
- John Yartz & Selectboard had discussion; John will brushhog the woodmen parcel and place rocks in the driveway to deter people from entering.
- Joyce Tuck had discussion; the library will be hosting the annual haunted house on October 12 from 7pm-9; 30pm. They will also be decorating the town hall, masonic lodge and hopefully the fire dept. soon.
- Respectfully Submitted,

Sarah Noble / Select Board Clerk

Selectboard approved on: _____

Stephen Stata

Rustam Spaulding

Selby Turner

TOWN OF ISLE LA MOTTE

P.O. BOX 250
ISLE LA MOTTE, VERMONT 05463

Vermont's Oldest Settlement

The Isle La Motte Selectboard gives 3 proxy votes to Paul Zera to be affirmed at September 4, 2019 Selectboard meeting.

Respectfully submitted,

Sarah Noble

Sarah Noble
Town Clerk

Approved by Selectboard on: 9/4/19

Stephen Stata: *SS*

Selby Turner: *ST*

Rustam Spaulding: _____

WASTEWATER SYSTEM AND POTABLE WATER SUPPLY PERMIT

LAWS/REGULATIONS INVOLVED

10 V.S.A. Chapter 64, Potable Water Supply and Wastewater System Permit
 Wastewater System and Potable Water Supply Rules, Effective April 12, 2019

Landowners: **Ronald Perron**
 93 Enfield Street
 Indian Orchard MA 01151

Permit Number: WW-6-2048-1

Janice Perron
93 Enfield Street
Indian Orchard MA 01151

Brian Ronald Perron
93 Enfield Street
Indian Orchard MA 01151

This permit affects the following properties in the Town of Isle La Motte, Vermont:

| Lot | Parcel | SPAN | Acres | Book/Page#'s |
|----------|--------------|----------------------|-------------|----------------------------|
| 1 | 10693 | 318-100-10693 | 0.99 | Book:54 Pages:23-26 |

This project, consisting of a new drilled well water supply location for a previously approved, four bedroom single family residence on an existing, 0.99 acre parcel, located at 4277 West Shore Road in Isle La Motte, Vermont, is hereby approved under the requirements of the regulations named above subject to the following conditions.

1. GENERAL

- 1.1 The project shall be completed as shown on the plans and/or documents prepared by Brad M. Ruderman & Associates (Brad M. Ruderman), with the stamped plans listed as follows:

| Title | Sheet | Plan Date | Revision Date |
|--|----------|----------------------|---------------|
| Water Supply & Wastewater Disposal Plan | 1 | July 17, 2019 | |

- 1.2 This permit does not relieve the landowner from obtaining all other approvals and permits PRIOR to construction including, but not limited to, those that may be required from the Act 250 Environmental Commission; the Drinking Water and Groundwater Protection Division; the Watershed Management Division; the Division of Fire Safety; the Vermont Department of Health; the Family Services Division; or other State departments and local officials.
- 1.3 The conditions of this permit shall run with the land and will be binding upon and enforceable against the landowner and all assigns and successors in interest. The landowner shall record and index this permit in the Isle La Motte Land Records within thirty, (30) days of issuance of this permit and prior to the conveyance of any lot subject to the jurisdiction of this permit.
- 1.4 The landowner shall record and index all required installation certifications and other documents that are required to be filed under these Rules or under a specific permit condition in the Isle La Motte Land Records and ensure that copies of all certifications are sent to the Secretary.
- 1.5 No permit issued by the Secretary shall be valid for a substantially completed potable water supply system until the Secretary receives a signed and dated certification from a qualified Vermont Licensed Designer (or where allowed, the installer) that states:

"I hereby certify that, in the exercise of my reasonable professional judgment, the installation-related information submitted is true and correct and the potable water supply was installed in accordance with the permitted design and all the permit conditions, were inspected, were properly tested, and have successfully met those performance tests",



or which otherwise satisfies the requirements of §1-311 of the referenced rules.

- 1.6 Each purchaser of any portion of the project shall be shown a copy of the Wastewater System and Potable Water Supply Permit and the stamped plan(s), if applicable, prior to conveyance of any portion of the project to that purchaser.
- 1.7 By acceptance of this permit, the landowner agrees to allow representatives of the State of Vermont access to the property covered by the permit, at reasonable times, for the purpose of ascertaining compliance with the Vermont environmental and health statutes and regulations, and permit conditions.
- 1.8 Any person aggrieved by this permit may appeal to the Environmental Court within 30 days of the date of issuance of this permit in accordance with 10 V.S.A. Chapter 220 and the Vermont Rules of Environmental Court Proceedings.

2. WATER SUPPLY

- 2.1 The lot is approved for a potable water supply using a drilled or percussion bedrock well for 490 gallons of water per day provided the supply is located as shown on the stamped plan(s) and meets or exceeds the isolation distances, construction standards, and water quality standards required in the Water Supply Rule. The landowner shall operate the potable water supply in a manner that keeps the supply free from contamination. The landowner shall immediately notify the Division if the water supply system fails to function properly and becomes a "failed supply".
- 2.2 The components of the potable water supply herein approved shall be routinely and reliably inspected during construction by a qualified Vermont Licensed Designer (or where allowed, the installer) who shall, upon completion and prior to occupancy of the associated building, report in writing to the Drinking Water and Groundwater Protection Division that the installation was accomplished in accordance with the referenced plans and permit conditions, as specifically directed in Condition #1.5 herein.
- 2.3 Prior to the use of the potable water supply, the landowner shall test the water for Arsenic, Escherichia coli (E. coli), Fluoride, Lead, Manganese, Nitrate as N, Nitrite as N, Total Coliform Bacteria, Uranium, Adjusted Gross Alpha Particle Activity, Chloride, Sodium, Iron, Odor and pH. All water quality tests shall be conducted at a laboratory certified by the Vermont Department of Health (a list of which can be found on the VDH website). Results of the water tests shall be submitted to the Vermont Department of Health prior to use.
- 2.4 The potable water source location as shown on the stamped plan(s) shall be staked out and flagged by a qualified Vermont Licensed Designer prior to any construction on this project with the flagging being maintained until construction is complete.
- 2.5 All conditions set forth in **Permit Number WW-6-2048** shall remain in effect except as amended or modified herein.

Emily Boedecker, Commissioner
Department of Environmental Conservation

Dated August 27, 2019

By 

William E. Zabiloski
Regional Engineer
Essex Junction Regional Office
Drinking Water and Groundwater Protection Division

cc: Brad M. Ruderman & Associates
Isle La Motte Planning Commission

Town of Isle La Motte

Tree Policy

I. Intent and Purpose

The purpose of this tree policy is to establish a procedure for addressing the threat of invasive plant pests, specifically the emerald ash borer (EAB), and to guide management and decisions regarding public trees within the Town of Isle La Motte.

II. Definitions

- Diameter at Breast Height (DBH): The diameter of a tree trunk measured at a height of four (4) feet six (6) inches from the finished grade at the base of the tree.
- Hazard Tree: Any tree, public or private, with visibly defined structural defects likely to cause failure of all or part of the tree, and be a danger to public safety.
- Plant Pest: Any living stage of: insects, mites, nematodes, slugs, snails, protozoa, or any other invertebrate animals; bacteria, fungi, mycoplasma or other parasitic plants, weeds or reproductive parts; therefore viruses of any organisms similar to or allied with any of the foregoing; and any genetically modified organisms or biological control agents that may directly or indirectly injure or cause disease or damage to any beneficial organisms, plants, parts of plants, or plant products.
- Private Tree: Any tree whose pitch at ground level is in a location not owned or controlled by the Town along a public right-of-way.
- Public Notice: A notice submitted to The Islander, the newspaper that serves Isle La Motte.
- Public Right-of-Way: Standard right-of-way is three (3) rods or 49.5 feet; the right-of-way is measured as ~25 feet on either side of the center line of the road.
- Public Tree: Any tree that is six (6) inches in diameter at breast height and whose pith at ground level is within the Public right-of-way or Town-owned land.
- Residential Road: A Class 1, Class 2, or Class 3 road within the borders of the Town.

III. Jurisdiction/Authority

- Through its Tree warden, the Town has control of all Public Trees and has the authority to plant, maintain, protect, and remove such vegetation.

IV. Provisions for the Management of Public Trees

- The Town shall have the right to plant, prune, maintain, and remove Public Trees within the Town right-of-way and on Town-owned land, as may be necessary to insure public safety.

- A Public Notice will be posted annually to notify residents of major work to be performed along Residential Roads to reduce the ash component in preparation for the arrival of the emerald ash borer (EAB) at least two weeks prior to the start of each summer work session.

V. Control of Hazard Trees and Public Trees Infested with a Plant Pest along Residential Roads.


- The Town Tree warden or Selectboard may remove or cause to be removed any Public Tree or part thereof which is infested with or infected by a recognized Plant Pest or when it constitutes a hazard or public safety. Pursuant to 24 VSA §2509, no public hearing shall be required when a public Shade Tree is infested, infected or when it is a hazard to public safety. Such trees shall be considered a Hazardous Tree.
- The preemptive removal of Public Trees of the Ash (Fraxinus) species is necessary for safety reasons and to avoid potential costs to the Town when emerald ash borer (EAB) arrives in Isle La Motte, which will cause Ash mortality.


- The Town will begin a reduction of the ash component along Residential Roads within the public right-of-way and on Town-owned land over a ten (10) year period, starting in 2019, at approximately sixty-five (65) Public Trees of the Ash (Fraxinus) species per year.

- At the beginning of the ten (10) year ash reduction period detailed in the Emerald Ash Borer (EAB) Preparedness Plan, and prior to the removal of any Public Trees of the ash (fraxinus) species, one public hearing will be held.

Adopted this 4 day of September, 2019

Signatures:





Board vacancies in unified union districts are covered by a section of Act 11 of 2018 (below), effective July 1, 2018.

Act 11 (2018)

Sec. E.500.8

ELECTIONS; UNIFIED UNION SCHOOL DISTRICT

(a) Notwithstanding any provision of law to the contrary, the election of a director on the board of a unified union school district who is to serve on the board after expiration of the term for an initial director shall be held at the unified union school district's annual meeting unless otherwise provided in the district's articles of agreement.

(b) Notwithstanding any provision of law to the contrary, if a vacancy occurs on the board of a unified union school district and the vacancy is in a seat that is allocated to a specific town, the clerk of the unified union school district shall immediately notify the selectboard of the town. Within 30 days after the receipt of that notice, the unified union school district board, in consultation with the selectboard, shall appoint a person who is otherwise eligible to serve as a member of the unified union school district board to fill the vacancy until an election is held at an annual or special meeting unless otherwise provided in accordance with the unified union school district's articles of agreement.

(c) This section is repealed on July 1, 2020.

