



Town of Bolton
3045 Theodore Roosevelt Highway
Bolton VT 05676
Select Board Minutes
September 19, 2016

Board members present: Josh Arneson, Jen Dudley-Gaillard, Chair, Ron Lafreniere

Board members absent: Sharon Murray, Gene Armstrong

Also present: Deb Shelby, Paula Gervia, Cara Labounty, Amy Ludwin, Virginia Haviland, Ali Kosiba, Jerry Mullen, Steve McLeod, Arnold Kozak, Alexis Ressler, Rob Mullen, Bonnie Rowell, Larissa Urban, Gary Urban, Sue Santor, Tom Benoit, Matt Mead, Brian Mezitt

Clerk: Amy Grover

1. The meeting was called to order at 6:01 p.m. by Jen with a quorum of 3 members present.

2. Additions or deletions to the agenda:

➤ Additions:

- “Local Concerns Meeting” regarding the I89/Notch road tunnel. Amy will work with VTrans to schedule; not in conjunction with a Select Board meeting.
- Richmond Police Department: potential to be open to contracting with Bolton to provide speed control, currently is feasible due to a full force (if not fully staffed, not available). Specific information needed: what % of the ticketing revenue would Bolton receive, do their radios work in the Duxbury and Bolton Valley Access Road areas, hourly rate, what kind of contract would be required.
- Eric Andrews to update highway department project list for each Select Board meeting.
- Information from CCRPC: the amended (amended 5/18/2016) 2013 Chittenden County ECOS plan is available for review at the town office and online www.ecosproject.com/plan

3. Public comment: none

4. Appointments:

1. Deb Shelby – CWAC and General Update:

➤ Culvert Inventory

- Can access historical information, and have to request it periodically.
- CCRPC will do all data entry, can send paper sheet for comments into the field with highway staff.

➤ CWAC/ACT 64

- Issues and urgency still undetermined – map expressing that expected early in 2017.

➤ CWAC Representative

- May become less available for CWAC meetings in April 2017.

➤ Bolton Market Day

- 30 vendors, positive feedback, positive experience building community.

➤ Planning Commission

- Requesting Select Board feedback on Town Plan.

2. Conservation Commission (C.C.) - Preston Pond Management Plan

Prior to discussion, Jen noted the need to be respectful of time; 45 minutes allotted, respectful of all the opinions in Bolton and the greater community, and that the conversation would be civilized and neighborly. Jen stated that the Select Board needed to hear from the C.C. members who had been working on the Preston Pond Management Plan in order to move the process forward, and that the C.C. had held numerous meetings on the plan and trapping issue with opportunity for public comment. Jen encouraged attendees to submit written comments and that the floor would be opened for comments as time allowed, and that the focus of the evening was not for another extended community conversation.

- Dogs:
 - Amy Ludwin noted that the C.C. had not finished their discussion regarding dogs and associated education outreach & improved signage.
 - Jen noted that Gene Armstrong asked her to forward his comments that: the trails be safe and comfortable for all users, not everyone appreciates dogs off leash, especially during hunting season, dogs off leash negatively impact the hunting for folks who need a more accessible place to hunt.
 - Ron noted that requiring dogs on leash during rifle season should be considered for safety reasons, and noted that PA had excellent hunter safety signage.

Brief discussion on hunting season signage, stronger language around safety/safety awareness, referencing the VT statute around hunter protection, what “voice control” looks like, directive to clean up after dogs.

- Signage:
 - Ali noted that Preston Pond and Sarah Holbrook trailhead signage is being updated regarding permitted uses and non permitted uses, hunting season dates and safety, and leave no trace skills. Noted the sign kiosk has limited space. Preston Pond trailheads and junctions will also have new maps.
- Trapping:
 - The Select Board (S.B.) asked for an explanation of the process on the recommendations, and wording on 5.3 with respect to trapping in the Preston Pond Management Plan (PPMP). The C.C. noted that:
 - The recommendation process was lengthy and included; research, public opinion, public hearings, numerous emails and letters, including a letter from Jim Tiffany which included history that revealed beavers have and were trapped frequently in the area in the past, a petition signed by 80 people, review of the property’s conservation easement, and dialogue with the Land Trust on the easement. Noted: the Land Trust recommended that the language be stated in the positive, rather than stated as a restriction.
 - Recognition of the multitude of positions on trapping.
 - The wording of 5.3 came directly from the deed’s primary and secondary easements.
 - Ron stated that with the current wording, the C.C. is dictating to the S.B. when trapping will be allowed, and he disagreed with this, noting that the C.C. is appointed by the S.B. and that this would usurp the S.B.’s power. Previously, the S.B. would accept an application for trapping and vote as a board on issuance.
 - Steve McLeod stated that under the 5.3 trapping language, the only time the S.B. would be involved would be if the C.C. determined trapping was necessary due to conservation or health or safety concerns, and that the C.C. could isolate the S.B. from the decision making process. He added that he was very familiar with land trust easements and had never seen an easements that was interpreted to prohibit trapping because of conservation; that trapping was a valued conservation tool of the Fish and Wildlife Department to protect over browsing by beaver.
 - Amy Ludwin noted that the easement does not prohibit trapping, and that the 5.3 language was not intended to be a “power grab” by the C.C., and that she saw the role of the C.C. to advise and develop policy. Amy noted that the S.B. could be added to the language.
 - Jen asked under what premise 8.2 would be enacted. Amy Ludwin noted for flooding or a tree that was endangering property.
 - Jerry Mullen stated that as a citizen he wanted to note that he owns the bottom area of the pond, and that he has not observed beaver there since March 2016, the first time since 1946 that he has not seen any beavers. Winter damage to the dam has not been repaired. The water level is very low, so low that the bottom area of the pond is isolated from the rest of the pond; he can’t put a boat in and can’t access the upper pond, which is damage to his property.
 - Steve McLeod noted that trapping beaver would not create ecological problems, and that the area was over browsed and the beavers moved on. Trapping is allowed on all state land, and trapping has a lot of support by Bolton residents. The town forest and lands should encompass multiple use, use should not be a popularity contest.

- Elimination of uses:
 - Jen asked about the removal of uses; bicycle riding, horseback riding which were specifically noted in the easements. Amy Ludwin noted that Lars (previous C.C. Chair) had written that all manner of uses evolve and have to be mitigated and there is a threshold for all uses.
- Discussion on a moratoriums on trapping until field data is collected. Discussion and concerns included:
 - Collecting field data would delay a decision and not resolve the issue.
 - Fish and Wildlife Department previously offered to do a site visit, and how often site visits should occur.
 - Look to Fish and Wildlife to render judgement on limitations that should be imposed on trapping for conservation reasons.
 - Fish and Wildlife are trapping advocates, uncertain they would understand what the town is trying to protect with respect to the conservation easement.
 - Conversations with the furbearer specialists are in the context of whole state, not Preston pond and immediate areas/other beaver ponds in close proximity – it is a localized situation.
 - The conservation easement was not designed to create an exact status quo from the moment it was designed.
 - Loss of local control – Fish and Wildlife/furbearer experts should not be making decisions for all of Bolton.
 - A divisive issue.
- Next Steps and moving forward:
 - C.C. to finish their conversations.
 - C.C. to address and incorporate earlier and present changes suggested by the S.B.
 - C.C. to follow up with state fur bearer management personnel to schedule a site visit.
 - C.C. to provide updated draft for October 17th S.B. meeting with a goal to vote on that date.
- Public comment:
 - Interest in joining the C.C.
 - Previously there was only one active beaver house in the lower pond, it is natural for beavers to move on; not much left to eat. It is not just about trapping beavers, no mention of other animals. A lot of heated emotion, people need to focus on the facts.
 - Trapping is cruelty to animals.
 - Appreciate the work done, it is very important to the residents of Bolton. What should matter the most is the local interest; what do we want that area to be? Allow “us” to vote on it.
 - For the 2 or 3 trappers in Bolton who killed all the beavers, what about all the rest of us – the beavers may not come back in our lifetime. Maybe they would have dispersed, but it would have been up to the beavers.
 - Unaware of trapping history outlined in Mr. Tiffany’s letter, but that only changed the history of 13 years, it doesn’t change the larger argument.
 - Concerned about restrictions and wanted to learn more.
 - Concerned about the ban on biking – some of the rules being set are difficult to swallow. There is room for everything to happen in moderation; compromise, set fewer rules.
 - Trapping is inhumane. There is trapping allowed throughout VT, why not have this one small place that is safe for all humans and critters. What about the innocent animals that are caught.

Jen stated that she appreciated the respectful nature during the sharing of opinions.

3. Paula Gervia and Cara Labounty – Elevation Update

- Continuing to follow up with the state on reimbursement schedule.
- Issues noted in Waterbury with an elevation project; they do not foresee any of those issues in Bolton.
- Are not foreseeing any issues with Mike Gervia being the General Contractor on the project; following the model successfully used in another town.

- Invoices – do not require additional back up documentation; it is just like paying any other invoice from any other vendor.
- Invoices will continue to have brief detail; scope of work outline.

5. **Recurring business:**

- Minutes September 12, 2016: Josh made the motion “to approve the September 12, 2016 minutes.” Ron seconded. There was no further discussion. All were in favor and the motion passed (3-0).
- Warrants: Signed.

6. **Communications: none**

7. **Action Items: none**

8. **Business:**

- Personnel Policy – review and discussion of final draft:
 - Sick leave accrual timeframe.
 - Probationary period – no paid sick leave.
 - Sick leave increments.

Josh made the motion “to approve the Bolton Personnel Policy as presented.” Ron seconded. There was no further discussion. All were in favor and the motion passed (3-0).

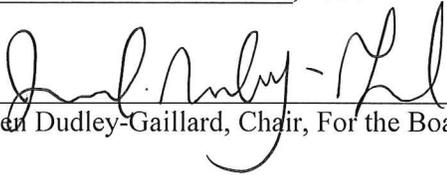
9. **Any Other Business: none**

10. **Closing:** No other business was brought before the Board at this time. Josh made the motion “to close the meeting.” Ron seconded. There was no further discussion. All were in favor and the motion passed (3-0) at 8:55 p.m.

Attest: Amy Grover, Clerk

Minutes are unofficial until approved. These minutes were read and approved by the Bolton Select Board on:

October 3, 2016



Jen Dudley-Gaillard, Chair, For the Board