

**HYDE PARK SELECTBOARD
SPECIAL MEETING MINUTES
July 17, 2014**

*All minutes are draft until approved by the Selectboard; please check future minutes for approval of these minutes. Meetings may be video taped and such recordings are held by Green Mountain Access Television.
Recording info: POB 581, Hyde Park, VT 05655; info@greenmountainaccess.tv or 802-851-1592*

Members Present: David Gagnier (DG), Chair; Roger Audet (RA); Brian Jones (BJ), Vice-Chair; Pete Couture (PC), and Roland Boivin (RB)

Members Absent: None

Others Present: Ron Rodjenski, Town Administrator; Nicole Byrne & Nick Celia, Hercules' Dog Owners/Keepers; Allie M.; Neighbors: Annie Wescom & Jim Wescom, Larry Brown, Green Mountain Access Television did not videotape this meeting.

DG called the meeting to order at 11:00 a.m.

1. **Welcome. Public Comment** – None.
2. **PUBLIC HEARING – Hercules at 66 Garfield Crossroad** – DG read the notice for the hearing. Dog keepers were late, so board waited for a few minutes.
3. **Mulcher** – Pete's Equipment provided information on the preferred design of a mulcher and some pricing, as a follow-up to the discussion at the June 10th board meeting. The Board will discuss again at the August monthly meeting.
4. **Hearing Continued** - DG stated that the Board received a report of a vicious dog at their July 10, 2014 meeting, and an oral complaint filed with the town from Esther Lehman. DG advised that today is the required hearing to determine if the dog, Hercules, is a vicious dog under the town ordinance. Notice of the hearing was provided to the dog keepers and neighbors by the Town Administrator. Nick Celia and Nicole Byrne were provided a copy of the LCSD investigation report from Deputy Nathan Dandrow. Nick advised that Hercules is not vicious, does not bark, and if he were to bite a person, there would be more damage than one stitch. Nicole advised that it was a "head butt" not an intentional bite by Hercules. Nicole advised that it was unclear how the injury occurred but her 7-year old rides the dog for fun. Nicole stated that Hercules broke the cable and ran toward the victim in the road. Nicole provided information on American Bull Dogs and showed pictures of the dog to the board. Nick and Nicole advised that the dogs do bark. A handwritten letter was provided to DG from Nicole's niece. Annie Wescom stated that the three dogs were not licensed until this event and the dogs bark constantly for over one year. Annie stated that if Hercules gets loose again, it would repeat the event and run into the road. Nicole stated that they never received any prior complaints from Animal Control. Nick stated that LCSD did visit the property to request that the dogs get registered and Nick was given two weeks to register the dogs, but did not do it before this event which occurred about 10 days after LCSD spoke to him. DG asked why the victim was not present today and Ron R reported that she advised that the Board should rely on the police investigation. Annie and Jim stated that the dogs bark as soon as someone is near the property and they are afraid of coming near the road. RA reported that dogs are unpredictable and even if they appear friendly, can nip without warning. DG stated that in regard to the vicious dog complaint, and per the investigation report which states that the victim doesn't think there was a bite there is not enough evidence to deem the dog vicious. DG advised that it doesn't mean some action should not be taken to control the dog. Annie stated that the dogs are loose about 50% of the time and she is concerned about when her grandchildren visit her home. Jim Wescom stated that they should hook the dog in the back. Nicole and Nick had spoken about hooking the dog in the back but there is a side yard and dog in the back which causes barking. BJ stated that there needs to be more care in restraining the dog and quieting the dog. Annie asked that the dogs be controlled and quieted. DG asked for board consensus that the dog was not a vicious dog. DG asked that the dog keepers get a copy of the town ordinance and to keep the dogs quiet, reminding them that it is

the responsibility of Nick and Nicole to ensure that the dogs are kept on the property and quiet. DG noted that if there is another complaint then the Selectboard would revisit the matter. Larry Brown confirmed that the dog barking is an issue for the neighborhood. RA advised that the dogs need to be regularly licensed. Motion by BJ that Hercules is not vicious. Seconded by RA. Voting: 5 in favor, 0 against, motion passed. The Board reminded the Nick and Nicole of their responsibilities and the neighbors agreed that closely monitoring the situation was needed.

5. **UVM Study** – UVM Grad Student, Joanne Garton and Melinda Scott from Lamoille County Planning Commission to provide an overview of a proposed UVM unpaved road maintenance costs study. Joanne reviewed her work on Best Management Practices which is now in the third and final phase of the study and provided a three page overview of her work. The study was based on the need to understand the costs of new road maintenance practices and standards developed to protect water quality by reducing sedimentation amounts into streams. UVM is working with the Better Back Roads Program VTrans. The last phase is to visit five towns and develop case studies on costs to meet new road standards and compare best management practices to a computer model that the State is running on different types of roads. Joanne would spend about ½ day with the town road foreman on Hyde Park's current practices, budget amounts and any newer practices that might be more costly but provide more benefits by reducing negative environmental impacts. DG stated that erosion from streams and rivers leaving their banks causes most of the sedimentation in streams and removing material from streams would keep streams within their banks. Ron stated that the marriage of the Agency of Natural Resources and Agency of Transportation will eventually require towns to implement BMP's and that digging deeper channels will not be an option to reduce erosion into fields, etc. because the current thinking is that rivers should be able to change course and be provided the room to do so. The Board discussed the most current example of this on Route 15 in Hyde Park, where a culvert is being replaced by a new bridge. DG stated that cleaning the new stone lined ditches is a new and high on-going cost for municipalities. Joanne stated that the cost to implement BMP's is part of her study. The Board hopes that if the new maintenance standards are required and cost town taxpayers more, then the state should provide financial support to install and maintain the new BMP's. Joanne stated that her study will be provided to VTrans and ANR, with copies to the five participating towns; Huntington, West Windsor, Cambridge, Waitsfield and Hyde Park.
6. **Roadside Clearing** – the Board briefly discussed the need to improve roadside clearing in Hyde Park, and will continue to explore machinery purchases and contractor support for possibly inclusion in the next budget.
7. **Adjourn** – Motion by PC to adjourn. Seconded by RB. So voted at 12:00 p.m.