

MINUTES OF TOWN MEETING 1988  
FEBRUARY 29TH, 1988  
RIPTON, VERMONT

Moderator Freeman Allen called for order at 7:30. He introduced Representative Shirley Arnold, who said she comes to the Ripton Store Saturdays at 1 pm to talk with Ripton folks, and anyone interested in talking with her is invited. After this brief speech she left the meeting.

At 7:35 the Moderator called the Town Meeting to order. Since there was no objection he dispensed with reading the entire Warning, and proceeded with Article 1.

1. To act upon the reports of the Town officers as submitted by the auditors.

David Disque moved the article, and was seconded. There was no discussion. Mr. Disque moved the question, was seconded, and the vote was in the affirmative.

2. Will the Town take advantage of Title 19, V.S.A Section 18, by expending \$50.00 per mile on Town Roads in order to receive State Aid?

Jean Todd moved the article, and was seconded. There was no discussion. Philip Coleman moved the question, was seconded, and the vote was in the affirmative.

3. Will the Town vote the sum of \$81,620.00 to be raised by taxes to pay expenses for the ensuing year, and pay outstanding orders or obligations of the Town, with interest, the rate of the 1988 Grand List to be determined by the Selectmen, and divided as follows?

- a) Roads, including winter work...\$30,900.00
- b) All other general fund costs...\$50,720.00

Perry Hanson moved the article, and was seconded. Harold Reed asked why the amount budgeted for Vicon was half the amount paid in 1987. Laureen Cox, Selectman, explained that the Town had paid for two years in 1987, due to a billing error. There was no further discussion. Mr. Coleman moved the question, was seconded, and the vote was in the affirmative.

4. Will the Town vote to pro rate monies received by Middlebury College in lieu of taxes among the General Fund, Road Fund, and Town School Accounts?

Benjamin Steinzor moved the article. After he was seconded Mr. Steinzor asked if the Article should read "from Middlebury College" instead of "by Middlebury College". He then offered this change as an amendment, which was seconded and voted in the affirmative.

Mr. Coleman asked when the agreement with Middlebury College expired, and was told by Mr. Ford that it expired in 1990. Hilda Billings asked how much the

College gave the Town. Mr. Ford answered that the gift in lieu of taxes is \$7500.00, but that they also pay taxes on property not considered exempt. Mary Clark asked how pro rating works. The Clerk explained that the gift is divided among the School, roads and Town funds as a percentage of the tax rate. After this question there was no further discussion. John Merrill moved the question, was seconded, and the article was voted in the affirmative.

5. Will the Town vote to have the current property and personal taxes collected by the Town Treasurer?

Carol Ford moved the article, and was seconded. There was no discussion. Charles Liberty moved the question, seconded, and the question was voted in the affirmative.

6. Will the Town vote the sum of \$5000.00 to the Ripton Volunteer Fire Department to help defray expenses for the year?

The article was moved by Ben Steinzor, and seconded. Ms. Cox explained that since the fire department had been accepted into the Mutual Aid there was no longer any need to pay Middlebury \$1750 for a retainer. Gracile Lord asked what the increase in costs were due to. Mr. T. Hanson explained that the main increase was for insurance, but there were other needs as well, including upgrading apparatus, and obtaining personal protective gear and communications equipment, etc. Mr. Coleman asked why the budget listed \$5000 from Middlebury College this year. Mr. Hanson explained that that was part of an agreement between the Town and the College to give money to the fire department to help it upgrade. Mr. Ford mentioned that there should be no expectation that the College will give the fire department any more money next year.

Mr. Reed asked why the department reported in their budget that they needed \$9500, but that they estimated their income at \$12250. He suggested that the department ask for exactly what it needs, to make accounting more clear. Mr. Todd, Fire Chief, explained that some of the anticipated money is not sure money, but that the expenses are more certain. Mr. Reed continued to press the point that the way to present the accounts was to ask for what is needed, and let the Town decide whether to vote for it or not. He then went on to ask who would get the two way radios. Mr. Todd explained that officers would get two-way radios, and that the rest of the firefighters would get pagers. He said further that it is not much use to have new equipment if you can't get firefighters to the fire. Mr. Reed asked whether it is cost effective to have a fire department in such a small town. The amount of money saved in property might not be worth the expense. Mr. T. Hanson pointed out that there might be significant savings in the insurance rates if the fire department can get a better rating. He said that according to conversations with insurance agents there may be as much as 20% savings in fire insurance premium costs per house, which, spread over all the houses in the Town would add up to a lot of money.

At this point Mr. Reed moved the question, which was seconded and voted in the affirmative.

7. Will the Town vote to approve the "Open Container" ordinance as it appears in the Town Report.

Mr. Reed moved the article, which was seconded. Mr. Eugene Williams asked where this restriction was to be. Ms. Cox read from the ordinance, which says that it covers all Town property. Mr. Williams suggested that if the young people were prohibited from drinking on Town property they would become angry and might react by doing more damage. Ms. Cox explained that the ordinance had been enacted to deal with an existing problem of people hanging out around the School and the Community House, at times damaging, vandalizing, littering, and scaring children. Mr. Ford said that the ordinance would permit the Sheriff or Constable to restrict drinking on the property, but without it there is no way to stop this behavior. He pointed out that there is no guarantee that it would help, but without it there would be nothing that could be done.

Mary Clark asked if this ordinance was enforceable. Ms. Cox said that the ordinance had been reviewed by the State's Attorney, who had indicated that it was. Ms. Phinney asked if it would be alright to drink at the Community House. Mr. Ford said that the new rental contract for the Community House allows alcohol to be served if the Selectmen give prior approval. Mr. Reed asked if this ordinance was based on a model ordinance. Mr. Hanson replied that it was.

Frank Coco asked what the "right-of-way" is, since the ordinance prohibits drinking in the Town right-of-way. Ronald Wimett answered that the roads are three rods, or approximately 50 feet, wide. Mr. Merrill stated that there are sections of several houses that are technically in the right of way. Mary Clark asked if the ordinance could be amended. Ms. Cox reported that in the opinion of the Secretary of State it could not. If any amendment was to be incorporated in the ordinance, the whole process would have to be repeated. Christina Todd expressed her opinion that common sense application of the law would take care of that problem. Ms. Clark pointed out that this provision actually protects property owners from having people congregate on the road near their property. Mr. Blanchette said that the ordinance would prohibit bringing empty containers back to stores. Mr. Ford said that it would not, since there would be no alcohol in the container at that point. Ms. Hathaway voiced her opinion that since the problem was with a small group of people, some way of dealing with them directly should be found, rather than diminishing the rights of everyone else. Ms. C. Todd pointed out that her rights to bring her 4 year old child to the playground were being diminished. Mr. Coleman agreed, saying that the only way to deal with the issue in a non-discriminatory way was to make the process the same for everyone.

Joyce DiCianna asked what would happen if the people involved moved their party site to somewhere else. Ms.

Cox said that they could, and they probably would, but at least they would not be destroying community property. Susan Collitt asked if the Constable could deal with the problem, or if there could be a citizens arrest. Ms. Cox said that a constable could, but there might be legal problems, since the constable would probably not have training, and it might be difficult to deal with a drunk, etc.

Mr. Hathaway asked what the Town would do if the group moved to another spot, and started up again. He was concerned about what the Town would do to decrease the overall problem. Ms. Cox said that the problem is bigger than the Town, that it is an overall societal problem. David Meltzer expressed his feeling that it is good for the Town to have a safe place for children to go to, and safe includes a place with no alcohol, in his opinion. Ms. Cox concurred, saying that the Town should not "enable" drinking to continue. Also, she continued, the fact that there have been some parties right on Rte 125 in public view has encouraged some who might otherwise not join in to see the party and join in. Mr. Meltzer pointed out that if people drink in the center of Town they would also have to driving off afterwards.

Mr. E. Williams said that maybe a solution to the problem would be to put some basketball hoops up in the Community House so that the kids have a place to go and something to do. Mr. Ford pointed out that the Community House was no longer a place for that type of activity because of its Historic Site designation, but he agreed that there are few places for young people in the Town.

Gary Ryan asked how enforceable the ordinance would be. He wondered if every time someone drank there, would a cop show up? Mr. Ford said there would be no guarantees, but that without the ordinance there would be no way at all to limit the drinking. Mr. Reed said that he felt that if a few people were apprehended and fined, there would be a significant decrease in the use of this space as a place to hang out. He described the very discouraging nature of the place now, with all the broken beer bottles, rowdy groups, and, he said, one knife fight that he witnessed at the place. Mrs. Jean Todd said that she felt as though the law would at least allow some action, but there could be none without it.

Mr. Steinzor called the question, and was seconded. The question was voted in the affirmative.

8. Other business proper to be done at this meeting.

Mr. Hathaway announced that he would be willing to run for Constable. Mrs. C. Todd said that she would be willing to serve as a write in candidate for Auditor for a one year term. The Selectmen announced that Mr. Matkowski was willing to be written in as High School Director.

Eleanor Holsman asked if anything had been done about garbage collection. She asked if a dumpster had been considered, or if a town trash collector was a possibility. Gracile Lord said that there was an excellent

recycler in East Middlebury that took paper and plastic & other articles, and was a great way to save on trash costs. Mr. Ford said that some of the options had been considered, but proved to be very expensive. Also, there had been little input or direction from the Town regarding garbage over the last year since Town Meeting 1987, so there has been little pursuit of this issue. Ms. Cox said that the State Legislature had mandated that there be a solid waste plan for every town by 1990, and that would help shape the process.

Mr. Reed asked about the Vicon plant. He said that he had heard that it would never come on line, and there would be no place for the County's garbage to go. He asked where the Town stood with our contract with Vicon. Ms. Cox explained that the Town, along with many other Towns in Addison, was in the process of litigation with Vicon, that there was no contract, but that it was being negotiated. She said that there is a new Joint Municipal Survey Committee that is trying to find a regional solution to the problem of the region's garbage, working with an eye on the new State guidelines. She said that the best advice she had was to read the papers for current status of Vicon and the overall garbage situation.

Jean Todd of the Planning Commission said that there was a Zoning Ordinance being formulated, and something would be available for the Town to review within the next few months. She also said that there is a vacancy on the Board and that anyone interested in being a member should contact her.

Following this, there were some questions about the various social service agencies requesting money.

The meeting was adjourned at 8.45

Timothy Hanson, Town Clerk

  
Ronald Wimett

  
Laureen Cox

  
William Ford