

Approved September 5, 2017

**CORNWALL SELECT BOARD**  
Regular Meeting, August 1, 2017  
Cornwall Town Hall

**MEMBERS PRESENT:** Ben Marks, John Roberts, Ben Wood, Magna Dodge

**ALSO PRESENT:** Sue Johnson, Sophia Peluso, Mark Peluso, Kelly Higgins, Ken Danieli, Jim Duclos, Mike Sunderland

The meeting was called to order at 7:00pm.  
Quorum – established.

**AGENDA** - Ben W MOVED / John R. SECONDED a motion to approve the agenda with the addition of opening paving bids during the Road Commissioner's Report and to correct the typo in the date of the distributed agenda. Motion passed – 4 in favor, 0 opposed.

**HEARING: Peluso Dog Complaint/1017 Ridge Road –**

Mark Peluso and his daughter Sofia Peluso of 50 Edgewood Lane and Jim Duclos of Ridge Road provided evidence to the Select Board of recent encounters with two dogs owned by Ken Danieli of 1017 Ridge Road. In each of the encounters, one of the dogs was out of the fenced in yard and not in control by the owner. Mark Peluso said his concern is for the safety of people and their dogs walking on Ridge Road. Kelly Higgins of 35 Edgewood Lane and Sofia Peluso both stated that they are afraid and have not felt free to walk on Ridge Road by the Danieli residence since their encounters with the dogs, which occurred two years ago.

Details about encounters with the dogs previous to the one at issue were also presented by Jim Duclos, and Kelly Higgins, at the request of Ben Marks, for informational purposes, but are not relevant to any violation of the ordinance, because of the ordinance limit of one year.

Ken Danieli of 1017 Ridge Road provided evidence regarding his two dogs (male and female), their enclosure, and work he has done to make the enclosure more secure. He apologized for his dogs getting out and the problems they have caused. Ken D. said he takes keeping them in seriously and he believes he has solved the problem of weaknesses in the fencing so that his dogs will not get out again.

Ben Marks closed the hearing at 7:46 pm when all parties said they were done with presenting evidence. The Select Board will make a decision at a later time and will distribute the written order to all parties. Decision later and written order.

\* Audio recording of this hearing will be made available upon request to any member of the public.

Following the hearing, the matter was discussed by the Select Board. Ben M. will draft the written decision.

General Fund and Highway Orders - signed  
Report on Reconciled Bank Statement- reviewed

### **MINUTES**

- June 6, 2017 – tabled for lack of quorum of members present at that meeting.
- July 11, 2017 – Magna D. MOVED / Ben W. SECONDED a motion to approve the minutes as amended with the addition of Ben Wood's name to the list of members present. Motion passed – 4 in favor, 0 opposed.

### **CORRESPONDENCE**

- Notice about hearing in another town for property adjacent to property in Cornwall.
- Notice from the Fire Department that they will be asking for a letter of support in September from the Select Board regarding plans to erect a new radio tower at the North Bingham station, as soon as Fire Department makes final decision on height.
- Local census update. Sue J. will review and report back to the Board.
- Poll by Castleton University regarding climate change – Ben M. will review and report back.

**PUBLIC COMMENTS** - none

### **TOWN CLERK / TOWN TREASURER'S REPORT** – Sue Johnson

- Tax appeal hearing has been scheduled for August 3 in the evening. Sue J. asked all members of the Board to be present.
- There needs to be a brief special meeting in August to set the tax rate.
- The Cornwall County Store on Route 30 has a new owner.

### **ROAD COMMISSIONER'S REPORT** – Mike Sunderland, Road Foreman

#### **Opening of the paving bids:**

- Pike Industries, Inc, Barre VT \$ 121,127.10
- Wilk Paving, Rutland VT \$ 233 per ton for patching and \$78.84 per ton for surfacing
- D& F Excavating and Paving, Inc, Addison VT. Letter stating they are unable to bid this year.

After a short discussion, the Board agreed that Pike is the low bidder.

John R. MOVED / Ben W. SECONDED a motion to accept the paving bid of Pike Industries, Inc. Motion passed – 4 in favor, 0 opposed.

Mike S. reported that West Street culvert work is complete. Shoreham needs excavator for a few days, so Cornwall will take a break from culvert work for this time.

### **OLD BUSINESS**

**Swamp Road Bridge** – Ben M. reported that he emailed Select Board members in Salisbury and has yet to hear back. Next step – Ben M. will make a phone call to the Board Chair.

### **NEW BUSINESS**

**Water Test Results for Town Garage** - one result was under and one was over. Sue J. said there is nothing to do at this point except keep pumping.

### **OTHER BUSINESS**

- **School property transfer** – Ben M. forwarded list of concerns to the Town Attorney, who in turn has forwarded those concerns to the attorney for the school
- **Procedural Issue - Robbins Road Decision** – Forest Parks and Recreation Department were supposed to be noticed regarding the hearing. Ben M. is contacting them with the draft decision and asking them to respond. Ben M. will attempt to fix this procedural problem before final decision is made.

John R. MOVED / Magna D. SECONDED a motion to adjourn the meeting.  
Motion passed – 4 in favor, 0 opposed.

The meeting was adjourned at 8:27 pm.

Submitted by Sharon Tierra, Secretary of the Select Board