

**Middletown Springs Select Board • Approved Minutes  
Informational Meeting on Proposed Ordinances  
6:30 pm, February 15, 2017 • Town Office**

**SELECT BOARD PRESENT:** H. Childress, C. Fenton, P. Kenyon, T. Redfield

**TOWN OFFICERS PRESENT:** Kimberly Mathewson, Town Moderator

**PUBLIC PRESENT:** Bernie Bischoff, Art Castle, Laura Castle, Lois Dansereau, Kathy Doyle, Barb Genier, Claudia Gonda, George Gonda, Sarah Grimm, Joe King, Mary King, Ron Masleh, Phil Nietupski, Bob Riley, Maria Riley, Ed Skwira

**GUESTS PRESENT:** Jim Philbrook, VASA, and David Noel, West Rutland ATV Club

**CALLED TO ORDER:** 6:32 pm

**OPENING:** Town Moderator Mathewson called the meeting to order, and announced other informational meetings coming before Town Meeting.

**ATV ORDINANCE:** Terry Redfield began by giving the background on the proposed ATV ordinance (Warning Article 7). He specifically noted that if the ordinance passed, the Board would reconsider the permission annually, based on each year's experience. General commentary included:

- The hazard of increased road maintenance from ATV use, and uncertain numbers of ATVs participating. If there is damage, what financial impact does that have, and who will be responsible?
- The public safety considerations of more vehicles (and unfamiliar vehicles) on the road, not just the Class 3 roads but also on Route 140. There may be safety impacts for animals as well.
- Can we have any certainty that ATV users will be appropriately supervised? What's the enforcement mechanism?
- The clubs can contribute to the community policing fund to help enforce use restrictions.
- Shouldn't the people who live on the affected roads be the specific ones to make the decision?
- Some number of years ago, there was a proposed ordinance to allow ATVs to go to Grant's General Store; that was not enacted. This ordinance is more widespread with road permissions than before.
- Is the section of 140 actually part of the proposal? Does the Town have the capability of offering that permission for a State highway? Bill is investigating this, since West Street is a Town road even though it bears a state designator.
- Perhaps the ordinance isn't clear enough to be enacted even if approved. The Town would need to have clarity on whether the ordinance is clear enough for the Board to enact it at its March 9<sup>th</sup> organizational meeting.

**JUNK & JUNK VEHICLE ORDINANCE:** Herb Childress began with giving the background on the proposed junk and junk vehicle ordinance (Warning Article 6), drawing on the experience of VLCT and local advice in its framing.

General commentary included:

- The number of vehicles that would enable a complaint of violation; should it be fewer.
- The definitions of “abandoned” versus “junk” vehicles.
- The mechanisms of enforcement and compliance; who will investigate complaints?
- Questions of how other communities have worked through their own cleanup of junk cars.

**ADJOURN:** meeting was adjourned at 8:26 pm.

Respectfully submitted,  
Herb Childress, Select Board clerk