

Dear Ms. Diehl,

I am writing to ask that you please contact the Chair Donna Sweeney and the Committee Members to relay my strongest objections to the city of Montpelier's request for charter change that would grant it to authority to block, cancel, limit or control access of any kinds legal and legitimate recreational use on Berlin Pond.

Dear House Committee on Government Operations Members and Chair,  
Donna Sweeney

I am currently a resident of Burlington, but was one of the last children born in the Barre city hospital, I lived in central VT for my first years prior to us moving to the Queen city, yet we still have kin in the area as I spent my youth growing up in the summers in central VT and feel that as a native Vermonter, I must speak up on this matter.

This annexation by Montpelier of the Berlin Pond cannot be allowed to proceed without causing grave harm to the rights of all Vermonters especially those who choose to use Berlin Pond for recreational purposes.

The Berlin Pond is not in the corporate limits of the city of Montpelier, that part is not what is being disputed. What is wrong here is that every time Montpelier has tried to illegally assert it's possession of Berlin Pond, or close its access they want to refuse Vermont residents the rights to use it.

This violates several areas of our Constitution, but let's focus on the fact that we live in a Dillon's Rule State, and you have an important duty to protect us from the consequences of fallout from allowing Montpelier to violate the Sportsman Bill of Rights, and what will happen when the next town town like Burlington chooses to challenge the next laws and enacts more whacky ordinances?

Do we know if the voter who approved this measure were educated and certified (qualified) to make such a judgement on a legal issue like this? It's like asking voters to approve if we should give up the rights of the freedom of speech, if it was worded in plain English, every single person would be able to have plain and simple understanding one might expect, however when Burlington VT had three ballot items that had 12 pages of information about the ordinances including jail time, property seizure, fines etc. They only listed 1 or two line questions skipping over such that voters were grossly unaware of much of the questions that they were voting on, even the polling stations had little references.

So when I ask about this issue, and the town wants it bad enough, how well and honestly did they put out the information in a neutral way?

Like most towns that want it's way?

Had they been given all the proper facts in a properly warned and worded ballot?

Will there be a legal challenge that will be putting the State at financial risk if you pass this ordinance when you know it violates the States Constitution?

I hope these questions will cause you to pause and vote no to hold it in committee or kill the bill. It the best outcome for the State and citizenry of Vermont.

Montpelier's water will still flow, the naysayers can twist in their pants, but just look at what Burlington has been dealing with and the raw sewage near public beaches after heavy rainfall occasionally get our water intakes for Burlington city, and Champlain Water District from the same lake near by and we can do it for decades.

Let them put their efforts into better filtration and not blocking off the state's resources from us who own it and deserve a say too.

Thank you,

Respectfully,

Michael F. McGarghan Jr.  
Your Consultant ☺

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"Service comes before sucess even in the dictionary"