

**CITY OF MONTPELIER  
CAPITAL CITY OF VERMONT**

**City Manager's Weekly Report – 9/09/2016**

**UPCOMING MEETINGS ...**

Monday, September 12 <sup>th</sup>	Planning Commission, 5:30 P.M. in the City Council Chambers
Tuesday, September 13 <sup>th</sup>	Bicycle Advisory Committee, 4:30 P.M. in the Memorial Room  Transportation Committee Meeting and SCBC (Strong Communities Better Connections) Complete Streets and Road Typologies Project Kickoff, 6:00 P.M. in the City Council Chambers
Wednesday, September 14 <sup>th</sup>	City Council Meeting, 6:30 P.M. in the City Council Chambers
Thursday, September 15 <sup>th</sup>	Housing Task Force, 5:15 P.M. in the Memorial Room

**ATTACHMENTS ...**



Press Release: Hoax US Bomb-threat Teenager Megarry Spared Jail

**CITY MANAGER'S REPORT ...**

**Street Closure Policy – Agenda Item #16-258**

The material for this item was not completed in time to go out with Friday's packet; staff will send it out on Monday.

**Council Meeting Dates**

Reminder that the September 28<sup>th</sup> regular meeting is being moved to September 21<sup>st</sup> due to schedule conflicts.

# CITY MANAGER'S WEEKLY REPORT

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## Legal

*Illuzzi vs City, et al:* On July 12<sup>th</sup>, the Vermont Superior Court of Washington County issued its “Opinion and Order on Defendants’ Motions for Summary Judgement and Mr. Illuzzi’s Motions to Compel, Enlarge, and Amend”. The City and its employee defendants were granted summary judgement except for the issue of causation. All of the motions filed by the Plaintiff were denied or dismissed. The attorney for the City will now consult with VLCT as to the next course of action.

*VCFA vs. City, Supreme Court Appeal:* Notice was received that Vermont College of Fine Arts has appealed the recent judgment from Vermont Superior Court, Washington Unit, to the Vermont Supreme Court. Both parties filed Briefs with the Court in late August. Represented by Robert Fletcher.

## WEEKLY REPORTS FROM DEPARTMENT HEADS ...

*None this week*

## TOPICS FOR UPCOMING COUNCIL MEETINGS ...

September 14

Appointments to Development Review Board  
Appointments to Housing Trust Fund  
Goal: Housing/Economic Development  
Bike Path Update  
Junkyard Ordinance – 1st Reading  
Montpelier Energy Advisory Committee Fund  
CSO Update  
Community Fund Board Presentation  
LDC Follow-up  
Street Closure Policy  
Berlin Pond – Jed Guertin  
VLCT Town Fair – Voting Rep

September 21

Zoning (?)  
Goal: Clean Environment  
Storm Water Master Plan  
CSO Discussion

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September 21 (cont'd.)	Junkyard Ordinance – 2 <sup>nd</sup> Reading Tax Stabilization Application (?) Car Share Update LDC (if needed) DID – Montpelier Alive French Block MOU Personnel Plan Review (?) MTAC Resolution
October 12	Zoning Budget Schedule Housing Strategies Plan (tentative) Goal – Vibrant Downtown LDC (if needed) Water Source Protection Plan
October 26	Zoning Tax Stabilization Application (?) Budget Targets
November 9	Zoning

  
William J. Fraser  
City Manager

## Sandy Pitonyak

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**From:** Anthony Facos  
**Sent:** Tuesday, September 06, 2016 1:05 PM  
**To:** L-POLICE; L-DISPATCH; William Fraser; Jessie C. Baker; L-Council  
**Cc:** Brian Ricca (brian@mpsvt.org); Robert L. Evans; ROBERT GOWANS  
**Subject:** Arrest in 2012 threats to MHS  
**Attachments:** PR MHS lock-down April5 2012.pdf; MHS threat Press Release Sept 12 2012.pdf

Please see the attached email thread below. As you all may recall, these threats which occurred in 2012 were quite significant due to the fear caused, and for the tactical and investigative resources spent. Again, I would like to thank CPL Matt Knisley who lead the investigation (from the MPD end) which ended-up in Scotland after a series of subpoenas and coordination with the FBI, Interpol, and the bureau's in-country attaché.

Chief Tony Facos

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**From:** Robert L. Evans [mailto:revans@margolishealy.com]  
**Sent:** Tuesday, September 06, 2016 12:44 PM  
**To:** Stephen Earley; firstcall211@gmail.com; Winton Goodrich; Suzanne Gruending; Clouatre, Timothy; Anthony Facos; barbara@sonicbloom.org Bloom; Lavilette, Dan  
**Cc:** CMcCorkel@howardcenter.org McCorkel  
**Subject:** see below

Hey folks,

Superintendent Ricca (Montpelier School District) sent this along... the suspect who made the Bomb Threat to MHS from overseas in 2012 had his day in court. Brian's staff got a call from "Scotland" to inform them of these court proceedings... Crime Doesn't Pay!!!

Rob

• 2 September 2016

• From the section [Northern Ireland](#)



Image copyright

Image caption

**A County Antrim teenager who admitted making hoax bomb threats to US schools, airports and organisations has not been sent to prison.**

Ben Megarry, 19, who has autism, was charged with making a total of 23 hoax bomb threats between March and September 2012.

Megarry, from Harmin Park, Newtownabbey, pleaded guilty to all the charges.

He wept after being freed on two years' probation.

Megarry was also ordered to complete 70 hours of community service.

The schools he threatened included Columbine High School, the scene of a massacre in 1999.

Belfast Crown Court Judge Sandra Crawford told Megarry his crimes would normally require a lengthy custodial sentence, but there were several mitigating factors in his case.

These included his age at the time of the offences and the connection between his offending and his undiagnosed Asperger's syndrome.

The judge said she was prepared to accept pre-sentence report recommendations that found that there was a low likelihood of him re-offending and that he did not present a threat of serious harm to the public.

Each of the charges stated that Megarry "communicated certain information which he knew to be false... with the intention of inducing a false belief that a bomb or other thing was liable to explode or ignite".

He admitted making two hoax bomb threats to Columbine High School in Colorado on 16 and 18 April 2012, as well as to Malibu High School and Chico High School.

Megarry also admitted making calls to LAX Airport in Los Angeles and a Walmart store in Missouri, among other locations.

The judge said it "was a sad irony" that many of the schools targeted by Megarry had pupils who were disabled or diagnosed with special needs.

She said it was agreed his condition was not uncovered until February 2014 and that, at the time of his offending, there were no checks and balances to tackle many of the features of his condition that his offending "unfortunately displayed".

This included Megarry's "social naivety, desire to impress acquaintances and susceptibility to suggestion from others".

## 'Operating in a bubble'

A defence lawyer said reports indicated that a remorseful Megarry may not have made the calls, which were part of a prank also involving others, had he been diagnosed as autistic before he was 15.

He added Megarry had been operating in a bubble, and not separating fact from fiction, leading him to his bedroom where he would seek the remote company of others, with a desire to impress.

The lawyer said Megarry had expressed, as best he could, his sorrow for what he had done.

The court heard that due to the hoax alert at Malibu High School, a number of sporting events, including the State swim finals, were cancelled, causing chaos to "some 1,000 out-of towners".

It also heard that both Kansas International Airport and JFK International Airport in New York were thrown into turmoil due to alerts, delaying flights, with inconvenience to hundreds of passengers.

In the case of one call to JFK International Airport in September 2012, a major terrorist incident was declared after authorities were told "there were improvised explosives" on two flights.

The court heard it was accepted that three calls made to a store in Fredericktown, Missouri, caused an estimated loss of \$55,000, with some 7,000 customers having to shop elsewhere.

In addition, it was revealed that while local authorities spent between \$8,000 and \$25,000 policing the hoax calls, this did not include and was nothing like the cost of the follow-up investigations.



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