

1 **SELECTBOARD MEETING**

2 January 4, 2023

3 Attending the meeting; Merrily Lovell, Maggie Gordon, Mike Loner, Dennis Place, Joy Dubin Grossman,  
4 Andrea Morgante, John Lyman

5 Attending remotely; Phil Pouech, Todd Odit, Jennifer Decker, Barb Forauer, Nick Baker, Aaron LaVallee,  
6 Cindy Reid, Carl Bohlen, Alex Weinhausen, Ed Waite, Benjamin Marks, Dale Wernhoff, Paul Lamberson,  
7 Beth Royer, Missy Ross

8 Meeting called to order at 6:00 p.m. via zoom

9 Agenda Additions or Deletions

10 Item 12 – Engine 2 Replacement will be moved to the first agenda item.

11 Approve Minutes of 12/15 ,12/19, and 12/21

12 Merrily moved to approve the minutes of 12/15 and 12/19 as submitted. Seconded by Mike and  
13 approved with 5 yes votes.

14 Mike moved to approve the minutes of 12/21 as submitted. Seconded by Maggie and approved with 4  
15 yes votes and Merrily abstaining.

16 Selectboard Forum

17 Phil said he received an email concerning the request for the guard rail on Pond Rd. It was suggested to  
18 also consider speed limits. Phil suggested sharing this with the CCRPC if they will be helping us with the  
19 project. They hopefully can advise us on speed limits and take into account that is an area where people  
20 walk on the road.

21 January 9<sup>th</sup> there will be a public meeting about crosswalks and the traffic study on RT 116.

22 Merrily noted the passing of Brian Busier on 12/13 and the fact that he was a huge help to the Town.

23 Mike said the DEI workgroup met yesterday. They continue their work on a draft proposed charter and  
24 committee application forms.

25 Discuss Response to Resignation of Phil Pouech

26 Merrily said if the Board accepts the resignation Phil can't participate as a Board member at this  
27 meeting. Merrily recommends he be appointed on an interim basis at next week's meeting. He would  
28 not be able to participate as a Board member till the Jan 25 meeting.

29 Mike asked if other individuals could step up and offer their name for consideration for the interim  
30 position. Merrily said anyone can do that.

31 Phil said the reason for the resignation is to allow the Town to go through the normal process for  
32 election.

33 Andrea asked about the resignation being effective the day of the election. Merrily said he needs to  
34 resign to make the position open so someone can gather signatures on the petition to run for office.

35 Mike moved the Board accept the resignation of Phil Pouech from the Selectboard effective 1/4/23.  
36 Seconded by Maggie and approved with 4 yes votes.

37 The Board thanked Phil for all he has done as a Board member.

38 Discuss Request to Ask Voters to Approve Engine #2 Replacement

39 Nick Baker said they are asking for approval to include replacement of Engine #2, the 2001 International,  
40 on the ballot.

41 He is still working with vendors and has no bid price yet but expects the cost to be around \$850,000. It  
42 will be two to three years before a truck would be ready.

43 Nick said the goal is to combine Engine #2 and the tanker use which will overtime reduce apparatus and  
44 save some money.

45 Todd said this would be a 10 year loan and will be able to make it work in the capital budget.

46 Dennis asked if impact fees can be put toward the truck. Nick said they could, currently the impact fees  
47 are set up for fire station expansion and a ladder truck. It was decided not to pursue a ladder truck at  
48 this time. Dennis asked if the impact fee needs to be changed before we move forward with this. Todd  
49 said we would need to update the ordinance once we have an estimate on the station and switch from  
50 the ladder truck to Engine #2.

51 Mike asked about the process to change the impact fee ordinance. Todd said we have the fire and  
52 police study which was paused. We would need to go back and finish up the study and revise it to  
53 include the updated cost of the fire station and a different truck with a different price. Then proceed  
54 with the adoption process which requires a public hearing.

55 Maggie noted that Nick mentioned the foam apparatus on Engine #2 is not working, will we need to  
56 repair that. Nick said sinking money into it is not wise. It still is functional, still has water and a pump.

57 The Board agreed to put the question on the warning. Dennis said he agrees as long as the impact fees  
58 will be changed.

59 Consider Approval of Net Metering Agreement

60 The Board previously approved Hartland as a solar provider for the Town.

61 Todd said we need to be sure to keep track of the solar credits so we don't lose any.

62 Maggie moved to approve the Net Metering Agreement with Hartland GUVSWMD Solar LLC. Seconded  
63 by Mike and approved with 4 yes votes.

64 Consider Approval of Post Closure Amendment for Landfill Solar Project

65 Mike moved to approve submitting the Post Closure Amendment for the Landfill Solar Project.  
66 Seconded by Maggie and approved with 4 yes votes.

67 Consider Request for Police Impact Fee Revision for Kelley's Field Project

68 In calculating the impact fees the Zoning Administrator noticed the calculation likely overestimates the  
69 number of people per unit for this project.

70 Dennis asked if he builds a one bedroom accessory apartment that would only have one person living in  
71 it would his impact fee be half? Merrily said that is a good question and in this case, it is because we  
72 are dealing with affordable housing that we are considering the request. Dennis said accessory  
73 apartments are meant to be affordable housing too.

74 Alex said it would not be reduced. The reason being, the number of people per bedroom the consultant  
75 used for the impact fee is based on statewide averages for unit counts and occupancy. In the case of  
76 Kelley's Field, it is more important to note that it is senior housing and the demographics are different  
77 for senior housing. Alex noted he and Todd can work on an update so that any senior housing would be  
78 calculated with a lower assumed number people per bedroom based on the realities of senior housing.  
79 Merrily further asked if Dennis built an accessory apartment only available to people 65 or older would  
80 it qualify? Alex said under a revised ordinance he would.

81 Alex said he is asking the Board to act on this request now and then he and Todd will work on an update  
82 ordinance.

83 Andrea asked if the senior housing for Haystack Crossing fall under this calculation. She feels there is a  
84 difference between market rate and affordable housing. Kelley' Field is subject to affordability criteria  
85 and the other housing is not. Alex replied that senior housing criteria a place to start but can also  
86 discuss tying it to affordability.

87 Mike asked Cindy how many of the current one bedroom apartments are single occupancy. Cindy said  
88 she does not know specifically but typically with the size of that community there might be three units  
89 that have couples.

90 Mike said we need to be clear why we are providing this benefit.

91 Merrily moved to approve an adjustment to the Police Impact fee for the Kelley's Field 2 Project to  
92 reflect the more realistic occupancy estimate of one person per bedroom. Per the Planning and Zoning  
93 Director's 12/22/22 memo, this will result in a Police Impact fee of \$2,806.08. Seconded by Maggie and  
94 approved with 4 yes votes.

95 Consider Approval of Form MP-1 for VCDP Grant Condition and Anti-Displacement and Relocation Plan

96 The Municipal Policies and Codes form requires the Town to certify or adopt these policies; Equal  
97 Employment Opportunity, Fair Housing, Use of Excessive Force, Restriction on Lobbying, Code of Ethics  
98 for Administration of VCDP, Drug Free Workplace Act of 1988, Subrecipient Oversight Monitoring Policy,  
99 Whistleblower Protection, and Texting While Driving.

100 Maggie moved to approve the Municipal Policies and Codes, and the Anti-displacement and Relocation  
101 Plan. Seconded by Mike and approved with 4 yes votes.

102 Public Hearing Draft FY 24 Capital and Operating Budgets

103 Merrily opened the Public Hearing at 7:01 p.m.

104 She referred to the availability of the budget on the Town Website

105 Andrea said she is attending as she believes in small town democracy and for that to function you need  
106 to participate. She acknowledged the elected Selectboard, hired Town Manager and employees and  
107 volunteers on committees created this budget. Some who created the budget are elected, some are  
108 hired and some are volunteers, but it is that collective process that develops the budget. Everyone can  
109 and is invited to participate. We have lost the opportunities and knowledge of the importance of civic  
110 engagement. When people ask questions or disagree it is not from a lack of trust, in a small town we do  
111 learn to work through disagreements.

112 Carl thanked the Board. He supports the decision to hire Center for Governmental Research for the  
113 public safety study since they are including the equity / inclusion component. He asked what budget  
114 does this show up in? Merrily said discussion has been to use ARPA funds for that but it has not been  
115 finalized.

116 Carl said in highway the 4<sup>th</sup> position was excluded from the budget. If they do hire someone, would it be  
117 at the end of FY 24 or would they go over budget to hire someone. Todd said funding has been removed  
118 but not the authorization to fill the position. They will find a way to cover the cost with other parts of  
119 the budget if needed.

120 He asked to provide indicators in the budget not just dollars. Number of employees full and part time,  
121 miles of road paved, number of fire calls. He feels this is a valuable way for people to see what the  
122 budget represents.

123 Jennifer asked about ARPA funds not being included in the budget and asked if it will be a separate  
124 budget or how it will work. Merrily said the Board has not decided definitively where to spend the  
125 funds. When the decision is made it will be published. Jennifer wanted to repeat her feedback on the  
126 funds stating it was to be focused to be spent on marginalized communities. We are spending money  
127 on a new safety plan when a safety plan was done in 2008 that was not followed through on. She feels  
128 it is important to include the Hinesburg Community Resource Center in receiving those funds as well as  
129 consider helping with the Lake Iroquois roadway. Those feel like aspects of addressing supporting  
130 marginalized communities. Merrily said the Board will not comment on ARPA funds now. Jennifer asked  
131 when will the discussion be on finalizing the ARPA funds use and will there be more opportunities for  
132 public input.

133 Todd said the Board last discussed general areas they think they will spend some of the funds. The next  
134 step is to come back to the Board in Feb or March with a more detailed list. The budget being discussed  
135 tonight does not obligate any ARPA funds. Jennifer noted the discussion of allocating another \$100,000  
136 to the Police Department. The safety plan of 2008 did not emphasize growing the Police Department.

137 Jennifer asked what the cost of the Health and Safety Officer is. Merrily said it is in the budget and is a  
138 requirement that the Town have the position. The Safety Officer receives a stipend of \$3,000. Jennifer  
139 noted in Burlington racism was declared to be a public health emergency, she wants to encourage the  
140 Town to spend more money on the stipend so they can look at a variety of health issue throughout the  
141 Town from water safety / pollution to racism, ableism, and a number of issues that make the Town feel  
142 potentially less safe.

143 Jennifer asked what the justification for the \$10,000 raise for the Town Manager is. Todd said the  
144 budget is a combination of his and Joy's salary and is a 5% increase as recommended for all Town  
145 employees.

146 Mike said the Town Manager is a contractual position. Todd has been working under a two year  
147 contract, given the performance measurements met and other factors the Board amended the contract  
148 to five years which included a raise equal to all other staff.

149 Andrea said that LIRD is a municipality and have the opportunity to raise revenue, just as the CSWD  
150 came to the voters about the new MRF. She is frustrated that the recreation district does not take their  
151 authority and opportunity to go to the voters directly and not go through the towns.

152 Beth and Paul reviewed the Carpenter Carse Library budget. They are requesting \$244,000. Salaries are  
153 increasing 9% to meet the average of other peer libraries in Chittenden County. Paul noted they are  
154 using over \$60,000 of their cash reserves.

155 Carl urged the Board to support the library request and noted the importance of paying a comparable  
156 salary as other library workers in our area.

157 John asked if there will be an informational Town Meeting. Merrily said there will. This will possibly be  
158 a hybrid zoom and in person.

159 Andrea addressed the need to recognize "other business" as part of the agenda for that meeting which  
160 often generates good discussion.

161 Merrily closed the Public Hearing at 7:40 p.m.

#### 162 Discuss Public Hearing Comments

163 Merrily said good information was shared. She noted Carl and Andrea's comments on adding more  
164 information on services.

165 Maggie noted the library has been level funded for quite a few years, she supports the additional \$4,000  
166 request and would be comfortable using ARPA funds for that. Todd said he will prepare the budget for  
167 the next meeting with the addition but feels it will not make much of a difference.

#### 168 Town Manager Report

- 169
- the third highway employee started last week
  - Village South sidewalk updated construction estimate received. There is a large funding gap and Alex is looking into a downtown transportation program for some possible additional funding.
  - Joy reported 2 more homes have a detection rate of P Phos exceeding acceptable rates. It is one dug well supplying two homes and two poet systems will be needed. Dennis said we may need to bring Town water up to that area.
- 170  
171  
172  
173  
174

#### 175 Adjourn

176 Mike moved to adjourn at 7:51 p.m., seconded by Maggie and approved with 4 yes votes.

177 Respectfully submitted,

178 Valerie Spadaccini, clerk of the Board