

**Town of St. Albans
Selectboard Meeting Minutes
Monday, October 3rd, 2022
6:30 p.m.**

On Monday, October 3rd, 2022 at 6:30 p.m., the Town of St. Albans Selectboard met at Town Hall.

Officials and Staff: Chair Jonathan Giroux, Vice Chair Bryan DesLauriers, Jack Brigham, Town Manager Carrie Johnson, and Interim Director of Operations Al Voegelé. Absent were Jeff Sanders and Brendan Deso.

Chair J. Giroux called the meeting to order at 6:34pm. The Pledge of Allegiance was recited.

Public in Attendance: Gricebrook residents: Maurice Roy, Linda Fairbanks, Sharon Crepeau, Muriel Girard, Jim Messier, Dan Crepeau, Lloyd Kranz, Richard Sparrow, Liz & Brad Jackson, John Kane, Randy Martin, Pam McCarthy, Ruth Cronin, and Carolyn Thompson. Lauren Dees-Erickson, and Barbara Finch.

Staff participating via Zoom: Town Clerk Anna Bourdon, Assessor Bill Hinman, and Executive Assistant Jennifer Gray.

Public Participation via Zoom: Amanda Giroux and Esther Morse (Gricebrook).

General Warrant

MOTION: J. Brigham made a motion to approve the general warrant dated October 3rd, 2022 in the amount of \$812,315.73. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Payroll

MOTION: J. Brigham made a motion to approve the payroll warrants dated September 30th, 2022 in the amount of \$34,801.49 and September 23rd, 2022 in the amount of \$19,341.65. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Infrastructure Development Warrant

MOTION: J. Brigham made a motion to approve the Infrastructure Development warrant dated October 3rd, 2022 in the amount of \$1,311.25. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Stone House Warrant

MOTION: J. Brigham made a motion to approve the Stone House warrant dated October 3rd, 2022 in the amount of \$649.50. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Minutes

MOTION: J. Brigham made a motion to approve the regular Selectboard meeting minutes of Monday, September 19th, 2022 as presented. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Warrants & Minutes = 2 mins.

Public Comment

Gricebrook

President of the Gricebrook Garden Association, Inc., Dan Crepeau came before the Board to share residents' concerns regarding the private road. He asked Gricebrook resident Liz Jackson to go over her presentation with the Board.

Ms. Jackson read a prepared statement that she wanted entered into the record.

"On behalf of the Gricebrook Gardens Association, good evening and thank you for allowing us the opportunity to speak with you. We are here to discuss Thorpe Avenue and Gricebrook Road, which provide access and run through our community".

"To clarify for anyone who doesn't know Gricebrook Gardens, we are a 55+ retirement community of 48 units comprised mostly of elderly people on fixed incomes. For the past 20+ years, this community has had the burden of maintaining Thorpe Avenue and portions of Gricebrook Road using our own funds in anticipation of the Town of St. Albans taking over these roads".

“Over the years, members from our HOA Board have spoken to the St. Albans Town Selectboard about the road situation at numerous Town Board meetings. We’ve also engaged with you in one-on-one meetings and conducted correspondence by letters and emails to exhaustion. We are here this evening to get clarity on Thorpe Avenue and its ownership and about the situation with Gricebrook Road and the Land Use Permit dated May 30th, 1995, and recorded in St. Albans Town, Book 83, pages 416-420”.

“Point 34 (Page 6) – The road will be constructed in accordance with all local and state standards. The Town of St. Albans has a policy of accepting roads built to A-76 standards after the inspection of the road foreman and passage of three years.”

“Point 70 (Page 14) – The access road will be constructed to State A-76 standards and to all municipal standards”.

“Point 71 (Page 14) – The road is proposed to be taken over by the Town in accordance with their policy. The Commission is concerned that the homeowners may suffer significant financial impact if the road is not constructed in accordance with state and municipal standards and taken over by the two. The Commission will therefore require that a registered engineer certify, upon completion of the road and prior to occupancy of any unit that the road has been constructed in accordance with all State and local standards. The certification shall be submitted to the District Commission.”

“The Land Use Permit only discusses Gricebrook Road, which has never been maintained or taken over by the Town in accordance with this document. According to our Board’s latest interaction with the Town Manager, Carrie Johnson, the Town’s intent was to discontinue Thorpe Avenue beginning in 1989, 6 years prior to this Permit. The Land Use Permit doesn’t mention this, but it is another significant financial burden that should have been addressed at the time.”

“On November 3rd, 2021, Ms. Johnson wrote a letter to the Gricebrook Gardens current President, Dan Crepeau, Ms. Johnson states “If Gricebrook Garden Association wants further clarification on the status of the road, I recommend you hire an attorney to perform a title search.”

“It is our belief that the Town should provide us with these records since the Town is the discontinuer and the recording body. Additionally, it would spare our already ailing and Senior group of taxpayers another financial burden.”

“Over these 20+ years, at every request, the residents of Gricebrook have been turned down for road maintenance assistance. We have no interaction with, nor are we managed by the original developer of the community. We have no “deep pockets” supporting us; we are 48 households of Senior Citizen taxpayers who bought homes in a retirement community in hopes of no longer worrying about maintenance issues. We pay HOW fees to handle normal upkeep, but that no longer will cover the ever-growing deterioration of our roads.”

“Thorpe Avenue and Gricebrook Road are the cause of significant financial impact to the population at Gricebrook Gardens. We pay Town tax bills just like everyone else, but we also must pay for our own plowing and road maintenance because the Town refuses to do it. This easily exceeds \$20,000/year and is only a Band-Aid to keep the roads passible. These roads are failing and need to be brought back to the standard of when they were built. On top of that, we now need to determine who owns Thorpe Avenue and how we’re going to pay for its significant road repair and ditching. I respectfully ask that the Town provide Gricebrook Gardens Association with the documentation that the Town followed through with the road discontinuance in accordance with State of Vermont Rules and inform us as to who owns the property, as there are two adjoining lands.”

“As a final note: In 2021, one of our residents who was 93 years old fell in his home and broke his pelvis in multiple places. Can you imagine how horrifically painful his ambulance ride was through 4/10th of a mile of potholes, which is Gricebrook Road and Thorpe Avenue?”

“We respectfully ask that you reconsider our request for help with the very significant financial and emotional burden of road maintenance. What message does it send the community that our Town isn’t willing to help its Senior Citizen taxpayers who have spent their lives working and are now just trying to enjoy their remaining years, but instead have to worry about how they will pay to maintain roads. Thank you for your time”.

This statement was signed by 27 Gricebrook residents.

C. Johnson briefly went over the process of the Town taking over a road. The developer approaches the Town to make the request. The Town will then do inspections. This did not happen. She went on to say that no secret hearings took place. After 30 years and after no legal proceeding the road became discontinued. We did not fail to notify neighbors. The Town does not own the road. The residents using the road own it.

Mr. Crepeau asked the Board to look into whether or not the discontinuance was done legally. The residents would like for the Town to take over the road from Route 104 to Gricebrook. He suggested maybe looking into federal grants to assist with getting the road up to A-76 Standards.

J. Brigham suggested he meet with Sam Smith, the Developer and current road owner. C. Johnson suggested that the new Director or Public Works, who has an engineering degree, inspect the road once on board. C. Johnson stated that per our existing policy and procedures the road must get up to standards and stormwater systems updated before it can be accepted as a public road.

Gricebrook = 30 mins.

Errors and Omissions – Assessor Bill Hinman

Assessor Bill Hinman went over the revised Errors and Omissions (E&O's) with the Board. He explained that the revision was to add one more solar installation that was received on Friday, September 30th. It was installed in 2017. He wanted to add it to the list of solar installations found in the Town and add to our grand list for 2022.

C. Johnson asked B. Hinman to explain the changes in solar installations. B. Hinman explained State statute for solar installations requires any commercial solar utility that is over 50 kilowatt hours to be assessed by the municipality for tax purposes. The solar generation plant's units are paying education taxes straight to the education fund, so we don't set them in our grand list for the education fund. It is simply a way for the municipality to collect municipal taxes on the valuation of those solar installations. B. Hinman went on to say that he uses a company recommended by the State called PV Value which allows us to evaluate solar installations based upon State regulations, discount rates, and current wholesale rates for electricity. The State requires that we discount that by 70% to come up with the valuation of solar installation properties.

B. Hinman explained that most of the solar installations he and Assistant Assessor Molly Mashtare contacted this year were not aware the statute that requires that they file a PV form with the Town once they start generating electricity. A lot of towns are now going after these solar installations proactively to get them on the grand list, so they are paying their fair share in taxes on the municipal side.

B. Hinman explained that with Molly's assistance, we used Google Earth to scour the Town for solar installations. We also went to the Certificate of Public Good to find out which solar installations had received approval. The problem with that is, a company will receive a Certificate of Public Good and then they won't install the solar. We actually have to physically find them. A lot of the time companies are not sending us their information, they are waiting for the municipality to track them down. That is not what the statute says. The statute clearly states that any commercial installation over 50kw shall file an inventory form with the municipality where the solar is located.

B. DesLauriers asked if some of the solar installations that were discovered had been installed as long ago as 2016. He asked why it took so long to add these solar installations to the grand list? B. Hinman explained that this task was on his wish list. He's done this in Georgia and Williston. Then, we got into the COVID pandemic back in 2020 and it created a whole different host of issues. This summer, we finally took the time to proactively identify these, send out letters, receive the inventory forms, evaluate them, and put them on our grand list.

C. Johnson stated that the E&O's equate to a net increase of municipal revenue of \$13,879.46.

MOTION: B. DesLauriers made a motion to accept the revised errors and omissions as presented. Seconded by J. Brigham. All in favor, none opposed, motion carried.

E&O's = 8 mins.

Historical Preservation Committee Appointment

Town resident Janet Bailey submitted a letter of interest to serve on the Historical Preservation Committee.

MOTION: J. Brigham made a motion to appoint Janet Bailey to the Historical Preservation Committee. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Historical = 1 min.

Northwest Communications Union District (CUD) – Alternate Representative Appointment

A. Voegele explained he spoke to Steve Deal. He's been moved to the executive committee with a lot more things to do. He's looking for an alternate to help him and to keep abreast of what is going on. A. Voegele stated he'll ask Steve Deal if he knows of anyone who may want to serve. The Board decided to discuss this at their next meeting.

NWCUD = 3 mins.

**Town Manager's Report
ARPA – November Public Meeting Planned**

C. Johnson provided an update to the Board. We have received \$1.3 million so far and we will be getting a total of \$2 million. We are planning on having a public meeting in November seeking public comment. C. Johnson continued saying that in the next 18 months, we need to make some decisions on how to spend the money after seeking public comment. J. Giroux suggested creating a list. A. Voegele stated there will probably need to be more than 2 meetings. He suggested offering some sort of babysitting service in order to get more people to attend these meetings. J. Brigham suggested having the meetings in the new Town Hall.

Regarding the new Town Hall, C. Johnson explained to the Board that November 28th, the Monday after Thanksgiving has been the date set to begin the move into the new Town Hall. We will be closed Monday, November 28th through Friday, December 2nd, 2022.

ARPA = 9 mins.

Capital Plan Review – Recent Planning Commission Updates

C. Johnson explained that we are not changing the Capital Plan, just reviewing the Capital Expenditures list. The Planning Commission reviewed the assets list prior to this meeting. She said she planned to invite the Planning Commission to attend a budget meeting this fall.

CIP = 3 mins.

Village Designation Update

C. Johnson explained that we received approval for our village designation to include the new Town Hall. Jenn Gray and Corey Parent represented the Town at the Board meeting on Monday, September 26th. J. Giroux asked if business can apply for grant money if the business is in the village designation. A. Voegele said yes.

Village = 4 mins.

Childhood Cancer Awareness Week Proclamation – October 23rd – 29th

C. Johnson explained Jenn Gray drafted the proclamation for the Board. J. Giroux stated he did want this. C. Johnson suggested reading the proclamation at their meeting on Monday, October 17th. The other Board members can sign it at that time.

MOTION: J. Brigham made a motion to approve the proclamation stating that October 23rd through October 29th will be Childhood Cancer Awareness Week. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Proclamation = 1 min.

**Act 250 Notice Amendment
2 Water's Edge Drive – J & W Bordeau**
Informational only, no action required.

3 Water's Edge Drive – M & H McDonald
Informational only, no action required.

5 Water's Edge Drive – D & M Lambert
Informational only, no action required.

Act 250 = 1 min.

Schedule

The next regular Selectboard meetings are Monday, October 17th and Monday, November 7th 6:30 p.m. First budget meeting will be held on October 26th at 8am.

Schedule = 1 min.

Other Business

J. Giroux revisited the Gricebrook discussion from earlier in the meeting. We asked whether Al Voegele or Carrie Johnson would be working on this? A. Voegele has read through all the Act 250 permit. He suggested working with Catherine Dimitruk and maybe have the Act 250 Coordinator look at Gricebrook Road. C. Johnson would like to respond to the questions the residents brought up this evening. J. Brigham reiterated that he is going to talk to Sam Smith. It was pointed out that Pizzagalli owns the Homeland Security building which access Gricebrook Road.

Other =7 mins.

Executive Session

MOTION: B. DesLauriers made a motion to go into executive session at 7:51 p.m. to discuss contractual and personnel matters where premature general public knowledge of the subject matter would place the Town (or person involved) at a substantial disadvantage. It was further moved to enter into executive session to discuss a personnel issue under the provisions of Title 1, section 313(a)(1) of Vermont Statutes and to invite in Town Manager Carrie Johnson and Interim Director of Operations Al Voegele. Seconded by J. Brigham. All in favor, none opposed, motion carried.

MOTION: B. DesLauriers made a motion to come out of executive session at 9:29 p.m. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Adjournment

MOTION: J. Brigham made a motion to adjourn the Selectboard meeting at 9:30 p.m. Seconded by B. DesLauriers. All in favor, none opposed, motion carried.

Respectfully submitted,
Jenn Gray, Recording Secretary