

**Town of St. Albans
Selectboard Meeting Minutes
Monday, April 18th, 2022
6:30 p.m.**

On Monday, April 18th, 2022 at 6:30 p.m., the Town of St. Albans Selectboard met at Town Hall.

Officials and Staff: Chair Jonathan Giroux, Brendan Deso, Jack Brigham, Jeff Sanders, Director of Operations Corey Parent, Director of Public Works Alan Mashtare, and Facilities Manager John Montagne. Absent was Vice Chair Bryan DesLauriers.

Public in Attendance: Al Voegele and St. Albans Messenger report Josh Ellerbrock.

Staff participating via Zoom: Stormwater Coordinator Emmalee Cherington, Town Manager Carrie Johnson, Town Clerk Anna Bourdon, and Executive Assistant Jenn Gray.

Public Participation via Zoom: Nathaniel Jamison-Root of Peterson Consulting, and Haley Grigel and Jeremy Roberts of KAS.

Chair J. Giroux called the meeting to order at 6:30 p.m. The Pledge of Allegiance was recited.

General Warrant

MOTION: B. Deso made a motion to approve the general warrant dated April 18th, 2022 in the amount of \$53,571.37. Seconded by J. Sanders. All in favor, none opposed, motion carried.

Amendment to the Agenda

MOTION: J. Brigham made a motion to amend the agenda to add a Town Hall Update and a Police update under the Town Manager. Seconded by J. Sanders. All in favor, none opposed, motion carried.

Payroll

MOTION: B. Deso made a motion to approve the payroll warrants dated April 15th, 2022 in the amount of \$24,151.30 and April 8th, 2022 in the amount of \$57,109.81. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Infrastructure Development Warrant

MOTION: B. Deso made a motion to approve the Infrastructure Development warrant dated April 18th, 2022 in the amount of \$492,079.57. Seconded by J. Sanders. All in favor, none opposed, motion carried.

Stormwater Utility Warrant

MOTION: B. Deso made a motion to approve the Stormwater Utility warrant dated April 18th, 2022 in the amount of \$15,642.80. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Industrial Park Warrant

MOTION: B. Deso made a motion to approve the Industrial Park warrant dated April 18th, 2022 in the amount of \$777.38. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Minutes

MOTION: J. Brigham a motion to approve the Selectboard regular meeting of Monday, April 4th, 2022 and the special meeting on Monday, March 28th, 22 as presented. Seconded by J. Sanders. All in favor, none opposed, motion carried.

Warrants & Minutes = 4 mins.

Public Comment

None.

Animal Control Officer Appointment

J. Giroux explained that Shelby Barber currently does Animal Control for the Town of Highgate and comes highly recommended. C. Johnson did interviewer Ms. Barber as well.

MOTION: J. Brigham made a motion to appoint Shelby Barber as the Animal Control Officer for the Town of St. Albans. Seconded by J. Sanders. All in favor, none opposed, motion carried.

ACO = 1 min.

Fee Waiver

J. Giroux explained that the Town has been waiving the Farmers Market season fees for non-profit vendors in the amount of \$65. It is estimated that about 5 non-profit vendors participate in the weekly Farmers Market. That would mean \$325 of lost revenue if the fees are waived. J. Giroux asked the Board if they would like to continue to waive these fees. J. Brigham asked J. Montagne who the non-profits were. J. Montagne stated that this year so far there are three; DCF, the museum, and the Rotary Club are regular attendees.

MOTION: J. Sanders made a motion to waive the fees for the non-profits at the Farmers Market. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Retirement Party

J. Giroux explained that there are two teachers retiring from BFA and a surprise party is to be held at the Bay Park. A waiver of the park rental fee had been requested.

MOTION: B. Deso made a motion to waive the Park Rental fee for the surprise retirement party. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Waiver = 2 mins.

Capital Program and Budget Policy

C. Parent explained that no other changes had been made since the draft was presented to the Selectboard at the last meeting. B. Deso was not at that meeting and it had been requested by the Board to bring it back to this meeting for full Board approval.

MOTION: B. Deso made a motion to approve the Capital Program and Budget Policy as presented. Seconded by J. Sanders. All in favor, none opposed, motion carried.

Policy = 1 min.

Town Manager's Report

Town Hall Update

Town Hall Project Manager Nathaniel Jamison-Root with Peterson Consulting provided an update. Interior work is proceeding very well. Flooring is underway. The coiling doors are installed. Interior doors will follow the flooring. Equipment start up last week and commissioning for that took place today. A report from that to be available soon. The final coat of paint is nearly complete and accent walls are complete. IT equipment install took place last week. Exterior work has experienced some delays due to quality control issues with the Tru-brick, the brick system used on the exterior of the building. Issue has been resolved with an order of 1500 new bricks that were out of alignment. The metal radius at the main entrance had been scheduled for installation on June 13th. Final clean is expected to start next week and then a provisional Certificate of Occupancy will be obtained until the water issue is resolved. We are pushing forward with the RO (Reverse Osmosis) system and the associated disposal field that the Selectboard approved. We have to wait on the final delineation of the wetland to finalize the design, but we are expecting minimal impact. Final pricing is still taking place on the system. The total budget impact is unknown at this time. It will be fairly significant and because of that we are waiting on buy the final owner costs items which are the AV system and the road side sign. The signs are getting priced now.

N. Jamison-Root stated that with DEW's payment #8, they are at 83% completion. The contingency items from April to this point are 50% deposit on the phone system through Integrity, the equipment costs for the IT system with Superior Communications and temporary internet service through Comcast for the contractors. This will allow them to remove the construction trailer on site and save on some general condition's costs. One other contingency cost item is the design work for the RO system from Ruggiano Engineering.

TH = 6 mins.

Former Dept. of Public Works Site Evaluation – Haley Grigel & Jeremy Roberts – KAS Environmental Science & Engineering

Haley Grigel, Project Manager and Jeremy Roberts, Environmental Program Manager of KAS, provided an update to the Board regarding the evaluation of the soils at the former Department of Public Works (DPW) site. H. Grigel gave a brief overview saying that KAS started work on the site in August of 2020 by doing a phase 1 and phase 2 environmental site assessment. They reviewed historical records as well as samples of soil and ground water in key areas where there was a bulk oil storage facility on site. There was some soil and ground water contamination consistent with spills or leaks from petroleum products. H. Grigel went on to say that they visited the site a couple different times as part of more site investigations as required by the Vermont Department of Environmental Conservation's rule for investigating contaminated properties. Some ground water monitoring wells were installed to try and delineate the contaminated ground water plume that is under the site and to end soil contamination as well. We have delineated the contamination; it doesn't go all the way to the lake and doesn't go south towards Wharf Street. Next steps would be to install more samplings points to the north and east to get more data to show the State that we have the plume fully delineated and that the contamination is not traveling off of the property.

H. Grigel explained that they have not identified any risks to sensitive receptors or human health. The building on site isn't used for any human occupation. If it were to be used in that way (residential or office space) there's a chance that vapors could rise up into building. That is easily solved by installing a system.

H. Grigel stated that they have submitted most recent report to the State and are waiting for the State to review the plan and give the go ahead to install a couple more wells to try and delineate the petroleum plume. H. Grigel also mentioned that the soils are underlaid by a marine clay which prevents contamination from getting further down vertically in the soil.

B. Deso asked C. Johnson about a revolving fund from the State that would reimburse the Town for these expenses. H. Grigel said there is, it's \$10,000 and we have reached that. Now, all KAS's work is being reimbursed by the State Petroleum Clean Up Fund. There will be no more costs to the Town.

B. Deso asked what the next step is after full delineation. Does there have to be any type of mediation done? H. Grigel explained after we delineate it and can show that it's not going off property and staying on the property where it originated and if we can show that it's not impacting any human health or the lake, then it's not likely they State will require any corrective action or remediation. B. Deso asked how you clean it up. H. Grigel explained that the technologies for cleanup range from digging up the contaminated soil, removing it all at once. It is expensive to truck and dispose of the contaminated soil. Other methods like a system that pumps air into the ground to promote for oxygenation. There are also injection materials like carbon or certain nutrients that will speed up the natural processes that get rid of this contamination. H. Grigel went on to say that she didn't think the State was going to require it of the Town.

The Board discussed using the former DPW site as a boat launch. C. Parent stated he could do some research to see if there what's out there for grant funding to assist in cleaning up the site. J. Roberts explained that it could be around \$25,000 or more for just the soil disposal.

H. Grigel stated she will reach out to the State to see if they have reviewed the report and get back to C. Johnson with what she finds out.

DPW Site = 17 mins.

Stormwater Ordinance

C. Johnson explained to the Board that revisions to the Stormwater Utility Ordinance needed to be made and approved as soon as possible in order for the changes to be effective for the next billing cycle in July.

E. Cherington explained she had made a lot of revisions. One of the major revisions was the removal of the erosion control language which will be covered in the updated bylaws. Another major revision is to remove any parcels that do not have any impervious surface, such as empty fields. In the current ordinance these parcels are being billed the \$50 fee. This was one of the major complaints from our initial billing last summer. Removing those parcels will not impact the budget drastically. Billing goes by the last 5 digits of the SPAN number. She would still like to make sure that all parcels are accounted for and the ones without impervious surface would

have their bills set to a \$0 balance and a bill would not be printed for them. E. Cherington explained that C. Parent suggested possibly giving a credit to a parcel that doesn't have any impervious surface similar to a stormwater system credit or farm credit.

E. Cherington explained that she hasn't done the math yet, but by talking to farmers, we should consider increasing their credit. She would need to figure out if we can do this in this coming billing period or wait a year. We need to figure out how it'll impact our overall budget.

E. Cherington explained that with regards to the language she removed from the ordinance that will be moved into the bylaws, her concern is that the ordinance will be approved for July 1st to go into effect, but she's not anticipating that the bylaws changes to be effective at the same time. C. Parent stated that the bylaws probably won't be approved until the end of July. We have to hold our public meetings. E. Cherington stated that we could leave it as is or we could build in temporary language. She wants to be able to review plans from large developers. C. Parent explained that bylaws are good once you warn them. They will be warned by July 1st.

B. Deso mentioned that there needed to be some changes in the name of the department and E. Cherrington's title in the revised ordinance. E. Cherington explained that there has been discussions about that; changing her title because her role in the Town isn't really what a Stormwater Coordinator does. She is really the department director. She did change it in the revised ordinance.

J. Brigham stated that he doesn't believe the Town should be taking over all of the stormwater stuff. It should have been done by the homeowner's associations of the developments. E. Cherington explained that part of the problem we are running into is that a lot of these neighborhoods had their stormwater permits expire back in the 1980's and it wasn't always disclosed to the homeowners that they had an expired stormwater permit. They thought they were just buying a house on a parcel, not realizing it was a previous development. Now they are getting hit with it and they don't have homeowners' associations. We are fortunate with Tanglewood having one. There are 3 out of 15 neighborhoods that actually have associations and we cannot legally make those who don't associate; the State can't make them associate. J. Brigham explained that any of the approvals he was involved with required the development to form an association and collect fees to take care of this stuff. Most of them never formed an association. Now they are coming to us to bail them out. E. Cherington explained that since water runs downhill, it's not the own neighborhood's water that their being impacted by. It's the homes that are upstream from them that are impacting them and they are on the hook for dealing with that water and flooding issues. She went on to say that it was her understanding that the Town took ownership, over the last few years saying that we would help homeowners out of this and now there is a lot of money available at the State level and more knowledge in the Town to help people to get back into compliance.

E. Cherington pointed out that the original stormwater permits that went with these developments included the roadway and in many cases the Town owns the roadway, so we own that impervious. No matter what, for those neighborhoods to come into compliance the Town does have a cost.

Changes will be made to the ordinance and an interim bylaw drafted. The ordinance must be approved at the May 2nd Selectboard meeting.

Ordinance = 32 mins.

Equitable & Inclusive Communities Grant Opportunity

C. Johnson explained there is a grant opportunity to assist the Town with equity and inclusion work such as looking at the Town's ordinances, policies, regulations, etc. The previous Selectboard wanted to continue moving forward on this. C. Johnson asked the Board what they wanted to do now. J. Giroux suggested going through a few of the items that were listed on the list of 11 that were discussed with the previous Board and to keep it moving forward. The Board agreed. C. Johnson will provide information to the Board for their next meeting.

Al Voegele came before the Board to discuss this grant. He explained that the Town would need to look at what we need and put a budget together. VLCT to develop a program for municipalities for equitable and inclusive communities. There are twenty \$10,000 grants available.

EIC Grant = 7 mins.

Northwest Regional Planning Commission Municipal Listing

MOTION: B. Deso made a motion to authorized the Chair, Jonathan Giroux to sign the Northwest Regional Planning Commission Municipal Listing. Seconded by J. Sanders. All in favor, none opposed, motion carried.

Listing = 2 mins.

Meet Your Business & Professional Community Ad Request

C. Johnson explained she was contacted by Suzanne Lynn at the St. Albans Messenger regarding the marketing campaign called “Meet Your Business” (MYB). This would increase the visibility for the Town of St. Albans by creating a full color ad to run in the 40th commemorative edition. The Town would be included in the MYB directory and would be searchable on Google. The cost would range from \$200 - \$1,000. B. Deso stated that the advertising budget is already over budget. The Board agreed not to go forward with it this year.

Ad =2 mins.

Debt Management Policy

C. Parent explained that this policy is outdated. Current policy says debt should not exceed \$1,500/parcel. We could make a percentage or keep the 1500/parcel but, no debt would be supported by the general fund. After some discussion, the Board agreed to leave the policy as is, but update it with the current Board members and date. C. Parent stated he will add a line saying when this policy was reviewed. This policy will be brought back to the Board at their next meeting for signature.

DM Policy = 8 mins.

Purchasing Policy Draft Review

C. Johnson explained that there aren't a lot of changes, but was looking for feedback from the Board. One item she did share with the Board was that some staff have requested that the amount to trigger a Purchase Request be changed from \$250 to a higher amount, maybe \$500 and add that change to the Purchasing Policy. A. Mashtare explained that every time he needs to purchase a culvert or a load of salt, he has to submit a purchase request. C. Johnson stated that there is a section of the Purchasing Policy regarding reoccurring charges for the Department of Public Works where we don't require a Purchase Request. For instance, a load of salt.

J. Giroux stated that there are some items in this policy that need to be reviewed. If it's listed in the policy, we need to be following it. He explained that if there are items in the policy that don't need to be in there in order to keep the process more fluid, C. Johnson should remove it from the policy.

C. Johnson will make some changes to the policy and bring it back to the next Selectboard meeting for the Board's review and approval.

Purchasing = 17 mins.

**Act 250 Notice of Initial Filling
Tanglewood Drive – Stormwater**

Informational only, no action required.

Peter Morse – Franklin Park West – Existing Self Storage

Informational only, no action required.

City of St. Albans - Pool - Redesign

Informational only, no action required.

Act 250 = 1 min.

Schedule

The next regular Selectboard meetings are Mon., May 2nd and Mon. May 16th at 6:30 p.m. Green Up Day is Saturday, May 7th.

Schedule = 2 mins.

Other Business

None.

Executive Session

MOTION: B. Deso made a motion to go into executive session at 8:19 p.m. to discuss a personnel matter 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 personnel issues under the provisions of Title 1, section 313(a)(1) of Vermont Statutes and to invite in Town Manager Carrie Johnson and the Director of Operations Corey Parent. Seconded by J. Brigham. All in favor, none opposed, motion carried.

MOTION: J. Sanders made a motion to come out of executive session at 8:58 p.m. Seconded by B. Deso. All in favor, none opposed, motion carried.

Adjournment

MOTION: J. Brigham made a motion to adjourn the Selectboard meeting at 8:59 p.m. Seconded by J. Sanders. All in favor, none opposed, motion carried.

Respectfully submitted,
Jenn Gray Executive Assistant