

**Town of St. Albans
Selectboard Meeting Minutes
Monday, September 18th, 2023
6:30 p.m.**

On Monday, September 18th, 2023 at 6:30 p.m., the Town of St. Albans Selectboard met at Town Hall.

Officials and Staff: Chair Bryan DesLauriers, Vice Chair Jack Brigham, Jonathan Giroux, Brendan Deso, Town Manager Sean Adkins, Town Clerk Anna Bourdon, Fire Chief and Public Safety Administrator Bob Cross, and Interim Director of Operations Al Voegele. Absent was Jeff Sanders.

Staff Participation via Zoom: Director of Community Development Megan Sherlund, Stormwater Coordinator July Medina-Triana, and Executive Assistant Jenn Gray.

Public in Attendance: Stan Dukas, Jim Murphy, Sally and Paul Lerner, Kevin and Nicki Helms, Peter Blouin, Pat Vincent, and Mitch Montagne.

Public Participation via Zoom: St. Albans Messenger reporter Josh Ellerbrock and Katie with Northwest Access TV.

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

Payroll

MOTION: J. Brigham made a motion to approve the payroll warrant dated September 8th, 2023 in the amount of \$29,178.98 and the payroll warranted dated September 15th, 2023 in the amount of \$34,198.12. Seconded by J. Giroux. All in favor, none opposed, motion carried.

General Warrant

MOTION: J. Giroux made a motion to approve the general warrant dated September 18th, 2023 in the amount of \$229,231.85. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Stone House Warrant

MOTION: B. Deso made a motion to approve the Stone House warrant dated September 18th, 2023 in the amount of \$3,257.75. Seconded by J. Giroux. All in favor, none opposed, motion carried.

Industrial Park Warrant

MOTION: B. Deso made a motion to approve the Industrial Park warrant dated September 18th, 2023 in the amount of \$843.90. Seconded by J. Giroux. All in favor, none opposed, motion carried.

Stormwater Utility Warrant

MOTION: B. Deso made a motion to approve the Stormwater Utility warrant dated September 18th, 2023 in the amount of \$152.33. Seconded by J. Giroux. All in favor, none opposed, motion carried.

Dept. of Public Works Reserve Account Warrant

MOTION: B. Deso made a motion to approve the Dept. of Public Works Reserve Account warrant dated September 18th, 2023 in the amount of \$38,000.00. Seconded by J. Brigham. Motion carried with a 3-0 vote with J. Giroux abstaining and B. DesLauriers voting in favor.

Federal ARPA Fund Warrant

B. Deso explained that the Town purchased 282 Georgia Shore as well as a smaller lot associated with that property for future development. The ARPA funds were used for this purchase.

MOTION: B. Deso made a motion to approve the Federal ARPA Fund warrant dated September 18th, 2023 in the amount of \$221,250.00. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Minutes

MOTION: J. Giroux made a motion to approve the Selectboard meeting minutes from Wednesday, September 6th, 2023 as presented. Seconded by J. Brigham. All in favor, none opposed, motion carried.

MOTION: J. Giroux made a motion to approve the special Selectboard meeting minutes of September 8th, 2023 as presented. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Warrants & Minutes = 8 mins.

Public Comment

Paul Larner came before the Board regarding sidewalks and asked for an update. S. Adkins explained we are going to apply for a grant from the State for the two sidewalk projects; South Main Street and the Bay.

Bob Cross came before the Board to discuss the bucket truck recently purchased for the Department of Public Works (DPW). He stated that this truck purchase was not in the Capital policy. He continued by saying that the truck needs to be inspected every year and training must be done with the DPW crew as well. B. Deso explained we have deviated from the policy from time to time and that the DPW crew is always trained on the bucket truck they borrow from the City of St. Albans. B. DesLauriers stated that Director of Public Works Dave Allerton provided all the necessary information to the Board at their last meeting to facilitate make this purchase.

Peter Blouin came before the Board regarding the Stormwater Utility letter he said he sent a year ago and has not yet received a response. He shared his concerns regarding the lake quality and the stormwater utility fee. B. DesLauriers stated that the State of Vermont exempted the farmers from paying this fee, not the Town.

Nicole Paquette came before the Board to share her concerns regarding the Franklin County Sheriff's Office (FCSO). A car came onto her property at a high rate of speed, drove over her leech field and hit a mailbox. She called FCSO and they stated it was not an emergency. She was asked to provide the color, make, and model of the car that caused the damage. B. DesLauriers explained a press release was issued regarding a change in coverage due to issues with staffing at FCSO and that the City of St. Albans Police would back up FCSO. A. Voegelé stated that when you call dispatch, they should know who should respond to calls and if FCSO isn't available they should dispatch the St. Albans Police.

Jim Murphy came before the Board to discuss the issue Ms. Paquette mentioned above. HE explained that that someone had a video of the incident, but when he wanted to present it to the FCSO, no one would listen to him.

Stan Dukas came before the Board to state that farmers are required to do best management practices and that's why they are excluded from the stormwater fees. They've been doing these best management practices for years.

Public Comment = 21 mins.

Stormwater Discussion – Stormwater Ordinance

B. DesLauriers stated that a special meeting was held on Friday, September 8th, 2023 with several groups attending. David Allerton ran the meeting, showing several problem sites. This is a complicated topic. The Town of St. Albans is on this as best we can. Pretty much everyone agrees to the State contributing more funds to towns for stormwater funding.

J. Brigham explained the Agricultural Department took farms off the table because farms have done for years best management practices. Some of us don't think it's fair that everyone is paying for issues in certain developments. When these developments were built,

stormwater wasn't considered. When the representatives from the State came before the Board a couple of months ago, even they stated that the EPA may change the rules in 5 years. We are now questioning why we are charging the amount we are charging for the stormwater fee.

B. DesLauriers explained that the Stormwater Utility is up and running. We are collecting fees from residents. If the State and Federal government aren't going to put money into it, maybe we'll stop collecting the fee. If the State and Federal government aren't going to help fund this mandate, we are not going to do this alone. There must be a balance.

B. Deso shared his frustrations stating that we seem to be talking about the same talking points over and over again and not getting anywhere. We can't keep looking at this issue without a plan. He went on to explain that the State of Vermont is a Dillon Rule state. This means municipalities receive all of their legal authority from the Vermont Legislature. He continued by going over the history of the establishment of the Stormwater Utility and questioned how the Dillon Rules effect this. He shared his frustrations with receiving grants to do stormwater projects only to have the grant funding returned because the construction costs went well above the estimated costs for construction.

B. Deso explained that the Town needs to band together with other stormwater utility/MS4 communities, figure out a funding formula that will be equitable to all, and present that to the State. We need to settle on a path, agree to it and march forward and get it done. We should go to the legislature and ask for more funds and extensions.

J. Giroux explained that no one has stated getting rid of the stormwater utility. It's about the ordinance being on the agenda. He would like to put this on the next meeting agenda. He voted against the utility, however, moving forward, he did work with the Town to establish the utility, working with former Stormwater Coordinator Emmalee Cherington. He again stated that tonight's agenda wasn't warned correctly for a discussion on the ordinance.

S. Adkins explained he did suggest a revolving fund with a 10% match from homeowners' associations. This would be a simple and equitable way to push forward. We currently have funding right now to do stormwater projects for Tanglewood and Clyde Allen Drive.

A. Voegelé stated we need to step back. Have Dave Allerton come to the next Selectboard meeting. There needs to be more discussions more than just certain neighborhoods. We should start the legislature process with other communities. We are at the bottom of the totem pole, but we have to kiss ass. First, we need to go out with Dave's help, find a group of engineers to map how all this water flows. Each development is linked together. We need to get federal grants. A. Voegelé continued by stating the Town needs to work with Senator Sanders and Senator Welch for earmarks. Not to piss people off, we shouldn't touch the stormwater utility fees.

P. Larner came before the Board. This is political. The Town needs to bring in our representatives to discuss all of this. It's the power of the vote that works in Dillon states.

S. Dukas came before the Board. The major problem is we rolled all expired permits into the Town's permit. We are stumbling on these places that do not have permits. The City of St. Albans stated they will not do the expired permits. We're spending money and not getting anywhere.

Pat Vincent came before the Board to state that most Town people are paying the \$50 stormwater utility fee, but her fee is \$162.50 simply because she has a long driveway. She stated that everyone should be charged the same \$50. B. Deso explained to Ms. Vincent that she should apply for a homestead declaration and provide it to the State. Even though Ms. Vincent's property is zoned commercial/residential, she is no longer using the property as commercial. B. Deso explained that if she were to move her property from commercial to residential, her stormwater utility fee would be capped at \$50. He also stated that Ms. Vincent should get a credit for what she has you paid over the last few years.

B. DesLauriers asked if we could reach out to both Senator Sanders and Senator Welch as well as our local representatives. We should look at the pros and cons of eliminating the

stormwater fee. If we eliminate the fee, we lose \$166,000 of revenue that we would have to find somewhere else. We aren't going to move forward unless the State or Federal Government pitches in for a good chunk of the construction costs. S. Adkins stated that was the only thing missing from what he proposed, the percentage from State or Federal grants. We need to get a grant, 10% matched by an HOA, then we could proceed forward.

B. Deso explained if we could develop a funding formula, rally other utilities around it to adopt the same thing, then we could go to the legislatures and tell them what we need. S. Adkins stated that we need to expand the scope beyond these projects. We have three growth centers and when there is development in those growth centers, there is going to be stormwater involved. It's not just the initial projects and it's very shortsighted to think that moving forward that whether we address stormwater or not, that it's going to progress the community forward or it's going to hold it back.

Mitch Montagne asked the Board if you were to get all the money they wanted, what do they plan to do with it? What are some of the projects? B. Deso explained it's all about building retention and detention ponds to hold water back, so it doesn't all flow through Rugg and Stevens brooks to fast with too much phosphorus in it. M. Montagne stated that St. Albans Hill has always been where it is, that hasn't really changed. What has changed is development. Residential development doesn't make this town one bit of money. It costs money. Why would we want any more development, especially residential if the rest of the taxpayers are going to have to clean out retention ponds? B. Deso explained that new construction is governed by today's standards and the HOA's are mandated to pay for it. We're talking about older developments. M. Montagne stated that the State should do this, they were a big part of this problem.

B. DesLauriers stated that the ordinance will need to be warned on the next agenda. B. Deso stated he doesn't want to discuss this until we've got the facts laid out. S. Adkins explained it's fair to at least raise the question of what are the expectations. We are not going to hear back from the State on this right away.

J. Giroux stated that the Board should be provided all the projects, everything we have going, what the future looks like, has anything changed from the State, what are we getting for money, what aren't we getting for money. Let's revisit this and look at that. J. Giroux pointed out that people saying he wanted to do away with the (stormwater) ordinance is just wrong.

B. DesLauriers stated that the Stormwater Ordinance will go on the next Selectboard meeting agenda and asked B. Deso to fine tune his list of points he made earlier. He also asked to see a list of projects for the next 2-3 years.

Stormwater = 1 hour, 30 mins.

Town Manager's Report Former Department of Public Works Site

S. Adkins explained that he had a kick off meeting with VHB regarding the former DPW site and we also told them of the recently purchased 282 Georgia Shore property and how that is part of the DPW site as well. The first public meeting will be held on October 24th.

DPW Site = 3 mins.

VTrans Grant – Route 7 North Shared Use Path

M. Sherlund explained to the Board that the Town did receive the grant for the Route 7 North Shared Use Path. A feasibility study was completed on this in 2019 to determine that it would be beneficial to have a path or some sort of pedestrian safety measures along that roadway. We applied for this grant in conjunction with the City of St. Albans. At this point, we are waiting for VTrans to assign a project manager and provide us with a grant agreement to sign. Then, we'll be able to do that Request for Proposal (RFP) to get a consultant to do the engineer design drawings

Grant = 3 mins.

Sidewalks

S. Adkins explained that we had a bid out to do the sidewalk from the Bay Park to the Town Hall. We pulled that so we could include it in the whole master plan for the whole village district to include sidewalks, transportation, potential roundabouts, etc.

Sidewalks = 2 mins.

Town Forest

J. Brigham explained he attended the new trails opening at the Town Forest on Sunday, September 17th. There was a pretty good turnout. The Franklin County Mountain Bike Club did a ride earlier in the day. Rotary and the trail builder were there.

Town Forest = 2 mins.

Schedule

The next regular Selectboard meetings are Monday, October 2nd, and Monday, October 16th, 2023 at 6:30 p.m. Budget work sessions TBD.

Schedule = 1 min.

Chair's Report

None.

Other Business

B. Deso had some questions regarding the scoping study for health path from Collins Perley to Hard'Ack and if the contract had been awarded for the scoping study for the decentralized sewer system in the Bay. He will touch base with S. Adkins through email after the meeting.

Other = 1 mins.

Executive Session

MOTION: J. Brigham made a motion to go into executive session at 8:38 p.m. to discuss a contractual 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 a contractual matter under the provisions of Title 1, section 313(a)(1) of Vermont Statutes and to invite in Town Manager Sean Adkins and Interim Director of Operations Al Voegelé. Seconded by J. Giroux. All in favor, none opposed, motion carried.

MOTION: J. Giroux made a motion to come out of executive session at 9:49 p.m. Seconded by J. Brigham. All in favor, none opposed, motion carried.

Adjournment

MOTION: B. Deso made a motion to adjourn the Selectboard meeting at 9:50 p.m. Seconded by J. Giroux. All in favor, none opposed, motion carried.

Respectfully submitted,
Jenn Gray Executive Assistant