

**Town of St. Albans
Selectboard Meeting Minutes
Monday, June 19th, 2017
6:30 p.m.**

On Monday, June 19th, 2017 at 6:30 p.m., at Town Hall the Town of St. Albans Selectboard met.

Officials and staff present: Chair, Bruce Cheeseman, Vice Chair, Sam Smith, Brendan Deso, Bill Nihan, Al Voegele, Town Clerk, Anna Bourdon, Town Manager, Carrie Johnson, Assessor, Bill Hinman, Intern Lexi Laroe, and Recording Secretary, Jenn Gray.

Chair, B. Cheeseman called the meeting to order at 6:30pm.

Public: Peter Blouin and Grice Brook representatives; Esther Morse, Dan Cunningham and Carolyn Thompson.

Pledge of Allegiance.

Approval of Agenda

A request for a park refund and a status of the fire department were added to the agenda.

MOTION: B. Cheeseman made a motion to approve the agenda as amended. All in favor, none opposed, motion carried.

Payroll Warrants

MOTION: S. Smith made a motion to approve the payroll warrants dated June 16th, 2017 in the amount of \$16,416.34 and June 9th, 2017 in the amount of \$16,564.20. All in favor, none opposed, motion carried.

General Warrant

MOTION: A. Voegele made a motion to approve the general warrant dated June 19th, 2017, in the amount of \$125,911.64. All in favor, none opposed, motion carried.

Capital Equipment Warrant

Two Capital Equipment warrants were presented to the Board; one for an excavator in the amount of \$80,000 and a loader/backhoe in the amount of \$67,000.

MOTION: B. Nihan made a motion to approve the Capital Equipment warrant in the amount of \$147,000. All in favor, none opposed, motion carried.

Industrial Park Warrant

MOTION: B. Nihan made a motion to approve the Industrial Park warrant in the amount of \$1,176.84. All in favor, none opposed, motion carried.

Minutes

MOTION: S. Smith made a motion to approve the 'special' meeting minutes dated Monday, June 13th, 2017. All in favor, none opposed, motion carried.

MOTION: B. Nihan made a motion to approve the Selectboard meeting minutes for Monday, June 5th, 2017. All in favor, none opposed, motion carried.

911 Ordinance – Bill Hinman, Assessor

Bill Hinman came to the Board to discuss the issues with the 911 addresses with Harbor View; he explained that these addresses were corrected. He was provided a copy of the current 911 Ordinance for his review and update. He discovered that since the ordinance was approved in 1998 street names had been issued differently. Franklin Park West is the latest development with address issues that they are working on. This ordinance needs to be updated to reflect current practices. B. Hinman asked the Board if they wanted to continue approving road names or meet the requirements of the State of Vermont. The Board agreed to suspend or waive their approval in this process. A draft, revised ordinance will be brought to the Board at a future meeting.

MOTION: S. Smith made a motion to suspend the Selectboard's approval to approve road name for Franklin Park West. All in favor, none opposed, motion carried.

Grand List

B. Hinman stated that the Grand List grew just under 2%, or \$16 million. We are hoping to set the tax rate at the Selectboard meeting on July 10th.

Northwest Regional Planning Appointment

Robert Johnson had submitted a letter of interest to be appointed to the Northwest Regional Planning Commission. This appointment will expire in March, 2018.

MOTION: B. Cheeseman made a motion to approve the appointment of Robert Johnson to the Northwest Regional Planning Commission for a term that will expire in March, 2018. All in favor, none opposed, motion carried.

Letter of Intent – Municipal Roads Grant

This grant would get the Town more technical assistance with TMDL's and stormwater practices. The Town wouldn't have to spend funds, just in-kind services for the match. Those services will be provided by the Department of Public Works. S. Smith wanted to know what the "Best Management Practices" were and what the Town would be agreeing to by signing the Letter of Intent for this grant. The Board requested more information from C. Johnson and if the deadline fast approaches, they will have a 'special' meeting to sign the letter.

Town Manger's Report

Park Rental Refund

MOTION: S. Smith made a motion to approve the park rental refund in the amount of \$100 to SATEC. All in favor, none opposed, motion carried.

Consolidation Fire Department Steering Committee Update

A. Voegele gave an update on the fire department work. The Public Safety Committee met with the City of St. Albans Fire Department and asked if they were interested in combining services with the Town. They overwhelmingly said yes. The Town fire department was asked the same question and they were in favor as well. Both were asked to elect representatives for a combined committee to work on how to move forward combining the departments, to define how both departments work, create bylaws and evaluate funds. C. Johnson met with City Manager, Dominic Cloud and he has also presented this to the council. The steering committee has met twice, about once a month.

Wastewater Allocation Request – VT Transco, LLC (VELCO)

This is for the upgrade to the substation on Nason Street. The Board had no concerns.

MOTION: A. Voegele made a motion to approve the water and wastewater allocation request from VT. Transco, LLC. All in favor, none opposed, motion carried.

Audit Management Letter

B. Nihan explained that he didn't feel the audit covered enough internal controls. He suggested expanding the audit to cover a comprehensive analysis of internal controls to include suggestions made on how to set up the correct internal controls for later testing. He would like to expand the scope and asked C. Johnson to ask the vendor for a proposal.

MOTION: S. Smith made a motion to authorize the Chair to sign the management letter and to write a letter requesting a proposal on an expanded scope of the audit. All in favor, none opposed, motion carried.

Grice Brook Homeowners Association

The Grice Brook Homeowners Association had a request to address the Board regarding taking over of their road. Sam Smith recused himself as he was the developer of this community. Dan Cunningham spoke on behalf of the Grice Brook Board. The following testimony is verbatim.

"My name is Dan Cunningham. I live at Grice Brook Garden and have been asked by the Grice Brook Board to speak on their behalf."

“Gentlemen we come before you tonight to ask you to intercede on behalf of the residents of Grice Brook Garden Assoc. and their ongoing struggle between the Town of St. Albans and the developer of GBGA and its impact on them.”

“GBGA is a nonprofit retirement community with residents ranging in age from mid-sixties to mid-90s.”

“Generally, the residents of GBGA feel pleased about selecting it as their retirement community due in large part to its proximity to the Hospital, Doctors, Church and Interstate. We are a diverse group of individuals coming from all parts of Vermont as well as out of state. We come without baggage, we shop in the local stores, eat at local restaurants, and those of us who are capable volunteer at local institutions.”

“After living at GBGA for a short time it quickly becomes apparent the lack of interest, support, helps or assistance from the town of St. Albans. We don't ask for much, just plow the snow and maintain the access road, only to be told it's a private road and the town won't touch it.”

“To this issue I bring to your attention the act 250 permit filed July 7, 1994 and approved May 26, 1995.

State of Vermont District 6 Environmental Commission
Section A5 Transportation.

Article 34 – 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 A76 standards after the inspection by the road foreman and passage of three years.

Section 6086 - A9A Impact on Growth

Article 59 – The town of St. Albans has identified no undue burdens on any facilities or services, providing the project does not contribute school age children to the local system. We have no children in our retirement community causing no additional burdens on the town.

Section 6086 - A9G

Article 70 – The access road will be constructed to State A76 standards and to all municipal standards.

Article 71 - The road is proposed to be taken over by the town in accordance with their road policy.”

“The commission discussed their concern that homeowners may suffer significant financial impact if the road is not constructed in accordance with State and municipal standards and taken over by the town. 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.”

“Well gentlemen, the very thing that the district commission in their great wisdom tried to avoid, and to protect the residents of GBGA the developer has allowed to happen. That being Article 71 above which states the road is proposed to be taken over by the town in accordance with their road policy yet the developer refuses to cede one inch.”

“We believe it is not too late for the Town of St Albans to step forward and protect the senior citizens of GBGA. That after 20 plus years of doing nothing to the access road it has fallen into disrepair, and no motion for repairs. Perhaps it's time for the town to consider the eminent domain approach. After all, why should senior citizens be made to suffer because of the stubbornness and inflexibility of one individual?”

“Gentlemen I submit to you that the developer of GBGA has and continues to cause a financial, physical and mental stress to the residents of Grice Brook due to his stance on the access road thus denying its senior citizens their access to all town services.”

"It would be a welcome departure from the past if the developer and the town could iron out a meaningful solution and not cause GBGA seniors further stress."

"As an alternative gentlemen, let me run this by you, the proposed sidewalk utilizing Thorpe Ave exiting on the interstate access road should this become reality, making it an exit for GBGA thus eliminating the issues and concerns of Gricebrook Road."

NOTES: " Let me sum this up for you. In addition to paying real estate taxes we at Grice Brook pay for snow plowing, sanding, salting, replacing culverts, correct flooding issues and maintaining a road that doesn't belong to us, and as if that isn't enough, the developer wants to charge us a fee to get to our homes. Persons external to GBGA have suggested we get together with the town and the developer each paying their fair share to bring the access road back to A76 standard. All of the above we have done for 20 plus years and living under these conditions is most stressing."

"Gentlemen, what I see here has all the trappings of elder abuse. I know this board has not caused these issues but we look forward to you correcting them."

B. Cheeseman thanked Mr. Cunningham for coming before the Board and made a promise to do his best to get a solution to this problem. B. Nihan would like to focus on the key issues. A. Voegelé requested seeing the Act 250 permit.

S. Smith stated at no time did he refuse to do anything. He explained the City denied him access to the Grice Brook development on the City road. The Town demanded the project have access and it was granted. Then, water and wastewater allocations were denied by the City. S. Smith stated he was not an obstructionist and went on to say that the Town denied taking over the road when approached on several occasions.

Public Comment

A. Voegelé explained he had head of a concern about how much the Town spends on mileage. The mileage for employees to date is less than \$2,900. The Fire Department and Department of Public Works gas line covers fuel for town vehicles.

Other Business

None.

Schedule

The next regular Selectboard meetings are Monday, July 10th and Monday, July 17th. Bay Day and the Great Race are both on Saturday, July 1st.

Executive Session

MOTION: B. Deso made a motion to go into executive session at 7:51 p.m. to discuss legal, contractual or personnel issues 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 legal, personnel and contractual issues under the provisions of Title 1, section 313(a)(1) of Vermont Statutes and to invite in Town Manager, Carrie Johnson and Town Clerk, Anna Bourdon. All in favor, none opposed, motion carried.

MOTION: A. Voegelé made a motion to come out of executive session at 9:45 p.m. All in favor, none opposed, motion carried.

Adjournment

MOTION: A. Voegelé made a motion to adjourn the Selectboard meeting at 9:45 p.m. All in favor, none opposed, motion carries.

Respectfully submitted,
Jenn Gray, Recording Secretary