

**Town of St. Albans
Selectboard Meeting Minutes
Monday, March 19th, 2018
5:30 p.m.**

On Monday, March 19th, 2018 at 5:30 p.m., at Town Hall the Town of St. Albans Selectboard met.

Officials and staff present: Bruce Cheeseman, Brendan Deso, Stan Dukas, Al Voegele, Town Manager, Carrie Johnson and Zoning Administrator, Becky Perron. Absent were Bill Nihan and Stan Dukas.

The Selectboard meeting started at 5:30 p.m. with an executive session to discuss pending litigation.

Executive Session

MOTION: A. Voegele made a motion to go into executive session at 5:30 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 Zoning Administrator, Becky Perron. All in favor, none opposed, motion carried.

MOTION: B. Deso made a motion to recess the Selectboard meeting at 6:25 p.m. All in favor, none opposed, motion carried.

Regular Meeting – 6:30 p.m.

Officials and staff present: Bruce Cheeseman, Brendan Deso, Stan Dukas, Al Voegele, Town Manager, Carrie Johnson, Director of Administration, Ned Connell, Director of Public Works, Alan Mashtare, Town Clerk, Anna Bourdon, and Recording Secretary, Jenn Gray. Bill Nihan called in at 6:40 p.m.

Public: St. Albans Messenger Reporter, Michael Frett, St. Albans Police Chief, Gary Taylor, and from Grice Brook, Danielle Lapointe, Esther Morse and Dan Cunningham.

Reconvene Meeting

MOTION: B. Cheeseman made a motion to reconvene the Selectboard meeting. All in favor, none opposed, motion carried.

The Pledge of Allegiance.

Approval of Agenda

C. Johnson requested adding to the agenda the Board's approval to sign 2 Stipulated Settlement Agreements for pending legal cases.

MOTION: B. Deso made a motion to amend the agenda to include discussion on the two Stipulated Settlement Agreements referencing the legal cases. All in favor, none opposed, motion carried.

Organizational Meeting

Chair

S. Dukas made a motion to appoint Bill Nihan as Chair of the Selectboard. At that time, A. Voegele read the following statement:

“The process by which the nominee is proposed by a majority of Selectboard members without input from the entire Board, I fear may take us back eight (8) years in our need to resolve the water and wastewater issues that is stymieing out community's economic development”.

“What is most needed now is a vision for our future. I cannot accept the premise of appointing a Chair on the basis that such a nominee may not run for Selectperson again. Such a policy being conceived without discussion by the entire Board lacks transparency. More importantly, prior to nominating a new Chair, the Board as a whole is denied an opportunity to discuss the immediate and longer term municipal tasks that

need to be prioritized giving the Board the opportunity to collectively decide who best among us could provide the leadership to move the Town's future sustainability forward."

B. Nihan called in at this time.

S. Dukas supports Bill Nihan as Chair, explaining that he does have the knowledge in dealing with the City on water and sewer. He went on to say that B. Nihan has been on the Board for 12 years and has faced all kinds of challenges. S. Dukas believes B. Nihan will do a good job as Chair.

B. Cheeseman made a statement explaining that no matter whom the Chair is, the Selectboard is a 5 member board. The Chair does not rule the Board. It's still a 5 member board and decisions are made by all 5 members. W. Nihan agreed with B. Cheeseman's position.

MOTION: S. Dukas made a motion to nominate B. Nihan as Chair of the Selectboard. Motion carried with a 4-1 vote with A. Voegele abstaining.

Vice Chair

A. Voegele made a motion to nominate Brendan Deso as Vice Chair of the Selectboard and included the following statement:

"I am pleased to nominate Brendan Deso for Vice Chair of this Selectboard. Brendan is a co-owner of a small business, significantly involved in community affairs and desirous of working for the Town's future sustainability and community welfare. His election will signify to other young people the Town's desire to support Millennials and Gen Z's becoming involved in local governance. To the argument that Brendan is "too young" and prone to making mistakes by virtue of his "lack of experience" I wonder who among us old members at 20 years of age didn't make errors of judgement. I learned at 20 and reaffirmed at 78 that's why old men and old women need to accept the responsibility of becoming mentors for the young members of our community - so they can be successful leaders of the future. Brendan's got the ambition, the intelligence and energy – let's help him to become a leader of our community".

S. Dukas stated he does not support the decision to nominate B. Deso as Vice Chair. He explained that he does not have the experience he needs to move this town forward right now. As he stays on the Board and learns more he will be a big help in the future.

B. Cheeseman explained that he had a previous conversation with B. Deso and expressed his concerns at that time.

S. Dukas nominated Bruce Cheeseman as Vice Chair. He went on to explain that B. Cheeseman has the background and that he would vote for him as Vice Chair.

B. Deso made a statement at this time explaining that this is about making a signal to the next generation of leadership in the community that it's alright, it's time to step up. He went on to explain the changing demographics among the Town's boards and how younger members are participating. He encouraged younger members of the community to get involved. He also stated that as Vice Chair, he wanted to represent the younger generation's opinion on the 5 member board to the public so, their rational is understood the best as possible to all residents of the Town, not just folks that rely on the Messenger or Northwest Access TV.

MOTION: A. Voegele made a motion to nominate Brendan Deso as Vice Chair of the Selectboard. Motion fails with B. Deso and A. Voegele voting for and B. Cheeseman, S. Dukas and B. Nihan voting opposed.

MOTION: S. Dukas made a motion to nominate Bruce Cheeseman as Vice Chair of the Selectboard. Motion passes with B. Cheeseman, S. Dukas and B. Nihan voting for and B. Deso and A. Voegele voting opposed.

B. Nihan made the following statement:

"Thank you for your confidence in voting me in as Chairman. I look forward to working with all of you keeping the best interest of the Town in mind all of the time and that we act as a single board.

Rules of Procedure Policy

A. Voegele made a suggestion that all comments be made directly to the Chair and the Selectboard members and the public must be recognized before speaking.

C. Johnson clarified the revision of number 10 in the Rules of Procedure as reading: "There is no limit to the number of times a Selectboard member can speak to a question. A member may speak or make a motion **after** being recognized by the Chair and **all questions shall be directed to the Chair**".

A clean copy will be brought to the next meeting for the Board's signature.

MOTION: A. Voegele made a motion to approve the Rules of Procedure as amended. All in favor, none opposed, motion carried.

Rules of Ethics/Conflict of Interest Policy

A. Voegele suggested using the State of Vermont Executive Department's Executive Order for the Board's Conflict of Interest Policy. S. Dukas stated at this time that he will refuse to sign a conflict of interest policy. He took the oath to serve the Selectboard and the community and that should be enough. B. Cheeseman suggested tabling this until the full Board can read the State of Vermont's executive order.

General Warrant

MOTION: A. Voegele made a motion to approve the general warrant dated March 19th, 2018 in the amount of \$222,888.27. All in favor, none opposed, motion carried.

S. Dukas questioned what the vendor Wind River Environmental was used for as the Town had 9 invoices in the warrants. Director of Public Works, Alan Mashtare explained that there had been some issues with pump #2 at the North End Sewer. Drummac was the company we used in the past and Wind River Environmental bought out Drummac.

Payroll Warrants

MOTION: B. Deso made a motion to approve the payroll warrants dated March 9th, 2018 in the amount of \$15,942.21 and March 16th, 2018 in the amount of \$15,530.36. All in favor, none opposed, motion carried.

Industrial Park Warrant

MOTION: A. Voegele made a motion to approve the industrial park warrant in the amount of \$4,678.49. All in favor, none opposed, motion carried.

Minutes

MOTION: A. Voegele made a motion to approve the Selectboard regular meeting minutes for Monday, March 5th, 2018. All in favor, none opposed, motion carried.

Liquor Control Board

MOTION: A. Voegele made a motion to recess the Selectboard meeting and convene as the Liquor Control Board. All in favor, none opposed, motion carried.

2018 Annual renewal for First Class, Second Class and Outside Consumption licenses for the Veterans of Foreign Wars (VFW) and Ste. Marie Enterprise, LLC (dba) The Bay Store.

MOTION: A. Voegele made a motion to approve the Liquor License renewals as presented. All in favor, none opposed, motion carried.

MOTION: A. Voegele made a motion to adjourn the Liquor Control Board and reconvene the Selectboard. All in favor, none opposed, motion carried.

St. Albans Police Chief, Gary Taylor

Police Chief, Gary Taylor came before the Board to provide an update. The Street Crimes Unit has made 17 arrests in 9 weeks. Four of those are very substantial supplier/dealer arrests. Investigations continue.

S. Dukas asked the Chief if the DEA's focus is different from his. Chief Taylor explained that the DEA is always interested in top level traffickers. There has to be a significant amount and/or weight as well as number of purchases of drugs to involve the DEA. The US Attorney's Office will dispatch the DEA to large arrests.

B. Deso explained that he and Selectboard member, A. Voegelé attended the SurvVermont program that was put on by Northwestern Medical Center and AmCare focusing on active shooter scenarios. He stated that it was very informative and asked the Chief to explain the program a little more. Chief Taylor explained that he has attended several national conventions, attending training seminars on active shooters, to learn the most update information.

Chief Taylor explained the active shooter training included:

“If you see something, say something”;

“Run, Hide, Fight”;

“Alice” - Alert, Lockdown, Inform, Counter and Evacuate;

“Stop the Bleed” – use clothing as tourniquets.

Town Manager’s Report

Respect in the Workplace Training - Scholarship

We received a scholarship to pay for this a Respect in the Workplace Training for staff and board members. This training will take place in June.

St. Albans Health Path Status

C. Johnson and Director of Administration, Ned Connell have been working on this. We are waiting on Northwest Regional Planning Commission’s (NRPC) letter of support which will then be forwarded to Mr. Kaplan at the State. A. Mashtare stated that NRPC may have sent the letter directly to the State. A. Mashtare is meeting with TAC on Thursday and will get an update.

C. Johnson to meet with the Greenwood Cemetery Board in the spring for an alternate route for the recreation path during school hours.

Town Plan Update

N. Connell came before the Board to update them on the Town Plan. The Board had been provided a schedule and the Planning Commission is moving forward. A. Voegelé asked before going to a public meeting, if there would be time for the Board to meet and discuss the plan. N. Connell stated yes, that will be scheduled soon.

S. Dukas asked if the temporary ordinance on retention ponds would be addressed in the Town Plan. N. Connell explained that the stormwater goals and the policy recommendations will be included so that later on, as an extension from the Town Plan, the ordinance will be recreated and will be enforceable. The Planning Commission and NRPC have each worked on this plan 50%.

Sidewalk Plan Update

There are specific guidelines for sidewalks in the Town. B. Cheeseman asked N. Connell when the Board is going to see a draft. N. Connell will provide a draft copy via email. A map will be provided soon from NRPC.

Stipulated Settlement Agreements

C. Johnson explained that there are two legal settlements; Town of St. Albans vs. Fairfax Street Developer Docket #134-10-17 and Town of St. Albans vs. Steven Hurlbut Docket #58-6-16. She requested approval from the Board to sign both agreements on behalf of the Town.

MOTION: S. Dukas made a motion to allow Town Manager, Carrie Johnson to sign the paperwork from our Attorneys to bring this to a settlement. All in favor, none opposed, motion carried.

Public Comment

A. Voegelé thanked Sam Smith for his service to the Town and for all his efforts to make our Town a better place.

MOTION: A. Voegelé made a motion to provide a letter for Sam Smith recognizing his years of service for the Town of St. Albans. All in favor, none opposed, motion carried.

Forensic Facility

A. Voegele explained that Emergency Rooms (ER) are over used improperly and the state is trying to come up with a plan to remove criminals from the ER. They are working on a proposed facility that would house mentally ill criminals as well as elderly criminals. There are talks about having the facility in the Town of St. Albans. Legislator is trying to get this approved by May.

City/Town Lawsuit

The Lawsuit was in a "paused" period (1/23/18 – 2/23/18) which has now expired. The suite is now moving forward. S. Dukas suggested A. Voegele and C. Johnson to negotiate with the City about the lawsuit. B. Cheeseman explained that negotiations are at a standstill at this time. The Board agreed on needing the public's input.

Schedule

The next regular Selectboard meetings are Monday, April 2nd and Monday, April 16th.

Other Business

No other business.

Adjournment

MOTION: A. Voegele made a motion to adjourn the Selectboard meeting at 8:13 p.m. All in favor, none opposed, motion carried.

Respectfully submitted,
Jenn Gray, Recording Secretary