

**MINUTES
TOWN OF ST. JOHNSBURY
PUBLIC INFORMATIONAL MEETING
REGULAR SELECTBOARD MEETING
Monday, April 26, 2010**

The St. Johnsbury SelectBoard held a Public Informational Meeting and the Regular SelectBoard Meeting on Monday, April 26, 2010, beginning at 6:00p.m. in the School Auditorium at the St. Johnsbury School Western Avenue.

SelectBoard Members Present: Chairperson Jim Rust, Daniel Kimbell, Bryon Quatrini, Rodney Lamotte, and Bernard Timson, Jr.

Others Present: Sandra Grenier, Priscilla Messier, Danny Scott, Richard Leighton, Larry Sharer, Catherine Goslant, Troy Ruggles, Brian Christman, Lauren Jarvi, Rob Ricker, Robert Dufresne, Randy Goodwin, Peter Whitney, Taylor Reed, KATV, and about 20 other individuals.

**PUBLIC INFORMATIONAL MEETING
REVISED TOWN GENERAL FUND BUDGET – 6:00p.m.**

Chairperson Jim Rust called the meeting to order with the Pledge at approximately 6:00p.m.

Public Informational Meeting Revised General Fund Budget – The Town Manager provided those present with a summary of the revised general Fund Municipal Budget, and a revised estimate of the property tax impact. The revised General Fund Budget as approved by the SelectBoard and proposed for consideration by the voters is \$2,249,596 and requires a general fund property tax of \$1,649,186. The revised expenditure budget is (\$141,474) less than the approved 2009 General Fund Budget, and it requires (\$164,604) less to be raised in general fund property taxes. The Manager stated that adjustments made by the SelectBoard to achieve this budget reduction include:

6% Reduction in Salary for General Fund Department Heads (over \$50,000);
Additional 4% paid by General Fund Dept. Heads toward health insurance;
Recreation Fund Deficit Balance from General Fund Surplus;
Eliminate Car Allowances, after 1st quarter, budget \$750 for mileage;
Eliminate Office of Economic Development; and,
Reduce Planning Zoning Administrator from 40 hours to 24 hours per week.

Absentee Ballots are available for voting now. Australian Ballot voting on revised General Fund Budget and revised School District Budget will be held on Tuesday, May 25, 2010 between the hours of 10a.m. and 7:00p.m. at the Lively Center on Summer Street. There is another Public Informational Meeting on the revised General Fund Budget and the revised School District Budget that is scheduled for Monday, May 24th,

beginning at 6:00p.m. in the St. Johnsbury School, Regular SelectBoard meeting to follow the public informational meeting.

Chairperson Rust asked for any comments or questions from the audience. Lauren Jarvi asked if consideration had been given to a July-June fiscal year to avoid the problem of voting on a budget when you are already ¼ of the way through the year. The Manager said this has not been discussed recently, but it was looked at a few years ago – and the idea was not moved forward. The Manager stated that one of the problems is having to propose an 18-month budget for adoption. This topic should be revisited.

The Manager asked about the survey of voters that was discussed by the Board, who is going to prepare it, what will it ask. Chairperson Rust recommended discussing the survey under Other Business.

Bob South asked about sending out the survey to those who took out absentee ballots. Sandra Grenier said about 236 absentee ballots were sent out, and you would need to mail something directly to those individuals.

Having no further discussion or questions, it was moved by Bernard Timson, seconded by Rodney Lamotte, and voted to recess at 6:15p.m. until approximately 6:30p.m.

Liquor Control Board – At 6:30p.m. Chairperson Rust called the Liquor Control Board to order for the purpose of considering the First Class Liquor Application of Robert Ricker, dba, Front Row Sports. Mr. Ricker explained to the Board that he is in the process of purchasing Front Row Sports – and the VT Liquor Control Board has agreed to extend the liquor license for 12 days to allow Mr. Ricker to apply for a new liquor license in his name only. Mr. Ricker stated that the current license will be suspended due to liquor control violations of the previous license holders. Chief of Police Richard Leighton pointed out several of the problems that the Police have experienced with patrons at Front Row Sports, including allegations of underage drinking, public urination, and over serving of alcohol. Mr. Ricker said he was not involved with the underage, after-hours, drinking violation. Mr. Ricker said that he would address any concerns or conditions imposed by the Board. It was moved by Bernard Timson, seconded by Rodney Lamotte, and voted to enter into deliberative session to consider the First Class Liquor License of Robert Ricker. Richard Leighton, Michael Welch, and Robert Ricker were included in the deliberative session. The Board entered deliberative session at approximately 6:45p.m.

It was moved by Rodney Lamotte, seconded by Bernard Timson, and voted (4-0) to return to regular session at approximately 6:55p.m. It was moved by Rodney Lamotte, seconded by Bernard Timson, and voted (4-0) to approve and sign the First Class Liquor License of Robert Ricker, dba, Front Row Sports with the following conditions:

Owners will have an employee in control of patrons leaving the establishment for the purpose of smoking;

Smoking area shall be clearly defined as the covered area on the southerly side of the building;
A clear listing of individuals who have been told not to return to the establishment shall be posted at the entrance of the establishment;
Employees on duty as wait staff, bartenders, and bouncers shall wear shirts that will make them easily identifiable as employees of the establishment;
There will be no sale or furnishing of alcohol past the hour of 1:00a.m. seven (7) days a week;
Owner and employees will make every effort to encourage patrons to leave the premises and public ways following the closing of the establishment;
When Owner or employees anticipate a large crowd, such as for popular bands, or for special events; then the Owner shall notify the St. Johnsbury Police Chief in advance of the activity to review with the Chief plans for staffing and management;
During the evening hours the establishment shall only be open to individuals who are at least 21 years old;
The St. Johnsbury SelectBoard will review this Liquor License, with the Owner and the Chief of Police, at the end of 90 days for compliance with these conditions.

The Regular SelectBoard meeting began at approximately 7:00p.m.

PUBLIC COMMENT – Chairperson Rust asked for Public Comment on any items not included on the agenda. *Catherine Goslant, Waterford* – expressed her dissatisfaction to the Board relative to the way she and her son have been treated at their business on Eastern Avenue. Mrs. Goslant said that they have been fined for violations related to renovations, that local officials should have informed her about.

Brian Christman, St. Johnsbury – Presented an 8 page correspondence to Chairperson Rust, indicating that the Deputy Secretary of State William Dalton informed Mr. Christman that he should notify the SelectBoard relative to his concern that public documents requested by Mr. Christman have not been provided. Chairperson Rust accepted the information and advised Mr. Christman that the Board would look into the matter.

MINUTES – April 12, 2010, and Special Meeting April 19, 2010. It was moved by Rodney Lamotte, seconded by Bernard Timson, and voted (4-0) to approve the Minutes as presented for the regular meeting April 12, 2010, and the special meeting held on April 19, 2010.

PINE STREET PARKING - The Manager indicated that he has received a complaint from Pine Street residents relative to parking on Barker Avenue and Pine Street during sporting events at the St. Johnsbury Academy Baseball and Softball Fields. The Manager recommended that the Board conduct a site visit. Priscilla Messier stated that she had gone to the site during a recent sporting event and there were numerous parking violations. Priscilla said if the Board is going to do a site visit they should do it when a

game is going on. Members of the Board recommended that the Manager contact Tom Lovett at St. Johnsbury Academy to see if measures can be taken immediately to try to address parking concerns.

CAPTIAL PROJECTS UPDATE – Randy Goodwin and Robert Dufresne from Dufresne Group were present to provide members of the SelectBoard with an update on Capital Projects as follows:

Summary of Water Projects and Westside Infrastructure Projects:

Review of the water projects:

Phase 1 Water Project \$5,600,000:

Contract 2008-1 Overcliff Tanks. The Contractor, Statewide Aquastore of East Syracuse, New York, reached final completion last week

Original Contract Amount \$1,169,024.00

Final Contract Amount \$1,164,792.07

Contract 2008-2 Pump Station Improvements. This \$1,062,316.00 contract is being constructed by T Buck Construction of Lewiston, Maine.

This construction project is 47% complete by time and is 43% complete by money:

Overcliff Booster Pump Station about 55% Complete

Addition to Breezy Hill Pump Station about 40% Complete

Process Improvements at the WTP about 10% Complete

The Master Meter Vault on Route 5 is about 75% complete

Contract 2008-3 Cleaning and Lining. The Contractor, Heitkamp of Watertown Connecticut reached substantial completion in July 4, 2009 and is awaiting completion of a C-value test after the clearwell is complete in order to obtain final completion.

Original Contract Amount \$568,230.00

Final Contract Amount \$576,700.30

Contract 2008-5 Slip Lining. This project involved the slip lining of a polyethylene pipe within an old 10” Cast iron pipe for use as a force main to allow waste process solids to flow from the water treatment facility to the municipal sewer on Route 2. The Contractor Kingsbury Construction of Waitsfield, Vermont reached final completion on September 16, 2009 for this contract.

Original Contract Amount \$448,720.00

Final Contract Amount \$446,720.30

Contract 2008-7 Clearwell. This project provided for a 0.5 mg tank and a new waste process water lagoon at the water treatment facility. Kingsbury Construction is the contractor on this project as well.

This construction project is 59% complete by time and is 60% complete by money. The project is scheduled to reach substantial completion on July 6, 2010.

Phase 2 Water Project \$3,100,000:

Contract 2008-4 Airport Hill Tank. This \$1,080,000 contract is being constructed by Kinsmen Construction of Hooksett, NH with his site subcontractor Heath Construction of Saint Johnsbury, Vermont.

This construction project is 71% complete by time and is 76% complete by money. The project is scheduled to reach substantial completion on June 14, 2010.

Contract 2008-6 Water Main and PRV Valve Vaults. The contractor Sicard Construction of Newport, Vermont reached final completion on April 22, 2010.

Original Contract Amount \$868,058

Final Contract Amount \$828,989.24 (The town will withhold \$5,567.75 in liquidated damages as the contract was not completed on time).

Contract 2009-2 Fairbanks Drive Water Main. This project was completed by Twinstare Excavation of Waterford, Vermont. Final completion was obtained on November 30, 2009 for this contract.

Original Contract Amount \$225,415.25

Final Contract Amount \$259,727.76 (Project was expanded to repair the 14" water main in the Moose River. This repair cost \$38,000.

Filter Tank Replacement \$1,730,000

This project was recently bonded by St Johnsbury voters and is awaiting final design activities until RD approves the report and the engineering agreement for final design. Although design has not formally begun on this project, the likely completion date is June 30, 2011.

Westside Infrastructure Projects:

Contract 2010-1 Hastings Hill. This project was bid on April 22, 2010 and attracted 9 bids. Our engineer's estimate was \$1,040,000 and the bids ranged as follows:

Bidder	Bid
Courtland Construction	\$766,907.04
Morrill Construction	\$785,199.50
Nott's Excavating	\$899,330.25
Kingsbury Companies	\$920,857.00
Zaluzny Excavating	\$967,630.02
United Construction	\$985,310.00
Willy Earthmoving	\$1,124,000.00
Dubois Construction	\$1,170,872.00
J.P. Sicard	\$1,418,775.00

At this time Dufresne Group recommends Courtland Construction Corporation of Colchester, Vermont as the lowest responsive and responsible bidder and recommend award to them. With concurrence from the Selectboard, this project will begin in about two weeks.

Contract 2010-2 Southern Portion of the Westside Project (estimated at about \$5,000,000)

This project is about 50% designed and is due to be advertised for bids in August , 2010

Contract 2010-3 Northern Portion of the Westside Project (estimated at about \$6,000,000)

This project is 40% design complete and is due to be advertised for bid in October, 2010.

Jim Rust asked where the Town is currently in terms of the \$44 million in water projects identified in the Water System Master Plan. Robert Dufresne said about 40-50% completed. Bernard Timson asked about the difficulty in putting new tanks in the existing water treatment plant facility. Robert Dufresne said it will be very difficult and is a major portion of the construction costs. Bernard Timson asked about membrane filtration.

Robert Dufresne said that the State of Vermont Water Supply Division did not authorize the Town to investigate membrane filtration as an alternative.

CONTRACT AWARD HASTINGS HILL 2010-01 – Dufresne Group recommended that the SelectBoard award the first contract for the West Side Improvement Project (2010-01), Hastings Hill to Courtland Construction of Colchester with a bid of \$766,907.04. Red explained that having a low bid is good – but it also means that some grant funds will not be accessed unless other bids come in higher, or more construction work is identified – as USDA Grant funds are the last dollars that go into the project. It was moved by Daniel Kimbell, seconded by Bryon Quatrini, and voted (4-0) to award the Hastings Hill Contract 2010-01 to Courtland Construction in the amount of \$766,907.04, subject to USDA concurrence to award.

CONTRACT AWARD PORTLAND STREET BRIDGE – The Town Manager provided the Board with a copy of the bid tabulation for Portland Street Bridge construction, prepared by Stantec Engineering. There were three bids received, the lowest responsive, responsible bidder is Winterset, Inc. of Lyndonville with a bid of \$667,850.00. The Manager stated this is under the engineer’s estimate – and the Manager did contact the State of Vermont about doing additional work on the Bridge with remaining grant funds. The response from the State was that additional work to include the expansion joints would be too large to include as an amendment to this contract. It was moved by Bernard Timson, seconded by Daniel Kimbell, and voted (4-0) to award the construction contract for Portland Street Bridge to Winterset, Inc. in the amount of \$667,850.00, subject to VTRANS concurrence on award.

ENERGY GRANT - The Manager stated that the Town has not received the award letter yet for the energy grant. The Town has been awarded \$40,250 for lighting, insulating, and replacement of garage doors at the Municipal Building. Joel Schwartz wrote this grant application. The Board will need to consider acceptance and management of this grant upon receipt of the award letter.

APPOINTMENTS – Daniel Kimbell volunteered to serve as Town representative on the Economic Development Council of Northern Vermont. The Board agreed to postpone action on further appointments awaiting additional discussion and nominations.

DEPARTMENT HEAD REPORTS – Jim Rust asked if members of the Board reviewed the reports. Chairperson Rust indicated that the reports included much more of the day-to-day information than he was looking for. Chairperson Rust said that future reports from Departments should focus on budgetary items. Chairperson Rust said that he believed that budget and monetary discussions needed to begin with department heads long before December or January in preparation for the next budget year. Bryon Quatrini suggested that the Town Manager should be receiving and reviewing reports from the Departments and make determinations about what should be reported out to the members of the Board. Bernard Timson said he thought the initial reports were a good way to find

out what is going on in the Departments. Chairperson Rust said the Board can discuss a better guideline for reports in the future.

MANAGER’S REPORT: Planning/Zoning – The Manager stated that he needed guidance from the Board relative to the date for implementation of part-time Zoning and Planning for the Town of St. Johnsbury. The Board agreed to discuss in Executive Session.

Expenditure Warrants – Members of the Board reviewed, approved, and signed Expenditure Warrants as follows:

General Fund	64178 – 64223	\$280,849.74
	64224 – 64275	\$187,549.53
	64276 – 64278	\$ 22,408.94
	64279 – 64279	\$ 99.77
Grant Fund	2255 – 2257	\$ 535.30

Green-Up – Thanks to the efforts of Chad & Kristina Roy, St. Jay Subaru, and All Around Rental – there will be dumpsters downtown for Green-Up Day, and there will be a free bar-b-que. Pick-up bags and job assignments beginning at 9a.m. at Railroad Street Park.

Bike Safety Fair – Saturday, May 8th – 9:00a.m. – 1:00p.m. at Father Lively Center. Free Helmets, Free Bar-B-Que, minor bike repairs, safety inspections, and skills course.

Household Hazardous Waste Day – Saturday, May 15th 9a.m. – 1p.m. for St. Johnsbury residents and businesses. Will be held in the Main Street municipal parking lot.

EPA Brownfield Grants – The Manager stated that thanks to the efforts of Laurie Stillwell (NVDA) and Joel Schwartz, the Town has been awarded an EPA Brownfield Grant in the amount of \$200,000. The Board will need to address acceptance and management of this grant once an award letter is received.

By-Way Grant – The Manager stated that the Town has received word that the application written by Joel Schwartz for the Welcome Center park and pedestrian safety improvements was ranked 2nd in the State of the 7 applications received. This application is now forwarded to the Federal Highway Administration for review.

OTHER BUSINESS: Budget Survey - Chairperson Rust said that the survey should provide voters an opportunity to comment on individual departments, and whether or not they feel adjustments are too much, too little, or just right. Daniel Kimbell volunteered to develop a draft of a survey for review by the Board.

Water Meter – Bernard Timson asked if new water meter was installed at Weidmann. Public Works Director Danny Scott said the meter is in Town and TBuck construction will install it.

EXECUTIVE SESSION – It was moved by Daniel Kimbell, seconded by Bernard Timson and voted (4-0) to enter into Executive Session to consider the appointment, evaluation, employment of a public officer or employee. The Board included Michael Welch in the first part of the Executive Session. The Board entered Executive Session at approximately 7:45p.m.

The St. Johnsbury SelectBoard returned to Regular Session at approximately 8:25p.m.

APPOINTMENT PUBLIC OFFICER/EMPLOYEE – It was moved by Rodney Lamotte, seconded by Bernard Timson, and voted (3-2 Quatrini and Kimbell opposed) to appoint Jim Fitzgerald as the Interim Town Manager for the Town of St. Johnsbury.

Having no further business or requests, it was moved by Bryon Quatrini, seconded by Daniel Kimbell, and voted (4-0) to adjourn at approximately 8:25p.m.

Respectfully submitted,

Michael A. Welch
Town Manager