

ST. JOHNSBURY BOARD OF SELECTMEN  
REGULAR MEETING  
MONDAY, APRIL 22, 2013

The St. Johnsbury Selectboard met in the Pomerleau Building, 1<sup>st</sup> floor on Monday, April 22, 2013 at 7:00 p.m. for the Regular Meeting of the Selectboard. Present were: Chairman Kevin Oddy, Vice Chairman Alan Ruggles, Jim Rust, Jeff Moore, Interim Town Manager Merelise O'Connor, and Town Manager John Hall. Selectboard member Tom Moore was absent.

**PUBLIC ATTENDANCE**

Bernie Timson, Stacy Jewell, Hugh Wescott, Gary Lunderville, Rod Lamotte, Bob Desrochers, Ray Labounty, Jr., Al Dunn, Mike Fortier, Susan Cherry, Maurine Hennings, Taylor Reed, Jo Braman, Jim Brown, Sharon Heidemann, Werner Heidemann, Police Chief Houde, Kevin Saben.

**PRESS**

Present were: Shawn Gaffney, Nathan Rivard, and John Kazar from News 7.

At 7:00 p.m., the Regular Meeting was called to order. All stood and recited the Pledge of Allegiance.

**PUBLIC COMMENT**

Kevin Saben asked the board for their help in moving forward with his project located at the Riverbend property on Route 5. Chairman Oddy responded that he would speak with Ms. Hennings to see about this.

Various members of the public welcomed John Hall to office.

Al Dunn asked each of the Selectboard members to comment on their future goals for St. Johnsbury.

Rust started with completing projects, balancing the budget, level taxes and water/sewer bills, and to make sure reserves are in place. He also stated that he will be reviewing a comprehensive public works plan. He continued that the board is in a "baby stage", needs to start working together, and needs to ask questions before moving forward. He would like to communicate more face to face.

Vice Chairman Ruggles stated that he would like to maintain town services and see more economic development. In addition, taxes need to be kept level.

Jeff Moore commented that he supports the new town manager looking forward from May 1. He stated that the new fire truck is due tomorrow, and the grant looks promising. He stated that economic development is big on his priority list. He continued that the town needs to bring in new business, and that he will do everything he can to keep taxes level. He stated that he is getting good constant public feedback.

Chairman Oddy stated that he is going to look at capital planning to ensure that the Town has the financial resources in place to replace old equipment, maintain current projects, look for opportunities for new projects, and see more citizens involved in order to continue to grow.

Al Dunn recommended that the board work on economic development, because he thought it was hard to get permits. Chairman Oddy responded that there are hundreds of things to get done. Al Dunn responded that the board has to start somewhere and move forward, and that small business is needed in St. Johnsbury.

## **WARRANTS**

All the warrants were signed. Jeff Moore motioned to approve the warrants, seconded by Vice Chairman Ruggles, and unanimously passed.

## **LIQUOR AND CATERING LICENSES**

All the catering licenses were signed. Vice Chairman Ruggles motioned to approve the licenses, seconded by Jeff Moore and unanimously passed, with Rust abstaining from the vote.

All the liquor licenses were signed. Vice Chairman Ruggles motioned to approve the licenses, seconded by Jeff Moore and unanimously passed, with Rust abstaining from the vote.

## **MINUTES**

For the minutes of 3/25/13 of the Organizational Meeting of the Selectboard, Rust motioned to approve, seconded by Vice Chairman Ruggles and unanimously passed.

For the minutes of 3/25/13 of the Regular Meeting of the Selectboard, under public attendance, Rust corrected the spelling of Mike Ortega's last name.

- It was discussed that the Selectboard doesn't appoint chairmen. The individual boards appoint their own chairman. At the bottom of the board appointments, revise wording to reflect "continue serving as chairman" under the planning commission heading.
- Under Health Officer on the 4<sup>th</sup> line down, correct Tim Persons name spelling.
- Under Armory Lease, revise wording to read "old gravel roof with cracks in it."
- On the next page that starts with Jim Rust and the roof needs to be fixed "before next winter" if they are going to save the building.
- Under the Town Manager's report, the second paragraph down, Jim Rust denies making a motion, revise to "discussed".
- In the next paragraph, correct Tim Persons name spelling.

Rust motioned to approve the minutes with the above corrections, seconded by Vice Chairman Ruggles and unanimously approved.

For the minutes of 3/28/13 of the Special Meeting of the Selectboard, Vice Chairman Ruggles motioned to approve the minutes, seconded by Jeff Moore and unanimously approved.

For the minutes of 4/8/13 of the Regular Meeting of the Selectboard, Vice Chairman Ruggles motioned to approve the minutes, seconded by Rust and unanimously approved.

### **TAX ANTICIPATION NOTE**

Town clerk Stacy Jewell commented that 3 of 4 banks responded back with Passumpsic Bank coming in at .93% interest for \$1.5M that matures in December. Jeff Moore asked if the terms remained the same throughout the 3 responses, and Stacy Jewell confirmed yes. Vice Chairman Ruggles motioned to accept the Passumpsic Bank bid, seconded by Jeff Moore and unanimously passed. The paperwork was passed for board member signatures.

### **PLANNING COMMISSION APPOINTMENT**

The Planning Commission previously sent a letter recommending Jim Brown to be appointed to the Planning Commission expiring in 2016. Jim Brown was in attendance and spoke to the board, stating that he appreciated being appointed. He continued that he has been a resident since 1991. Vice Chairman Ruggles motioned to appoint Jim Brown to the Planning Commission, seconded by Jeff Moore, who continued his second by commenting that he attended a recent Planning Commission meeting and was impressed with the comments Jim Brown made to their board as a member of the public. The vote was unanimous.

### **FIRST OF TWO PUBLIC HEARINGS ON ZONING BY-LAWS – SUSAN CHERRY**

Susan Cherry presented to the board a timeline of hearings. She presented two pages to the board, and confirmed that the new zoning by-laws are in conformance of state statutes. She continued the timeline to start with the May 21 Planning Commission public hearing at 6:00 p.m., with the Planning Commission's regular meeting scheduled at 7:00 p.m. Any changes will be applied in order for the board to have them by the first Selectboard meeting in June. The board then has 15 days to make recommendation changes back to the Planning Commission. If there are no changes, the board can adopt the by-laws. If changes are made, a public hearing would be held within 10 days. A maximum of 120 days from start to finish is allowed, but this process will come in under that deadline.

Rust responded that the meetings need to be warned within 15 days prior to the scheduled meeting date, and would like a separate board meeting scheduled. He asked Susan Cherry to provide the board with hard copies of the timeline, and mentioned that there are copies of compliances in the town clerk's office. Susan Cherry replied that the neighboring towns will have this information for Friday, but she will make sure each board member has a physical copy.

### **ARMORY BUILDING ISSUES – BOB DESROCHERS**

Bob Desrochers presented to the board regarding the views of the History and Heritage board on the Armory Building PCB study and financial bids. He informed the board of an organizational change of a new Project Manager, Sarah Bartlett. She will provide guidelines to consultants. The History and Heritage board has one bid of \$18,800, and expects others to come in under that amount.

Vice Chairman Ruggles motioned to move forward with the proposal, following the recommendation of the History and Heritage board, and allocate up to \$10K or 50%. Jeff Moore commented he would like to make sure he understands the motion, and summarized that the town and History and Heritage would fund the cost of the PCB study of an initial cost of \$18,800, or that the board would work with History and Heritage to receive other bids. Bob Desrochers replied that if the Selectboard is in favor, he would suggest that the Town Manager

work with the state Department of Conservation and NVDA to work out the specific details. He would suggest that they receive one or two more proposals that are likely to be less.

Vice Chairman Ruggles revised his motion, requesting that the Town Manager work with the state to get the best pricing for the PCB assessment study with the town providing up to 50% or a maximum of \$10K, seconded by Rust, with no vote.

Rust stated that if the PCB study comes back, the roof will still be in disrepair, and the building shouldn't continue to deteriorate. Rust asked the Town Manager to ensure that the terms don't violate the existing lease. Interim Town Manager Merelise O'Connor stated that the 3<sup>rd</sup> roof estimate will be in within the next week. Chairman Oddy mentioned that if the board approves, an amendment should be added to the lease.

Bernie Timson mentioned that the board shouldn't accept the 3<sup>rd</sup> bid due to the first two bids that were made public. Interim Town Manager Merelise O'Connor replied that this was not a secret or formal bid, and she had contacted up to 6 people for bid proposals. The board could move to a more formal bid process. Chairman Oddy reiterated that this was not a formal bid process and if in fact we decided to move forward by our own polices we would have to engage in a formal bid process.

Various public attendees mentioned that the issue is getting old, has been going on for over a year, and there has been no movement since last November. Rust replied that the assessment of the building has been done, and other things have come up, but we have been moving forward.

The public asked who was responsible for the building, with Bob South responding that it is a shared effort between the state and town. He continued that demolition would cost \$400K - \$500K and needs to be avoided.

Chairman Oddy restated the motion that the town pay 50% up to \$10K with an amendment to the lease clearly defining the changes, motion passed 3-1 with Jeff Moore opposed.

### **PARKING RECOMMENDATIONS – CHIEF HOUDE**

Chief Houde presented to the board and public. The area of recommendations includes Four Seasons construction area where the Westside project occurred. After the project was completed, there were parking and signage issues.

Vice Chairman Ruggles motioned to put into effect Chief Houde's recommendations, working with the public works and Town Manager. Chief Houde stated that Police Chief Hugh Westcott has reviewed the recommendations. Chairman Oddy confirmed that Chief Ruggles has also looked at the recommendations and specifically reviewed the areas concerning emergency vehicles. The motion was seconded by Jeff Moore to accept the Chief's parking recommendations. Rust mentioned that all of these recommendations are good for the Fire Department in that the full line of sight is maintained by traffic, and that the angles have improved in order for the emergency vehicles to get past parked cars.

Chairman Oddy mentioned that the stop sign is on the wrong side of the road. He continued that Highland Ave. has no stop sign and there was a request to put one there. Sharon Heidemann mentioned that she was concerned about the signing on Highland Ave., and confirmed that she will talk off-line with Chief Houde.

Chief Houde spoke about Spring Street, and that he has received resident complaints that they can't get out of their driveways. With parking allowable after construction Spring Street to be changed to a one-way, and if we eliminate parking, it could be returned to a 2 way street. Chairman Oddy asked that Chief Houde meet with Chief Ruggles, and Hugh Wescott of Public works to get their input on the issue and that it would be prudent to also speak with the residents in the and then come back to the board with a proposal. Chairman Oddy reiterated the motion and second previously made, and the motion unanimously passed.

### **BRIDGE 46 – SLEEPERS RIVER, SOUTH MAIN STREET**

At 8:06 p.m., Jeff Moore motioned to move this agenda item up to 8:07 p.m. because the meeting was ahead of schedule, seconded by Vice Chairman Ruggles, and unanimously passed.

Chairman Oddy stated that VTRANS presented alternatives regarding the sidewalk and shoulder. Town Manager John Hall reported that he has received 3 types of proposals. The first would be to use an alternate route. The second is to install a temporary bridge with a 5 ½ foot sidewalk, and a 3 foot shoulder instead of 2 feet. The third alternative would be to do half the bridge at a time, with Town Manager John Hall stating that this would be time consuming and expensive.

Chairman Oddy and Interim Town Manager Merelise O'Connor discussed the timeframe of construction at 4 years - plus, with Jeff Moore confirming completion in 2017 at the earliest. The public asked the cost of each scenario. Rust replied with the details of total cost of each scenario, with a breakdown of the amount equal to 5% of the town's share:

- If the superstructure needs replaced, total cost is \$1,346,000, with 5% town share of \$86,190.
- If the bridge is constructed in a different location, total cost is \$1,836,000, with 5% town share of \$241,630.
- If the bridge is constructed in the same spot, total cost is \$2,031,900, with 5% town share of \$257,980.

Chairman Oddy continued that if just the superstructure of the bridge is replaced, there is a lifetime estimate of 30 years. If the other two options are used, the lifetime estimate is 80 years, which VTRANS has recommended. Rust continued that alternative 2b with modifications should be used, and that if 2a were selected, it would shrink the bike path and it's parking lot and affect more homeowners. Mike Fortier suggested extending the south end of South Main Street, with Chairman Oddy replying that if the road were shut down, it would be too close to the interstate entrance ramps. Rust stated that truck traffic prevents using the existing bridge. The town is looking at an 18 month construction site.

Rust motioned for the Selectboard to recommend the Town Manager write a letter to VTRANS confirming the board will move forward with option 2b, with the sidewalk widened to 5'6" and

change the shoulder edges from 2 to 3 feet. Jeff Moore confirmed the cost of \$2.579M. The motion was seconded by Vice Chairman Ruggles, and unanimously passed.

### **TOWN MANAGER REPORT**

At 2:18 p.m., 6 bids were received, ranging from \$7.093 million to \$5.530 million. The May 13<sup>th</sup> agenda included accepting bids with 2 options: 1. to use the remaining \$5.2M and reduce the scope or 2. Use the \$781K still available by the bond council. Dufrense will be back to seek approval for the bid on May 13.

The bridge is cracked and won't have access to the streambed until July 1. The town is working to apply for a deadline to be able to get into the streambed.

Jo Braman asked about street markings containing a "c". Chairman Oddy responded that he wasn't sure, probably marking water/sewer connections.

Jeff Moore mentioned project costs, projection, and possible deficit. Interim Town Manager Merelise O'Connor stated that there is no deficit, with \$524M approved for the bond, \$4.469M has been used, and \$781K available to still borrow.

Werner Heidemann asked about the Eastern/Western Avenue project. Interim Town Manager Merelise O'Connor answered that the last meeting Chad Whitehead presented a PowerPoint slide presentation that gave a detailed and thorough explanation. The CSO, Catch basin separation will go out to bid by the 30<sup>th</sup>, and is moving ahead.

Interim Town Manager Merelise O'Connor has contacted previous Jay-Lyn Fund members and has received 2 no's, and 1 non-answer. She recommended to the board that they form a sub-committee to determine how to proceed.

Interim Town Manager Merelise O'Connor took this opportunity to say that it was a pleasure and honor to serve and work with the board members, Courtney Daniels, and Stacy Jewell, and that she will continue to work with John for as smooth a transition as possible. Chairman Oddy thanked her again for the incredible job she did, managing to do a great job while still smiling. She received a standing ovation with applause from the room.

### **OTHER BUSINESS**

Susan Cherry commented that at the last Planning Commission meeting it was recommended to go forward with Green Mountain Power. The Selectboard will appoint a subcommittee, and would send a letter with details.

Jo Braman said that she would like to see Sally in a safe place instead of placed outside during any work in the building.

Ray Labounty, Jr. asked the board the action they are taking for the Jay-Lyn fund. Chairman Oddy summarized that the Interim Town Manager Merelise O'Connor had contacted the previous members of the Jay-Lyn Fund to serve and received 2 no's and 1 non-answer, and that the board will form a sub-committee. Chairman Oddy and Jeff Moore agreed to place this item

on the next meeting's agenda, with Rust stating that the subcommittee should think about other people.

Mike Fortier asked the board to revisit the charter amendment of the Concerned Citizens Group and add this action item to the next agenda. The Concerned Citizens Group would provide the wording and up to 400 citizens. Chairman Oddy responded that it would be placed on one of the upcoming few agendas, but no guarantee of it being on the next one.

Ray Labounty, Jr. asked the board to consider creating a highly visible public listing of items or projects to finish this year and the path forward. He suggested items to include: reserve funds, capital planning, committees to help move forward, and the fiscal year change.

Bob South and Bernie Timson discussed the fire truck grant, and that Bob South has spoken to Congressman Welch's aide, John Cohunes with the decision being made shortly. He confirmed that some of the other municipalities are not going to get their grant. The funds are filtered through FEMA.

Jeff Moore confirmed that the connecting bridge construction will occur this summer. (LVRT [Lamoille Valley Rails and Trails] Meeting)

At 8:45 p.m., Jeff Moore motioned to adjourn the regular meeting of the Selectboard, seconded by Vice Chairman Ruggles and unanimously passed.