



TOWN OF ST. JOHNSBURY

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Meeting of the St. Johnsbury Select Board Oct. 24, 2022 @ 6:15 pm

Present-

Select Board: Dennis Smith, Tracy Zschau, Steve Isham, Brendan Hughes, Frank Empsall

Staff: Rachel Waterhouse, Chad Whitehead, Joe Kasprzak, Lesley Russ, Stacy Jewell, Kresten Sterling (via zoom)

Press: KATV, Todd Wellington (via zoom)

Public: Jim Brown, Joanne Brown, Ed Behr, Don Smith (via zoom), Paul Taylor, Sue Ferguson, Gillian Sewake, Lauren Jarvi, Lenny Gerardi, Irene Nagle, Jody Fried, Lynn Wurzburg, Martha Staskus

Agenda Amendments:

- None

Public Comment:

- Frank Empsall thanked Dennis Smith and Steve Isham for acting as the chair of the Select Board during his absence. Thanked the Select Board for doing a fantastic job while he was sick. Explain he is back and on the mend.
- Joanne Brown asked how the public hearings fell before the regular Select Board meeting. Frank explained that they were Public Hearings and not part of the regular Select Board meeting.
- Joanne Brown expressed her concerns regarding the resignation of the Caledonia County Sheriff. Believes the Town should conduct an exit interview with him before he leaves to determine why he is leaving his position as Sheriff. Frank explained that her concerns do not have to do with Town business but a county position which the Town has no control over.
- Joanne Brown expressed her concern over the Town of St. Johnsbury being unable and unwilling to retain a full time Police Chief. She explained since 2017 the Town has gone through 3 Police Chiefs. Chad explained that Chief Page has been with the Town for the past 5 years. Frank explained that he begs to differ with Joanne. He mentioned that Chief Page's work is commendable.
- Joanne asked if she could elaborate on her concerns regarding the Sheriff. Frank advised her to put her concerns in writing to the Town Manager.

Warrants:

- On a motion by Brendan and second by Dennis to approve the warrants as presented. All in favor.

Minutes:

- On a motion by Dennis and second by Brendan to accept the regular Select Board minutes from Oct. 11th, 2022 with the noted corrections. All in favor.
- On a motion by Dennis and second by Brendan to accept the Special Select Board minutes from Oct. 11th, 2022 as presented. All in favor.

Liquor License:

- None

September Financials:

- Lesley Russ, Finance Officer presented the September Financials.
- The property taxes are prorated in the governmental funds as well as interdepartmental and reserve funds.
- General fund at the end of September had a surplus of \$358,739. Departments within the general fund are on target currently. Annual principal payment of \$70,000 was made on the Pomerleau Building loan.
- The Special Services fund at the end of September had a deficit of \$20,628. Regular salaries and overtime combined are at 28% of the budget. Overtime in the special services fund continues to be an issue however recent hires should have a positive impact once training is completed. Additionally COVID continues to impact the department.
- The Highway fund at the end of September had a deficit of \$112,467. Departments within the highway fund are on budget. The temporary deficit is due to the equipment purchase in the amount of \$320,000. Planning on putting the equipment purchases out to bid within the next two weeks.
- At the end of September, the water fund had negative revenue due to the audit entries and expense are on budget. In September 12 hydrants were purchased totaling \$32,326. This purchase was approved by the Select Board back in March 2022.
- The Sewer fund at the end of September had a deficit of \$674,487. Expenses are on target expect for the solid handling expense of \$176,800. Additionally the RBC frames were \$20,000 more than budgeted. Grant funds were received for the Pleasant and Gilman Project.
- At the end of September, the parking meter fund had a deficit of \$3,038. Expense are on target and revenue is just slightly under budget.
- Frank thanked Lesley
- Dennis asked about the surplus in the General Fund and if it was ARPA funding. Lesley explained a portion of the surplus is from ARPA funding received in August. The second installment of ARPA funding was received in October.
- Joanne Brown inquired where \$8,100 came from. Lesley explained it was grant received from the State of Vermont for the Pleasant and Gilman Project.

Mayhew Solar- Preferred Site Status Request:

- Chad provided an overview of the project and request for preferred site status. Mayhew Solar has already been to the Planning Commission and obtained approval from them. This is the next step.
- Martha Staskus provided an overview of the project with the proposed location and conceptual plan. She explained the project is similar in size to other projects that have gone before the Select Board before. The project would be approximately 3 acres in size and avoid the wetlands in the

area. The environmental assessment has been completed and historical preservation has signed off on the project.

- Steve Isham asked if the PUC complies with the Town's enhanced energy plan. Martha said yes and complimented the Town's enhanced energy plan.
- Dennis asked if the 45 day notice started back in August. Martha explained that the application cannot be submitted until the preferred site has been approved. 45 days is the minimum notice with 180 days being the max.
- Dennis asked if abutting land owners were notified. Martha said yes within the 45 day notice.
- Tracy asked if the plan has gone before the Planning Commission already. Jim Brown said yes initially there was some hesitation to grant preferred site status but have been given assurances. The Planning Commission voted 3 in favor and 1 not in favor with conditions. Martha suggested the conditions be listed in the letter approving preferred site status.
- Lynn Wurzburg explained that Norwich Solar is good about accommodating terms specified. Believe it is one of the best spots to have a solar site as it is totally hidden and fills the goals of the Town Energy Plan.
- Jim Brown commented that scraping the surface soil and putting it back is an important piece. Sounds like it is the right way to do it.
- Steve Isham confirmed that the family initiated the solar project.
- Lynn Wurzburg asked if the electricity generated would be going into the VT system. Martha said yes into the Green Mountain power system. She explained that typically it is sent to the closest outlet.
- On a motion by Dennis and second by Tracy for the town to support the Mayhew Solar Project as a Preferred Site from the Town. All in favor.

Planning Commission Proposed Bylaw Changes:

- Chad provided a review of the proposed Planning Commission bylaw changes with regards to retail cannabis.
- On a motion by Brendan and second by Dennis to approve the proposed Planning Commission bylaw changes. All in favor.
- Chad explained that the Chamber and Catamount Arts came forward with concerns regarding the lighting and signage proposed bylaw changes specifically with regards to murals.
- Ed Behr outlined how the Planning Commission came to the proposed changes. The goal is to make sure murals are of quality, they are maintained, and protection of historical buildings is preserved. Therefore, the Planning Commission felt reversible murals were ideal.
- Jody Fried thanked the Planning Commission for all the amazing work they have done. He expressed that he felt it was worth taking a little bit of time to run the changes by the VT Art Council to make sure it checks all the boxes and doesn't limit the Town in the future. He explained that he believes St. Johnsbury has an opportunity here that would give them a competitive advantage.
- Frank confirmed that Jody was asking to make sure the correct verbiage was used and would not come back to haunt the Town down the road. Jody said yes make sure the investment is well spent.
- Ed explained the Planning Commission is willing to take the pause that has been requested and work with the Chamber and Catamount Arts to resolve the mural piece.
- Gillian Sewake voiced her concerns and explained the community is eager and ready for murals.
- Chad suggested tabling this and giving the Planning Commission time to work with the Chamber and Catamount Arts.

- Jim explained that it will be on the agenda for the next Planning Commission meeting on November 15th.
- Steve Isham expressed that quality of art was a red flag for him. He asked what is defined as quality art and who governs the censorship. Ed explained that people are not happy with certain kinds of lesser quality of art.
- On a motion by Brendan and second by Tracy to table the proposed Planning Commission bylaw changes with regards to lighting and signage. All in favor.

NVDA Consortium Grant Application for the LVRT Project:

- Joe Kasprzak, Assistant Town Manager presented the Select Board with the application for the NVDA Consortium Grant for the LVRT Project. LVRT economic assessment has been completed. This grant is a planning grant to help prepare communities for this critical opportunity. It will assist with the development of regional amenities but requires a 20% match. NVDA expects the project to cost \$80,000. Currently if all 6 towns buy in the cost would be \$2,700 for the Town of St. Johnsbury but would not exceed \$5,000.
- Dennis asked where the funding for the match would come from. Joe said he is recommending unallocated General Fund reserves.
- Joanne Brown asked how much St. Johnsbury would be responsible for. Joe said up to \$5,000.
- Joanne Brown asked if that was over a one year time frame. Joe said yes.
- On a motion by Tracy and second by Dennis to authorize the use of up to \$5,000 for the NVDA Consortium Grant 20% match from unallocated reserve funds and to sign the letter of support. All in favor.

Bylaw Modernization Grant:

- Chad Whitehead, Town Manager explained that there is around \$650,000 available in 2023 for land use development and updates to housing bylaws. The goal of this grant is to increase smart development and increase the housing stock and quality in St. Johnsbury.
- Irene Nagle mentioned the maximum grant would be \$25,000 and the 10% match to the Town would be \$2,500. She explained if the bylaws are approved within two years the 10% match would be forgiven.
- Jim Brown thanked NVDA and Irene Nagle. Explained that he understands the needs for housing and that this is a really good opportunity to look at and move forward with.
- On a motion by Dennis and second by Tracy to authorize the Town to enter into the bylaw modernization grant program and move forward. All in favor.

Town Managers' Report:

- Chad Whitehead, Town Manager provided the following Town Manager's Report.
- Commended the Police Department with their efforts with regards to the recent shooting in Town. Thanked them for their long hours and looking out for the best interested of the community.
- Jim Brown asked if there had been any developments with regards to the catalytic converter thefts in Town. Chad explained he would have to touch base with the Chief Page.
- Jim Brown mentioned that there has been box truck going around town and suggested that be the first person they speak with.

- Dennis asked the status of 955 Portland Street. Chad explained that it has been listed on the market.

Other Business:

- None

Executive Session:

- On a motion by Dennis and second by Brendan that an executive session was needed to address a contractual matter that premature general public knowledge would put the Town at substantial risk. All in favor.
- Joanne Brown asked what the matter was. Dennis explained that premature general public knowledge would put the Town at a substantial risk.
- On a motion by Dennis and second by Tracy to enter executive session and invite the Town Manager. All in favor.
- On a motion by Dennis and second by Tracy to exit executive session.
- The Select Board Chair had nothing to report.

On a motion by Brendan and second by Dennis the board adjourned by unanimous decision.