



TOWN OF ST. JOHNSBURY

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Meeting of the St. Johnsbury Select Board Nov. 14th, 2022 @ 6:00 pm

Present-

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

Staff: Rachel Waterhouse, Chad Whitehead, Joe Kasprzak, Lesley Russ, Stacy Jewell, Paul Berlejung

Press: KATV, Todd Wellington (via zoom)

Public: Jim Brown, Don Smith (via zoom), Gillian Sewake (via zoom), Pam Parker, Mary Berlejung, Rebecca Masure, Carol Lyon, John Lenzini, Scott Campbell, Rev. Andrew Williams

Agenda Amendments:

- None

Public Comment:

- Pam Parker approached the board regarding anti-Semitism in St. Johnsbury. She highlighted the powerful talks that Lucas Weiss and Addy Chandler recently gave at the Academy. She expressed that it is not just the Academy's problem it is in our schools, our neighborhoods, our community. She suggested the community join together to make sure that all citizens feel safe and welcome in St. Johnsbury and encouraged the Select Board to adopt the Vermont Declaration of Inclusion.

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. 24th, 2022 as presented. All in favor.
- On a motion by Dennis and second by Tracy to accept the Special Select Board-Faufaw Towing minutes from Oct. 24th, 2022 as presented. All in favor.
- On a motion by Brendan and second by Dennis to accept the Special Select Board- Charter Hearing minutes from Oct. 24th, 2022 as presented. All in favor.

Liquor License:

- None

October Financials:

- Lesley Russ, Finance Officer presented the October Financials.
- The property taxes are prorated in the governmental funds as well as interdepartmental and reserve funds.
- General fund at the end of October had a surplus of \$1,237.685. Departments within the general fund are on target currently. The surplus does include ARPA funds in the amount of \$1,069,707. The first payment for property taxes was due during October and the Town is in a good cash position.
- The Special Services fund at the end of October had a deficit of \$37,810. Regular salaries and overtime combined are at 38% of the budget. Staffing continues to be an issue in the police department.
- The Highway fund at the end of October had a deficit of \$156,545. Departments within the highway fund are on budget. The temporary deficit is due to the equipment purchase in the amount of \$320,000. During October \$76,696 of salt was purchased.
- At the end of October, the water fund had a deficit of \$292,714. Expenses in the water fund are on budget except for chemical supplies which is due to significant price increases.
- The Sewer fund at the end of October had a surplus of \$281,195. The Sewer Fund has received \$800,991 in grant funds for the Pleasant and Gilman project. The sewer plant is over budget due to solids handling and the purchase of RBC frames. Additionally, \$37,308 has been expensed for the Moose River crossing repairs.
- At the end of October, the parking meter fund had a deficit of \$3,530. Expense are on target and revenue is just slightly under budget.
- Dennis asked about the Moose River crossing repair expense. Chad explained that the emergency repairs were paid through the budget and were not included in the Pleasant and Gilman project financing.
- Dennis asked if any progress has been made with the staffing in the Police Department. Chad explained that currently the Police Department has 1 officer at the academy, 1 officer just completed FTO training and recently lost 1 officer. Chief Page continues to recruit with the help of Rachel.
- Jim Brown inquired about the price point on chemicals for the water treatment facility. Chad explained that while the cost of chemicals does influence how the facility operates the Town is pretty much married to Styles Pond as our source as development of a groundwater source is extremely costly and we are required to follow state and federal guidelines regarding chemicals and treatments.

DPW Equipment Financing:

- Chad explained that the 2022 Case 621 F Wheel Loader and the 2022 Ford F-600 with plow equipment were placed out to bid for financing. Reviewed the received loan rates and recommended the Town move forward with a loan in the amount of \$354,643 from Mascoma Bank with 3.95% interest on a five-year note.
- On a motion by Dennis and second by Brendan to authorize Chad Whitehead, Town Manager to sign the loan with Mascoma bank in the amount of \$354,643 with an interest rate of 3.95% for the DPW equipment. All in favor.

Grand List Amendments

- Stacy Jewell, Town Clerk stated there was not much to discuss regarding the grand list amendments.
- Frank asked if it was just a formality. Stacy said yes.
- On a motion by Tracy and second by Dennis to approve the grand list amendments as presented. All in favor.

Planning Commission Public Hearing Request

- Chad Whitehead, Town Manager explained that the Planning Commission is requesting a Public Hearing for review of and comments on two sets of amendments to St. Johnsbury Zoning and Subdivision Code of Ordinance. The proposed amendments include adding a bylaw definition for Horticulture to define it as the science, art and practice of growing fruits, vegetables, flowers, and ornamental plants. The second proposed amendment change is to include single family, two family and multi-family dwellings in the Health Services upon issuance of a conditional use permit. Requires 15 days to warn the meetings and recommends a public hearing at 5:30 pm on Dec. 12th prior to the regular Select Board meeting.
- Jim Brown explained that the definition regarding horticulture came to light during discussions regarding animals within the village limits. He explained that currently the agriculture definition includes horticulture which would limit it to outside of the village limits. However, horticulture is all around the village therefore the language needs to be changed to allow horticulture in all zones. Explained that the change to the health zone but conditional use permit will work better and allow more options for the Town.
- On a motion by Brendan and second by Dennis to schedule and warn a public hearing for the proposed bylaw amendments on Monday December 12, 2022 at 5:30 pm. All in favor.

New Avenue Project Update:

- Rebecca Masure spoke on behalf of the New Avenue Project and the VT Community Development Grant the Town received to assist with the project. She explained the Town received the funds which were then transferred to Rural Edge and then to the project. She highlighted that the \$550,000 grant helped leverage around 15 million from other funding sources for the New Avenue Project. The project was completed in December of 2021 and is fully occupied at this time.
- No questions from the board or the public.
- Tracy thanked all those who worked on the project and commented how huge of a milestone this project was for St. Johnsbury.
- Frank commented that he has the pleasure of working on this project through the New Depot Group.
- Chad applauded those who worked on the New Avenue Project as it was very complex with multiple funding sources. Thanked Senator Kitchell for her support on the project.

NVDA Neighborhood Designated Area Project:

- Joe Kasprzak requested that the board table the agenda item until later in the meeting so that Irene Nagle had time to get here from another commitment.
- On a motion by Brendan and second by Dennis to move the NVDA Neighborhood Designated Area Project to after the Town Manager's Report. All in favor.

- Irene Nagle from NVDA presented an overview of the neighborhood designated area project. She explained it is a new program and there is no designated area in the region. She explained the value of such designated area for the community and developers. She explained she has spoken with the Planning Commission regarding potential boundaries. Currently looking at the Summerville Neighborhood as it seems to fit well into the guidelines. Also had a conversation with the Assistant Town Manager and the State to better understand the requirements. Next step is to prepare the application for the State to review.
- Joe Kasprzak, Assistant Town Manager asked Irene to clarify where the Summerville Neighborhood is. Irene explained that it is in the area of Portland Street including Concord, Elm St, and other side streets.
- Frank asked if the boundaries have been established. Irene said they are not final and would be defined through the process.
- On a motion by Brendan and second by Dennis the Board approved supporting the Neighborhood Designated Area project application.

NEK to LVRT St. Johnsbury Representative:

- Joe Kasprzak, Assistant Town Manager explained that VTrans and NVDA are requesting representatives from each Town for the NEK to LVRT Consortium. Joe explained his current involvement with NEK+. Joe expressed he would be willing to represent St. Johnsbury.
- On a motion by Dennis and second by Tracy to appoint Joe Kasprzak at the St. Johnsbury Representative for the NEK to LVRT. All in favor.

Declaration of Inclusion:

- Chad Whitehead, Town Manager explained that the declaration of inclusion is an effort throughout Vermont to support inclusion. Given recent events and letters to the Town it seems a declaration of inclusion is important to the St. Johnsbury community.
- Robert Harnish spoke about the declaration in inclusion highlight that the initiative is important to VT and encourages communities to be more welcoming, unbiased and respectful therefore making them successful economically. He explained the declaration of inclusion urges citizens to model this. Highlighted that Towns including Walcott, Hardwick and Mooresville have acted along with VLCT and the governor has adopted his at the state level. Diversity makes a community strong. This is morally and economically the right thing to do. He suggested the Select Board adopt the declaration of inclusion statement as it is for the best investment of St. Johnsbury.
- Chad read the declaration of inclusion.
- Pam Parker asked if a process gets followed once adopted. Chad explained many towns have formalized and created inclusion committees. Bob explained that adopting the declaration of inclusion is just the first step and suggested reviewing the implementation tool kit on VLCT's website.
- Rev. Andrew Williams expressed his interested in a committee. Along with Frank and Gillian.
- Steve Isham urged the Select Board to adopt the declaration of inclusion. Expressed how much it means to him.
- Jim Brown asked if all the research needed was available on Bob's website. Bob said yes it also includes my cell number and email. Dennis mentioned that VLCT also has information available.
- On a motion by Steve Isham and second by Tracy to adopt and implement the declaration of inclusion. All in favor.

Zoning Update:

- H. Paul Berlejung, Zoning Administrator provided the following Zoning Report.
- 110 zoning permits have been issued from 1/1/22 to 10/31/22.
- 25 certificates of zoning compliance have been issued since the beginning of the year. This is down from 41 in 2021. He mentioned that this suggests house sales are down.
- 56 housing, health and zoning complaints have been filed for 2022. Chief Reed and Code Compliance Officer Sterling have done a great job resolving these issues.
- 27 event permits have been issues so far in 2022 compared to 26 in 2021.
- 16 E9111 numbers have been issued since 1/1/22 to 10/31/22.
- 25 vacant structures are being tracked. This is down by 8 vacant structures from 2021. Paul mentioned this is a direct result of Chief Reed and Kresten Sterling's work.
- 405 long term dwelling units are in the registration program of that 316 have been registered bringing in a total of \$32,900 toward the budget of \$42,000. Paul contributes this success to Doug Reid.
- Mentioned that the town has 2 retail cannabis stores, 2 cannabis tier 1 small cultivators, and 1 cannabis manufacturing facility within the Town. Explained his frustration with the State and the permitting process for cannabis establishments.
- Paul stated overall the Town is moving forward and problems are being resolved.
- Dennis mentioned he thought the vote with regards to cannabis was specifically only for retail not cultivation. Dennis asked if the state permit overrides that. Scott Campbell mentioned that the Town included provision to just retail only in the vote. Jim Brown explained that cultivation could be included within the agriculture bylaws.

Town Managers' Report:

- Chad Whitehead, Town Manager provided the following Town Manager's Report.
- ARPA community outreach meeting took place last week. HCH is working on developing a spending plan and application for funding requests. Hoping to be able to take funding request at the beginning of 2023.
- DPW has begun preparing trucks for winter weather.
- Paving plants has begun to close for the season therefore moving forward repairs for the winter will be pot hole patching.
- DPW worked Saturday to repair a water main break on Charles Street.
- Hydrant flushing around Town has been completed.
- Road work on Old Man Mountain Road and Crepault Hill has been completed.
- Culvert on Libby Road has been repaired.
- Pleasant and Gilman Project construction updated are on the Town's website and Facebook. Ja McDonald is in the process of preparing for winter shut down.
- Dewatering of solids has been completed at the sewer plant.
- 955 Portland Street has been listed for sale and one offer has been received. Will be working with the Town's real estate agent on reviewing the offer.
- Interviews continue in Dispatch.
- The Fire Department continues to advertise and actively recruit through varies methods for applicants to fill vacancies.
- Working to establish a Knob Management Committee.

- The DRB attending a VLCT training with Danville on November 2nd.
- Working with VLCT to schedule other trainings.
- The Beautification Committee and DPW will be working together in the coming weeks to place the winter decorations throughout town.
- The Single Audit is currently underway. Audits were in the office last week reviewing information related to the Pleasant and Gilman Project and ARPA funding.
- The Town Manager's Office is working on wrapping up the draft budget and will begin scheduling meetings with Select Board Members to review. Plan to bring forward publicly in the coming weeks.

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.
- On a motion by Tracy and second by Dennis to enter executive session and invite the Town Manager and Assistant 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.