



# TOWN OF ST. JOHNSBURY

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## Meeting of the St. Johnsbury Select Board May 23, 2022 @ 6:00 pm

### Present-

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

Staff: Chad Whitehead, Rachel Waterhouse, Joe Kasprzak, Kresten Sterling, Bradley Reed, Stacy Jewell (via zoom), Paul Berlejung (via zoom), Steve Beauregard (via zoom)

Press: KATV

Public: Mary Berlejung (via zoom), Linwood Smith, John Morse, Andrea Day, Willie Nickerson, Peter Van Straten (via zoom)

### Agenda Amendments:

- None

### Public Comment:

- Willie Nickerson notified the board that his family has been found in violation of a zoning ordinance and will be appealing the violation Thursday night at the DRB. He expressed concern with the inconsistency in the definition and application of the ordinance. He explained that his family primarily raises these animals for food and to teach their children. The violation is the result of a DBR member's complaint and not a neighbors complaint.
- Dennis asked how many chickens and goats he had. Willie said currently they have 3 kids, 3 does, 3 goats and 13 chickens. Once the kids are weaned they will be leaving the property.
- Dennis asked what his property size was. Willie said 1/10<sup>th</sup> of an acre. He explained that his neighbors allow the animals on their property.

### Warrants:

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

### Minutes:

- On a motion by Dennis and second by Tracy to table the minutes from May 9<sup>th</sup>, 2022. All in favor.

### Liquor License:

- On a motion by Dennis and second by Steve Isham to approve the following new liquor licenses. Brendan abstained.
  - JA Morse Pizza LLC.- 1<sup>st</sup> class, 3<sup>rd</sup> class and outside consumption
  - American Dream Restaurant LLC.- 1<sup>st</sup> class

#### Fire Department RFPs Review-Replacement Vehicles:

- Chad Whitehead, Town Manager explained that the Fire Department is looking to replace their tow vehicle and car 1. He provided an overview of the proposals received.
  - Chief Bradley Reed explained that the RFPs were sent out both town wide and state wide.
  - Brendan asked if the Town would receive a discount for purchasing two vehicles. Chief Reed explained he was under the impression the Town would receive the fleet price for purchasing both vehicles. Frank commented that the fleet price was sign off on by the company. Dennis asked to have the pricing verified before purchase.
  - Steve Isham asked what funds were received from the insurance for Car 1. Chad explained that the tow vehicle was no longer able to be inspected therefore no longer useful for the Town. In turn it was sold for \$7,200. Chad also explained that the Town will be receiving around \$20,000 from the insurance claim for Car 1. This figure doesn't include the replacement of the radios and lights. It was determined that we would figure out what was salvageable from Car 1 and then would get back in touch with the insurance company for a second claim.
  - Chad explained that the funding for these two vehicles is in Chief Reed's budget projections for this current year. However these two purchases were not budgeted for and are over \$5,000 therefore seeking the Select Boards approval for the purchase. Will be working with finance since Car 1 will not be delivered before the next fiscal year. Chief Reed explained that payment for the vehicles is not made until the vehicles are received.
  - Frank asked if Chief Reed will use the tow vehicle as Car 1 until Car 1 arrives. Chief Reed mentioned that he would use the tow vehicle as much as possible until Car 1 arrives.
  - Dennis asked if the funds would need to be set aside now for the purchase of the vehicles. Chad explained that he would clarify with finance as to how she would recommend proceeding as one vehicle would not be received until the next fiscal year.
  - Dennis asked if the dollars are within the current budget what is being given up for these vehicles. Chief Reed explained that there has been savings on the salary line due to medical leave and retirement. The department has run short almost all year.
- On a motion by Brendan and second by Dennis to approve the purchase of a tow vehicle and Car 1 for the fire department with the clarification that the Town will be receiving the fleet pricing. All in favor.

#### Fire Department Collective Bargaining Agreement:

- Chad Whitehead, Town Manager highlighted the following changes to the Fire Department Collective Bargaining Agreement.
  - Staffing Requirements- the Town will apply for a Safer Grant for 3 new firefighters. If awarded the grant would cover the 3 new firefighter's salaries and benefits for three years. If the Town is unable to secure a Safer Grant the budget to add 3 new firefighters will go on the ballot for Town Meeting for the residences to vote on.
  - Add a bonus of \$500 for those firefighters who reside in St. Johnsbury.
  - Salary increases of 6% for the first year and 2.5%-3% for year 2 and 3.

- Increase in the employee contribution to the Town's 401 Pension Plan over the next three years. This will align their contributions more closely to those in the VMERS plan.
- The Fire Department Union has voted to ratify this 3 year contract.
- On a motion by Dennis and second by Brendan to ratify the Fire Department Union Contract. All in favor.

#### ARPA Request-Facilitator:

- Chad Whitehead, Town Manager reviewed the process and proposals. The ARPA Committee is recommending HCH as the preferred facilitator. Explained what set them ahead was the depth within the company. The Facilitator will be responsible for gathering community input through public meetings, outreach and online polling. The Facilitator will then come back with recommendations on how to proceed with the funds.
- Brendan asked if the Town had to have an ARPA Facilitator. Chad said no but the committee felt it was important.
- Brendan asked when the committee decided on a facilitator. Chad explained that review and choice of a facilitator was determined last Monday at the ARPA Committee meeting. Frank commented that an ARPA Facilitator has been in discussion since the first ARPA Committee meeting. A facilitator will help level the playing field.
- Brendan asked why previous applications had been voted on if the plan was to obtain a facilitator. Chad explained that the previous applications required funding immediately and aligned with the existing Town Plans. Of the ARPA funds only \$500,000 was set aside for immediate projects.
- Steve Isham commented that he appreciates the knowledge and experience of the recommended ARPA facilitation company. They seem to have experience with towns our size. Believe outreach is very important including reaching out the underserved. This process will ensure that the public has the opportunity for input. Question whether the data and reports would be available to us, the public and select board. Chad explained that the contract can be set up where the reports and data become the property of the Town.
- Dennis asked if having a facilitator will aid in compliance with the funds. Can they be depended on for compliance? Chad explained that ultimately it is the Town's responsibility in terms of compliance but we could refer to them for guidance.
- Brendan asked if this company has worked with other Vermont towns. Chad said not to his knowledge however they have worked with towns in Rhode Island and New York.
- Brendan asked what other towns are doing for a facilitator. Chad said he was not sure.
- Tracy inquired about the application for the ARPA funding and if the same application would be used for long term requests. Chad explained that the application could be used for long term requests as well but the facilitator would be here to help form the framework and adjust the application as the committee sees fit.
- Tracy inquired about the cost. Chad explained that the Town received 3 facilitator proposals ranging from \$14,500 to \$48,000.
- Stacy Jewell, Town Clerk expressed that she doesn't see why a facilitator is needed and why the ARPA Committee cannot attempt to facilitate itself verse spending \$24,500. 15 people on the committee a group that size should be able to gather information and put together recommendations for the board. Seems like a large amount to pay for only 2 million to be dispersed.
- Steve Isham explained that polling and research study needs to be strategically sound and a facilitator would be able to provide this quickly and easily.

- Tracy asked if there was a sense of what other Towns are doing. Chad said not specifically. Frank mentioned that other Towns have applications out.
- Joe Kasprzak, Assistant Town Manager expressed that having the information from a facilitator will not only be helpful for the ARPA funds but for years to come.
- Brendan asked if public input indicates sidewalk repairs as a concern who would fill out the application. Chad said the Town could fill out an application for that and everything would be evaluated together.
- Brendan asked if it would needed to be completed by department. Chad said no as the funds are all within the General Fund.
- Stacy Jewell commented that the Town does not spend money to hire a facilitator for the Town budget which is 6 million. This is only 2 million.
- Chad explained that each time the Town has hired a consultant we have not been disappointed with the outcome. Typically get much more out of it than we thought we would.
- Frank commented that he feels it is best to have a facilitator and is comfortable with the committee's recommendation. This is help the Town avoid problems down the road.
- Joe Kasprzak explained that we will likely learn from the process and get best practice PR out of it.
- Tracy expressed that it sounds like the facilitator process could help the Town go beyond the one-time funds and maximize the impact.
- Steve Isham expressed that he believes the facilitator will help provide recommendations based on experience of past practice which will overlap to help the Town get their money back from it.
- Brendan asked if the ARPA Committee recommended a facilitator. Chad said yes they recommended it several months ago.
- Dennis questioned the cost of the recommended facilitator.
- Brendan asked what the roll of the facilitator was. Chad explained they would hold public meetings, collect public feedback and provided the feedback to the committee.
- Brendan asked if having a facilitator would negate problems. Frank said yes it will set the ground work.
- Dennis asked if the company had knowledge in additional funding sources. Chad said they have some technical assistance but NCIC is already involved and would be able to provide this knowledge as well.
- Tracy commented that she was worried about the time table over the discrepancy of \$3,000.
- Dennis asked what the time frame was. Chad explained that the longer the Town waits to approve the funds and sign the contract the longer it will take to get started.
- Tracy suggested clearing up the cost of the facilitator question but not hold up the process. Dennis agreed and asked if others would be available later in the week for a special meeting. Consensus was yes.
- On a motion by Brendan and second by Dennis to table the ARPA Facilitator Request until able to confirm the cost of the Facilitator Services from HCH. All in favor. Steve opposed.

#### ARPA Request- Record Digitalization:

- Chad Whitehead, Town Manager provide the Select Board with the application and quote for the digitalization of the records in the Town Clerk's Office. He read the ARPA Committee meeting minutes from 5/16/22 regarding the record digitalization request for funds. Town Clerk's Office is requesting \$50,000 for this project.
- Tracy asked if the cost could increase \$100,000 and if that happens would they have the opportunity to come back and request more funds. Chad said yes.

- Dennis asked if there were any funds within the Town Clerk's budget to help offset the cost of this project. Stacy mentioned that there is a restoration fund for the books but the older documents will still need restoration and preservation,. This project is about scanning them and placing the documents online and making the records more accessible.
- Dennis asked how far \$50,000 will get the Town Clerk's Office in the process. Stacy said she was not completely sure but probably over the 60 year period until the photo static books.
- Brendan asked if the application used was the application the committee created. Chad said yes.
- On a motion by Tracy and second by Dennis to authorize \$50,000 for the ARPA funds for the digitalization of records in the Town Clerk's Office. All in favor.

#### Intent to Convey Real Estate:

- Chad Whitehead, Town Manager explained that the Town acquired a mobile home located on First Street. Request the Select Board approve the intent to convey real estate for this un-landed mobile home. If approved by the Select Board will go through the legal process of posting the intent to convey notice and will accept sealed bids. The process is subject to appeal by 7/6/22 at which point it would go to a Town vote.
- On a motion by Dennis and second by Brendan to authorize the intent to convey real estate for 35 First Street mobile home. All in favor.

#### Water Treatment Facility Upgrade Update:

- Chad Whitehead, Town Manager explained that in 2016 the Town voted to bond the Water Treatment Facility Upgrades. Dufresne Group is here tonight to provide an update on the project. Not looking for the board to take any action tonight still working with the state on the funding piece.
- Andrea Day from the Dufresne Group provided a PowerPoint presentation update on the project.
  - Concerns still remain about the age of the equipment at the Plant.
  - Proposed treatment process would include ultrafiltration membrane.
  - The existing Water Treatment Facility would be used as a pre-treatment facility with a lab and storage area.
  - Plans and specifications are ready for final review.
  - Bond vote from 2016 is in the amount of 4.78 million. As of December 2021 total costs are estimated at 7.2 million.
  - \$25,000 grant offered by Efficiency Vermont for energy efficiencies incorporated into the project.
  - Water Fund Loan #1 2020 IUP \$1,419,761 with a 4.2 subsidy and 75% loan forgiveness.
  - Water Fund Loan #2 is TBD
  - Once we hear about the Water Fund Loan #2 it will help decide how we move forward.
- Dennis asked what the timing was for the project and when they hope to place it out to bid. Andrea mentioned that a preselection process has been completed but those proposals are set to expire in August. Potentially could request an extension on the proposals. Ideally hoping to put the project out to bid in late summer.
- Dennis questions if the only thing they are waiting on is the state. Chad said yes, the second loan offer is critical. Currently the impact to the rate payer is better than what was initially brought forward.
- Steve Isham asked if the project was paid through water rates. Chad said yes. The bonding takes place at the Town level but the payback is done through water fees.

- Steve Isham asked if it was a Town wide bond vote or just special services. Chad explained it was Town wide. Dennis mentioned that only the people on Town water pay for it.
- Tracy asked if someone would come back to the Select Board after they hear from the state. Chad said yet.
- Steve Beauregard commented on the work done in the Water Treatment Plant y Dan Gray. Commended him for doing a great job keeping the plant going.

#### Town Managers' Report:

- Chad Whitehead, Town Manager provided the following Town Manager's Report.
- ACCD Downtown Conference is scheduled for June 9<sup>th</sup> in St. Johnsbury.
- Attended the City and Town Manager Conference last week.
- Provided an update on the Gilman Project including the boar in the river. The first pilot hole has been completed and they are working on the second. Expecting to be done in 2-3 weeks until then will continue to operate on the bypass system.
- Water Main Construction continues on School Street.
- Pleasant Street Project is expected to reach peak construction over the next couple of weeks.
- Tax Sale is schedule for June 16<sup>th</sup>.
- 955 Portland Street is 85% clean out and expect it to be put on the market in the next few weeks.
- Expecting a busy summer here in St. Johnsbury.
- Joe Kasprzak, Assistant Town Manager mentioned that he continues to work on the Armory Project. Working on a memorandum of understanding with historical preservation and the EPA regarding the mitigation plan for the Armory.
- Joe Kasprzak mentioned that the Rental Housing Improvement Grant Program received 20 applications during this round. The Committee is currently reviewing the applications and hopes to come to the Select Board Meeting on June 13<sup>th</sup> with award recommendations.
- Attending the VCDP board meeting on June 9<sup>th</sup> to ask for funding for the Armory Project.
- Steve Isham asked if the available allocated funding for the RHIGP would cover all application requests. Joe said no this was a much more competitive season. Lots of different types of applications.

#### Other Business:

- Dennis asked about the sidewalk outside of the Tap Room. Inquired how much narrower the parking spots were and if it had any impact on the travel lanes. Chad explained that that no changes were made and it was the same as last year.
- Dennis asked when the sidewalk next to Whirligigs was going to be repaired. Chad said they will be starting that soon.
- Dennis asked if emergency vehicles were able to get through the pedestrian bypass. Chad said yes it was part of the previously approved plans.
- Dennis asked if there would be issues with plows there. Chad said no.  
Dennis asked if there would be issues with buses. Chad said he didn't see an issue with buses.

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