



TOWN OF ST. JOHNSBURY

51 Depot Square, Suite 1

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Meeting of the St. Johnsbury Select Board November 13th, 2023 @ 6:00 pm

Present-

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

Staff: Chad Whitehead, Joe Kasprzak, Rachel Waterhouse, Stacy Jewell

Public: Jim Brown, KATV, Gillian Sewake (via zoom), Todd Wellington

Agenda Amendments:

- None

Public Comment:

- None

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 approve the minutes from the Oct. 23rd meeting with the noted correction. All in favor.

Liquor/Tobacco License:

- On a motion by Dennis and second by Steve Isham to approve the Liquor and Tobacco Licenses as presented. All in favor. Brendan abstained.

Grand List Adjustments:

- Frank mentioned that Grand List Adjustment #9 is in the amount of \$2,663.93, Grand List Adjustment #10 is in the amount of \$95.24, Grand List Adjustment #11 in the amount of \$669.01 and Grand List Adjustment #12 in the amount of \$1,550.14.
- Steve Isham asked if all the adjustments were reductions. Stacy said they were changes to homesteads which changed their tax rates. She mentioned that they had until Oct. 15th to apply for the homestead exemption and was hoping these were the last of the adjustments.
- On a motion by Dennis and second by Tracy to approve the Grand List Adjustments as presented. All in favor.

Audit RFP:

- Chad Whitehead, Town Manager explained that the three year audit contract was due for renewal and Finance sent requests for bids to Sullivan, Powers & Co., Fothergill, Segale & Valley, A.M. Peisch, Pace & Hawley, Kittel, Branagan & Sargent and Graham & Veroff. Fothergill, Segale and Valley responded stating that they do not handle municipal audits. The only other company to respond with Sullivan Powers who submitted a bid outlining \$31,700 for the first year, \$32,600 for year two and \$33,600 for year three. He mentioned that the single audit remains at a fixed fee of \$6,000.
- Tracy asked if the Select Board entered into a three year contract last time for audit services. Chad said yes.
- On a motion by Brendan and second by Dennis to enter into a three year audit contract with Sullivan Powers and to authorize the Town Manager to execute. All in favor.

Portland Street and Railroad Street CSO Loan Documents:

- Chad reviewed the Portland Street CSO Loan Document 400-RF1-305-2.0 and the Railroad Street CSO Loan Document 405-RF1-302-2.0. He explained that both loans are 100% forgivable meaning the Town will have not debt to pay back.
- Frank asked if this project would take place next year. Chad said the project is currently in the design phase but will still need to go to the voters before it goes to construction. He said the project would not be ready to go to the voters for the 2024 Town Meeting but explained that the Town has a 5 year window to complete the work.
- On a motion by Dennis and second by Brendan to approve CSO Loan 400-RF1-305-2.0 in the amount of \$82,300 for Portland Street and authorize the Town Manager to execute. All in favor.
- On a motion by Tracy and second by Dennis to approve CSO Loan 405-RF1-302-2.0 in the amount of \$67,200 and to authorize the Town Manager to execute. All in favor.
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Catamount Arts STJRF Grant Agreement:

- Chad presented the Select Board with a draft of the Catamount Arts STJRF Grant Agreement for the award of \$200,000 from the STRFGP. Catamount Arts is looking to use the grant funds to purchase the property located at 105 and 107 Eastern Ave. He highlighted that the conditions of grant agreement including failure to acquire the property within 1 year would result in a return of the entire funds to the Town. Chad explained that substantial progress is defined as project completion within 5 years from the date of the agreement. If substantial progress has not been achieved within five years funds will be returned to the Town. Any sale of property to any third-party shall be approved by the St. Johns bury Select Board and \$200,000 will be returned to the Town. If the property at 105 and 107 becomes exempt from municipal property taxes Catamount Arts will pay the Town PILOT payments equal to the amount of tax due based on the municipal tax rate and assessed value.
- Frank asked Jody Fried how it was going. Jody said that Stone Environmental has been up there working. Phase I and Phase II have been completed and the corrective action assessment is underway. He explained that the correction action for 105/107 is being done to residential standards given the housing needs in Town. If all goes right looking at purchasing the property in early 2024.
- Jody mentioned that the funding from the STJRFG helped them secure \$340,000 from ACCD for this project. He explained it has been lots of work but all positive.

- Frank mentioned that it sounds positive. Jody said it was all very positive and thanked the Town and Select Board for all their support.
- Tracy asked if the conditions of the grant agreement still worked. Jody said yes if all goes as planned.
- Frank asked if the Select Board could grant an extension if needed. Chad said yes that the agreement could be extended if the Select Board choose to take action at that time.
- On a motion by Brendan and second by Tracy to approve the Catamount Arts STJRF Grant Agreement and authorize the Town Manager to execute the agreement with Catamount Arts. All in favor.

Intent to Convey Real Estate- St. Johnsbury Center Cemetery:

- Chad explained that the Cemetery Commission for the St. Johnsbury Center Cemetery located at the North end of Mall has voted to dissolve. He explained that the Town Cemetery Commission intends to take over this Cemetery. He explained that once the Intent to Convey Real Estate is posted people will have until December 23rd to petition the transfer. If no petitions the Town can start the process of ownership of the St. Johnsbury Center Cemetery. Chad explained a similar situation happened when the Town took over the Grove Cemetery. The only difference is the Grove Cemetery completed an audit of their records prior to the transfer. Chad said that currently only two people are involved in the St. Johnsbury Center Cemetery and he is not sure of their capacity to manage an audit of their records. He explained that they have a lot of records and about \$60,000 in investments if the Town was to wait longer it could disappear. VLCT recommends moving forward as explained and Chad has reached out to Jamie Murphy regarding the legal aspects as Ed used to handle the Town's real estate purchases.
- Frank asked if the funds would come to the Town with the transfer. Chad explained that the funds would come to the Town with the transfer but would have to be used specifically for that Cemetery.
- Dennis asked if the Town got any fund transfer with the takeover of the Grove Cemetery. Chad explained that the Town did receive funds when they acquired the Grove Cemetery.
- Chad explained that the general fund will incur the cost of the legal fees for now but if the transfer is completed he would ask the Cemetery Commission to reimburse the Town from the cemetery funds. He explained this was done in the past with the Grove Cemetery.
- Brendan mentioned that it seemed pretty straight forward.
- On a motion by Brendan and second by Tracy approve the intent to convey real estate with regards to the St. Johnsbury Center Cemetery and to authorize the Town Manager to pursue moving forward on the Town's behalf.

Town Manager's Report:

- Chad Whitehead, Town Manager provided the following Town Manager's Report.
- WWTF processed a total of 850,000 gallons of solids before wrapping up for winter. They are working on winterize the press.
- They continue to take advantage of the weather and press more solids before winter shut down.
- DPW is working on a grant project on Spaulding Hill Road.
- The Gilman and Pleasant Street project has been completed and will be wrapping up.
- The Water Plant construction continues.

Other Business:

- Jim Brown mentioned that the Planning Commission is going through a bylaw modernization and lots of changes are coming. Including changes due to Act 47 which removes temporary housing restrictions. He explained the Planning Commission is trying to figure out how this is going to effect a lot of people in different places. He also mentioned that the Planning Commission is beginning to schedule out the Town Plan review for 2025. He explained that they are hoping to include voices of many to make the proper adjustments needed.
- Jim Brown mentioned that the position on the Planning Commission has been filled. He mentioned that he spoke with someone else who is potentially interested. He will keep the board posted.
- Jim Brown mentioned that a landlord on Pearl Street and a business owner on Eastern Ave want sidewalks in those areas repaired.
- Frank thanked Jim.
- Steve Isham mentioned that the St. Johnsbury Energy Committee has been working on window dressers and it will continue through Wednesday. They have made really good progress.
- Dennis asked about the progress on filling the open positions in DPW and the Police Department. Chad explained that the positions in DPW have been filled and the Town recently on boarded a new SIU Detective at the Police Department. Recruitment continues.
- Frank asked Chad about a letter addressed to the Select Board from Calex regarding an increase in rates for 2024. Chad explained that the Select Board received a letter from Calex that the rates are going to increase to \$45 per capita. He mentioned that the current contract with Calex would increase to around \$350,000 or so a year. The letter mentioned monthly billing but this has been done for at least the last 3 years.
- Stacy confirmed that the Town is currently in a contract with Calex and that monthly billing is a current practice.
- Frank asked if the current contract was through 2024. Chad said yes.
- Frank asked if that meant the increases would not take effect until the current contract was up in 2024. Chad said that was correct as the Town is currently under a contract with them.
- Stacy disagreed that the increases would not take effect until the current contract was up. She mentioned that she was under the impression that there was a clause in the contract that allowed for the increase to become effective Jan. 1st, 2024. She asked if Chad had confirmed that the increases would not take effect for the Town of St. Johnsbury until July 1, 2024. Chad said he would follow up with Calex to confirm.
- Dennis asked if Chad had met with the DPW Director regarding Pleasant Street and the stop signs. Chad said he had not met with him yet but that street signs had been ordered and would be going up once we received them.

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