

TOWN OF WAITSFIELD, VERMONT
Selectboard Meeting Minutes of
Monday, January 26, 2015

I. Call to Order: The meeting was called to order at 7:00 pm by Paul Hartshorn at the Waitsfield Town Office.

Members Present: Paul Hartshorn (Chair), Logan Cooke (Vice-Chair), Scott Kingsbury, Chris Pierson, Sal Spinosa (via speakerphone).

Staff Present: Valerie Capels, Town Administrator; Carol Chamberlin, Recording Secretary

Others Present: Evan Detrick (DuBois & King), Darryl Forrest, Juli Beth Hinds (Birchline), Anthony Italiano (MRVTV), Jerry Miller, Deri Meier, Steve Shea.

II. Regular Business.

1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).

Consideration of the bid from Wilcox and Barton related to the Community Wastewater project was added to the agenda.

Ms. Capels reported that Rotary had requested they be permitted to put the outhouse for “You Bet Your Ice” on the town pond again this year.

MOTION: Mr. Kingsbury made a motion to allow the Rotary to set up the outhouse again this year. The motion was seconded by Mr. Cooke. All voted in favor.

Ms. Capels also noted that a contract with Wilcox & Barton for work associated with the decentralized wastewater project was received that could be taken up with agenda item 4.

2. Public Forum.

Deri Meier asked the Board if they anticipated taking any action related to the recommendations of the Town Meeting Task Force. He suggested that the proposal to make the budget more understandable and break down big expense items would be most beneficial, and also that surveying residents regarding what prevents them from attending would provide helpful information. Board members responded that they were planning to include more graphic presentations of budget information in the Town Report, and had discussed the ideas regarding scheduling later in the day and separating the school and town portions of the meeting but that budget discussions had been the preeminent topic for the last several weeks. It was noted that results of the Task Force study would be in the Town Report, and there will be an opportunity for presentation and discussion of their findings at Town Meeting.

Mr. Meier also commented that he would like to see the less expensive repair pursued for Joslin Hill Road.

3. Public hearing: Proposed Waitsfield Charter.

Board members explained the benefits they felt the charter would offer in terms of the Town Clerk and Treasurer positions being appointed rather than elected. These include creating a better sense of job security, eliminating the possibility of an unqualified person being elected, providing the ability to assign increased roles related to the growing Town government (water system, community wastewater, etc.), and that all the required public roles and accountability would still be in place. Mr. Forrest noted that this change may lead to the Treasurer being more involved in

the budget process, which would be a more organized manner in which to proceed and help create more team involvement.

Board members expressed that they hope to have further discussion with the public regarding the charter proposal at the next public hearing scheduled for February 9, 2015.

4. Community Wastewater Loan Program update: Juli Beth Hinds.

Ms. Hinds provided a written update and outlined the upcoming steps that are part of the program. She is currently completing the documentation that must be sent to EPA in order to receive authorization for use of STAG funds for the Bridge Street stormwater and big pipe projects as well as some of the planned decentralized projects. While some of the SRF state loans will be paid off, there will be a new SRF loan for the Maclay and Irasville Business Park projects. This is due to the requirement for archeological study work if STAG funds were used; such work would delay the projects unnecessarily. As all the STAG funding is planned to be allocated for prior projects, this SRF funding would be needed anyway. The additional interest being paid to the Town for the projects by the owners will help to cover the incentives offered for completion of the projects. Ms. Hinds reminded the Board that until the STAG funds were adjusted to cover 100% the SRF loan was planned to be much larger than it will be.

Ms. Hinds estimated that there will be approximately \$9K in payments needed for the fiscal years through 2027, after that point it is estimated that the Town will realize about \$25K in net income for about seven years.

Ms. Capels explained that she is finalizing estimates of necessary interim financing, and it is likely that the wastewater project will require approximately \$700K. This will be presented at the February 9 Selectboard meeting.

Ms. Hinds explained that in part the proposed engineering contract with Wilcox and Barton is due to the project's current need to submit large quantities of paperwork, including loan agreements, mortgage notes and deeds, and other documents to protect the public investment until the loan is paid off. Documents will originally contain "not to exceed" amounts and then be finalized when construction is complete to reflect the correct loan principal.

There was discussion about whether to include a clause for the smaller projects planned for individual properties that provides for the Town receiving full payment at the time of any property transfer. Ms. Hinds expressed concern that some property owners have already received agreements for their review without such a clause included. The current proposed documentation allows for the obligation to repay to run with the property as a mortgage, and that no occupancy would be allowed without a functioning wastewater system. She expressed it was unlikely property owners would agree to the proposed repayment condition; Board members felt that the idea should be presented, and she agreed to do so.

Ms. Hinds explained that, following the suggestion put forth for the Winter Park project, it is being proposed that each of the smaller projects be required to deposit in escrow an amount equivalent to one year's loan payments. These moneys would be included in the original amount allotted to each project. It is yet to be determined by whom this escrow would be held; in some instances it

has been the attorney. Board members requested that a mechanism be in place to keep track of the funds and receive an annual report.

The most recent projects will be required to place an amount in escrow equivalent to the engineering costs to ensure that the project moves to completion. This did not happen with earlier projects, which contracted independently for engineering work. Finalizing this requires a new engineering contract to be agreed upon, and a proposal was offered by Wilcox and Barton.

MOTION: Mr. Kingsbury made a motion to approve the contract with Wilcox and Barton. The motion was seconded by Mr. Pierson. All voted in favor.

5. Review of bids for Covered Bridge and Bridge Street improvements.

Evan Detrick prepared a memo with an analysis of the bids received and his recommendation. He explained that one bid needed to be dismissed because some of the documentation required by VTrans had not been included. This round of bids did not come in much lower than the earlier round, of which none had been awarded, but the bid for the base work on the covered bridge is within the available budget and there is room to negotiate and possibly include some of the other aspects of the project. Work included in the base bid, which came in at roughly \$460K, includes replacing the sidewalk on the bridge and associated abutment, road, and lighting work. This is the most critical work, as the sidewalk is currently causing the truss work to twist and undermining the integrity of the bridge. Further work outlined as add-alternates includes deck replacement, concrete work under the bridge, further abutment repairs, and replacement of timbers supporting the bridge.

There was discussion about the benefits of having all the work done at once and how much the low bidder, Alpine Construction, would be willing to negotiate on the add-alternate items. Mr. Detrick explained that no negotiation may take place until a contract is signed for the base work, but that Alpine representatives had noted that some of the add-alternate bids were on the high side because they were put together as separate projects.

Ms. Capels explained that the STAG funds offered for the stormwater work associated with the project were based upon the earlier (rejected) round of bids, but she felt that the STAG funds provided would change based upon this new bidding.

MOTION: Mr. Kingsbury made a motion to accept the bid of \$462,172 from Alpine Construction for the work included in the base portion of the project, with the contract contingent upon approval of the funding at Town Meeting. The motion was seconded by Mr. Cooke. All voted in favor.

Board members expressed a desire to move the process along as quickly as possible in order to determine amounts necessary for other aspects of the project in time to bring the matter before voters at Town Meeting. Mr. Detrick informed the Board that VTrans needs to approve the base bid before the contract can be finalized. Ms. Capels reviewed the monies available from grants, FEMA, STAG and other sources; applying these to the proposed cost of the entire project, including add-alternates, would bring the amount needed to be borrowed to just under \$400K. She explained that some money needed could be taken from the current culvert reserve fund if that

fund was changed to be a bridge and culvert reserve fund, which as proposed be included as an article on the Town Meeting warning.

MOTION: Mr. Cooke made a motion to set the bond request for this project for an amount not to exceed \$400K. The motion was seconded by Mr. Pierson. All voted in favor.

Mr. Detrick noted that one condition of the project is that it must be concluded by July 31, 2015 in order to prevent disruption to merchants' busy sales periods.

Mr. Cooke volunteered to work with Mr. Detrick and Ms. Capels in negotiating lower costs for the add-alternate items.

6. Review of bids for Town Office geotechnical services.

Ms. Capels was informed by the design team that boring and soil analyses are required in order to determine if any structural support considerations are necessary for the new Town Office building. Four bids were received, ranging from about \$4000 to approximately \$10,000. As Peter Lazorchak is familiar with the parcel and the building plans, it was recommended that the contract be offered to Wilcox and Barton, whose bid was \$100 above the lowest bid.

MOTION: Mr. Kingsbury made a motion to offer the contract for geotechnical work to Wilcox and Barton. The motion was seconded by Mr. Cooke. All voted in favor.

Mr. Spinosa exited the meeting at 9:00pm.

7. Continued review of general fund budget and capital improvement plan.

There was discussion regarding the approach to be taken for Joslin Hill repair work, which was reflected in the budget as \$75K for a repair/shim work to be completed in 2015 and \$900K for a full repair to be completed in 2020. An updated estimate of the full repair had been provided by Charlie Goodman; this estimate is for \$600K. Concern was expressed that the proposed amount of shim would not address the condition of the road on the flat sections and that members of the public had expressed that the road required major repair work. As the road is a Class 2 road, there is likely to be paving grant money awarded up to \$175K for the project. Suggestions for proceeding included doing the full repair in 2015, putting off any repair for a year and then moving ahead with the full project next year, and looking for available grant funding for some of the repair work.

MOTION: Mr. Cooke made a motion to present an article reflecting \$75K earmarked for a potential completion of the shim job and to continue research on grant availability and definitive road repair requirements in order to present an second article reflecting the cost of a full repair to Joslin Hill to take place sooner than the proposed 2020 date. The motion was seconded by Mr. Pierson. All voted in favor.

Ms. Capels will adjust the currently proposed \$240K paving article by removing \$75K from that amount and drafting another article for the \$75K related to the shim work on Joslin Hill.

Ms. Capels noted that budget amounts highlighted in yellow were awaiting finalization. Items discussed were the \$20K assessor's contract, which reflects a large increase over the past few years.

The listers would be able to put this out to bid for the next budget cycle; no new contract would be available for the FY16 budget. General projections are included for the Road and Fire Departments; final budget numbers have not yet been received from either. Written requests for special appropriations are also still needed in order to confirm amounts budgeted. Mr. Shea noted that funds that will be paid by Fayston for Fire Department equipment are shown as revenue, but no corresponding expense is shown. Ms. Capels will correct this. There is an amount included in the Joslin Hill estimate for gravel crushing, so it was not felt necessary to allocate funds under the general gravel crushing line item for this work.

The capital budget was reviewed in preparation for adoption. Mr. Shea noted that adjustments should be included for the possibility of doing the larger Joslin Hill project earlier than originally proposed in the budget.

MOTION: Mr. Kingsbury made a motion to include \$600K in the capital budget for FY16 in order to complete Joslin Hill repairs. The motion was seconded by Mr. Cooke. All voted in favor.

Ms. Hinds assisted in determining the realistic amount to be included as wastewater project income from completed systems that will begin repaying loans in FY16.

Ms. Capels has been attempting to meet with the auditor and determine any adjustments that are necessary to the budget, but he has not been responsive to her requests. She is hoping to connect with him in the coming week to clarify matters.

Ms. Capels noted that the capital plan does not address anticipated bridge repairs, which should be included in next year's capital planning process. The culvert reserve fund allocation was reduced to zero; if it is changed to include bridge work, she suggested adding \$5K.

MOTION: Mr. Pierson made a motion to include an article on the Town Meeting warning to change the culvert reserve fund to a bridge and culvert reserve fund and to add \$10K to the fund. The motion was seconded by Mr. Kingsbury. All voted in favor.

8. Town Meeting preparations: draft warning, town report.

Warnings must be approved and ready for posting by February 1, 2015.

It was decided to have the warning for the Bridge Street project include an amount of \$400K.

The dates for tax payments will be adjusted to Thursdays in order to avoid payment dates falling on holidays when the office may not be staffed.

Article Six will be presented as two Articles, one for general paving and one for Joslin Hill.

The necessity resolution was discussed, which relates to the bond article.

MOTION: Mr. Cooke made a motion to approve the necessity resolution. The motion was seconded by Mr. Kingsbury. All voted in favor.

There was discussion whether a special meeting will be necessary. The next regular meeting will be February 9, after the budget will have done to the printer, though adjustments can be made after the proof is returned. Concerns were expressed about the lack of response from the town auditor, which could have an impact on the final budget numbers.

9. Bills payable and Treasurer's warrants were signed.

10. Approval of January 12 and January 19, 2015 meeting minutes.

MOTION: Mr. Cooke made a motion to approve the minutes of January 12 and January 19, 2015. The motion was seconded by Mr. Kingsbury. All voted in favor.

11. Selectboard roundtable.

Town Office – Mr. Kingsbury inquired as to how soon the project will be ready to go out to bid. Ms. Capels reported that a phone conference was planned for the following day in order to finalize the bid documents. Mr. Cooke noted that the Community Development Program would like to have an official present for a groundbreaking ceremony when the building is completed. Ms. Capels will follow up on this

Water cooler – Mr. Hartshorn remarked that the water cooler should be removed and municipal water be used in the office.

12. Town Administrator's Report.

An early February meeting is being arranged with VTrans regarding the water main break. Currently the budget reflects none of the expenses related to the break, as it is intended to recoup all costs from VTrans.

To clarify a discussion from the last meeting, Ms. Capels confirmed that there is a \$10K limit on the agricultural stabilization fund balance, with a limit of \$5K allowed for annual contributions. The fund balance will be \$7,500 at the end of the fiscal year.

The solar ribbon cutting ceremony went well, and the array's production may now be viewed from a link on the Town's web site.

IV. Other Business.

1. Correspondence/reports received.

V. Executive Session re: contract negotiations personnel matters.

MOTION: Mr. Kingsbury made a motion to enter Executive Session in order to discuss personnel matters, inviting Mr. Shea to join the Board. The motion was seconded by Mr. Cooke. All voted in favor.

The Selectboard met in executive session from 10:25pm to 10:45pm. Upon returning to open session, the following actions were taken:

MOTION: Mr. Pierson made a motion to increase Ms. Capels annual salary by four percent (4%) rather than three percent (3%). Mr. Cooke provided the second. All voted in favor.

MOTION: Mr. Kingsbury made a motion to adopt the Town Meeting warning as adjusted. Mr. Cooke provided the second.

Ms. Capels will update the document and Selectboard members will come by and sign it.

MOTION: Mr. Kingsbury made a motion to direct Ms. Capels to write a letter to the Animal Control Officer that she refrain from using Front Porch Forum in her official capacity to make judgmental comments. The motion was seconded by Mr. Cooke. All voted in favor.

There was discussion about the idea of pooling of police services, having the towns chip in to hire one full-time officer. Mr. Cooke expressed concern about the lack of visibility of the Sheriff. Others noted having seen the Sheriff on patrol

Ms. Capels noted that the \$32K from A. Johnson arrived. There was some uncertainty whether the full amount should be deposited in the Forest Stewardship Reserve Account but she found the December 2013 minutes of when the Selectboard voted to deposit the full amount there.

V. Adjourn

The meeting was adjourned at 10:55pm.

Respectfully submitted,

Carol Chamberlin
Recording Secretary

reviewed by Valerie Capels
Town Administrator