



**SELECTBOARD MEETING MINUTES OF APRIL 18, 2022
AMENDED BY JUDI ALBERI ON MAY 3, 2022**

MEMBERS: Bob Beeman, Judy Bickford, Jessica Graham*, Brian Kellogg, and Don McDowell*

TOWN STAFF: Eric Dodge, Town Administrator; Tina Sweet, Finance Director; Jason Luneau, Interim Police Chief; William Mapes, EMS Chief; Todd Thomas*, Planning Director; Tricia Follert*, Community Development Coordinator, Mitzi Fleming*, Assistant Town Clerk / Treasurer.

PARTICIPANTS: Ruth Brown, Pat Michelson, Tom Cloutier, Rich Jacobs, Jamie Brewster, Tyler Mumley*, Meagan Stettinison*, Etienna Hancock*.

**participating via Zoom*

Chair Bob Beeman called the Selectboard Meeting to order at 6:00 PM at the Municipal Building.

AGENDA CHANGES/ADDITIONS

Remove approve new hire for Administrative Assistant to the Town Administrator.

APPROVE MINUTES

APPROVE MINUTES OF APRIL 04, 2022

Motion made by Brian Kellogg to approve the minutes of April 04, 2022. Motion seconded by Judy Bickford. Don requested that it be noted that the Selectboard discussed the Oxbow Music Festival appropriateness of local Cannabis businesses sponsoring the event. Jess Graham asked about the qualifications of the bartenders and wanted to make sure that give away items were appropriate and should not be to attract children. Motion carried (5/0).

APPROVE MINUTES OF APRIL 12, 2022

Motion made by Judy Bickford to approve the minutes of April 12, 2022. Motion seconded by Brian Kellogg. Brian asked why there were no seconds noted as each motion had a second. Tina Sweet shared that she had asked about the seconds and was told that based on Robert's Rules of Order they were unnecessary. Motion carried (5/0).

COMMUNITY CONCERNS

Pat Michelson and Ruth Brown shared their continued concerns about the sidewalk on Park Street

being removed and again requested that it be put back. They asked Eric Dodge to share the status of the letters that were mailed to the homeowners with regards to easements which are necessary in order for the Town to move forward with a decision for sidewalk replacement. Pat Michelson shared information that she obtained from VTRANS about easements, gifting property to the Town as well as Federal Grant funds that would be available to assist with the cost of the sidewalk replacement. Eric Dodge shared that he had not heard back from everyone that received a letter. He also stated that they were following legal counsel and would not move forward until all the easement responses were obtained. Also, that he would not apply for Federal Grant funds without the directions of the Selectboard. Bob Beeman reiterated that the Town would continue to follow the direction of legal counsel. Ruth Brown asked what the process would be if responses to the easement letters were not received by the deadline as outlined in the letters. Eric Dodge stated that this was an informal process and uncharted territory and that we would continue to work together. Eric Dodge offered to provide Ruth Brown with letters and addresses of the individuals that should have received the easement letter.

LIQUOR CONTROL

Motion made by Brian Kellogg to enter into Board of Liquor Control, motion seconded by Judy Bickford. Motion carried. (5/0)

Liquor license request was received by Ten Thirteen LLC dba Moog's Place for the Board's approval.

Applicant/ Location	First Class	Second Class	Third Class	Outside Consumption
Oxbow Park				Yes

Motion made by Brian Kellogg to approve liquor license as presented, motion seconded by Judy Bickford. Motion carried. (5/0)

Motion made by Brian Kellogg to come out of Liquor Control, motion seconded by Judy Bickford. Motion carried. (5/0)

NEW BUSINESS

1. Discuss Jersey Heights Storm Water Project.

Jim Pease from VT Dept. Environmental Conservations discussed the renewal and possible funding of the Storm Water project. Jim Pease shared that the Town renewed the Permit on their own a few years back. In 2018 State Legislation passed Act 64 which required any permitted subdivision greater than 3 acres of impermeable surface would need to comply with the new rules. Jersey Heights is greater than 3 acres so it must meet Act 64 requirements. DEC conducted a Public and Private study to help resolve any permit issues. Jim Pease shared that there are funds available to cover the cost of the project design and that a letter was sent to the Town awarding them \$315,000. to cover the cost. The funds do not require a match from the Town. The funds would need to be encumbered by 2024 and spent by 2026. The Town would need to send a letter accepting the funds or work with a homeowners association or assessment district which neither currently exist. Further discussion took place about both. Judy Bickford asked about annual costs of the system, it was estimated that the annual expense would be roughly \$4,500. Easements

would be required in order to finalize the project. Concerns about cost were discussed. Jess Graham said she would be in favor of billing homeowners. Don McDowell agreed and said this would set a precedence for future development and Brian Kellogg said that he didn't want the cost to be paid by tax payers. The board asked Eric Dodge how they should move forward. Eric Dodge explained that this was a difficult topic and could have potential legal ramifications. The owner of the land where the filtration system would be installed is under review. To date the owner of the land has not been determined. Jim Pease shared that the deadline for accepting the funds and submitting the Storm Water design is soon. Eric Dodge and Tyler Mumley to schedule a site walk.

2. Discuss B St to BJAMS sidewalk project.

Todd Thomas shared that the sidewalk from where Jersey Heights ends, Laporte road begins out to BJAMS will have gaps in sections of the sidewalk due to installation by developers. The planning council has asked that the Town provide funding to fill in the gaps in the sidewalks. There is also a section of sidewalk that needs to be moved which is located in front of Jason McArthur's and Wyatt Jensen's house.

Motion made by Don McDowell to move the side walk in front of Jason McArthur's and Wyatt Jensen's house. Motion seconded by Brian Kellogg. Jess Graham asked about the traffic calming effects and Todd Thomas explained that it will be a natural effect due to the shoulder becoming one foot narrower. Motion carried (5/0).

Motion made by Judy Bickford to put forward a Town ballot item to fund sidewalk gaps and including additional funds to cover the cost of a pedestrian controlled rapid response crosswalk beacon in the total amount of \$200,000. Motion seconded by Brian Kellogg. Jess Graham asked about the storm drains and if we should address this before sidewalks were installed. Tyler Mumley shared that the Storm Water was not a part of the original analysis and that we should not worry about the Storm Water connections and focus on the sidewalks for now. Motion carried (5/0).

3. Discuss amendment to the Declaration of Inclusion.

Motion made by Brian Kellogg to leave the Declaration of Inclusion as is. Motion seconded by Judy Bickford. Jess feels that the original statement from VLCT is great but wants to add to the Declaration that the Town is committed to acting and not just making an open statement. That we will strive to insure all of our policies reflect such that this isn't just something in wiring. Otherwise it doesn't have any teeth behind it. Don McDowell agreed with Jess Graham and made the suggestion to amend the Declaration to include the VLCT proposal stamped as draft. Especially because the most recent event that took place in our community. He thanked the Police Department. Judy Bickford agreed that we need to have action. Brian Kellogg shared that we passed something and are amending it. Don McDowell and Jess Graham said that they had no intent of revisiting the Declaration again. Motion failed (3/2).

Motion made by Don McDowell to accept statement of Inclusion as worded on the page labeled draft. Motion seconded by Judy Bickford. Motion passed (3/1/1).

Declaration of Inclusion to be signed and posted on the website.

4. Approve ARPA Standard Allowance Election.

Eric Dodge shared that VLCT made recommendation as to how the Town should accept the ARPA funds. Eric Dodge turned the topic over to Tina Sweet. Tina Sweet read the VLCT recommendation which was to accept the one-time irrevocable decision to elect the “Standard Allowance” approach for our ARPA award.

Motion made by Brian Kellogg that the Town of Morristown make the one-time irrevocable decision to elect the “Standard Allowance” approach for our ARPA award in the amount of \$1,024,718.41, to spend on the provision of government services throughout the period of performance of the grant. Motion seconded by Judy Bickford. Don McDowell thanked Tina Sweet. Motion carried (5/0).

OLD BUSINESS

1. Approve revised Joint Rules for Appointment

Todd Thomas presented an amended version of the Rules of Procedure for Jointly Appointed Subordinate Boards & Committees. Additions are as follows:

1. Make it clear that DRB alternates typically set up for board openings.
2. Village trustees agreed to restrict board members to Town residence / voter check list.

Judy Bickford asked about past and present non-residents serving on our boards. Todd Thomas shared that State Statute says that the majority of members for planning councils have to be a Town resident. Jess Graham had concerns about excluding people who may not be a resident but are dedicated to serving on Town boards. Don McDowell’s recommendation was to change it so only Town or Village residents could serve but had concerns over the loss of institutional knowledge. Eric Dodge explained that the trustees did not realize this document existed. He also explained that if you have smaller municipalities it may be harder to find people that want to participate. Todd Thomas shared that if you accept this recommendation that current members would need to resign when their terms were up. Brian Kellogg was concerned about the people who were not a resident but owned business in our community being able to serve on our boards.

Motion made by Judy Bickford to accept the changes before us for Rules of Procedures for jointly Appointed Subordinate Boards & Committees. Motion seconded by Don McDowell. Motion carried (4/1). Jess Graham opposed.

****Don McDowell left the meeting***

2. Discuss Assumption of Control of Roadway with Copley Hospital.

Eric Dodge shared that Copley Terrance would like to be considered as a Town road. The road is 880 ft. so it does not meet our roads policy.

Motion made by Brian Kellogg to accept the Copley Terrance road at 880 ft. Motion seconded by Judy Bickford. Discussion took place about parking. Motion failed (4/0).

APPROVE WARRANTS

Motion made by Judy Bickford to approve the warrants as presented. Motion seconded by Brian Kellogg. Motion carried (4/0).

TOWN ADMINISTRATOR'S REPORT

Eric Dodge reported the following from the Administration Office:

- Eric met with Gloria Wing, Joie Marshall, Dennis Smith and Bernie Shelta who was the grounds keeper in Johnson to discuss the Sexton job description. Eric shared that no two cemeteries are the same. They are continuing to work on the job description.
- We are conducting several interviews which are as follows: Police – Patrol Officer, Administrative Assistant, Recreation Coordinator and Highway Foreman should start next week.
- Paving bids are in and will be on the May 2nd Selectboard agenda.
- Judy Bickford and Eric met with LCPC board members to review concerns, more to come.
- Public meeting will be held on May 2nd.

SELECTBOARD CONCERNS

Bob Beeman: Thanked the Police Department for the way they handled the most recent death in our community.

Judy Bickford: Thanked Eric for attending the LCPC meeting with her. She shared that she so appreciated Eric's continued patience and his sense of humor.

Jessica Graham: Reiterated what Don had said earlier in the meeting with regards to the death that took place. She expressed that she was glad that the Declaration of Inclusion changes were accepted and passed.

Brian Kellogg: Thanked the Police Department for the way they handled the most recent death in our community.

Don McDowell: Left the meeting early

OTHER BUSINESS

ADJOURN

Motion made by Judy Bickford to adjourn. Motion seconded by Brian Kellogg. Motion carried (4/0).

Meeting adjourned at 8:36 PM.

Respectfully submitted and filed April 22, 2022

Paula Beattie, Scribe

Please note all minutes are in Draft form and are subject to approval at the next Selectboard

meeting.