

**TOWN OF WILLISTON  
SELECTBOARD  
MINUTES OF MEETING  
June 7, 2016**

**APPROVED – June 21, 2016**

**MEMBERS PRESENT:** Terry Macaig (Chairman); Jeff Fehrs, Joy Limoge, Ted Kenney, Debbie Ingram.  
**ADMINISTRATION:** Rick McGuire, Town Manager; Bruce Hoar, Public Works Director, James Sherrard, Stormwater Coordinator; Todd Shepard, Police Chief.  
**OTHERS PRESENT:** Jim Fay, Nicole Morris, David Appenzeller, Greg Jacobs, Scott Moody (Channel 17).

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**1. Call to Order**

Chairman Macaig called the meeting to order at 7 PM.

**2. Minutes**

*May 17, 2016*

**MOTION by Debbie Ingram, SECOND by Ted Kenney, to approve the May 17, 2016 minutes with the following correction(s)/clarification(s):**

**Globally correct the spelling of “Jensen” and “Abraham”;**

**Page 2, CSWD FY17 Budget, paragraph beginning “In response to questions from Jeff Fehrs...” – delete the sentence reading: “Tom Moreau noted as tonnages continue to increase...”;**

**Page 3, Host Town Agreement, 1<sup>st</sup> sentence – correct “in needed” to “is needed”.**

**VOTING: unanimous (5-0); motion carried.**

**3. Public Comment – General Issues**

There were no comments from the public.

**4. Annual Appointments/Interviews for Town Boards**

The Selectboard interviewed Gregory Jacobs for a position on the Historical & Architectural Advisory Committee (HAAC) and Nicole Morris for a position on the Rec Committee. Both individuals briefly reviewed their professional backgrounds and interest in serving the community. No appointments were made following the interviews. New appointments will be made when interviews are complete.

**MOTION by Debbie Ingram, SECOND by Joy Limoge, to reappoint the individuals currently serving on town boards to another term as indicated on the spreadsheet, dated May 11, 2016. VOTING: unanimous (5-0); motion carried.**

**5. NETS Property Donation – Final Authorization**

Dave Appenzeller, NETS, reported their Act 250 permit is being revised to convert property from the easement to deed. Before being able to close on the property and deed the land to the town approval from the Selectboard is needed.

**MOTION by Debbie Ingram, SECOND by Ted Kenney, to authorize the Town Manager to accept the warranty deed for approximately 42 acres of land off Governor Chittenden Road from the New England Theological Seminary and sign all related documents subject to receiving the title opinion and the phase 1 environmental assessment that are satisfactory to the town's legal counsel. VOTING: unanimous (5-0); motion carried.**

**6. Memorandum of Understanding (MOU) with County Sheriff**

Police Chief Shepard explained use of the county sheriff's radio system based on Brownell Mountain in exchange for dispatch services. The sheriff's equipment will eliminate areas of poor radio reception in town. No additional personnel expenses for the dispatch services are anticipated. All conversations about the arrangement are in writing and there is flexibility to work out any issues between the parties. Minor edits were made to the MOU document.

**MOTION by Debbie Ingram, SECOND by Joy Limoge, to authorize the Town Manager to sign the MOU between the Town of Williston and the Chittenden County Sheriff's Office for dispatching services. VOTING: unanimous (5-0); motion carried.**

**7. Agricultural Grant Policy**

There was discussion of the town's 10% stormwater credit policy for agricultural properties that meet state required ag practices and the proposed grant policy to be funded through the town's open space preservation line item in the general fund (not the stormwater fund) to further assist farmers. The following was noted:

- To qualify for a grant the property must qualify for the 10% stormwater credit.
- Jeff Fehrs expressed preference that the grant be tied to acceptable ag practices rather than the 10% credit. James Sherrard explained there is a tie because the only way to get the 10% credit is by proving all the RAPs (required agricultural practices) are met and the only way to receive the grant is to get the credit.
- Jeff Fehrs asked about funding the grant program through the stormwater fund versus the open space preservation funding. James Sherrard said in fairness non-structured practices get a 10% credit and ag gets a 10% credit, but if the credit is just based on land use then the town has to be sure the benefit is to the entire community.
- Jeff Fehrs referred to Chapter 12 of the town plan regarding support of working farms in town and suggested that rather than a percentage credit and to provide a grant every farm should be charged a total of three ERUs. The difference between what is currently charged for impervious surface under the ERU system and three ERUs would be the grant amount. The stormwater fund would see money coming in from the open space preservation fund for the grant. Bruce Hoar pointed out the 3 ERU suggestion creates another category (Three ERUs for Farms"). The money to cover the ERUs beyond the three would come from the general fund which ultimately is an added burden on taxpayers.
- Farmers are not the only group subsidized in one way or another.

- The amount for the total ERUs for farmland is \$11,400. The stormwater fund budget is \$750,000.
- Debbie Ingram stated a percentage is a more fair method, but the percentage should be 40%. The Selectboard concurred.
- Section 5 of the storm water policy was edited to indicate the grant amount will be the stated percentage of the annual stormwater bill before the credit is applied (i.e. add the words “prior to the application of any credit”) and the effective date is the issue date.

James Sherrard gave an update on stormwater activities, highlighting the following:

- All but three of the 26 plans by expired permit holders have been received for the Allen Brook Flow Restoration Plan.
- The “product” the town has is above and beyond what other towns have.
- Legal review of the agreements is being finalized before the agreements are signed.
- At least one project is before the DRB for review.
- Estimated construction cost on the residential side is \$1.9 million.
- How much is needed to loan out and where the money will come from needs to be settled. One source is the stormwater fees (potentially up to \$150,000 per year could be loaned out). Other sources include the neighborhoods (suggested amount paid by the neighborhoods is 50%), setting up a special assessment district, doing a bond (to be paid back over 20 years by the neighborhoods using the money), and borrowing from the state’s revolving loan fund.

Bruce Hoar announced James Sherrard received the Green Mountain Water Environment Association Stormwater Award.

#### **8. Water Tank Replacement**

Jim Fay, Champlain Water District, discussed partnering with the town and using the state revolving loan fund to replace the water tank on Tower Lane with a larger tank off Mountainview Road to meet the requirement of the town based on population. There will be significant savings for the town by partnering with CWD.

#### **9. Champlain Water District Report**

Jim Fay reported:

- Global Foundries water use is nearly half the amount of IBM. The use has been constant.
- There will be a wholesale water rate increase which means a 1.3% increase for Williston.
- Projects by CWD include pumps and pipes, tank maintenance and testing for PFOA.
- CWD is seeking a retraction of the inaccurate article in *The Guardian* regarding lead in the water.

#### **10. Town Manager’s Report**

Rick McGuire reported:

- Steve LaTulippe announced his retirement as Director of the Justice Center and Susan Lamb announced her retirement as Finance Director at the end of September.
- A forced main was broken by the contractor working on the culvert replacement on Talcott Road. The pipe was repaired and the state was notified as required. A change order was done to keep the steel sheeting in place.

#### **11. Other Business**

##### *Catering Permits*

**MOTION by Debbie Ingram, SECOND by Ted Kenney, to grant a catering permit to Speak Easy Arts, LLC doing business as Arts Riot for an event at a business on Talcott Road on June 15, 2016. VOTING: unanimous (5-0); motion carried.**

**MOTION by Debbie Ingram, SECOND by Ted Kenney, to grant a catering permit to Sodexo Vermont doing business as Champlain College for an event at 201 Lawrence Place (VTC) on June 17, 2016. VOTING: unanimous (5-0); motion carried.**

**MOTION by Debbie Ingram, SECOND by Ted Kenney, to grant a catering permit to Speak Easy Arts, LLC doing business as Arts Riot for a wedding at Catamount Family Center on June 18, 2016. VOTING: 4 ayes, one abstention (Jeff Fehrs); motion carried.**

##### *Host Town Agreement*

Jeff Fehrs said the current host town agreement speaks to having a landfill. If CSWD wants to pursue a different facility then they must work with the town. CSWD is aggressive in pursuing its facilities and the town is urged to be prepared.

#### **12. North Country Sportsman Club v Town of Williston**

**MOTION by Debbie Ingram, SECOND by Ted Kenney, to go into Executive Session to discuss legal strategies concerning civil action involving the town where premature public knowledge would place the town at a disadvantage, and to invite the Town Manager to attend. VOTING: unanimous (5-0); motion carried.**

Executive Session was convened at 9:01 PM and adjourned at 9:20 PM. No action was taken.

#### **13. Adjournment**

With no further business and without objection the meeting was adjourned at 9:20 PM.