

**TOWN OF WILLISTON
SELECTBOARD
MINUTES OF MEETING
October 18, 2016**

DRAFT

MEMBERS PRESENT: Terry Macaig (Chairman); Jeff Fehrs, Joy Limoge, Debbie Ingram. (Ted Kenney was absent)
ADMINISTRATION: Rick McGuire, Town Manager; Bruce Hoar, Public Works Director.
OTHERS PRESENT: Jennille Smith, Vickie Walker, Patricia Doplice, Reg Melrose, Joan Stoddert, James Fuller, Dave Turner, Sue Turner, Doris Richard, Ron Richard, Mark Simon, Jeff Forward, Scott Moody (Channel 17).

1. Call to Order

Chairman Macaig called the meeting to order at 7 PM.

2. Minutes

October 4, 2016

MOTION by Debbie Ingram, SECOND by Joy Limoge, to approve the October 4, 2016 minutes with the following correction(s)/clarification(s):

Globally correct the spelling of Peter Brooks;

Page 1, Members Present – change the time of arrival of Ted Kenney to 7:40 PM;

Page 1, Item #4, Sunset Hill Speed Limit – clarify signs posting the road at 30 mph were installed, and in the paragraph beginning “Eleni Churchill....” – change “on the pedestrian element” to “and the pedestrian element”;

Page 4, Item #9, Town Manager’s Report, 2nd bullet – insert “Allen Brook” before “TMDL threshold”.

VOTING: unanimous (4-0); motion carried.

3. Public Comment – General Issues

There were no comments from the public.

4. Senior Program Presentation

Vicki Walker, Senior Center Action Committee, presented the request for a senior center in Williston to serve the fastest growing segment of the population, senior citizens. The Selectboard is requested to consider a five-year plan to design and build a building complete with meeting/activity space and kitchen area and hire a program director to coordinate programs and activities. In the interim, the Masonic Center can be rented for use Monday through Friday. Fund raising can be done and grants can be sought to help the town with the cost of the new building.

There was discussion of potential interim senior center sites and the possibility of a public/private partnership to build a new building with meeting space on the first level

and professional office space on the second level. The Selectboard will give the request further consideration during the budget process.

A gentleman in the audience mentioned the senior center on North Winooski Avenue that brings people out to mingle socially and have lunch with their peers. According to the gentleman, Williston has the resources to provide a center for the growing population that is getting older.

5. Traffic Ordinance Amendments: Mud Pond Parking

Bruce Hoar explained the suggestion to create no parking zones on Mud Pond Road to include the entire south side of the roadway (road is narrow and parking would prohibit access by emergency vehicles) and a 550' section on the north side from the intersection with South Road heading west and after a 400' section that allows parking on the north side of the road (i.e. there would be 400' of parking sandwiched between two strips of no parking on the north side of the road). No parking restriction will be enforceable if the ordinance amendment is adopted.

Mark Simon, Mud Pond Road, explained the impact on his privacy since the bike path was built and people began parking along the road and in front of his house causing visual and audio disruption. The town created a space for people, but no place to park. Mr. Simon said he purchased his house 30 years ago because it is next to conserved land and for the peace and quiet. Now cars and people are heard every day. The town was informed of the situation and tried to create a parking lot that was not approved. Signs have been posted, but the signs are small and not effective. Mr. Simon said he is asking for decent signage to direct people where to park/not park. What is proposed would likely address the cars that are there.

MOTION by Debbie Ingram, SECOND by Joy Limoge, to schedule a public hearing to receive comments on creating a no parking zone on sections of Mud Pond Road. VOTING: unanimous (4-0); motion carried.

Jeff Fehrs suggested Fellowship of the Wheel be notified of the public hearing.

6. Atwood Request

Rick McGuire said Mr. Atwood's attorney was notified of the agenda item, but a response has not yet been received. Each request by Mr. Atwood has been addressed as noted:

- Request to decrease the number of affordable units to be constructed to three units: The Selectboard agreed to the request several years ago in concept but there was an appeal pending at that time. Mr. Atwood withdrew the appeal and the agreement was never signed so the DRB decision to build seven units stands.
- Request to decrease water and sewer connection fees: The Selectboard has done this in the past and this is anticipated in the rate structure. When the developer applies for the actual connection the Selectboard can take action.

- Donation of land to the town: The land proposed to be donated to the town is classified as wetlands and does not add value to the property because no building would be allowed.
- Request to decrease or eliminate the \$30,000 contribution that is part of the affordability agreement: The \$30,000 was to ensure affordability in perpetuity.

Jeff Fehrs said the Affordable Housing Task Force wants to encourage affordable housing and is asking the developer to put money into the trust fund to cover the risk of the units no longer being affordable. The question is whether the town is willing to take the risk that the houses will remain affordable. Debbie Ingram clarified Champlain Housing Trust and Housing Vermont have mechanisms to ensure affordability. The money in the trust fund is to be used for a very specific purpose so when people sell the house they agree to take only a small portion of the equity rather than the entire equity. Debbie Ingram will ask the task force about the \$30,000 component. Rick McGuire noted if the Atwood project moves forward with the \$30,000 element the town needs to develop an implementation process.

It was a consensus of the Selectboard that the first three requests by Mr. Atwood have been settled. The Selectboard will revisit the fourth request pending further information.

7. Backflow Devices and Cross Connections Policy – 2nd Reading

The policy deals with backflow preventers and annual inspection of commercial and industrial businesses by the business owner. Certification of inspection must be submitted to the town.

MOTION by Debbie Ingram, SECOND by Joy Limoge, to adopt the proposed policy on backflow devices and cross connections effective immediately.

DISCUSSION: Jeff Fehrs noted a public hearing is not necessary because a policy is being adopted, not an ordinance. There were no further comments.
VOTING: unanimous (4-0); motion carried.

8. Sewer Use Ordinance Revisions

Rick McGuire noted the propose revisions represent a major update to the ordinance. Legal counsel has reviewed the revisions. Comments have been incorporated. Terry Macaig suggested the town be added to the list in Section 2.01 (definition of “affordable housing”). Also, there is question of whether this is allowable under 27 V.S.A 610 in the state statute.

MOTION by Debbie Ingram, SECOND by Joy Limoge, to schedule a public hearing on the proposed revisions to the Sewer Use Ordinance. VOTING: unanimous (4-0); motion carried.

9. Water Use Ordinance Revisions

Bruce Hoar explained a mechanism was added to require private property owners to do repairs to their private hydrants or the town will do the work at their expense in addition to the changes previously reviewed by the Board.

MOTION by Debbie Ingram, SECOND by Joy Limoge, to schedule a public hearing on the proposed revisions to the Water Use Ordinance. VOTING: unanimous (4-0); motion carried.

10. Solar Panels

Rick McGuire explained the agreement is to lease a portion of the roof to Peck Electric for the solar panels which will generate energy. The town will get a small benefit until purchase at which time the town will receive full benefit. Jeff Forward further explained the town is getting the production value over the course of the years the panels are not owned by the town. There are advantages to having Peck Electric own the panels (i.e. they handle the installation, testing, repair).

Jeff Fehrs asked about going outside the range of production. Jeff Forward stated there are fairly accurate tools available to estimate production. Jeff Fehrs asked who owns the inverters. Jeff Forward said the cost of replacing the inverters will be on who owns the system. Typically inverters have a 10-15 year warranty. Panels have a warranty of 25 years and will still have value at the end of the 25 year period. Jeff Fehrs asked if Peck must remove the system and re-install if the town needs to do repairs to the roof. Jeff Forward urged putting language to that effect in the agreement. Jeff Fehrs asked about the cost of routine maintenance. Jeff Forward said the number in the analysis is theoretical. It is recommended to stay off the roof as much as possible.

Rick McGuire said the Net Metering Agreement and the Site Lease both have been reviewed by legal counsel and approved by Peck. The Selectboard needs to authorize signature of both agreements. Jeff Fehrs asked if the agreement addresses removal of the system by Peck if the town needs to repair the roof before the town assumes ownership of the panels. Staff will research the answer and address it in the agreement, if necessary.

MOTION by Debbie Ingram, SECOND by Joy Limoge, to authorize the Town Manager to sign a site lease agreement and a group net metering agreement with Peck Electric for the installation of solar panels on the roof of the public works facility.

DISCUSSION: It was noted the language on removing the system for roof repairs will be added to the agreement if suggested by legal counsel. There were no further comments.

VOTING: unanimous (4-0); motion carried.

11. Town Manager's Report

Rick McGuire reported:

- The town crew repaired and corrected the water problem at the library entryway for less than \$5,000 (much lower than an earlier estimate).
- The town is planning to apply for a transportation alternatives grant to continue work on a multi-phase project in Lamplite Acres.
- Quarterly finance report has been provided.

- The vote on the water tank is November 8th. The tank will be paid for through the water rates. Champlain Water District will do the project and own the tank on land owned by the town and leased to CWD. The new tank has the proper capacity to serve the town.
- There will be a public hearing on November 15th on the sidewalk plan. What is in place with the bonds that have been issued and the circ alternative projects will be shown. What is left to do will be discussed. Jeff Fehrs suggested: (1) doing a survey of the public on sidewalks to determine priorities, (2) referring to the plan as “sidewalks/paths plan”, (3) properly advertising the meeting as a public meeting not a public hearing, and (4) informing Local Motion about the meeting.
- Route 2A sewer project cost has doubled.

12. Other Business

Catering Permit

MOTION by Debbie Ingram, SECOND by Joy Limoge, to approve a catering permit for Ya Dude, LLC (d/b/a Nectar’s) for a wedding on 10/22/16 at Red Barn Gardens, 8939 Williston Road. VOTING: 3 ayes, one abstention (Terry Macaig); motion carried.

Transit Center Grand Opening

Debbie Ingram reported on the grand opening event for the transit center in Burlington.

13. Adjournment

With no further business and without objection the meeting was adjourned at 9:02 PM.

RScty: M.E.Riordan