

**TOWN OF WOODSTOCK
SELECT BOARD MEETING
July 16, 2019 @ 6:00 PM
Town Hall
Minutes**

Present: Chairman L.D. Sutherland, Mary Riley, Jill Davies, John Doten, Ray Bourgeois, Beth Fish, Sally Miller, Ron Miller, Dan Sullivan, Ekiah Pickett, Carol Pickett, Barbara O’Connell, Susie Stulz, Ward Goodenough, Ken Vandenburg, Tesha Buss, Wayland Lord, Jon Spector, Christian Avard, Nick Ferro, David Brown, Townsend Belisle, Mary Mayhew, David Hill, Amanda Merk, Susan Fuller

I. CALL TO ORDER

Chairman L.D. Sutherland called the July 16, 2019 meeting of the Select Board to order at 6:00pm.

II. PUBLIC HEARING FOR TOWN ZONING REGULATIONS

A. Section 526 Short Term Rental Amendment – Postponed at June 18, 2019 Meeting

- i. Ms. Miller – recapped a memo from Michael Brands that was addressed to the Select Board on May 21, 2019.
 1. The zoning amendment is in effect right now and has been since the Planning Commission approved it at their meeting on March 6, 2019. The Select Board has 180 days to act on this before the amendment reverts.
 2. Currently there is no way of knowing how many short-term rentals are in the Town and Village, as R5 and Forestry are not required to get permits.
 3. This needs to be acted on by September 6th or the regulations revert.
 4. Properties that are in operation prior to the approval by Planning Commission are grandfathered.
 - a. This is a Vermont State Statute. Mr. Sullivan is concerned about what grandfathering means and to what extent it could be held up in a court of law. Mr. Sullivan believes that if he were to sell his property right now, the value will be diminished if the grandfathering doesn’t transfer to the next owner.
 - b. The property owners would need to prove that they were operating a STR prior to the Planning Commission approving the amendment to Section 526.
 - c. Ms. Miller will get the correct information on the “grandfathering” regarding section 526.

- ii. Ms. Miller believes that this discussion should be happening at the Planning Commission level, as they are the people who write these regulations and they invite opinions.
- iii. Mr. Pickett asked if this was approved tonight, would it be possible for the Planning Commission to change the regulations to affect 5 acre and forestry in a negative way.
 - 1. Ms. Davies has brought up postponing the changes to Section 526 until the Planning Commission can meet and discuss the changing of the regulations.
- iv. Mr. Belisle stated that there is a lot of emotion involved in this and that the Planning Commission should gather data from all sides, in addition to opinions.
- v. Ms. Mayhew stated that she believes that the reason 5 acre and forestry were exempt before, is because they are more rural, and the neighbors aren't as close.
- vi. Ms. Fuller – asked for Ms. Miller to stop addressing how many rentals are being taking out of the market for Short Term Rentals versus people buying them to live in full time until data can be provided.
- vii. Ms. Buss asked for everyone to think about what the housing needs are in a separate container than Short Term Rentals.
- viii. Ms. Pickett graduated from UVM in 1966 and moved to Woodstock. She stated that people would live at the inn for months at a time during the summer or winter. Ms. Pickett rents for 2-3 months at a time, a few times a year.
- ix. Ms. Mayhew – Would like to see the data on corporations buying STRs in the Town and Village.
- x. Next steps for Planning Commission: On August 7th the Planning Commission Meeting is dedicated to Short Term Rentals.
 - 1. All are encouraged to attend the meeting and to submit opinions in writing prior to the meeting for the Commission to review.

Motion: by Ms. Davies to postpone the Public Hearing on Section 526 until September 6th, 2019.

Seconded: by Ms. Riley

Discussion: This is a Friday, and a special Select Board meeting can be called to decide on the 6th.

Vote: 5-0-0, passed.

III. ADDITIONS TO AND DELETIONS FROM THE POSTED AGENDA

A. All Access Infotech – Contract for IT services

- i. Postpone until August meeting to allow for the Select Board to review the information.

B. Executive Session – Personnel Matters (after approval of minutes)

C. Mt. Rainbow Community Solar Array – Letter of Support from Select Board

- i. Ms. Buss was present to present and answer any questions about this project.
- ii. Ms. Miller spoke on behalf of the Planning Commission. They have reviewed this once but did not pass this. Right now, this solar array would be a preferred site.
 1. The organization has agreed to screening, but as it is a preferred site, they aren't required to do that to comply with what the Town would like to see for where and how the array is set.
 2. They have had a public comment meeting, and Mr. Brands suggested screening at that meeting.
- iii. The group has a very large budget for screening. The panels will always be south facing. PUC site definition is non-existent, so the group has a lot of leeway to put the array where they would like and do what they want. By them not moving, the back of them will always be to the road.
- iv. They will be taking down 4 trees in order to install this array.
- v. What happens to the solar panels at the end of life? At the end of 30 years, if happy, then they will keep it as is, but if technology is advanced, then they would update to new technology.
 1. When decommissioned the array would go to Rainbow Playschool or go out to bid.

Motion: by Ms. Davies to have L.D. Sutherland sign the letter in support of the Mt. Rainbow Community Solar Array, LLC. as submitted.

Seconded: by Ms. Riley

Discussion: None

Vote: 5-0-0, passed.

IV. ECONOMIC DEVELOPMENT COMMISSION

A. Update

- i. A PowerPoint presentation update was given by Mr. Spector. The EDC will be coming to the Select Board in August with a more complete update on the changes to the EDC.
- ii. The current board priorities are; Market Woodstock, Expand Housing and Related Services, Improve Physical Amenities, and Support Businesses and Business Environment.
 1. Average project grant is \$14,000 vs. proposed at \$70,000 in the future.
 2. The thought is to carve out a small percentage for smaller projects. Mr. Spector's opinion is that the EDC shouldn't do this long term but may need to do this in the first year.
 3. They are going to change the way they operate and allow for more input from the Town and Village. They are going to be advertising their meetings to allow for more input.

- iii. Ms. Miller stated that it would take a vote from the community to allow for the funds of the EDC to be used to reduce the taxes for the town and village.

B. Grant requests needing approval:

- i. Sunday Jazz 2019 - \$2,205
- ii. Pentangle Lighting - \$20,000
- iii. Thompson Senior Center Homeshare startup cost - \$7,689
- iv. Town of Woodstock Fireworks - \$3,275
- v. Vermont Kitchen - \$15,000 grant and \$15,000 loan
- vi. TV Marketing - \$25,000

Motion: by Ms. Davies to approve all the grant requests listed above as submitted.

Seconded: by Mr. Bourgeois.

Discussion: None

Vote: 4-0-1, passed. (Ms. Riley abstained)

C. EDC Staff Support - \$50,000

1. Currently the EDC has an EDC Coordinator that does administration and coordination. The EDC would like to make these 2 positions and they believe that this would save the EDC money.
2. The EDC is asking for the funding now and to extend Ms. Miller's contract for \$6667 (2/12 of \$40,000) for 2 months. In 2 months they will have 2 contracts.
3. A question was asked if the EDC investigated having the employees be town employees and be above the board on Labor Laws?
 - a. The labor laws suggest that it would need to be a town employee for the administrative position. The Coordinator position could continue to be a contracted position.
 - b. The hours would be 5-8 hours a week for the administrative person and 15 hours a week for the Coordinator position.
4. Mr. Spector suggested amending the EDC request to explore the suggestions made by the Select Board tonight.

Motion: by Ms. Riley to approve the \$6667 for a 2-month extension of Ms. Miller's contract.

Seconded: by Mr. Bourgeois

Discussion: None

Vote: 5-0-0, passed.

D. Teagle Landing

- i. The cost of replacing the stairs and railings is higher than the amount that has been approved by the Select Board and Village Trustees.
 1. The EDC discussed the cost for the entire project. The total additional cost to complete the project would be \$39,570. The total cost of the revitalization of Teagle Landing would be \$50,000.

2. The Select Board has requested to have 3 bids for this project.
3. The Select Board would like for the EDC to meet as soon as the bids are received and vote on them, then bring it to the Select Board for approval.

V. OLD BUSINESS -None

VI. NEW BUSINESS

A. Update from Norman Williams Public Library

- i. An update was given to the Select Board by Amanda Merk and Ron Miller from the Norman Williams Public Library. A financial summary handout was given to the Select Board for review.
 1. The Vermont Department of Libraries does a survey and NWPL spends more on their library collection than most other area libraries.
 - a. Ms. Riley added that many books are donated from the community.
- ii. Mr. Miller has a nominating committee that is going to look for new trustee candidates for the Board of the Norman Williams Public Library. The Select Board would look forward to receiving a recommendation for the position of Town of Woodstock representative to the Board of the Norman Williams Public Library. Mr. Miller will pass along a recommendation when they have one.
- iii. Heating and Cooling system: The system is no longer fully operational, and an engineer will be presenting his design in the next couple of weeks for a replacement. The engineer is suggesting that the new system will cost approximately \$500,000 and the NWPL has launched a campaign to raise the funds so that they don't have to use endowment funds.
 1. They have raised over \$336,000 towards this project thus far.
 2. The library is not in any way closed. There is AC in the children's room currently and they have moved programs down to that room to keep people cooler.

B. Town Hall AC - Engineering and Design Services Proposal – John Penney

i. Theater HVAC Replacement

1. The Town Hall Theater HVAC system broke down a few weeks ago and a temporary fix has been done, but it is only a temporary fix.
2. Ms. Davies is recommending this be tabled and that a master plan be made before this engineering plan be done. Ms. Davies would also like to have the results from the structural engineer prior to moving forward.
3. Mr. Bourgeois would like to see the engineering be done now while we have the money, as it seems that we will be tight on money this coming year. Mr. Bourgeois is proposing to have the base study done in preparation for the 2020 year.

ii. Manager’s Office AC Replacement

1. The cooling system for the Town Offices is over 37 years old and broke down last year. A portable cooling system has been added to hopefully help the system last the summer.

Motion: by Mr. Doten to accept the proposals for engineering and design for the Theater HVAC replacement and the Manager’s Office AC replacement as submitted by Mr. Penney.

Seconded: by Mr. Bourgeois

Discussion: Ms. Davies would like to be the person to work directly with Mr. Penney. Chairman Sutherland would like to discuss this at a later point.

Vote: 4-1-0, passed. (Ms. Davies opposed)

C. 2019 4x4 Dump Truck with Grading Blade – Bid Tabulation

- i. Asking for permission to order the truck as submitted.

Motion: by Ms. Davies to approve the ordering of the 2019 4x4 Dump Truck with Grading Blade as submitted.

Seconded: by Mr. Doten

Discussion: None

Vote: 5-0-0, passed.

D. Roadside Mower

- i. The company that usually does our roadside mowing is not able to do so this year, as they don’t have enough staff. Mr. Vandenburg was unsuccessful in finding another company to do the contracted roadside mowing for this year. Bids specification were sent out, but nobody submitted a bid.
- ii. Mr. Vandenburg was able to reserve a roadside mowing setup starting July 29th for 4 50-hour weeks at \$12,000.
- iii. Mr. Vandenburg has found a used 3-point hitch mower deck available for purchase at a cost of \$16,000, but it would have to be hooked to the Sewer Department’s mower and it isn’t exactly what the Town would want in the long run.
- iv. Mr. Vandenburg is seeking permission to reallocate the money used to contract out the roadside mowing to rent the mower and IF this mower deck materializes, use the money to purchase the mower.
- v. \$19,000 a year is budgeted for contracted roadside mowing. Mr. Vandenburg will have to run the rented equipment 50 hours a week in order to get the roadsides mowed.
- vi. The Select Board asked if there a statute or law regulating roadside mowing. The answer to this question is not known, but not mowing it is a traffic hazard.
- vii. Wayland Lord mentioned that the town tractor at the Sewer Department is due to be replaced next year, and they won’t need the tractor in the same

capacity in the future. To do it themselves they need a mid-mount mower at a cost of ~\$60,000. This could be a long-term solution.

Motion: by Mr. Doten to rent a mower for this year and do as much work as possible by having a town employee run it.

Seconded: by Mr. Bourgeois

Discussion: None

Vote: 5-0-0, passed.

VII. PERMITS

A. Truck Permits

i. M&M Lawn Care and Trucking LLC

Motion: by Mr. Doten to approve the permit for M&M Lawn Care as submitted.

Seconded: by Ms. Riley

Discussion: None

Vote: 5-0-0, passed.

VIII. BOARD OF SEWER COMMISSIONERS

A. Ferguson 23.54.56.005 – 5 Pine Street – Request for sewer increase

Motion: Ms. Riley to approve the request for sewer increase as submitted.

Seconded: by Ms. Davies

Discussion: None

Vote: 5-0-0, passed.

B. James McCall 05.02.04.006 93 – 93 Blake Hill Unit B – refund of penalties

i. To refund Mr. McCall \$57.63

Motion: Ms. Riley to approve the refund of \$57.63 to Mr. McCall for an address error on our end resulting in penalty and interest.

Seconded: by Ms. Davies

Discussion: None

Vote: 5-0-0, passed.

C. Woodstock Christian Childcare – 36 Elm St. – Request for increase

i. This increase is less than the Sunday service capacity, so no fee is required.

Motion: Ms. Riley to approve the request for increase in children and staff without a sewer capacity increase.

Seconded: by Mr. Doten

Discussion: None

Vote: 5-0-0, passed.

D. Sludge Disposal

i. The Town has a 3-year contract with Tom Debevoise which will end in 2020.

ii. The Woodstock Inn is using their land for other uses and they no longer want to be involved in the spreading of sludge.

- iii. Due to not being able to spread sludge, there is a need to have the sludge trucked out of the facility. It is quite expensive to have this done, and will need to be budgeted
- iv. Chairman Sutherland will look at the budget and meet with Wayland to figure this out.

IX. OTHER BUSINESS

A. Financial Statement

- i. Short fall this year of \$502,860.56 as of June 30, 2019, but the Town will have some revenues still coming in.
- ii. The Select Board should look at this expense report compared to the upcoming budget.

X. CITIZEN COMMENTS - None

XI. APPROVAL OF MINUTES

- A. May 21, 2019 Minutes
- B. June 17, 2019 Minutes
- C. June 18, 2019 Joint Minutes
- D. June 18, 2019 Minutes
- E. June 27, 2019 Joint Minutes
- F. July 8, 2019 Joint Minutes

Motion: by Ms. Davies to approve all the minutes listed above as submitted.

Seconded: by Ms. Riley

Discussion: None

Vote: 5-0-0, passed.

XII. EXECUTIVE SESSION – Personnel Matters

Motion: by Ms. Riley to move into executive session pending review of expense warrants and a 5-minute break at 8:28pm.

Seconded: by Mr. Bourgeois

Discussion: None

Vote: 5-0-0, passed.

The Select Board convened Executive Session at 8:33pm for discussion of Personnel Matters.

Motion: by Ms. Riley to move out of Executive Session and resume the regular meeting at 9:16pm.

Seconded: by Mr. Bourgeois

Discussion: None

Vote: 5-0-0, passed.

The Executive Session was for discussion only, there were no motions made or votes taken.

XIII. REVIEW EXPENSE WARRANTS

XIV. ADJOURNMENT

Motion: by Mr. Bourgeois to adjourn the meeting at 9:17pm.

Seconded: by Ms. Davies

Discussion: None

Vote: 5-0-0, passed.

Respectfully Submitted,

Beth Fish

L.D. Sutherland, Chair

Mary Riley

John Doten

Jill M. Davies

Ray Bourgeois