

Starksboro Selectboard
Minutes of July 21, 2020
Approved

Board members present: Nancy Boss, Koran Cousino, Eric Cota, John Painter, Greg Hahr
Others present: Rebecca Elder, Celine Coon, Tony Porter, Robert Turner, Elise Shanbacker, Amy Wright, Polly Nichol, Dan Nugent, Brad Boss

The meeting was called to order at 5:31 p.m. by Chair Koran Cousino.

The introductory statement regarding open meeting law and how public meetings are being conducted in the Town of Starksboro due to the State of Emergency declared by Governor Scott as a result of the COVID-19 pandemic and pursuant to Addendum 6 to Executive Order 01-20 and Act 92, this public body is authorized to meet electronically.

In accordance with Act 92, there is no physical location to observe and listen contemporaneously, however the meeting was conducted with public access via internet or telephone with the ability to listen/interact contemporaneously.

Additions to the agenda:

1. Request from Bone Builders exercise group to use upstairs library space

Road Foreman's Report – Tony Porter

1. **NRCS grant** – Tony has given this thought and surveyed the material. He estimates there is 145 CY of wood debris, which is less than he thought originally. There is 573 CY river washout/gravel to be removed. He suggests he can do the work and would hire a contractor with a bigger excavator to remove the gravel to comply with the State permit for work in the brook. It will take a couple of days with a contractor. The board supports the decision to have Tony do the work as described. Tony said he is still waiting to hear about Stokes Hill Road segment. He will check in with the grant admin contact for status before beginning work.
2. Equipment purchase via potential grant funds. Any town that is in the Otter Creek basin can qualify. Tony wants to purchase a bale mulcher. The town should ensure the purchase is made in accordance with the grant specs. Tony will review the requirements and work out the details. He proposes to make the purchase and negotiate use with another town that will furnish the truck to haul the bale mulcher. He will update the board on next steps.
3. Tony raised a personnel question. The board will consider at a future warned meeting in executive session.
4. Excavator rental use: currently at 165 hrs. Tony explained the costs of renting vs. costs of lease-to-purchase option. With the amount of use and anticipated work, he stated the lease would be the best use of funds and a longer term investment. The board asked for the cost options in writing so they can review and compare to the bank rates. To be discussed at a future meeting.

Addison County Community Trust: community block grant support request

Guests: Elise Shanbacker (ACCT Exec. Dir.), Amy Wright and Polly Nichols (ACCT consultants)

ACCT sent the Selectboard a revised memo regarding the request for Town support for a community block grant request for assessment of infrastructure in the 3 MHPs in Starksboro. Elise stated that ACCT is trying to address things before a crisis regarding septic systems failing, water line issues, and private road conditions that need repair.

A statement from the Planning Commission to the Selectboard regarding the proposal was shared. (Attached to the PC minutes of 7/16/20 and in the board materials for this meeting.)

Brad Boss (PC member) asked if ACCT would be willing to reduce the number of lots in any of the parks to address some of the issues.

ACCT described the planning grant scope and the organization's financial picture. Though ACCT is a nonprofit, they do not fundraise for this and they receive very little capacity dollars available. All the parks need to be operating in the black. If they are in the red, ACCT is constrained by that and they have potentially large fixes ahead. They do not know how to deal with the septic issue and failing systems.

A community septic system serving the entirety of the park isn't likely given what is know about the land and the various features and soils affecting the 3 parks. Some proposals are likely to best fixes and possibly some closures. There may be options for a few smaller shared septic systems that could serve 10 or less, which the land might accommodate.

In response to the PC, ACCT said it cannot redevelop and build multi-family housing in an area that is not a downtown. They would look more toward a zero-energy modular like Vermods than a multi-family home. They are open to talking about what the possibilities are for the future.

ACCT would like to see what residents would want in a long-term plan. They have struggled with resident engagement. They hope to survey about what the future of the park could look like. Brad said that should have been done before applying for this grant or approaching the town for support.

Elise/ACCT stated that there is urgency that they need to act on in the park now, but she thinks these are things they can take on simultaneously. Amy Wright stated that there is not a good base of information about the infrastructure in the parks. This work will assess what can be done. There are State laws to protect homeowners. The State has been concerned about park closures and there has been effort to get resident participation. Closing a lot because it is in a flood hazard area is one issue; looking to restructure the park is a different conversation.

Brad stated that if the parks continue to have "best fix" solutions applied, there will be no opportunity to implement any change. If the land is overtaxed now and the soils are poor, he would expect the engineers would recommend reducing lots. From a planning perspective, you save space by going up instead of out with construction.

Amy Wright/ACCT spoke about consulting a landscape architect and that perhaps having professional assistance about how lots could be laid out differently would be helpful information. They could then have a conversation with the PC. She said the first stop might be looking at what is in the parks now, starting with resident input first and then discussion with the PC. A better starting point is envisioning what could make the parks feel better.

Koran Cousino said the selectboard discussed at their planning retreat and heard from the PC a concern about the quality of life for the residents. Infrastructure doesn't improve quality of life; or does it? There are many considerations and good ideas coming out of the conversation tonight. The board liked the idea of a resident survey and would like to learn what they think would be the best for the long term. Questions about landscaping and different lot configurations should be included. Greg Hahr also likes the survey idea but suggested pulling together focus groups and talk with residents about what would make life better in these communities. Is it narrowing the size of the parks? Elise said she would share results of the last surveys with the selectboard and planning commission members.

One hot topic has been raising lot rents. Brookside and Lazy Brook residents were very vocal groups.

Greg asked about other parks ACCT manages and comparisons. Elise said the Starksboro parks have been in place for a long time and there are more things to deteriorate over time, there are more things to suffer from neglect. In Lyndale park (Middlebury), it is an older part of park 49 homes. They have a lot of failing systems. The Vergennes park is on town water and sewer; however there are water system and issues re: shared system with Panton.

Another challenge is the HUD requirements for new homes: slabs beneath homes, frost free insulation, hurricane tie downs, all of which make replacing homes quite expensive and prohibitive.

ACCT is refinancing all the parks to reduce financial strain and trying to buy down the debt. This would allow more flexibility for their work on improvements. Greg asked how their reserves are structured. Most he has known, in the portfolio around VT or NE, recognize that the higher end pieces need to subsidize the areas that aren't doing well. Elise stated that ACCT does not do that—each park has its own fund; hybrid model – no subsidization; more like risk sharing.

Polly Nichols/ACCT said those are the conversations they have been having with funders and getting them on board. Amy/ACCT said the issue is to convince funders to reduce the total debt; so that there will be a pool of reserves to be used now or to be used for emerging situations. She noted that ACCT is not looking at a planning grant that would only buy a short fix; they want to make a long term commitment; MHPs are like mini-cities; they are difficult and hard to solve on a small scale. The parks have a total of 350 units.

Koran recapped the conversation and asked if the Town proceeds with the grant, if the assessment studies present new ideas that had not been considered, is the grant malleable and can things change as new information comes in for potential solutions.

Amy/ACCT said the grants work in terms of work products. The grant application proposal locks you into providing work products. The goal in developing the application is to be specific enough to receive funds, but not so specific that projects are locked in without any flexibility.

Elise stated that from ACCT perspective, the engineering work is essential. If that can happen, they are willing to consider and have some flexibility if new ideas surface in the tenant surveys. The matching grant portion could cover some of this work. Elise said this assessment must be done so they know how bad the septic systems are and what options are available for long-term repair/replacement. They are looking at 30-year financing, so investors or grantors will want to see the funds used for perpetual fixes.

Koran said the PC is concerned about locking into best fixes and not limiting options for reconfiguration in the future, if that were a feasible solution. The PC would like to have a bigger lens applied to the 3 parks. The SB concerns are on tax issues, fiscal issues, and noncompliance with zoning bylaws, (need to look at lot sizes, setbacks, better communication with the town).

John Painter agreed this is an accurate summary of the concerns from the town boards. Dan Nugent (PC) concurred and said this conversation was moving in the right direction from a planning perspective. Greg echoed those statements and agreed that the Town needs to take a broader scope: we need a big enough picture view that we are solving something long term.

Eric Cota said he would rather see feasibility studies in the direction of multi-family homes rather than MHPs. Permanent structures with better energy efficiency, more value, better use of space. If renter defaults on rent payments or taxes, then ACCT has something it owns and can rent again. One repeating cycle in these parks is default on local taxes: collection of delinquent taxes is time-consuming and costly, some residents have been in default for 4+ years. Redevelopment would offer residents more space and amenities.

Elise/ACCT said this may be true and it should be explored in the resident survey.

Koran asked what the best course of action is at this point.

Amy/ACCT: There is a full online application, which the town will have access to. ACCT will draft a revised workplan based on the conversation tonight and will send to the Selectboard and Planning Commission for consider at the next meeting.

There is a 15-day notice requirement for a public hearing before the grant application can proceed. Must be done for the 9/1 meeting – ACCT will do the public notice if date is acceptable to the board.

ACCT needs a decision from the Town at the 8/4 Selectboard meeting. If there are shared goals, ACCT will work on a revised grant proposal to help everyone feel comfortable to move forward.

Application must be submitted by Sept. 8.

Setting the tax rate

Celine presented the calculations for setting the current municipal tax rate. The information is based on the budget from the town report.

Municipal tax rate to be set at: \$0.6217 based on the grand list sheet presented to the board.

Motion: Eric Cota made a motion to raise the amount of \$1,046,539 for a municipal tax rate of .6217 which includes the Veteran's exemption of .001. Greg Hahr second.

Vote: Motion approved unanimously.

Until Current Use is complete and we are satisfied with homestead declarations that have been received, staff will then determine when to create the tax bills. There is currently close to the usual number of homestead declarations received though there are some late on State payments and the town may not receive late adjustment until Oct./Nov. It is better to wait to send information so that corrected reports won't need to be sent to the financial lenders. Staff goal is to mail in early August.

Board Work Plan review

The board reviewed the draft plan that Rebecca created based on the retreat conversation. The board identified priorities and slotted each on a schedule of meetings for 2020. The goal is to cover some policy review and work plan items at each meeting in addition to the regular work and town business that needs attention.

The draft plan was shared with Celine and Robert for input and to aid in the planning for conversation about reserve funds and various policies, as well as budget planning.

The board will plan to revisit some items in the personnel policy now that the new policy has been in effect for a year. Topics to review include sick time use and roll-over/short-term liability coverage; retirement plan (continuing 401K vs. change to VMERS); health insurance benefits. Add this to the schedule for the Fall.

The board hopes to resume meeting in person in the future, but that will be determined based on the health guidance and recommendations from the Governor's orders, CDC, and VT Health Department.

Audit discussion

Koran framed the discussion with some background on the audits that Starksboro has had performed in the past. Former SB Chair Susan Jefferies suggested doing an audit every 3 years. The town is due this year. The selectboard has discussed the audit and what type was needed over the past year. Koran spoke with VLCT about their recommendation to have an audit conducting using "governmental standards". This is slightly different from the audits performed previously and involves an additional layer of review.

Celine has a proposed contract with Telling (the firm used for past audits) at a price of \$8500. This does not include the "governmental standards" review, which focuses on internal controls (tests the controls in place that protect employees and the public). Based on her conversation with Telling, Koran stated that the Town would be unlikely to learn anything new with that additional layer of review because our

systems don't include a lot of local controls. It would be an additional cost and line in the contract but would not necessary provide more information. A third type of audit is a "forensic audit" which would only be performed is there was a suspicion of fraudulent activity and the town was going into litigation.

The board discussed putting the audit out to bid, but due to timing issues and the need to have the audit proceed this year as planned, the board agreed to proceed with the proposal and contract as presented.

Greg said supported the proposed contract for this year. He stated there is a benefit of going to RFP for the next round; from a financial perspective, it is good to get another fresh set of eyes to give the board and Treasurer insight into things and might help us do better budgeting in the future.

Motion: Nancy Boss made a motion to accept the proposed contract from Telling and Hillman as presented with authorization for Eric Cota to sign on behalf of the board. Eric Cota second.

Vote: Motion approved unanimously.

Buildings and Maintenance

Post Office Lease renewal: Koran talked to Bill at the Huntington PO. He connected her with the offices in Windsor, CT, which confirmed that the Town should be negotiating the lease with JLL. Paperwork has been received from them at the town office. This will need review and additional research as the lease needs to be negotiated and signed for next year.

Board members should stop by the PO building before the next meeting and look at some of the issues that require maintenance including asbestos floor tiles that must be covered and bad windows.

Cleaning services

Motion: Nancy Boss made a motion to accept the contract for \$150 per week from Cassandra Rigger for cleaning of the town clerk's office, library, and town garage office as described. John Painter second.

Vote: Motion approved unanimously.

Pottery Studio lease status:

Nancy spoke with Judith Bryant. No insurance is in place currently and the lease is not signed. Nancy will contact her again to seek resolution.

Rebecca presented a request from the Bone Builders (exercise group) to use the upstairs of the library building to resume in-person exercise. They could maintain social distancing. The board stated that while the Governor's Executive Order is in place, there will continue to be no public gatherings in town owned buildings. They suggested the group explore use of another space (Cota field pavilion, Meetinghouse, Baptist Church).

Town boundary line issue with neighbor to the south of the library – When the deeds were created long ago, there was loose language and the surveying standards have changed. At some point, the Town will need to decide or spend money on a survey and establish a boundary line agreement.

SB concerns

Nancy reminded everyone of the BCA meeting at 6:30 p.m. tomorrow night. Greg is out of town. Koran may not be able to attend.

Warrants/Bills/Orders

Motion: Greg Hahr made a motion to approve the warrants for bills and orders as presented by the Treasurer. John Painter second.

Vote: Motion approved unanimously.

Review of minutes

Meeting of 6/23/20 – Selectboard planning retreat

Minutes are the draft workplan that was developed. Members present: Eric Cota, Nancy Boss, Koran, Cousino, and John Painter. Greg Hahr was unable to attend. Rebecca Elder was also present.

Motion: Nancy Boss made a motion to approve the workplan as minutes of the 6/23/20 special meeting. Eric Cota second.

Vote: The motion passed unanimously.

Meeting of 7/7/20

Motion: Nancy Boss made a motion to approve the minutes of 7/7/20 as presented with corrections/additions. Eric Cota second.

Vote: The motion passed unanimously.

Review of mail

Reappraisal contract

Motion: Greg Hahr made a motion to approve the contract with NEMRC for a town-wide reappraisal to be completed by 2023 and to authorize Eric Cota to sign the contract on behalf of the Selectboard. Nancy Boss second.

Vote: The motion passed unanimously.

Other mail/emails received:

- Email from Dan Baker re: ACCT block grant proposal
- Email re: status of EVSE grant reimbursement from AOT
- Richmond Rescue quarterly report
- Email re: ACRPC transportation planning grants
- Email from Louis DuPont re: Cota field Creekside Trail footbridge repairs
- Flooring quote for replacement options in town clerk office conference room/back office.

Motion to adjourn: Eric Cota moved and John Painter seconded.

Vote: The motion passed unanimously.

Respectfully submitted,

Rebecca Elder, SBA

Next regular meeting: Tuesday, Aug. 4. 2020 at 5:30 p.m. via ZOOM