

# Waitsfield Town Administrator's Report

August 14, 2023

**\*PLEASE NOTE: Public Access to this meeting will be hybrid, remote via Zoom or in person at the Waitsfield Town Office. For remote access, please use the following link:**

<https://us02web.zoom.us/j/82056117089>

Meeting ID: 820 5611 7089

By phone: 1 (929) 205-6099

**Anyone wishing to speak can do so during the designated times, as indicated by the chair.**

## II. REGULAR BUSINESS.

### Item II.3. Revisit July 8, 2019 Dog Order (Stevenson)

The Waitsfield Selectboard held a dog hearing on June 26, 2019 to consider violations of its Dog Ordinance. The incident included two dogs, Cami and Rocco (owned by William and Lisa Stevenson), who were found by the Selectboard to have been running at large on High Bridge Hill Road on June 16<sup>th</sup>, 2019 when they encountered Eileen Turner along with her three-year old son and their family's dog, Tilly. Tilly was attacked by Cami and Rocco and required extensive veterinary care to address her significant injuries. The Selectboard's findings also included a determination that the behavior exhibited by Cami and Rocco met the definition of "vicious" in the Dog Ordinance.

The Selectboard reviewed and approved a final order and findings after review of a draft at their meeting on July 8<sup>th</sup>, 2019. The draft order included in the July 8<sup>th</sup> meeting packet included a requirement that Cami be barred from High Bridge Hill Road but Rocco could remain so long as he was confined/secured at all times while on the Stevenson's property. As part of the discussion on July 8<sup>th</sup>, the Selectboard determined that they would prefer to bar both dogs from the Stevenson's property and requested that the Final Order be updated accordingly.

On July 22, 2023, the Waitsfield Animal Control Officer, Fred Messer, was contacted by Eileen Turner to inform him that Rocco was seen on the Stevenson's property again, and included a copy of the Selectboard's July 8, 2019 Final Order in her correspondence. Fred Messer contacted the Stevensons on July 26<sup>th</sup> to inquire about the incident and remind them of the Board's 2019 Final Order which stated that both dogs should no longer be on the Stevenson's property. William Stevenson responded and expressed confusion, claiming he had never received a copy of the July 8<sup>th</sup> Final Order and had only ever seen the draft order included in the July 8<sup>th</sup> Selectboard packet. He explained that Cami had been relocated accordingly, but Rocco had been kept but contained on the property. Staff has looked into the records kept at the Town Office and cannot find a record one way or another confirming whether a copy of the Final Order was ever signed by the Selectboard Chair at the time or mailed/emailed to the Stevensons.

The Selectboard should consider whether they would like to take action to "reaffirm" the July 8<sup>th</sup>, 2019 Selectboard Decision and sign an updated order accordingly. The Final Order as approved by the Selectboard on July 8, 2019 is enclosed which includes more detail on the project history and process. The July 8<sup>th</sup>, 2019 Selectboard packet [can be found here](#) and the July 8, 2019 meeting minutes [can be found here](#).

### ***Recommendation:***

*Consider a motion to reaffirm the Waitsfield Selectboard's July 8, 2019 Final Order related to the June 26, 2019 Stevenson dog hearing.*

51 Item II.4. Consider Liquor License application for the Sweet Spot

52 The Board will be acting in its capacity as the local liquor control commission. Liquor licenses to be  
53 reviewed tonight include businesses that have had their license for less than three years. Local policy has  
54 been to ask these businesses to attend in person to answer any questions the Selectboard might have.

55

56 License classes roughly break down as follows:

- 57 a. Class 1 – allows for the sale of beer and wine, with consumption on premises (bars, restaurants,  
58 taprooms, etc.).
- 59 b. Class 2 – allows for the sale of beer and wine (and related products), with consumption off  
60 premises (grocery stores, convenience stores, etc.).
- 61 c. Class 3 – allows for the sale of spirits or liquor, with consumption on-premises (bars, restaurants,  
62 etc.).
- 63 d. Outside Consumption Permit – allows for sale and consumption on-premises, but in outside spaces  
64 (patios, tents, sidewalks, other designated spaces, etc.).

65

66 The applicant within the three-year window expected to attend Monday is The Sweet Spot under new  
67 ownership, (The Pace Ltd., Co.), which would qualify them as a new business. DLL has transitioned  
68 entirely to an online portal and the Town no longer receives paper copies of applications. The state portal  
69 allows for Town Clerk sign off once approved by the Selectboard. This liquor license is included on the  
70 warrant found under the consent agenda for the Board's signature at the end of the meeting.

71

72 To be considered tonight:

- 73 a. **The Sweet Spot (40 Bridget Street):** 1<sup>st</sup> Class Liquor License, 3<sup>rd</sup> Class Liquor License, and  
74 Outside Consumption Permit

75

76 ***Recommendation:***

77 *Consider a motion to approve the liquor license renewals as identified above.*

78

79 Item II.5 Consider appointment of MRV Recreation District representative

80 The Mad River Valley Recreation District is comprised of representatives from Waitsfield, Warren, and  
81 Fayston who serve on the MRVRD Board upon appointment from each Town's respective Selectboard.  
82 Shevonne Travers is stepping down from the MRVPD as one of Waitsfield's two representatives and  
83 Gina Daidys is interested in filling this position. Laura and Gina will attend the meeting on Monday night  
84 to answer any questions the Board might have. More information on the MRV Recreation District [can be  
85 found here.](#)

86

87 ***Recommendation:***

88 *Consider a motion to appoint Gina Daidys as a Waitsfield representative to the Mad River Valley  
89 Recreation District.*

90

91 Item II.6. Update from Joslin Memorial Library on proposed outdoor improvements

92 At the Selectboard meeting on August 14, 2023, Joslin Memorial Library trustees Jean Joslin and Trish  
93 Read presented their proposal for a staircase leading from the sidewalk along Route 100 down to the  
94 library park. Their proposal included a request for ARPA funds to cover the cost of materials to complete  
95 the project. The Selectboard was supportive of the project and authorized the submittal of a zoning permit

96 application for the project, with the Town co-signing as owner of the parcel. The Board asked the JML  
97 Trustees to attend the next Board meeting when a more detailed cost estimate would be available. The  
98 most significant cost will be the potential railing for the staircase which could range anywhere from \$800  
99 (for a wood railing) to ~\$2,500 (for a metal railing). The trustees will provide a more detailed breakdown  
100 of potential costs at the meeting on Monday night. It is possible that the library may be able to contribute  
101 a small percentage of funds to make the project happen, which will also be discussed on Monday night.  
102 The zoning permit application was submitted to the Planning & Zoning Administrator the week of August  
103 21<sup>st</sup>.

104

105 ***Recommendation:***

106 *Consider a motion to authorize the allocation of \$\_\_\_\_\_ of Waitsfield municipal ARPA funds toward the*  
107 *Joslin Memorial Library Park staircase project.*

108

109 Item II.7. Review proposed RFP for Local Hazard Mitigation Plan

110 The Waitsfield Local Hazard Mitigation Plan, last adopted and approved by FEMA on May 1, 2017, is  
111 expired as of May 1, 2022. Staff, with the assistance of the Emergency Management Director, began the  
112 process of securing FEMA grant funding to update the plan in November of 2021. The Town received  
113 notice that we were awarded funding in December 2022 and a final agreement was executed in April  
114 2023. The first step in updating the Town's LHMP is posting an RFP, a draft of which is enclosed for the  
115 Board's review. The project team working on the LHMP includes Fred Messer (Emergency Management  
116 Director), Clare Ireland (Emergency Management Coordinator), Alice Peal (Planning Commission Chair),  
117 and Randy Brittingham (Town Treasurer/Grant Administrator), with support from the Town  
118 Administrator as needed. The total grant award is for \$8,362.50, with a required municipal match  
119 (including in-kind time) of \$2,787.50. The grant award end date is September 22, 2025, although the team  
120 hopes to have the project completed ahead of that deadline. More details on Local Hazard Mitigation  
121 Plans and their significance related to disaster recovery funding [can be found here](#).

122

123 The draft RFP includes a deadline of September 30<sup>th</sup> to submit proposals. The project team will review  
124 proposals received and bring a recommendation to the Selectboard at their meeting on October 9<sup>th</sup>, 2023.

125

126 ***Recommendation:***

127 *Consider a motion to approve and post the enclosed Local Hazard Mitigation Plan RFP.*

128

129 Item II.8. Town Plan Amendments discussion & recommendation to Planning Commission – Chapter 13

130 The Selectboard held a Public Hearing on May 8<sup>th</sup> to consider the Town Plan amendments as approved by  
131 the Planning Commission on March 21, 2023. At the meeting, the Selectboard requested that [Chapter 13](#)  
132 [\(Implementation\)](#) also be updated to reflect the updated tasks in the amended Town Plan. Additionally,  
133 the Board referenced the Hinesburg Town Plan, "[Top Priority Actions](#)" Section as a good guide for what  
134 they would like to see included in the Waitsfield Town Plan. Alice Peal, Planning Commission Chair,  
135 will attend the meeting and would like to discuss how to proceed with these final updates moving  
136 forward.

137

138 The Selectboard discussed this item again at their meeting on August 14, 2023 and decided to hold one  
139 additional in-depth discussion about Chapter 13 on August 28<sup>th</sup>, and at that point forward their  
140 recommendations for Chapter 13 edits to the Planning Commission for their review and recommendation.

141 The hope is to have a final Selectboard hearing on the Town Plan on September 25<sup>th</sup>, and adoption by  
142 October.

143

144 The current Town Plan draft [can be found here](#).

145

146 ***Recommendation:***

147 *Forward recommended edits and amendments of Chapter 13 to the Planning Commission for final review*  
148 *before the September 25<sup>th</sup> hearing.*

149

150 **Item II.9. FY24 Work Plan work session**

151 An updated FY23 Work Plan is enclosed for the Board's review and discussion with staff. The work plan  
152 establishes annual and quarterly priorities for Town staff, most significantly the Town Administrator and  
153 Town Treasurer/Grant Administrator, but to a lesser extent the Town Clerk and Planning & Zoning  
154 Administrator as well. The work plan has been updated to make priorities clearer and to add project start  
155 and end dates. Some start and end dates are oriented around specific tasks, while others focus on entire  
156 projects overall. Additionally, a list of all active grants is enclosed, which is referenced in the work plan.  
157 Annie and Randy will both join the Selectboard for the work plan discussion. The Selectboard should  
158 review the entire work plan, especially the projects identified as priorities, and identify projects that might  
159 be missing from this list or those that they believe should be priorities that are not.

160

161 ***Recommendation:***

162 *Review the updated FY23 work plan and consider approval.*

163

164 **Item II.10. Waitsfield Municipal ARPA Funding Update**

165 An updated summary of ARPA funds allocated and spent to date is enclosed in this report. To date, of the  
166 Town's \$506,081 ARPA award, \$289,879 has been allocated and \$171,082 of that allocation has been  
167 spent. No action is recommended at this meeting, this is just intended to be an update, however the Board  
168 should continue to discuss and consider how the remainder of Waitsfield's award may be best utilized.

169

170 The Wastewater Planning Team has previously requested that some of these funds be used to fund the  
171 next phase of Wastewater Project 30% Design, the total cost of which could be between \$213,000 and  
172 \$198,000, with a potential \$125,000 subsidy available from DEC to fund this phase (TBD). ARPA funds  
173 could be utilized to cover the remainder. There are also two other ARPA funding requests included at this  
174 meeting, the Joslin Memorial Library Park stairs (II.5) and the wastewater project data management  
175 software request (II.11).

176

177 ***Recommendation:***

178 *No action anticipated at this time.*

179

180 **Item II.11 Request from Wastewater Project Planning Team for data management ARPA funding**

181 The Wastewater Project Planning Team is preparing for the next project phase which will include the  
182 need to build a database to complete a more detailed analysis of current wastewater use on parcels located  
183 within the service area. This process will also set the team up to proceed with an income survey within  
184 the service area if the DEC does not ultimately accept the Town's determination that the CDP (census-  
185 designate place) data is most relevant for determining affordability criteria in the proposed service area.

186 Data collection and surveying potential users of the proposed wastewater system is a critical component  
187 of the design phase, and based on lessons learned from the water project during the associated design  
188 phase of that project, a more robust data management software will likely save many hours of staff and  
189 volunteer administrative time. The wastewater team reviewed different options for data management and  
190 recommend proceeding with the program [Salesforce](#). The team recommends an initial contract for 9 full  
191 licenses, which would provide a license for each member of the Wastewater Project Planning Team  
192 (Joshua, Annie, JB, Chach, Bob, Robin, and Randy) and a license each for Jen Peterson (Town Clerk) and  
193 Jon Ashley (project engineer). The program requires an annual contract, with a cost of \$25 per license per  
194 month (9 licenses x \$25 x 12 months = \$2,700 annual license fees). The team also recommends utilizing  
195 a local Salesforce developer to assist with initial setup and buildout, at a cost of \$150 an hour for a  
196 proposed 15 hours (15 hours x \$150 an hour = \$2,250). The Wastewater Project Team requests that the  
197 Selectboard consider a one-time ARPA allocation of \$4,950 for the purchase of nine Salesforce licenses  
198 and initial onboarding. The program will likely have many other applicable uses, including the  
199 management of water system data, which can be explored in more detailed once in utilization.

200

201 ***Recommendation:***

202 *Consider a motion to allocate \$5,000 to the Waitsfield wastewater project to purchase nine Salesforce*  
203 *licenses and initial onboarding, and authorize the Wastewater Planning Project team to proceed with a*  
204 *contract accordingly.*

205

206 **Item II.12. Consent Agenda**

207

208 *Any member of the Selectboard may request that an item be removed from the consent agenda for any*  
209 *reason and the Chair will decide where on the regular agenda the item will be placed for further*  
210 *discussion and potential action, otherwise a single motion is all that's needed to approve the identified*  
211 *consent agenda items.*

212

213 a. **Consider Approving the Minutes of 8/14/23**

214 The minutes will be shared before the meeting.

215

216 b. **Bills Payable and Treasurer's Warrants**

217 Warrants will be emailed before the meeting and available for review in person at the  
218 meeting.

219 c. **Approve liquor license renewals**

220 A warrant will be provided on Monday before the meeting to include any new businesses  
221 approved at this meeting and other applications that have been received from established  
222 businesses who are no longer required to meet with the Selectboard.

223

224 d. **Approve Public Festival Permit for 2023 MRV Craft Fair**

225 We have received a Festival Permit Application for the 52nd Annual Mad River Valley  
226 Craft Fair, to be held at Kenyon's Field in Waitsfield on September 2nd and 3rd. The event



227 is a fundraiser to support Valley Players and the application fee has been requested to be  
228 waived, as has been done in years past.

229

230 Item II.18. Town Administrator's Updates

231 Updates to be provided at the meeting.

232

233 **a. Planning Commission Bylaw Modernization timeline update**

234

235 At their last meeting, the Selectboard requested an update from the Planning Commission  
236 on their intended Bylaw Modernization timeline. Alice Peal provided the following  
237 details:

238

- 239 • 9/25 Draft of Bylaws to Selectboard and to DRB
- 240 • 10/17 Comments due to PC by SB and DRB
- 241 • November 21 - PC finalizes new Bylaws
- 242 • December - Public Hearing and Approval
- 243 • The key dates here are 9/25 and 10/17 for the draft and then comments back to the  
244 PC. When the PC receives SB and DRB comments we will have a better idea on  
245 the work needed to add/complete. Hence November and December dates are not  
246 definite yet. But it will be a good goal for the PC to finish edits before  
247 Thanksgiving.

248

249 **b. VOREC project pedestrian path crosswalk update**

250

251 Annie met with Misha Golfman (MR Path Executive Director) and Marcos Miller of  
252 VTrans on Tuesday, August 22<sup>nd</sup> to complete site visits of the proposed crossing locations  
253 associated with the pedestrian path component of the VOREC project. The southern  
254 crossing can only be approved as a trail crossing with no associated striping but still  
255 signage, as discussed with the Selectboard at their October 24, 2022 meeting. Annie and  
256 Misha will be completing the last steps to proceed with that permit issuance from VTrans.  
257 The northern crosswalk is proposed across Route 100, to connect the sidewalk and path  
258 segment near Brothers Building to a new proposed landing area near Irasville Common.  
259 An updated Section 1111 permit will need to be submitted for this crossing which Misha  
260 and Annie will begin work on and will present to the Selectboard for final approval before  
261 submittal.

262

263 **c. East Warren Road culvert replacement update**

264

265 East Warren Road is officially open to one lane of traffic as of Friday, August 25<sup>th</sup>. The  
266 contractor requests that drivers should approach the area carefully and drive through  
267 slowly as there is still work in progress. The estimated timing for opening to two lanes is  
268 the week of September 5<sup>th</sup> but all progress is dependent on weather.

269

270 **d. VLCT Town Fair**

271

272 The 2023 VLCT Town Fair will be held on September 26-27 at the South Burlington  
273 Doubletree by Hilton. Details can be found here: <https://www.vlct.org/town-fair>

274

275 **III. OTHER BUSINESS**

276

277 Item III.1. Correspondence/Documents/Reports received

278

- 279 a. No correspondence received to date