

TOWN OF WAITSFIELD
SELECTBOARD MEETING
Monday, August 28, 2023
6:30 P.M.

Please see note below for access

I. Call to Order: 6:30 P.M.

II. Regular Business.

1. Agenda additions, removals, or adjustments per 1 V.S.A. § 312 (d) (3) (A).
2. Public forum. (5 +/- min.)
3. Revisit July 8, 2019 Dog Order (Stevenson) (15 +/- min.)
4. Consider Liquor License application for the Sweet Spot (5 +/- min.)
5. Consider appointment of MRV Recreation District representative (5 +/- min.)
6. Update from Joslin Memorial Library on proposed outdoor improvements (10 +/- min.)
7. Review proposed RFP for Local Hazard Mitigation Plan (10 +/- min.)
8. Town Plan Amendments discussion & recommendation to Planning Commission – Chapter 13 (15 +/- min.)
9. FY24 Work Plan work session (15 +/- min.)
10. Update on ARPA Funds allocated and spent to date (5 +/- min.)
11. Request from Wastewater Project Planning Team for data management ARPA funding (10 +/- min.)
12. Consent Agenda:
 - a. Consider approving the Minutes of 8/14/23
 - b. Bills Payable and Treasurer's Warrants
 - c. Approve liquor license renewals
 - d. Approve Public Festival Permit for 2023 MRV Craft Fair
13. Selectboard roundtable. (10 +/- min.)
14. Town Administrator's updates. (5 +/- min.)
15. Executive Session
 1. Pursuant to 1 V.S.A § 313 (a) (1) find that premature general knowledge of confidential attorney-client communications made for the purpose of providing professional legal services to the public body would clearly place the public body or a person involved at a substantial disadvantage
 2. Enter Executive Session pursuant to 1 V.S.A. § 313 (a) (2) [Real Estate], 1 V.S.A. § 313 (a) (3) [Personnel], and 1 V.S.A. § 313 (a) (1F) [Confidential attorney-client communications]

III. Other Business.

1. Correspondence/reports received.

IV. Adjourn.

***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.

ALL TIMES ARE APPROXIMATE

Waitsfield Town Administrator's Report

August 28, 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 16th, 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 8th, 2019. The draft order included in the July 8th 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 8th, 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 26th 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 8th Final Order and had only ever seen the draft order included in the July 8th 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/mailed to the Stevensons.

The Selectboard should consider whether they would like to take action to "reaffirm" the July 8th, 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 8th, 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):** 1st Class Liquor License, 3rd 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 21st.

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 30th to submit proposals. The project team will review
124 proposals received and bring a recommendation to the Selectboard at their meeting on October 9th, 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 8th 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 28th, 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 25th, 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 25th 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

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

233

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

236

- 236 • 9/25 Draft of Bylaws to Selectboard and to DRB
- 237 • 10/17 Comments due to PC by SB and DRB
- 238 • November 21 - PC finalizes new Bylaws
- 239 • December - Public Hearing and Approval
- 240 • The key dates here are 9/25 and 10/17 for the draft and then comments back to the
241 PC. When the PC receives SB and DRB comments we will have a better idea on
242 the work needed to add/complete. Hence November and December dates are not
243 definite yet. But it will be a good goal for the PC to finish edits before
244 Thanksgiving.

245

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

246

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

257

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

258

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

262

262 **d. VLCT Town Fair**

263

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

265

266

266 **III. OTHER BUSINESS**

267

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

268

- 268 a. No correspondence received to date



TOWN OF WAITSFIELD

FORMAL ORDER

Introduction

The Town of Waitsfield received a formal complaint of a vicious dog incident and dogs running at-large, potential violations of the Town's dog ordinance and State statute. Upon official receipt of the complaint, the Town initiated a formal process to determine whether or not a violation of the ordinance or statute occurred, and if so, what actions might be proportionate and warranted in response.

Brief Description of the Incident

In the complaint filed with the Town and at the hearing, Eileen Turner stated that while walking on High Bridge Hill Road on the morning of Sunday, 6/16 with her three-year old son, the family's dog Tilly was attacked by two dogs. The two dogs that attacked Tilly, a black lab mix named Cami and a pitbull named Rocco, had left the premises owned by William and Lisa Stevenson at 93 High Bridge Hill Road.

Tilly was on a leash attached to Eileen Turner. The other two dogs (Cami and Rocco) were not leashed and were off the premises of the owners or custodians. Eileen Turner attempted to stop the attack and screamed for assistance; the Stevensons and another neighbor eventually responded. The Stevensons were able to recover control of Cami and Rocco at that time and the incident ended.

The Turners reported that Tilly suffered tears in two of the three layers of muscle covering her heart. Tilly also suffered bite marks on the neck and head. Stitches and a drainage port near her heart were required. A full physical recovery is anticipated.

Procedural History

1. The Town received the formal complaint via email on Tuesday, 6/18, after the close of business. The Town acknowledged official receipt of the complaint on Wednesday, 6/19. The complaint was filed by David and Eileen Turner and is included as appendix A.
2. The Town determined that the complaint was an alleged violation of its dog ordinance (Sections 5 and 10), and applied state statute as required or prudent as well. The process used to hold the hearing, including notification, hews to the statutory procedure for incidents where dogs have attacked people off of the premises of their owners¹.
3. Section 14 of the Town's ordinance allows the Selectboard to hold a hearing, "for any violation of this ordinance." The Board may also issue a finding following a hearing that orders the dogs involved to be, "restrained, muzzled, or destroyed in a humane way."
4. The names and contact information of those with ownership or custody of the dogs was determined. William and Lisa Stevenson had the dogs in their custody and care; the dogs are owned by a relative living in another municipality in Vermont.

¹ 20 V.S.A. § 3546

5. A letter regarding receipt of the complaint and the hearing schedule was sent to the Stevensons on Friday, 6/21; the letter is included as appendix B.
6. The Turners were notified via email (sent 6/24) of the potential hearing date of 6/26. A telephone conversation with David Turner on 6/24 further clarified dates and times.
7. The Town Administrator spoke by telephone with Lisa Stevenson on Monday, 6/24, to discuss the letter and to provide additional notice of and information related to the hearing and complaint process.
8. The Selectboard scheduled the 6/26 hearing in a 5-0 vote at its 6/24 meeting.
9. The Turners (via email) and the Stevensons (via phone and email) were notified of the hearing.
10. Lisa Stevenson sent an email to the Town on 6/25 with a copy of communication sent to the Turners on 6/16. The communication, included as appendix C, was read in to the hearing record on 6/26. The Stevensons declined to attend the hearing.
11. The Selectboard held its hearing on Wednesday, 6/26 at 6:30 p.m. The minutes of the hearing are included as appendix D.
12. The Selectboard, during its deliberative session, instructed the Town Administrator to issue an order barring the two dogs that were in the custody and care of the Stevensons from Waitsfield until such time as the formal, final order was issued. An email was sent to the Stevensons on 6/26; the letter explaining the order was sent to the Stevensons (dated 6/27) and is included as appendix E. The order was also relayed to the Turners via email.

Findings of the Waitsfield Selectboard

1. The Board finds that two dogs, Cami and Rocco, in the custody and care of William and Lisa Stevenson of 93 High Bridge Hill Road were running at-large and attacked a third dog, Tilly (owned by David and Eileen Turner of 272 High Bridge Hill Road). The attack occurred on Sunday, 6/16.
2. Tilly suffered significant wounds to her chest, neck, and other areas. Tilly required extensive veterinary care due to the severity of the wounds.
3. The Stevensons have not disputed that the dogs (Cami and Rocco) were involved in the attack or that it occurred as described.
4. The Stevensons have offered to pay for Tilly's veterinary care.
5. Both Cami and Rocco are up to date with their respective rabies and distemper shots, as relayed by Lisa Stevenson on 6/28 and confirmed by the veterinarian for the two dogs, Petit Brook Veterinary Clinic in Colchester, VT, on 7/8.
6. The Board finds that the incident on 6/16 is a clear violation of Section 5 of the Waitsfield Dog Ordinance. Section 5 prohibits dogs running at-large. Cami and Rocco were not confined to the property of the owner or custodian, were not on a leash or other restraint, and were not under the immediate control of an attendant.
7. The incident may also be a violation of Section 10 of the Waitsfield Dog Ordinance. The common definition of "domestic animals", which is the phrasing used in the ordinance, includes dogs. However, Vermont statute² limits the definition to what may commonly be referred to as livestock or farm animals. Statute draws a further distinction, defining a dog as a "domestic pet"³. With a lack of clarity regarding the definition of domestic animal and the intention of the ordinance, the Board is issuing its order based on the violation of Section 5.
8. The Board finds that the behavior exhibited by Cami and Rocco would otherwise meet the definition of "vicious."

² 6 V.S.A. § 1151 (2).

³ 20 V.S.A. § 3541 (3).

Order of the Selectboard

1. The Selectboard orders the Stevensons to pay the veterinary bills for Tilly. Payment shall either be made as a reimbursement to the Turners or directly to the veterinarian. The payment option chosen shall be at the discretion of the Turners.
2. Based on a pattern of aggressive behavior, combined with the fact that the dogs do not regularly reside in and are not licensed by the Town of Waitsfield, the Selectboard orders that Cami and Rocco be barred from High Bridge Hill Road and any other property owned, occupied, or operated by the Stevensons in Waitsfield.
3. Failure to adhere to any component of this order may lead to additional hearings and enforcement actions, including but not limited to muzzling, expanded banishing, or euthanizing the dog involved.

Adopted by the Town of Waitsfield Selectboard this 8th day of July 2019.

Paul Hartshorn, Chair
Town of Waitsfield Selectboard

David & Eileen Turner
272 High Bridge Hill Road
Waitsfield, VT 05673
david.v.turner@gmail.com

June 18, 2019

Trevor M. Lashua
Town Administrator
Waitsfield Town Office
4144 Main Street
Waitsfield, VT 05673

Re: Sworn Testimony Concerning the Unprovoked Attack on Our Dog, Tilly

Dear Mr. Lashua:

This correspondence is meant to serve as a formal communication and complaint to the Select Board of the Town of Waitsfield, in the state of Vermont.

We hereby attest, under penalty and pain of perjury, that the following events transpired on Sunday, June 16th, 2019 in the Town of Waitsfield, VT:

At approximately 11:00am, Eileen Turner (41) and her son, Max Turner (3) embarked on a walk with their dog, Tilly, a five-year-old black and white Boxer. At the time of the incident detailed below, Max was being pushed in his stroller by Eileen and Tilly was being walked on her leash, which attached to her body via a chest harness.

Just prior to walking past the driveway to the property located at 93 High Bridge Hill Road, a single family home owned and occupied by William M. Stevenson (a.k.a. Bill) and his wife, Lisa M. Stevenson, Eileen heard a loud voice emanating from the Stevenson property. Seconds following the recognition of said shouting, Eileen witnessed a medium-sized black dog, seemingly a Lab mix, making startlingly aggressive noises (growling and barking) and running at a high rate of speed towards her, Max and Tilly. Eileen immediately increased tension on Tilly's leash and braced for what seemed like a non-friendly, rapid approach by the black dog. Shortly before the black dog made contact with Tilly, Eileen began screaming as loudly as she could, "get your dog!, get your dog, get your dog!"

Without pause, the black dog viciously lunged at and attacked Tilly. Tilly immediately placed her body in a submissive state, on her side and back where she remained for the duration of the minutes-long attack. Eileen reacted instinctively by rushing to the immediate site of the attack and proceeded to repeatedly kick the black dog as hard as she could, while screaming as loudly as she could, "help, someone help, please help - someone get your dog - someone help!" These kicks and screams for help continued for approximately 2 ½ - 3 minutes.

Before the Stevenson's could arrive to take responsibility for their dog, a second dog - a yellow, male Pit Bull named Rocco raced down the embankment of the Stevenson's property and proceeded to assist the black dog in attacking Tilly. By this point, the attack had been persisting for over 3 minutes, all the while with Eileen screaming for help and trying her best to thwart the attack by now kicking both dogs. For the duration of the incident, our 3-year-old son, Max, witnessed everything - while Eileen remained in danger of being attacked herself as she tried to defend and free Tilly.

While the attack had now been persisting for over 3 minutes, a neighbor, Nancy Skilton, residing at 130 High Bridge Hill Road, having heard the loud screams for help, made her way to the scene and witnessed what was finally the end of the attack. As Nancy approached, Bill and Lisa Stevenson, in that respective order, had come running down the hill from their home, with Ms. Stevenson having a leash in her hand. After finally making their way to the site of the attack, the Stevensons managed to pull both the black dog and the yellow Pit Bull off of Tilly and were wrestling with them on the ground. At this point in the incident, all Eileen managed to be able to express were rhetorical, exasperated and repeated exclamations of, "what the f%^k?!, what the f%^k?!, what the f%^k?!,".

Bill Stevenson was contrite and conceded blame at the scene, and requested that any veterinary bills be given to him so that he could pay them. Nancy Skilton then phoned Dr. Roy Hadden, DVM's emergency line. Dr. Hadden immediately phoned back, and in a highly distressed and emotional state, Eileen tried to brief him on what had happened. Nancy Skilton took Max into her custody and went back to the Turner residence at 272 High Bridge Hill Road so that she could watch and console Max while Eileen tried to tend to the emergency care that Tilly now desperately required. Dr. Hadden rushed to his practice, Valley Animal Hospital, located at 6969 Main St, Route 100, Waitsfield, Vermont 05673 and met Eileen and Tilly approximately 15 - 20 minutes later.

Tilly's wounds ranged from minor to severe - with the worst being a puncture wound on the left side of her chest, beneath layers of muscle - and only centimeters from having punctured her heart. Tilly required a drain at the site near her heart, multiple applications of stitches to close her wounds, anti-biotics, anti-inflammatory medication and pain killers.

While Eileen and Tilly were at Valley Animal Hospital receiving care, Bill Stevenson visited the Turner residence where Ms. Skilton was tending to Max. Upon speaking to Nancy, Bill relayed the fact that the black dog that did the initial attacking was known to him and his family as being a "problem" dog, that may require euthanization. This is to say that a dog, known to be potentially violent, was allowed to be outside, unleashed, unrestrained, unmuzzled - where it could commit an act of violence that it was already known to be capable of.

Later in the evening on the same day of the event, Bill and Lisa Stevenson visited the Turner residence to check if Eileen, Max and Tilly were okay. They apologized to Eileen and Max and once again offered to pay for Tilly's veterinary bills. After

having offered the same information to Nancy Skilton, Bill and Lisa reiterated that they knew the black dog was potentially dangerous and that it should probably be euthanized. He further offered that - in addition to past violent transgressions - it had just killed a skunk within the prior day.

To add further insult to this horrific injury - the very next day subsequent to the attack - the black dog was seen alone in the Stevenson's front yard - unattended by a human - seemingly tied up by a rope. Why this was seen as acceptable or appropriate strains credulity to the point of snapping. In addition - on the second day subsequent to the incident, the dog has been seen in the Stevenson's front yard, prominently visible from the road, tied up via a rope or chain - barking aggressively at passers-by. This last fact can be corroborated by [REDACTED] who resides at [REDACTED]. [REDACTED] walks his neighbor's dog, [REDACTED], on a daily basis and reported to Eileen on June 18th that he witnessed the dog on the Stevenson's property acting aggressively while tied up, and barking very loudly.

This senseless, negligent and easily avoidable attack has left Tilly in a highly intense state of anxiety that never existed before. Our son Max has now experienced multiple nightmares and is constantly inquiring about the event - specifically why his mom was violently kicking another dog. The shock and trauma has also been devastating for Eileen. She now feels uncomfortable and incapable of walking on our own neighborhood road. In order for us to leave our neighborhood for a walk on Brook or Common Road, we must pass the Stevenson's house, as it is the first house in the subdivision.

We greatly appreciate your attention to this matter and look forward to hearing from you.

Sincerely,



David V. Turner

*Any redacted testimony noted above can be provided by the witness if necessary, but for the purpose of this sworn memorandum, the witness has asked that their identifying information be withheld.



TOWN OF WAITSFIELD

June 21, 2019

William and Lisa Stevenson
93 High Bridge Hill
Waitsfield, VT 05673

Mr. and Mrs. Stevenson,

The Town of Waitsfield received a formal complaint regarding two dogs in your custody.

The complaint alleges that the dogs attacked a third dog on Sunday, June 16th. The Selectboard, upon receipt of such a complaint, is empowered by its dog ordinance and State statute to hold what is known as a “vicious” dog hearing. The language used is from State statute, and is not intended to render judgment prior to any hearing or investigation.

At the hearing, the Selectboard will review the complaint, talk to those involved, and possibly take action.

The Selectboard has tentatively scheduled the hearing for Wednesday, June 26th at 6:30 p.m. at the Waitsfield Town Offices. If you cannot attend in person, it is possible to participate by telephone. If the proposed hearing date does not work, please let us know what dates and times may.

Please contact the Town Administrator’s office with any questions or concerns.

Regards,

A handwritten signature in blue ink, appearing to read "Trevor M. Lashua".

Trevor M. Lashua
Town Administrator

Cc: The Waitsfield Selectboard

William and Lisa Stevenson
93 High Bridge Hill Rd.
Waitsfield, Vt. 05673

Dated: 6-16-19

Dear Dave and Eileen,

Words cannot express how badly we feel about Tilly and yesterday's event, I hope in the end that she recovers 100% and I'm glad Dr Roy gave you hope for her recovery. Lisa and I are distraught and hope to remain good neighbors that we like to be, I guarantee they will never be off a line or leash on my property while they stay here or visit. As I said they are rescues, they've been here before, but never has anything like this ever happened while under our watch, one time they went out to the road while Darryl Forrest was walking his little dog, but he picked her up and no contact was made, but that was probably a year ago. We are reaching out to Karen from Mad River Vet to see if she could watch her behavior with one of her training dogs in a pen, and if she recommends she be put down we'll proceed that way, they love kids, never heard or had issues with any kids, as we have them walking by for the bus all the time. The other dog Rocco smaller red one was involved as well but being the dominate male was probably instigated by Cami, and although he was guilty for attacking too, he listens and we'll get him over there separately for the same training, but I don't believe he's aggressive towards other dogs unless prompted by Cami, the black lab mix.

As I said before, we know we are responsible for Tilly's vet bills, please forward them to us for payment, or I can arrange for our payments thru Roy's office, whichever you prefer, we're so relieved that she will recover, we ,my daughter and her fiance' will be dealing with this this week, again we are so sorry, we can be reached at 496-9312, or my cell 609-828-1373, my email is stevenson1233@comcast.net

Sincerely,
Bill and Lisa Stevenson

As approved by the Waitsfield Selectboard on 07/08/19.

**WAITSFIELD SELECTBOARD
June 26, 2019
Waitsfield Town Office
6:30 P.M.**

Board Members Present – Paul Hartshorn, Chair; Sal Spinosa, Vice Chair; and Darryl Forrest.

Others present: Eileen Turner, David Turner (by phone), a former neighbor from High Bridge Hill Road, and Marie Leotta, Dog Warden.

Staff: Trevor Lashua, Town Administrator

The meeting was called to order at 6:30 pm

Item II.1. Agenda additions, removals, or adjustments per 1 V.S.A. § 312 (d) (3) (A).

None to report.

Item II.2. “Vicious” Dog Hearing – pursuant to the Town’s adopted dog ordinance (Sections 10 and 14) and 20 V.S.A. § 3546.

Paul formally opened the dog hearing.

Trevor provided an introduction, describing the process, the role of statute and ordinance, and efforts to ensure due process was protected.

He also read from the planned order of hearing procedure:

- 1) Testimony from the Turners, who filed the complaint.
- 2) Testimony from the Stevensons, who had custody of the dogs (the dogs are owned by family members and do not reside full-time in Waitsfield).
- 3) Questions and clarifications.
- 4) The closing of the hearing.
- 5) Deliberation.
- 6) Action, issued in the form of a temporary and/or formal order (or both).

Trevor described for the Board the two primary questions it needs to ask and answer:

- 1) Did the dogs behave in a vicious, aggressive, and unprovoked manner off the premises of the owner?
- 2) If the answer to #1 is yes, then what is a proportionate and fair response that protects the public?

Eileen Turner described the incident as it occurred on June 16th. The Turners provided a written statement about the incident, which was provided to the Board and will be appended to the final order.

Eileen stated that she was walking on High Bridge Hill Road on that Sunday morning with her dog Tilly and three-year old son. Tilly was on a leash. When passing the driveway for the Stevensons, Eileen reported hearing yelling just before a black dog approached Tilly aggressively and quickly. The black dog (Cami) attacked Tilly, and was joined a moment later by another dog (Rocco). During the attack on Tilly, Eileen kicked at the attacking dogs and

As approved by the Waitsfield Selectboard on 07/08/19.

screamed for help. The Stevensons arrived and were able to remove the two attacking dogs. A neighbor, Nancy Skilton, had also joined the scene at some point during the incident.

Eileen spoke about the Stevensons offer to cover the veterinarian's bills. The Stevensons approached the Turners multiple times on June 16th to offer apologies and see how the family and dogs were doing. The two dogs tore through two of the three layers of muscles covering Tilly's heart; Tilly also suffered bite marks on the neck and head. Tilly's long-term prognosis is good, and she will see stitches and a drainage port near her heart removed soon.

Eileen said she was bothered by the fact that the dogs were outside on the property after the incident, and could be again even if leashed or chained. She does not feel comfortable walking on High Bride Hill, and drives to another location in Town to walk and run. Eileen described the impact of the incident on herself, son, and Tilly.

The description of the incident indicated that the dogs watched by the Stevensons were not loose at the time of the alleged attack, but had been let out to relieve themselves; the dogs went for the road upon seeing another dog out there.

The Stevensons did not attend the hearing, but sent a copy of a letter/email sent to the Turners after the incident. The letter/email will also be appended to the final, formal order. Trevor read the letter in to the record (it appears unedited, as sent):

“Dear Dave and Eileen,

Words cannot express how badly we feel about Tilly and yesterdays event, I hope in the end that she recovers 100% and I'm glad Dr Roy gave you hope for her recovery. Lisa and I are distraught and hope to remain good neighbors that we like to be, I guarantee they will never be off a line or leash on my property while they stay here or visit. As I said they are rescues, they've been here before, but never has anything like this ever happened while under our watch, one time they went out to the road while Darryl Forrest was walking his little dog, but he picked her up and no contact was made, but that was probably a year ago. We are reaching out to Karen from Mad River Vet to see if she could watch her behavior with one of her training dogs in a pen, and if she recommends she be put down we'll proceed that way, they love kids, never heard or had issues with any kids, as we have them walking by for the bus all the time. The other dog Rocco smaller red one was involved as well but being the dominate male was probably instigated by Cami, and although he was guilty for attacking too, he listens and we'll get him over there separately for the same training, but I don't believe he's aggressive towards other dogs unless prompted by Cami, the black lab mix.

As I said before, we know we are responsible for Tilly's vet bills, please forward them to us for payment, or I can arrange for our payments thru Roy's office, whichever you prefer, we're so relieved that she will recover, we, my daughter and her fiance' will be dealing with this this week, again we are so sorry.”

Trevor stated that the rest of the letter contained contact information only.

The black dog, Cami, was repeatedly referred to as being described as a problem or having problems with aggressive behavior. The dog had reportedly killed a skunk just prior to the incident. There was some discussion about whether or not the second dog (Rocco) was involved

As approved by the Waitsfield Selectboard on 07/08/19.

due to the involvement of Cami, as his history does not suggest this behavior. Eileen stated that it was Rocco that had grabbed Tilly by the throat. She and David relayed that they are just not comfortable with those dogs being in town, regardless of restraint.

Sal asked Marie if the dogs had been encountered before in her duties as dog warden. Marie reported that they had not been, but that she was aware of the dogs and the potential behavior. She too reported hearing that the black dog could be a problem dog. Marie also stated her unhappiness with the dogs being removed from Town, as the ordinance calls for them to remain. There was discussion about the need to verify the rabies and distemper shots status, and the licensure. The dogs reside outside of Waitsfield.

The Board had no additional questions. Paul closed the hearing.

****The Board took a short recess at this time.***

Sal moved, and Darryl seconded, a motion to re-open Item #1 (additions to the agenda) to hear from the dog warden on an emergent situation. The motion passed 3-0.

Marie provided an overview of situation where a dog running at large was picked up and taken to the veterinarian. The dog's owners were upset with the fees and charges, and used aggressive language with both her and the staff of the veterinarian's office. One of the owners allegedly said he would simply go and take the dog back. The Board discussed, with Marie, the need to revise and review the dog ordinance. The last action was in 1989. The update could clarify and augment some of the process elements.

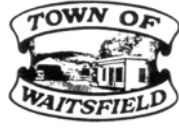
Sal moved, and Darryl seconded, a motion to enter into a deliberative phase for the purpose of discussing and considering action related to the dog hearing. The motion passed 3-0.

The Board wants to follow up with additional information on the shots and licensing. There was discussion about the ordinance, which isn't as clear as it could be for incidents involving dogs that attack other dogs. There was clearly a violation of the ordinance provisions related to running-at-large, which could be address by the Board without any questions. The Board decided to issue a temporary order barring the dogs from Town, as they do not belong to residents anyway, until a final, formal order can be determined and adopted. This also allows time for the veterinarian's examination of behavior to be concluded.

The Board members agreed, via consensus, to ask Trevor to issue the temporary order barring the dogs from Waitsfield until a final, formal order could be adopted.

Sal moved, and Darryl seconded, a motion to adjourn at 7:35 pm. The motion passed 3-0.

Respectfully submitted,
Trevor Lashua
Town Administrator



TOWN OF WAITSFIELD

June 27, 2019

William and Lisa Stevenson
93 High Bridge Hill
Waitsfield, VT 05673

Mr. and Mrs. Stevenson,

The Town of Waitsfield Selectboard is issuing a temporary order barring the two dogs (Cami and Rocco) involved in an incident on June 16th from being in Town.

The order is effective as of June 26th and is in place until the Selectboard adopts its formal, final order. The current timeline would place adoption of the formal, final order on July 8th – though this is an estimate only and may change.

The Town is still seeking information regarding rabies and distemper shots and licensing for the two dogs. Please provide those to the dog warden (Marie Leotta) and/or Town Administrator at your earliest convenience.

Please do not hesitate to contact the Town Administrator's office with any questions.

Regards,

A handwritten signature in blue ink, appearing to read "Trevor M. Lashua". The signature is fluid and cursive.

Trevor M. Lashua
Town Administrator

Cc: The Waitsfield Selectboard
Marie Leotta, Dog Warden

TOWN OF WAITSFIELD
4144 Main Street
Waitsfield, Vermont 05673
REQUEST FOR PROPOSALS
LOCAL HAZARD MITIGATION PLAN UPDATE

Date of Issue: August 30, 2023

Closing Date: September 30, 2023, 4 p.m.

The Town of Waitsfield, in Washington County, Vermont, is seeking the services of a qualified consultant to develop a new Local Hazard Mitigation Plan (LHMP) for the Town of Waitsfield, population 1844 (2020) . The plan will be submitted to Vermont Emergency Management (VEM) and to the Federal Emergency Management Agency (FEMA).

Project Scope

- Identify hazards that could adversely affect and cause damage within the Town. This includes but may not be limited to the Special Flood Hazard Zone, flooding along the Mad River, damage caused by natural events (e.g. rain storms, hurricanes), trees and forest fire mitigation strategies, and hazards from improper storage of flammable or toxic chemicals. Other concerns that are found during the project.
- Demonstrate the ability to present mitigation strategies that will eliminate or mitigate the impact of identified hazards that could affect the municipality.
- Have experience related to mitigation planning work.
- Work with Town LHMP Committee

Funding Source:

This work is funded by a Hazard Mitigation Assistance grant from FEMA. The selected consultant must be available and willing to complete the required work within 12-18 months of the date of the award of this contract, including VEM and FEMA approvals. It is anticipated that the FEMA grant funds will cover all of the consultant expenses which will account for 75% of the entire project cost.

The amount available for consultant expenses is capped at \$8,362.50 .

The selected consultant will be expected to propose a budget and timeline with cost-effective use of resources, as well as other cost-saving measures, such as meetings via remote software, e.g., Zoom, Microsoft Teams, Google.

This project is funded through a FEMA planning grant under Building Resilient Infrastructure and Communities 2021. The Period of Performance (POP) for the grant funding this work is through

9/22/2025, and no expenses related to this project can be charged beyond this date. In limited circumstances, grant extensions may be feasible through VEM and will require contract amendments.

Project Proposal

The project proposal should be organized with the following required steps (some discretion is allowed as long as the proposal is in line with the requirements of the FEMA Review Tool). Each step should indicate the consultant's role and responsibility, proposed date for completion, number of consultant hours required for each step, hourly rates, and any associated direct expense. The Town of Waitsfield will contribute its resources in a cost-effective manner. The Town will cover printing, copying, notices, data and maps needed by the consultant, etc. The Consultant is encouraged to suggest strategies for delegating responsibilities.

Step	Description
1.	The Town will organize a planning team that will meet with selected consultant(s) to review the planning process and confirm outreach strategy.
2.	Establish a work plan with deliverables, timelines for completion, and confirmed roles and responsibilities.
3.	Review information on hazards based on best available data.
4.	Review hazard data in a public meeting with a Q&A session.
5.	Complete vulnerability assessment to quantify the extent of each hazard.
6.	Identify mitigation strategies.
7.	Review mitigation strategies and Project Draft in a public meeting.
8.	Submit plan to Vermont Emergency Management (VEM) for comment, make any needed revisions.
9.	Submit revised plan to FEMA, revise if necessary, and adopt plan.

The final plan document developed by the consultant(s) will be delivered to the Town of Waitsfield in an accessible format (e.g., Microsoft Word) available for use in future plan updates.

The Request for Proposal requirements:

1. Consultant's qualifications. Please include references and contact information for similar emergency management or hazard mitigation planning projects.
2. Description of experience with grant-funded projects, especially FEMA or Vermont Emergency Management programs.
3. Project and cost proposal, itemized by project steps as identified above. Proposal should include all consultant hourly rates and any associated direct expenses.

Evaluation of Proposals:

Selection of a consultant(s) will be based on the proposal and:

- Documented experience in mitigation planning
- Technical staff capability to assess risks based on identified hazards
- Experience working with local, state, and/or federal government
- Ability to recommend viable mitigation actions
- References of past work in mitigation planning
- Cost
- Reasonable Project Timeline

Selected candidates should be prepared to execute a contract that contains pass-through provisions regarding Federal programs and assurance related to this grant-funded work, including policies regarding conflicts of interest, equal opportunity, non-discrimination, retention of and access to records, and audit requirements, when applicable. The Town of Waitsfield reserves the right to reject any or all responses.

The Town of Waitsfield encourages responses from disadvantaged, women-owned, minority-owned, and small local firms.

Proposals are due: September 30, 2023, 4 p.m.

Please deliver responses and inquiries to:

Annie Decker-D'Isola Waitsfield Town Administrator

townadmin@gmavt.net. 802-496-2218

2023 Waitsfield Selectboard Work Plan
(August 28, 2023 SB Meeting)

	Recommended Priority	Project	Notes & Tasks	Task Start Date	Task End Date
1		Town Operations			
2	High	(1) Review all contracts and (2) put projects/contracts out to bid that are set to expire	Annie & Randy have begun to pull together all of the Town's current contracts and make a more organized process for tracking, renewing, and putting out to bid. Compiling and reviewing all current contracts will be a part of the FY25 budgeting process.	Sep-23	Jan-24
3	High	Address cybersecurity needs for Town Office by updating Town Website with Ecopixel, and updating emails addresses using the new town domain name	Based on direction from VLCT PACIF this will be increasingly important in years to come. The Town has allocated ARPA funding toward the upgrading of the Town website. This project will also include updating the Town's email addresses for enhanced security. Annie & Randy have been meeting with Ecopixel biweekly to work on the website update. The anticipated new website launch date is October/November 2023.	May-23	Oct-23
4		Continue exploring options for a server transitions and record retention system/policy	This was discussed in 2021 but has not been completed to date. The ARPA Committee supports the use of ARPA funds for this purpose. Assistance may be needed with this project.		
5	High	Hire fourth road crew member	As approved as part of the FY24 budget, hire a ne road crew member to start in October 2024 to assist with the Town taking over sidewalk plowing and mowing of town properties, and to provide additional support to our existing road crew.	Aug-23	Oct-23
6		Town Meeting preparation	This includes preparing the Town Report, budget presentations, and presentations related to any other Articles on the ballot.	Dec-23	Mar-24
7		Budget & Financial Planning			
8	High	Further refine the town's capital improvement planning to account for vehicles & equipment but also town properties (town office, wait house, town garage), as well as public infrastructure such as sidewalks and parking lots	Annie & Randy attended the VT Bond Bank's Capital Planning conference in May 2023 and will be working on further refining the Town's CIP over FY24. Staff will begin working on a more detailed CIP for FY25 early in the budgeting process.	Sep-23	Jan-24
9	High	Work on annual budgeting process to prepare for town meeting 2024	The budget process typically kicks off in September with a visioning exercise. Then staff will meet with department heads and Board/Committee chairs to understand budget needs and begin a fiscal year draft. The Selectboard will begin to review the draft budget in October/November, with meetings every Monday in January until approved for voter adoption at town meeting.	Sep-23	Jan-24
10	High	Put banking service out to bid	Staff recommends that the Town put our banking services out to bid and select a new bank before the end of the calendar year (2023)	Sep-23	Oct-23
11	High	Work with Cemetery Trust to update investment policies	Annie & Christine met with Randy to update him on the status of the project and identified a few outstanding questions that the Town's attorney will weigh in on. Further updates to be shared with the Selectboard and Cemetery Trustees as soon as they're available.	Sep-22	Dec-23
12		Property Maintenance			
13		Town Office: Maintain a list of short and long term building needs that should be kept up with annually or budgeted within the CIP moving forward	Working to create a list of known building needs and an associated capital plan for improvements.		
14	High	Fire Station: Including new proposed work as well as work need to install the extractor, bring the building up to current fire/building safety codes, and improvement energy efficiency	There have been a number of meetings and site visits in the past few months to prioritize projects based on available funding. Town staff will put out an RFP for extractor installation, engineering, and a maintenance contract in September.	Jun-23	Dec-23
15	High	Highway Garage: An engineer study is needed to evaluate the current building and determine if the structure should be renovated or a new location needs to be planned	The Board approved a Town Garage Design RFP at their meeting on June 26th which will be posted in the next week. The Board authorized allocating ~\$50,000 of the unassigned fund balance at the end of FY23 toward this project as well. A Design RFP was approved on June 26, 2023 and has been posted and published. The original deadline of August 21st has been extended to September due to a lack of response. Staff hopes to have an architect assigned by the end of the calendar year.	May-23	Nov-23

16	High	General Wait House Property Maintenance	The Selectboard considered the GWHC report in January 2022 and in November 2022 directed staff to begin drafting bylaws for the creation of a General Wait House Committee. Short term needs: Current tenant leases need to be renewed and an updated barn use agreement drafted. Long term needs: Staff will apply for a grant through PTVT for the replacement of the main house roof. Long and short term improvements and daily management of the building should be addressed by the GWH Committee. As of June 5th, the Board is keeping this as a standing agenda item moving forward. At their meeting on August 11th, the Selectboard proposed including the GWH as part of the more detailed capital improvement planning for FY25, and preparing a presentation at Town Meeting 2024 to ask the voters how they would like to address the building needs and form a committee for that purpose.	Sep-23	Feb-24
17	Medium	Confirm compliance with any necessary pond permits and consider maintenance plan	<i>Old records still need to be found.</i>		
18		Roads & Transportation			
19	High	Work on compliance with the Municipal Road General Permit	A number of road segments need to be brought up to stormwater compliance in the next month to be in compliance with our new permit (the permits run in 5 year cycles, with a new cycle beginning in April 2023). Annie and Josh are working to catch up on these old segments that weren't reported at the time improvements were made. The SFY23 Grants in Aid award to the Town of Waitsfield (\$16,500) is going toward Brook Road improvements to bring segments along that road into compliance. Work is supposed to be completed by September 2023 but staff has requested an extension due to delays because of wet weather.	May-23	Oct-23
20	High	Complete the E. Warren Road culvert project	Blow & Cote have been working on the culvert replacement since early July 2023 and wrap should be completed by early September 2023. The wet weather this summer has significantly delayed the work but the contractor has communicated these issues to the Town clearly and is working to wrap up the project as soon as they can. Final reporting on the grant award (\$175,000) is due by December 31, 2023.	Jun-23	Sep-23
21	Medium	Plan for E. Warren Road Phase I Paving Grant	The Town was notified on May 3rd that our East Warren Phase I paving project grant request has been recommended for approval. The town has been awarded a total of \$182,590 for this phase of the project, which will be part of the FY25 CIP conversations. The project should be put out to bid in early winter 2024.		
22		Continue review and analysis of Class 4 (and some Class 3) Road segments to potentially reclassify	This has been an ongoing need and the Selectboard should consider the timing of this conversation soon.		
23		Downtown Transportation Fund Grant for RRFBs at the WES crosswalk	The town received funding for the project and is working through questions related to relocation of a speed radar sign before the RRFBs are installed. The hope is to include this work in the 2024 work plan.		
24		Coordinate with VTrans on the Route 100/17 Intersection project	McFarland Johnson, the firm selected by Vtrans to complete the Preliminary Report, has submitted their final report as of June 2023. Vtrans will contact us with next steps.	Apr-22	TBD
25	Medium	Provide support to the VOREC project as a team member	The majority of Town staff time spent on this project to date has been related to path connections and associated crosswalks over Route 100. Annie & Misha (MRP) are meeting with VTrans staff on August 22nd to complete a site visit of all proposed crosswalk locations and discuss the process for applying for those crosswalk connections.		
26		Grant Administration			
27	Ongoing	Administer the expenditure and reporting of grant funds received by the Town. In most cases, project management is also required as part of grant administration as is the preparation of applications as new grant opportunities arise.	A spreadsheet is attached that summarizes all of the different grants that town staff are currently administering. Randy is the lead on Grant Administrator, with support from Annie, especially related to making new applications and managing projects.	Ongoing	Ongoing
28	Medium	Facilitate the allocation of the Town's ARPA funding	The Selectboard formed an ARPA Committee in June 2022 to provide recommendations on how to best use the Town's ARPA allocation. The committee made their recommendations for committee projects to received funding in January 2023, which were accepted by the Selectboard. Staff has established agreements with all of the parties who received ARPA allocations and some of those payments have been issued as of the date of this update. The August 28th Selectboard packet will include detail on funds both allocated and spent to date. The administration of the Town's ARPA award will be an ongoing project through the end of the funding term (all money to be spent by December 31, 2026).	Feb-23	Dec-26

29		Planning Projects			
30	High	Waitsfield Wastewater Planning Project	The Selectboard approved an MOU in March 2023 for project coordination between the Town and MRVPD, with MRVPD staff serving as project coordination lead. The goals of 2023 is to complete Preliminary Engineering work and begin construction design while also completing a significant fundraising effort, in anticipation of a 2024 bond vote. The Wastewater Project Planning teams have been meeting regularly, weekly and even bi-weekly. to keep the project moving. This work has taken a good deal of staff time in 2023 and regular updates are being provided to the Selectboard.	May-22	Dec-24
31	High	Zoning Bylaw Modernization	The Waitsfield Planning Commission received a grant award to pursue updates to the Waitsfield Zoning Bylaws to address things such as housing in growth areas in town. The subcommittee tasked with leading the work has been meeting regularly with the SE Group (project consultant) and providing regular updates to the entire Planning Commission. The Planning Commission will have a draft for the Selectboard to review by September 25th, with a public hearing anticipated with the Selectboard in December 2023, and hopeful adoption by the new year.	Sep-23	Jan-24
32		Irasville Master Planning	Master planning of Irasville is identified as a priority task in the Waitsfield Town Plan. Upon completion of the Bylaw Modernization Project, pursuing Irasville Master Planning is staff's recommended next step.		
33	High	Waitsfield Town Plan updates	The Planning Commission have been working on updates to the Waitsfield Town Plan for a number of years (since it's last adoption in 2018). The updated areas include the Energy Chapter, Housing Chapter, Natural Resource Chapter, and Land Use Chapter. A number of changes are necessary to bring the plan into compliance with newly adopted State Statute. The Planning Commission recommended the plan for approval and the Selectboard held a hearing on May 8th to consider the draft. The Selectboard was supportive of the proposed draft but recommended additional edits to Chapter 13 (Implementation) to reflect the updated plan chapters. The Selectboard plans to send their proposed Chapter 13 edits to the Planning Commission at their meeting on August 28th, for the PC to review at their meeting on September 5th, with an anticipated final hearing on September 25th and adoption by October 2023.	May-23	Oct-23
34		Ordinances, Resolutions, and Policies			
35	Medium	Develop a schedule for reviewing & updating Town Ordinances, Resolutions, and Policies <i>(some specific ordinance/policies/resolutions identified below)</i>	Including the Public Festival Ordinance (to better align with zoning standards) and the Dog Ordinance (to include the ACO or adopt a new ACO Ordinance), the Enforcement Ordinance (to update all enforcement officers), and the Road Ordinance (to clarify the school safety zone).	Feb-24	May-24
36		Ensure all ordinances/resolutions are recorded and tracked as required by State Statute and consider a policy for when any ordinance/resolution/policy should be revisited			
37		Update the Personnel Policy	Update in 2023 to reflect new staff hours and review policies to ensure they are up to date and in line with other communities.		
38	High	Review & update the Procurement Policy	Review as part of the FY25 budget drafting / review of existing contracts	Nov-23	Jan-24
39		Incorporate the Declaration of Inclusion into the guiding policies, rules, resolutions, and ordinances of the Town	The Waitsfield Declaration of Inclusion was adopted on February 28, 2022		
40		Revisit 2021 Tax Stabilization Policy draft	This was included on the 2021 Work Plan and has not been addressed to date		
41		Public Safety / Enforcement			
42	Medium	Update Local Hazard Mitigation Plan (currently expired)	The Town has received a FEMA grant award to update the Town's Local Hazard Mitigation Plan which requires putting the project out to bid. A team including the Town's EMD and EMC, as well as Planning Commission Chair and staff will be working to update the LHMP	Aug-23	Sep-25
43	High	Purchase AED for Town Office	The Town received an Emergency Management Grant award for the purchase and installation of an AED machine at the Town office. The equipment has been ordered and will be installed in the next few weeks	Jun-23	Sep-23
44		Further clarify and define the role and processes of the ACO	ACO was appointed in 2021 as an update to Dog Warden to better align with State Statutes		
45		Fire Department			

46		Update the Memorandum of Agreement between Waitsfield, Fayston, and the Fire Department to ensure that processes are clear	In process and a final draft was reviewed at the November Fire Department budget meeting with the Town of Waitsfield and Town of Fayston. The MOU is ready for signature except that the WFFD is seeking clarify from other sources on the detail that should be included specific to their duties.		
47	High	Continue to update and refine the Fire Department Capital Improvement Plan	An ongoing effort that was further refined in the FY23 and FY24 budget process	Sep-23	Jan-24
48		Conservation, Climate, and Natural Resources			
49		Continue to assess the Town's energy use and determine where energy efficiency and/or renewables may be appropriate as projects arise			
50		Support the Tree Committee in adopting and implementing an Emerald Ash Borer Management Plan and find a Tree Warden	Voters approved the creation of invasive species management reserve fund at Town Meeting 2022 which has been funded in both FY23 and FY24.		
51		Support the Conservation Commission in their work to address Japanese Knotweed	The Conservation Commission has been working again this summer on their knotweed programing, including the hiring of interns. The Selectboard approved the use of almost all of the newly created Invasive Species Management Fund toward the project in FY23 and about 3/4 of the funding for the program in FY24.		
52	High	Charging stations at Waitsfield Town Office - EV Charging Station Grant (DHCD/GMP)	At their meeting on August 14th, he Selectboard authorized staff with support from the Energy Coordinator (Chris Badger) to explore this opportunity for funding to install an EV Charging station at the Waitsfield Town Office. Step one is submittal for a pre-application and scheduling a phone call with the funding agency to determine eligibility, etc.)	Sep-23	Aug-23
53	Medium	Tardy parcel improvements & Farley Riverside Park creation	Support the conservation commission in their work to improve the Tardy parcel and develop the Farley Riverside Park		
54		Water Commission			
55	Medium	Source Protection Overlay to protect town's water supply	The Water Commission along with staff support have been exploring the opportunities available to create an overlay for the protection of the Town's source water supply		
56	Medium	Exploration to determine if the existing well yield can be increased	The Water Commission has hired a consultant to assist with preliminary analysis, as approved by the Selectboard on June 5th.		

		Grant Management											
Program Title	Agency	Executed	Completed	Project ID	Award Amount	Match %	Match \$	Funded Total	Total Estimated Cost	Award Date	End Date	Detail	
Town Highway Structures (SFY22)	VTRANS	Y	N	BC2108	\$ 175,000.00	10%	\$ 17,500.00	\$ 192,500.00	\$ 223,485.00	7/1/2021	12/31/2023	East Warren Rd Culvert	
Bylaw Modernization Grant	Dept Housing and Community Development	Y	N	07110BMP202220	\$ 25,000.00	10%	\$ 2,500.00	\$ 27,500.00	\$ 27,500.00	2/1/2022	1/31/2024	Muni Bylaw Modernization FY23	
Downtown Transportation Fund	Dept. Housing & Community Development	Y	N	07110-DTF2022-12	\$ 19,040.00	20%	\$ 4,760.00	\$ 23,800.00	\$ 23,800.00	4/25/2022	4/25/2025	RRFB's @ school crosswalk	
CWSRF Wastewater Feasibility	Department of Environmental Conservation (CWSRF)	Y	N	RF1-313-1.0	\$ 78,753.00	0%	0	78,753	\$ 78,753.00	5/9/2022		wastewater project feasibility study	
Grants-in-Aid (SFY23)	VTRANS	Y	N	GA0445	\$ 16,500.00	25%	\$ 4,125.00	\$ 16,500.00	\$ 16,500.00	7/1/2022	9/30/2023	Brook Rd. improvements (as approved by VTrans)	
Local Hazard Mitigation Planning	Department of Public Safety	Y	N	02140313237004AD	\$ 8,362.50	25%	\$ 2,787.50	\$ 11,150.00	\$ 11,150.00	9/23/2022	9/22/2025	to hire a consultant to assist w/ LHMP	
Local EM EOC Grant	Department of Public Safety	Y	N	0214031028C036	\$ 1,198.01	50%	\$ 1,198.02	\$ 2,396.03	\$ 3,594.05	2/27/2023	9/15/2023	purchase AED and additional infrastructure maps	
CWSRF Wastewater Engineering Services (PER)	Department of Environmental Conservation (CWSRF)	Y	N	RF1-313-1.1	\$ 199,418.00		\$ -	\$ 199,418.00	\$ 120,665.00	4/21/2023		wastewater project PER loan (total for both is \$199,418)	
Grants-in-Aid (SFY24)	VTRANS	Y	N	GA0679	\$ 12,000.00	20%	\$ 3,000.00	\$ 15,000.00	\$ 15,000.00	7/1/2023	9/30/2024	improvements to non compliant road segments (exact road tbd in spring 2024)	
Municipal Highway Grant Class II (SFY24)	VTRANS	Y	N	P02119	\$ 182,590.40	20%	\$ 36,518.08	\$ 219,108.48	\$ 228,238.56	7/1/2023	12/31/2025	paving E Warren Rd & Bridge St	

Waitsfield ARPA Funding Status

Total Award	\$506,081.78
Total Allocation	\$289,879.00
Total Spend	\$171,082.91
Unallocated	\$216,202.78

Project	Fiscal Year	Allocation	Spent	Remaining	Notes
Zoning Fee Loreleh Harris	23	\$ 490.00	\$ 490.00	\$ -	Zoning fees for tiny home installation (Childcare provider)
WFFD Inverter/Radios	23	\$ 1,320.00	\$ 1,312.50	\$ 7.50	Fayston Portion Covered Already \$1,312.50 is Waitsfield Total
WFFD Positive Pressure Fan	23	\$ 3,202.00	\$ 3,202.20	\$ (0.20)	\$5,337 Total. Fayston owes \$2,134.80
WFFD Gear (3 Sets)	24	\$ 6,840.00	\$ 6,847.30	\$ (7.30)	\$11,400 Total,. Fayton owes \$4,723.57. \$233.01 Overage coded to 01-400-4000.68
Website Design Ecopixel	23	\$ 15,638.00	\$ 11,728.50	\$ 3,909.50	Website Paid \$7,819 on 3/28/23 and \$3,909.5 on 8/15/23
Record Digitization	24	\$ 50,644.00	\$ 50,644.00	\$ -	Paid \$28,893.53 on 7/11/23 and \$21,750.47 on 8/15/23
Fairgrounds Assessment	24	\$ 7,500.00	\$ 5,056.00	\$ 2,444.00	Paid D&K \$5,056 on 8/15/23
Road Tractor (Ventrac)	24	\$ 50,000.00	\$ 45,304.41	\$ 4,695.59	Paid Champlain \$45,304.41 on 8/2/23
Local ARPA Mad Valley Sports	23	\$ 5,000.00	\$ 5,000.00	\$ -	Mad Marathon Paid 6/27/23
Local ARPA Downstreet	23	\$ 19,620.00	\$ 19,620.00	\$ -	Playground Paid 6/27/23
Local ARPA Valley Reporter	23	\$ 1,125.00	\$ 1,125.00	\$ -	MRV Village Paid 6/27/23
Local ARPA MRTV	23	\$ 250.00	\$ 250.00	\$ -	Harwood Wi-Fi Paid 6/27/23
Local ARPA Free Wheelin'	23	\$ 10,000.00	\$ 10,000.00	\$ -	Paid \$10,000 on 6/27/23
Local ARPA MRV Seniors	24	\$ 7,500.00	\$ 7,500.00	\$ -	\$7,500 on Warrant for 8/28/23
Local ARPA Waitsfield Childerns Center	24	\$ 25,000.00	\$ 3,003.00	\$ 21,997.00	\$3,003 on Warrant for 8/28/24
Local ARPA Neck of the Woods		\$ 25,000.00	\$ -	\$ 25,000.00	Awaiting invoices
Local ARPA Spring Hill School		\$ 4,500.00	\$ -	\$ 4,500.00	Awaiting invoices
Local ARPA Harwood School District		\$ 15,000.00	\$ -	\$ 15,000.00	Awaiting sitevisit and grant agreement
Local ARPA UCC Meeting House		\$ 22,500.00	\$ -	\$ 22,500.00	Awaiting invoices
Local ARPA Valley Players		\$ 18,750.00	\$ -	\$ 18,750.00	Awaiting grant agreement and invoices
		\$289,879.00	\$171,082.91	\$118,796.09	

1 **TOWN OF WAITSFIELD, VERMONT**

2 **Selectboard Meeting Minutes**

3 **Monday, August 14, 2023**

4 **Draft**

5
6 **I. Call to Order:** The meeting was called to order at 6:30 pm by Christine Sullivan. The meeting
7 was held in person at the Town Office building and remotely via Zoom.

8 Members Present: Chach Curtis, Fred Messer, Brian Shupe, Christine Sullivan

9 Staff Present: Annie Decker-Dell'Isola, Town Administrator

10 Others Present: Chris Badger (Town Energy Coordinator), Beth Cook, Tripp Johnson (WFFD
11 Chief), Jean Joslin (Joslin Memorial Library), Curt Lindberg (Conservation Commission), Alice
12 Peal (Planning Commission), Gail O'Keefe, Trish Read (Joslin Memorial Library)

13
14 **II. Regular Business.**

15
16 **1. Review agenda for addition, removal, or adjustment of any items per 1 VSA 312(d)(3)(A).**

17 Approval of the minutes of July 10 was removed from the Consent Agenda.

18
19 **2. Public Forum.**

20 Nobody present requested time to address the Board.

21
22 **3. Consider road name request.**

23 Ms. Decker-Dell'Isola explained that this is the road for a new subdivision on Center Fayston
24 road, that three choices had been submitted, the preferred name being Logan Lane, and that
25 the E911 coordinator had expressed no concerns regarding this road name.

26
27 **MOTION:** *Mr. Shupe made a motion to assign Logan Lane as the name of the new road*
28 *accessing the 4 lots in the Shea Property Services subdivision off of Center Fayston Road. The*
29 *motion was seconded by Mr. Curtis. All voted in favor.*

30
31 **4. Consider appointment to Conservation Commission.**

32 Gail O'Keefe introduced herself, and it was noted that she has been unanimously
33 recommended by Conservation Commission to complete PJ Telep's unfinished term.

34
35 **MOTION:** *Mr. Shupe made a motion to appoint Gail O'Keefe to a two-year term on the*
36 *Waitsfield Conservation Commission, to expire March 2025. The motion was seconded by Mr.*
37 *Messer. All voted in favor.*

38
39 **5. Update from Joslin Memorial Library on proposed outdoor improvements.**

40 Jean Joslin and Trish Read provided some information regarding ongoing exterior work at the
41 Library, and explained that they were specifically seeking approval for installation of stairs from
42 the Main Street sidewalk down to the park. Charlie Hosford has been helping with the project's
43 design, and has offered to have the work completed with volunteer labor. The wood for the
44 stairs is estimated to cost \$800, and a cost for the proposed metal railing should be available
45 soon. Ms. Joslin had spoken with JB Weir regarding permitting, and noted that he believes only
46 administrative approval is necessary. Ms. Decker-Dell'Isola offered to assist with determining

47 what may be necessary to complete the work in the Route 100 ROW, but it was not expected
48 that this would be problem, as the steps will be coming off of the existing sidewalk. Ms. Joslin
49 and Ms. Read asked that either Town funding or ARPA funding be used to cover the cost of the
50 materials, and requested that the Town be part of the zoning permit application process as the
51 property owner.

52

53 **MOTION:** *Mr. Curtis made a motion to authorize the Joslin Memorial Library to proceed with*
54 *the permitting and installation of the stairs as proposed, to authorize the Town Administrator to*
55 *co-sign the application on behalf of the Town, and to waive the associated Town application fee.*
56 *The motion was seconded by Mr. Shupe. All voted in favor.*

57

58 **6. Review proposed pre-application for EV Charging Station grant at Town Office.**

59 Chris Badger explained that this is a funding opportunity available through GMP and DHCD; Ms.
60 Decker-Dell'Isola indicated that this preliminary application will allow for further conversation
61 and information gathering. There is a 5% match requirement.

62

63 Mr. Badger outlined some of the logistics involved in installing EV charging, and suggested that
64 two Level 2 stations be pursued. The grant awards up to \$3000 for equipment and up to \$20K
65 for design work for Level 2 infrastructure. Determining if the building is able to support Level 2
66 and other assessment work needs to be completed, as well as working through details such as
67 equipment protection and handicap access. Mr. Badger indicated that Level 3 charging is much
68 more expensive and that Level 2 is more appropriate for municipalities to pursue.

69

70 **MOTION:** *Mr. Curtis made a motion to authorize the Town Administrator and Energy*
71 *Coordinator to prepare and submit a pre-application form for the DHCD EV program and*
72 *schedule a pre-screen eligibility phone call. The motion was seconded by Mr. Messer. All voted*
73 *in favor.*

74

75 **7. Consider appointment to Waitsfield Planning Commission.**

76 Alice Peal introduced Beth Cook, who has been attending PC meetings and is interested in
77 becoming a member. Ms. Peal noted that the Commission members had unanimously
78 recommended that Ms. Cook be appointed. Ms. Cook introduced herself, explained her
79 interest in the work of the PC, and confirmed that she will recuse herself if her legal work ever
80 indicates that she should not participate in planning decisions.

81

82 **MOTION:** *Mr. Shupe made a motion to appoint Beth Cook to the Waitsfield Planning*
83 *Commission, to complete the remainder of the vacant four-year term, to expire in March 2026.*
84 *The motion was seconded by Mr. Messer. All voted in favor.*

85

86 **8. Updates from Planning Commission.**

87 Ms. Peal reported that the PC is reviewing proposed edits to the bylaws as part of their work
88 with SE Group, and that the intent is to have a draft available for Selectboard review by mid or
89 late September. Changes needed due to passage of the HOME Act are also being incorporated.
90 The adoption process was reviewed, and it was confirmed that if the update is adopted by the
91 end of this year the grant match requirement will be eliminated.

92

93 Ms. Peal also spoke of upcoming PC work, noting that the group is reviewing municipal planning
94 and other grants, and what type of work these grant monies would allow for.

95

96 **9. Town Plan Amendments Discussion – Chapter 13.**

97 Ms. Peal explained that Kevin Anderson had provided a draft of recommended edits to this
98 chapter, which she will supplement with a review of transportation needs. She outlined that
99 the Town Plan revision currently in the adoption process was not meant to be a full rewrite, but
100 rather a required incorporation of and update to information outlined in recent legislation. She
101 explained that there will be a more comprehensive update in the next revision, and that the PC
102 would like to see the current draft adopted and move forward from there; she requested that a
103 deadline be set for revisions to Chapter 13 being completed. It was agreed to complete edits by
104 September 11 and schedule a public hearing for September 25.

105

106 **10. Update from Wastewater Planning Project Coordination Team.**

107 Ms. Decker-Dell'Isola noted that written updates continue to be provided in the meeting
108 packets, and indicated that the most recent one reports that progress is continuing on the draft
109 30% design and that the team is continuing to review the draft Intended Use Plan that DEC
110 prepares. Comments have been submitted regarding the lower than anticipated ranking that
111 Waitsfield's project was given on the Project Priority List, including comments regarding the
112 affordability criteria to be used in determining the Town's eligibility for funding. Ms. Peal
113 pointed out that the CEP income data that the team feels are appropriate for this purpose are
114 US Census data, and not town survey data as the DEC appears to imply.

115

116 Ms. Decker-Dell'Isola also explained that the group is preparing for public outreach.

117

118 **11. Historic General Wait House Discussion.**

119 Ms. Decker-Dell'Isola reported that a quote ranging from \$885 - \$1085 for the exterior sign at
120 the Wait House was available, and that the Town was being requested to cover half the cost.
121 She suggested authorizing \$600. There was discussion regarding priorities at the building,
122 including the roof and porch work that is needed, and agreement that a maintenance plan
123 covering both long and short term needs should be developed. Ms. Decker-Dell'Isola noted
124 that the tenants have identified the sign upgrade as a short term priority.

125

126 **MOTION:** *Mr. Curtis made a motion authorize the expenditure of up to \$600 from the Historic*
127 *General Wait House reserve for the Town's portion of an updated exterior sign, noting that the*
128 *text should read 'Visitor Information.'* *The motion was seconded by Mr. Shupe. All voted in*
129 *favor.*

130

131 **12. Waitsfield Municipal ARPA Funding Update.**

132 Ms. Decker-Dell'Isola had included a table of allocated funds in the meeting packet, and
133 explained that there will be a further update available by the August 28 Board meeting. One
134 item she noted was that it is unknown what may be needed to put toward the wastewater
135 project, as the subsidy amount from DEC is not defined yet. She confirmed that all funded
136 projects appear to be proceeding, the only project needing an update at this point is the school
137 lighting.

138

139 **13. Consider adopting Emergency Management Ordinance.**

140 Mr. Messer outlined the edits made since the previous review: the amount authorized for
141 emergency spending was set at \$10K, as that is what was recently approved during the July rain
142 event; new language was composed in Section 7, removing civil penalties and focusing on
143 education and inclusion. Board members pointed to the need for some grammatical and
144 spelling edits, and expressed their approval of the content changes made by Mr. Messer.

145
146 **MOTION:** *A motion was made by Mr. Shupe to adopt the Emergency Management Ordinance*
147 *with the necessary grammatical edits incorporated. The motion was seconded by Mr. Curtis.*
148 *The motion passed, with Mr. Messer abstaining.*

149
150 **14. Review proposed Road Department job description.**

151 The proposed job outline used the existing job description and add Town property maintenance
152 responsibilities (mowing, knotweed hauling, etc.). It was agreed to advertise the position as
153 'CDL preferred' and to include a salary range. It was also agreed that the introduction should
154 be edited to include some language related to the new maintenance work activity.

155
156 Mr. Shupe reminded the group of their intent to discuss forming a Public Works Departments
157 going forward.

158
159 **MOTION:** *Mr. Shupe made a motion to approve the proposed Road & Property Maintainer job*
160 *description, with minor changes to be made by the Town Administrator in order to reflect the*
161 *broader nature of the work, and to begin to advertise the position. The motion was seconded by*
162 *Mr. Messer. All voted in favor.*

163
164 **15. Work Plan quarterly check in.**

165 Ms. Decker-Dell'Isola is updating the Plan and reformatting it for ease of review. She will
166 complete this work and have the Plan available in preparation for inclusion on the August 28
167 agenda.

168
169 **16. Consent Agenda.**

170
171 **MOTION:** *A motion to approve the consent agenda, consisting of the items listed below, passed*
172 *unanimously.*

- 173
174
- 175 • Bills Payable and Treasurer's Warrants
 - 176 • Review, approve, and authorize Town Administrator to sign FY24 Grants in Aid Agreement
 - 177 • Review, approve, and authorize Town Administrator to sign FY24 Class II Paving Grant Agreement
- 178
179

180 **16A. Approval of Minutes.**

181 The minutes of the July 10, 2023 Selectboard meeting were amended and approved.

182

183 **17. Selectboard Roundtable.**

184 There were no roundtable items brought forward.

185 **18. Town Administrator's Updates.**

186 Ms. Decker-Dell'Isola provided some additions to her written report:

187 Bridge Street access potholes – it has been reported that part of the issue may be related to the
188 water line project, and she will look into this. The conversation to determine financial
189 responsibility for these repairs is ongoing, and will be included in a future capital planning
190 discussion.

191 Randy Brittingham will attend the next Selectboard meeting to discuss a plan for changing
192 banks that the Town uses.

193 A group will be meeting with a State Wetland Ecologist to explore considerations for
194 development in the area of Irasville's wetlands.

195 Town Garage RFP – due to a lack of attendance at the site visit and response to the RFP, there
196 may be an extension of the deadline and some direct outreach to contractors.

197 Mr. Johnson spoke up to emphasize the disappointment expressed in communication from the
198 WFFD regarding the delay in installing the extractor to wash fire-fighting clothing.

199 **19. Executive Session.**

200 **MOTION:** *A motion to find Pursuant to 1 V.S.A § 313 (a) (1) that premature general knowledge*
201 *of confidential attorney-client communications made for the purpose of providing professional*
202 *legal services to the public body would clearly place the public body or a person involved at a*
203 *substantial disadvantage passed unanimously.*

204 **MOTION:** *A motion to enter Executive Session pursuant to 1 V.S.A. § 313 (a) (2) [Real Estate],1*
205 *V.S.A. § 313 (a) (3) [Personnel], and 1 V.S.A. § 313 (a) (1F) [Confidential attorney-client*
206 *communications], inviting Mr. Lindberg to join, passed unanimously.*

207 The meeting entered Executive Session at 8:40 pm and came back into open session at 9:27 pm.

208 **IV. Other Business**

209 **1. Correspondence/reports received** were reviewed.

210 **IV. Adjourn**

211 The meeting adjourned at 9:27 pm.

212 Respectfully submitted,
213 Carol Chamberlin, Recording Secretary