

TOWN OF WAITSFIELD
SELECTBOARD MEETING
Monday, December 5th, 2022
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. Dubois & King Wastewater & Water Feasibility Study 90% Report presentation/discussion (45 +/- min.)
4. Friends of Virginia Farley Riverside Park update & proposed MOU (10 +/- min)
5. ARPA Funding discussion (15 +/- min)
6. Consent Agenda:
 - a. Consider Approving the Minutes of 11/28/22
 - b. Bills Payable and Treasurer's Warrants
 - c. Authorize match for Preservation Trust of Vermont Historic General Wait House building assessment
7. Selectboard roundtable. (10 +/- min.)
8. Town Administrator's updates. (5 +/- min.)
9. Executive Session – Pursuant to 1 V.S.A. § 313 (a) (2) [Real Estate] and 1 V.S.A. § 313 (a) (3) [Personnel]
 - a. Consider appoint of Treasurer/Grant Administrator

III. Other Business.

1. Correspondence/reports received.

IV. Adjourn.

***PLEASE NOTE: Public access will be via Zoom. To watch and participate, 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.

Questions and comments can be sent to townadmin@gmavt.net during the meeting.

ALL TIMES ARE APPROXIMATE

Waitsfield Town Administrator's Report

December 5, 2022

***PLEASE NOTE: Public Access to this meeting will be remote-only, via Zoom. To watch and participate, please use the following link:**

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II. REGULAR BUSINESS.

Item II.3. Dubois & King Wastewater & Water Feasibility Study 90% Report presentation/discussion

Dubois & King (D&K) have submitted their final 90% report to the Wastewater and Water Feasibility Study Committee and will present their findings and recommendations to the Selectboard. The presentation will take about 15 minutes and then the rest of the time is allotted for the Selectboard to ask D&K any questions they have about the report and recommendations before proceeding to the next phase. The Wastewater & Water Feasibility Study Committee conceptually agree with the recommendations in the report and recommend that the Selectboard authorize them to begin negotiating a contract amendment for the Preliminary Engineering Report (PER) to be completed by D&K, at which point the recommendations in the 90% Report will be discussed in more detail and a final scope of work developed. The amended contract and PER scope of will come back to the Selectboard at a future meeting for review and approval, along with an updated Loan Application through the Clean Water State Revolving Fund. The committee intends to apply for the fully reimbursable loan as was done for the Feasibility Study. Due to the new criteria for area media income as discussed at past meetings, the Town may no longer be eligible for loan forgiveness but will still attempt to demonstrate other qualifying criteria are met.

The full text of the 90% Report can be found here. The WWWFSC recommends the Selectboard especially review [Section 4.0 \(Alternatives Considered\)](#) and [Section 5.3 \(Summary and Recommendations\)](#).

Recommendation:

Consider a motion to authorize the Wastewater and Water Feasibility Study Committee to work with Dubois and King to develop a scope of work for the wastewater and water project Preliminary Engineering Report, as well as the associated loan application, to be brought back to the Selectboard for review and approval at a future meeting.

Item II.4 Friends of Virginia Farley Riverside Park update & proposed MOU

Phil Huffman and Liza Walker will provide an update on the status of the Virginia Farley memorial project underway at the Tardy parcel in Waitsfield. A memo with updates is enclosed. Additionally, as described in the memo, VLT has requested that a fund be established with the Town as a way to collect the charitable donations that VLT has received to date on behalf of the park/Tardy parcel including improvements and future stewardship (to be guided by a pending management plan). The Selectboard, in consultation with the Conservation Commission, would oversee the use of the funds, to be used exclusively for the management of this specific parcel. This is very similar to the fund established in

2018 for the stewardship and management of the Scrag Gateway parcel. \$36,247 has been secured to date, with additional funding pending based on additional requests and pledges. In 2018, the Selectboard requested town legal review before signing off on the Scrag Gateway Fund MOU. A project financial summary was also provided for that project which may or may not be necessary for this project which is comprised almost entirely of charitable donations.

Recommendation:

Consider a motion to approve the Tardy Parcel – Virginia Farley Riverside Park Fund MOU with any conditions the Selectboard sees fit.

Item II.5 ARPA Funding discussion

Enclosed are two spreadsheets, the first outlining the Town / government service projects that have been discussed as potentially being funded with ARPA money (totaling \$440,974 with some outstanding questions remaining). The second provides a quick overview of the ARPA applications that have been received by the ARPA committee that are under review (totaling \$323,250). The ARPA Committee has begun their review of applications and is preparing to make a recommendation to the Selectboard in late December/January about the projects they think should receive Waitsfield ARPA funding. As the committee is preparing to make these recommendations, it might help if the Selectboard considered the following questions:

1. Are there other town projects not listed that the Selectboard would like to consider funding with ARPA money?
2. Applications have been received from Joslin Memorial Library and the Waitsfield Tree Committee. Would it be more appropriate to review those requests as part of the Town's FY24 budget as these items would typically go through the town budget?
3. Would it be helpful to provide the ARPA Committee with a general allocation amount for projects outside of those that help with government services?

Recommendation:

Consider the questions above and provide guidance to staff and the ARPA Committee about how best to begin the ARPA funding allocation process.

Item II.6. Consent Agenda

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

- a. Consider Approving the Minutes of 11/28/22
The minutes will be provided when finalized by the recording secretary.

- b. Bills Payable and Treasurer's Warrants
Warrants will be emailed before the meeting and available for review in person at the meeting.

- c. Authorize match for Preservation Trust of Vermont Historic General Wait House building assessment (\$1,000 to come from the General Wait House Reserve Fund)
Preservation Trust of Vermont (PTV) has found a historic building contractor who is available to provide a building assessment of the Historic General Wait House. This assessment is required in order for the Town to be eligible for the upcoming Bruhn Grant cycle, a program administered in Vermont by Preservation Trust of Vermont for historic building updates and renovations. Through PTV's building assessment program they are able to contribute \$1,000 toward Waitsfield's \$2,000 total assessment cost. Staff recommends that the Town's \$1,000 come from the General Wait House reserve fund which currently has \$16,000 with an additional \$5,000 transfer scheduled for FY23 (typically this transfer takes place in June).

Item II.11. Town Administrator's Updates

1. Joint Budget Meeting with Fayston

The Town of Fayston has requested that the joint budget meeting, originally scheduled for December 5th, be moved to December 19th, 2022. The two towns will discuss the draft FY24 Waitsfield-Fayston Fire Department (WFFD) budget, the updated WFFD MOU, and the Waitsfield/Fayston joint road agreement (included in each year's budget).

2. Washington County Sherriff Law Enforcement update

Captain Brett Meyer sent the enclosed letter to the Selectboard to inform them of a staffing update on the force. Starting on February 1, 2023, Sherriff Elect Marc Poulin will be taking over for long-time Sheriff Samuel Hill. Captain Meyer would like the opportunity to introduce Sherriff Poulin to the Selectboard and also discuss some likely increases to the service rate the Washington County towns currently pay. This meeting is also scheduled for Monday, December 19th.

III. OTHER BUSINESS

Item III.1. Correspondence/Documents/Reports received

Update on Planning for Virginia Farley Riverside Park (Tardy Parcel)

By Phil Huffman
December 1, 2022

Building on supportive votes by the Conservation Commission and the Selectboard last spring, planning and fundraising has continued in recent months for a memorial to longtime Valley resident and conservation leader Virginia Farley at the Town-owned Tardy Parcel. A small group of family, close friends, and colleagues of Virginia's has been leading the effort, with monthly updates to the Conservation Commission.

As approved last spring, the general plan is to rename the parcel as the Virginia Farley Riverside Park, install some modest memorial elements in keeping with the setting and Virginia's legacy (a stone bench, plaque, and planting of lupines), make modest improvements to make the parcel more inviting to residents and visitors (entrance signage, a small designated parking area for 4-6 cars, a pathway to the memorial bench, and a short interpretive trail), and initiate ecological enhancements (particularly control of nonnative invasive plants and planting of native vegetation). The planning group has selected a well-respected Vermont professional landscape architect to help with more specific site design for these elements, in close consultation with the Town.

The planning group developed a preliminary estimated budget of \$35,000 to cover the costs of the components described above, plus an additional \$25,000 to fund an endowment that would be held by the Town to help cover long-term stewardship of the property and maintenance of the memorial elements. The group, which includes several seasoned nonprofit fundraisers, has conducted a fundraising campaign focused primarily on family, friends and colleagues of Virginia's from the Valley, elsewhere in Vermont, and beyond. To date a total of \$36,427 has been secured, with additional requests and pledges still pending or anticipated.

At its November 21st meeting the Conservation Commission focused on the fact (first raised last spring) that the Town does not have a management plan for the parcel, and agreed that one should be developed quickly to fill this gap and as an umbrella for the efforts described above. A working group of Phil Huffman, Leo Laferriere, and Chris Loomis agreed to take the lead on drafting a plan for consideration by the full Commission and the Selectboard, with public input. The group hopes to have a draft plan ready to share by mid-January. The plan will need to be consistent with the goals and requirements of a Grant of Conservation Covenants that the Town conveyed to the VT Land Trust when it acquired the parcel (with Virginia Farley's leadership) in 2003. The plan will also incorporate information as appropriate from at least two existing studies of the parcel – one on its natural communities, the other on invasive plants occurring there.

Overall, this effort presents a unique, privately funded opportunity for the Town to give long overdue attention to this important piece of land along the Mad River at the southern gateway to Irasville and Waitsfield Village.

Following is a note from Liza Walker of VLT describing one other aspect of this effort – the establishment of a Memorandum of Understanding between the Town and VLT for the transfer of private funds from VLT that have been donated to the project.

Note from Liza Walker:

The Vermont Land Trust is honored to be in partnership with the Town of Waitsfield for the creation of the Virginia Farley Riverside Park. This initiative is an important extension of VLT and the Town's joint effort in 2003 to secure the 6.9 acre "Tardy parcel" for Town ownership and ensure its perpetual protection. VLT's role in this new effort has been to receive charitable donations to support the Virginia Farley Riverside Park initiative. This initiative will celebrate Virginia's conservation legacy and further the conservation purposes expressed in the Grant of Conservation Covenants, which the Town granted to VLT to "ensure its continued use primarily as open lands for agriculture, ecological riparian protection and enhancement, scenic protection and low impact public recreational use."

In keeping with VLT's requirements as a qualified, non-profit organization, VLT must ensure that donations received by the organization are used for their intended charitable purposes. Therefore, VLT proposes to transfer these funds to the Town of Waitsfield, subject to a Memorandum of Understanding (MOU), in which the Town agrees to account for and expend these funds for the Park initiative, as outlined in the agreement.

This agreement reflects VLT's practice with many other municipalities with which it has engaged in community fundraising for conservation projects, including a MOU executed between the Town and VLT in 2018 for the Scrag Mountain Town Forest. In that circumstance, funds raised by VLT in support of the Town's acquisition and conservation of land for the Town Forest were transferred to the Town, to provide for future management and stewardship of the conserved property.

Upon execution of the Vermont Land Trust-Town of Waitsfield MOU for the Virginia Farley Riverside Park-Tardy Parcel, VLT will work with the Town to complete a one-time transfer of funds to support the Town's investment in this important public land.

VERMONT LAND TRUST-TOWN OF WAITSFIELD
MEMORANDUM OF AGREEMENT

TARDY PARCEL-VIRGINIA FARLEY RIVERSIDE PARK

This Memorandum of Agreement (“Agreement”) is made and entered into this ___ day of _____ 2022, by and between **VERMONT LAND TRUST, INC.**, a Vermont nonprofit corporation with principal offices in Montpelier, Vermont (“VLT”), and the **TOWN OF WAITSFIELD, VT** (“Town”)

WHEREAS, by Warranty Deed dated June 5th, 2003 and recorded in Book 104, Pages 76-80 of the Town of Waitsfield Land Records, the Town acquired 6.9 acres of land in the Town of Waitsfield from Astrid Tardy (the “Land”), more particularly as described in such deed; and

WHEREAS, the Town simultaneously conveyed a Grant of Conservation Covenants to the Vermont Land Trust (the “Grant”), recorded in Book 104, Pages 76-80 of the Town of Waitsfield Land Records; and

WHEREAS, the primary purposes for the Town’s acquisition and conservation of the Land were to ensure its continued use primarily as open lands for agriculture, ecological protection and enhancement, scenic protection, and low impact public recreational use; and

WHEREAS, the Town desires to designate the Land as the “Virginia Farley Riverside Park” in remembrance of her conservation legacy in the Town, the Mad River Valley, and beyond;

WHEREAS, in 2022, the Vermont Land Trust began receiving private charitable donations to help create a unique memorial on the Land as a tribute to Virginia’s conservation legacy; and

WHEREAS, the Town desires to accept such funds to create a memorial site on the Land, which shall be established with ecological restoration and stewardship initiatives and public access enhancements to the site.

NOW THEREFORE, VLT and the Town enter into this Agreement to identify eligible uses for which funds raised by the Vermont Land Trust can be employed, and the parties hereto agree as follows:

1. Land Management Fund

- a. Fund Establishment. Within 60 days following the signing of this Agreement, VLT shall transfer funds received, to be documented at the time of transfer, to the Town of Waitsfield to be held in a “Virginia Farley Riverside Park Stewardship Reserve Fund” (“Fund”). The Fund shall be a separate account within the Town’s existing conservation accounts, overseen by the Waitsfield Selectboard in consultation with the Waitsfield Conservation Commission and used for eligible costs, as described in Section 1(b) below, incurred on or after the date first written above. Any gifts received after the 60 days will be returned to the donor, with a request that they redirect their gift to the Town, as an addition to the Fund.

- b. Eligible costs. The Fund can be used for the following expenses related to the Town's stewardship of natural resources and provision of public recreational opportunities on the Property:
- i. Planning, design, construction, and maintenance of a memorial bench and small plaque.
 - ii. Planning, design, construction, maintenance or relocation of a visitor parking area, trail or public access points.
 - iii. Planning, design, procurement, and installation of interpretive, informational and directional signs, maps, brochures, kiosks, etc;
 - iv. Natural heritage and non-native invasive species assessments, design and planning work, planting of native vegetation, and removal of non-native invasive species necessary for establishing or maintaining a vegetated riparian buffer along the Mad River and more natural condition of the Land overall;
 - v. Other costs and expenses similar in purpose to the above and consistent with the goals of stewarding the ecological values and public enjoyment of the Land, and provisions of the conservation covenants held by VLT.

This Agreement shall be binding upon the parties hereto, their heirs, successors, and assigns. The terms of this Agreement shall be interpreted in accordance with the laws of the State of Vermont. No amendment or modification shall be effective unless it

is in writing and signed by both parties. No transfer or assignment of this Agreement to any third party shall be effective without the prior written consent of both parties.

WITNESS our hands and seals as of this ____ day of _____, 2022.

TOWN OF WAITSFIELD

VERMONT LAND TRUST, INC.

By: _____
Its Duly Authorized Agent

By: _____
Its Duly Authorized Agent

<i>Waitsfield ARPA Funding Ideas - Town Projects / Government Services</i>				
Line #	Project Detail	Amount	Allocated to Date	Notes
1	Zoning Permit waived - tiny house for childcare provider	\$490	Yes	for Loreleh Harris, as authorized on 9/26 and 10/10
2	Treasurer funding	\$29,546.50	Pending	to account for increase in Treasurer/Grant Admin job to 40 hours at \$30/hr
3	Website update	TBD	No	reached out to ecopixel (essex junction), vickery hill (warren), and civic plus(essex), waiting for responses
4	Record digitization	\$67,000	No	to digitize all bound records in the land records vault (does not include zoning permit. ~\$60,000 in the records restoration reserve but these funds are used for all purchases related to land records/the land records vault and should not be depleted
5	cybersecurity updated (new server, new email/domain)?	TBD	No	looking into these costs, working with Henry on rough estimates
6	Water connections	\$200,000	No	this is an absolute estimate from the Town Administrator - no hard numbers have been provided to date
7	PER - Wastewater project	\$125,000	No	we have not received a final quote from D&K on what the PER will cost but this is the threshold for the CWSRF reimbursable loan. The WWWFSC has asked this money be reserved for the PER in the event we do not receive the fully reimbursable loan
8	Fire Dept. ARPA Request			
	(1) Gear	\$11,400	No	Three sets of interior firefighting gear: Helmet, coat, pants boots, approximately \$3800 per set
	(2) Equipment	\$5,337	No	One positive pressure portable fan, battery powered,
	(3) Radios	\$2,200	No	One inverter for the new van to charge radios, batteries, etc
9	Wait House?	TBD	No	ARPA funds have been discussed as an opportunity to supplement any potential Wait House grant funding received/Wait House reserves (~\$20,000 by the end of FY23)
	TOTAL (Proposed Town Projects)	\$440,974		
	Waitsfield Total ARPA Award	\$506,081.79		
	Total Allocated to Date	\$490.00		
	Total Award Remaining	\$505,591.79		

Town of Waitsfield ARPA Advisory Committee			
Project #	Applicant	Amount Requested	Project Idea
1	Neck of the Woods	\$25,000.00	Raising these funds to build a commercial kitchen and cafeteria to become a Head Start Program. The closest Head Start programs are Barre and Montpelier
2	Free Wheelin'	\$10,000.00	Purchase an electric vehicle with support requested from Fayston, Moretown, and Warren as well. Free Wheelin' will make up any difference.
3	<i>Jim Boylan</i>		<i>light town flag poles and install all weather flags (Annie emailed Jim that he can't apply for this project on the Town's behalf and needs SB support to make this application)</i>
4	The Valley Players	\$75,000.00	Lost revenue due to covid shut downs and needed public safety upgrades to the building (sprinkler system, egress path, exists signs and emergency lighting, etc.)
5	MRV Senior Citizens	\$7,500.00	To support the Meals on Wheels program which has been greatly impacted by covid and associated inflation. 19 Waitsfield residents currently utilize the Meals on Wheel program.
6	MRV TV	\$250.00	Extend wireless internet to the power sports field at Harwood High School to better broadcast sporting and other town events
7	Couples Club	\$30,000.00	to purchase and install a new backstop behind the SE baseball diamond
8	Friends of Virginia Farley Riverside Park	\$5,000.00	The \$60,000 will go toward funding park improvements including natural landscaping, a stone bench, signage, and funding an endowment for future stewardship.
9	SKATIUM Ice Rink	\$7,000.00	complete a feasibility study to determine if there is a benefit to turning the Skatium into an open air multi use roofed facility
10	Spring Hill School	\$6,000.00	Rehab Spring Hill School's outdoor learning space and 20 year old equipment. Funding for new swingset/climbing structure, landscape mgmt, covered outdoor learning space, greenhouse, improve whole space for all weather use. Labor to be provided via volunteers.
11	<i>Waitsfield Tree Board</i>	<i>\$50,000.00</i>	<i>Funding for tree maintenance/removal/planting on town scenic roads, addressing town ash trees, with \$25,000 allocated for both projects</i>
12	Downstreet Housing & Community Development	\$61,000.00	Create a welcome outdoor recreation space for Mad River Meadows including a kiosk at the entrance to the MR Meadows Trail, creation of a pavillion, paved half-court basketball court, and a playground.
13	Harwood Union Unified School District	\$20,000.00	Replace old fluorescent light fixtures at Harwood & Waitsfield School with new LED fixtures and replacement bulbs.
14	<i>Joslin Memorial Library</i>	<i>\$20,000.00</i>	<i>Improve the library park including new benches, lighting for safety, landscaping, new steps, and consulting/labor costs</i>
15	MRV Conservation & Recreation Visioning (CRV) Steering Committee	\$5,000.00	Process for balancing outdoor recreation and ecological integrity
16	The MRV Village	\$1,500.00	To develop a digital community hub to lean/share about the MRV.
	Total	\$323,250.00	
	Total w/out town projects	\$253,250.00	<i>town projects including Tree Board and Joslin Memorial Library</i>



Washington County Sheriff's Department
PO Box 678
Montpelier, VT 05601-0678
(802) 223-3001 / FAX (802) 828-3611



December 01, 2022

Selectboard Members,

As your Patrol Contract Supervisor, I would like to have the opportunity to introduce Sheriff Elect Marc Poulin to our Contract Towns. We would like to meet to discuss our upcoming plans for the future of the Washington County Sheriff's Department and our plans to increase services to our Patrol Contracts.

On February 01st, 2023 Marc Poulin will be taking over the reins from long-time outgoing Sheriff Samuel Hill.

As budget committees are meeting and preparations are being made for the upcoming annual budgets, we would like to have the opportunity to meet about our present staffing and our anticipated staffing in the future. With this goal in mind we need to increase the present rates for the Sheriff's Department to recruit and retain and adequate staff as well as provide the Town with higher level of services. Please feel free to contact me at the Sheriff's Department to organize a time for Sheriff Elect Poulin and I to meet with your community.

Thank You in Advance

Captain Bret Meyer