

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday January 4, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Noyes, William Adams, Nick Donza, Morgan Nichols  
There were 17 participants on Zoom.

**Call to Order**

Chair Lisa Hagerty called the meeting to order at 5:01pm.

**Approve the Agenda**

On a motion by Mr. Billy Adams, seconded by Mr. Willie Noyes, the Board approved the agenda as presented.

**Executive Session**

On a motion by Ms. Morgan Nichols, seconded by Mr. Noyes, the Board went into Executive Session at 5:03pm to discuss personnel.

The Board came out of Executive Session at 5:35pm.

**COVID-19 Update**

Stowe Health Officer Chief Kyle Walker gave a COVID-19 update, stating that there are currently 7,873 cases in the State of Vermont, with 235 of those in Lamoille County and 68 in Stowe. The number of deaths has gone up to 144.

Chief Walker noted that due to the Holidays there was not a lot of new information from the State of Vermont Health Department, but they are continuing to vaccinate Vermonters.

It was discussed that VT Digger recently published an article with increase in COVID-19 cases at southern Vermont ski areas, but noted that no such trend had been seen in Stowe to date.

**Consent Agenda**

1. 12/28/20 Selectboard Minutes

On a motion by Mr. Adams, seconded by Mr. Noyes, the Board approved the Selectboard Consent Agenda Item as presented.

**Proposed FY22 General Fund Operating Budget & Capital Plan**

The Selectboard heard from the following Community and Economic Development Non-Profits that are requesting new or increased appropriations:

Stowe Trails Partnership – Currently receiving \$7,500, requested \$10,000 in FY22. Rachel Fussell, Executive Director of Stowe Trails Partnership spoke to the request, noting that while usage of the trails has increased significantly in the last year, the amount of people signing up for trail membership has not increased, and therefore they are requesting additional funds from the Town to offset administrative and trail maintenance costs. It was noted that Stowe Trails Partnership currently receives \$10,000 from the Conservation Commission for maintaining the trails in Cady Hill and Sterling Forests, but that the organization maintains trails in other areas in Stowe as well.

Big Heavy World – New request for \$250. James Lockridge, Executive Director, introduced the organization, noting that they are a volunteer-run organization focused on independent state-wide music.

Selectboard Meeting 12/28/20

The organization archives, educates and promotes musicians across the State, as well as hosting an annual music festival, a community radio station, podcast, and workshops for musicians.

Stowe Jazz Festival – Currently receiving \$1,000, requested \$2,500 in FY22. George Petit, Founder and Director of Stowe Jazz Festival spoke to the request, explaining that due to COVID-19 and the impacts on the tourist community, they have had shortfalls in generating funding for a potential 2021 event, should restrictions allow it. Mr. Petit noted that the majority of their funding comes from local businesses, which in the past has raised the minimum required to put on the festival, \$200,000. Currently he has only raised \$80,000 due to local businesses struggling. It was discussed that Mr. Petit has filed for federal COVID relief funding loans and grants.

The Selectboard hear from the following Social Services Non-Profit with a new appropriation request: Salvation Farms – New request for \$1,000. Theresa Snow, Executive Director, described to the Board the work that Salvation Farms, based out of Morrisville, does to obtain farm surplus foods and distribute them to those in need throughout the Lamoille Valley. She explained that their funding request would go towards their Lamoille Valley Gleaning project, which involves having volunteers go to farms and collect what produce was not harvested or sold and then distribute it to those who are food insecure. In the past, they have collected 70,000lbs of surplus foods from Lamoille Valley Farms. They also distributed 1,400 gallons of surplus milk. She noted that while there are no organizations in Stowe for food distribution, they provide food to a number of agencies within Lamoille County that serve Stowe residents. She also noted that since COVID-19 hit, there has been a significant increase in food insecurity. Ms. Snow mentioned that she has requested funding from all towns in Lamoille Valley.

Further discussion of the FY22 Budget and projected Grand List growth was tabled due to Town Assessor Tim Morrissey being unavailable to attend the meeting. He will attend the 1/11/21 meeting to discuss further.

### **Annual Meeting Community Forum**

Town Manager Charles Safford provided the Board with a list of tentative topics to be discussed at the Annual Meeting Day Community Forum. It was decided to continue the discussion at the Selectboard's January 11<sup>th</sup> meeting.

### **Manager's Report**

Mr. Safford reminded the Selectboard that there will be a regular meeting on Monday January 11, 2021.

The Board resumed Executive Session at 6:56pm.

The Board came out of Executive Session at 8:40pm.

On a motion by Mr. Adams, seconded by Ms. Nichols, the Board appointed Stephen Friedman as Stowe's Representative to the Lamoille County Communications Union District and Chris Foran and Scott Weathers as alternates.

There being no further business, Chair Hagerty adjourned the meeting at 8:41pm.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday January 11, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Noyes, William Adams, Nick Donza, Morgan Nichols  
There were 17 participants on Zoom.

**Call to Order**

Chair Lisa Hagerty called the meeting to order at 5:36pm.

**Approve the Agenda**

On a motion by Ms. Morgan Nichols, seconded by Mr. Willie Noyes, the Board approved the agenda as presented.

**COVID-19 Update**

Stowe Health Officer Chief Kyle Walker gave a COVID-19 update, stating that there are currently 9,078 cases in the State of Vermont, with 273 of those in Lamoille County. The number of deaths has gone up to 156.

The State has currently vaccinated 21,000 Vermonters, which is a vaccination rate that is currently 2<sup>nd</sup> in the country. They are starting to vaccinate those over 75 years of age next. He stated that at this point we are watching for the new strain of COVID-19 but there have been no cases in VT to date. The number of cases related to holiday gatherings appears to be small. He reminded everyone to remain vigilant with mask wearing, hand washing, etc.

**Consent Agenda**

1. 1/4/21 Selectboard Minutes

On a motion by Mr. Billy Adams, seconded by Mr. Noyes, the Board approved the Selectboard Consent Agenda Item as presented.

**Proposed FY22 General Fund Operating Budget & Capital Plan Deliberations**

Town Assessor, Tim Morrissey, was present at the meeting to discuss his forecast for a 1.5% growth in the Stowe Grand List for FY22. He noted that although he is reasonably confident in the projection, if there was another shut down or further restrictions that would impact the construction industry, then there could be more negative impacts to the Grand List. It was discussed that the reason for the smaller than anticipated growth in FY21 was largely due to appeals made to the Board of Listers from owners at Stowe Mountain Lodge and other condos/timeshares, that were unable to use, access or sell their units during the pandemic, and that this led to a reduction in their value. These adjustments through the appeals process accounted for a 1.03% drop in the projected Grand List growth, originally set for 1.5%, it ended up coming in at an Actual growth of 0.47%.

In 2020, the Vermont legislature allowed Towns to adjust their voter-approved budgets -due to the -pandemic. It is unclear if that will be allowed again in 2021.-Lisa Hagerty indicated that she thought it was a manageable risk to keep the projected Grand List growth at 1.5% and the rest of the Selectboard agreed.

The Board asked Mr. Morrissey if the Town would be looking at a Town-Wide reappraisal soon. Mr. Morrissey noted that the State currently indicated that the Town of Stowe was at 87.51% for CLA adjustments. This is based on a 3-year average of home sales, which does have some lag and Mr. Morrissey estimated it could be currently closer to 70%. He said that it would be difficult to do a reappraisal in 2021 as some residents might be reluctant to allow appraisers into their homes for health

concern reasons. He stated he believes the State will mandate that the Town do a full re-appraisal in 2022. He cautioned that a re-appraisal could cause further financial difficulties for those receiving income sensitivity adjustments on their tax rates because that is a capped amount of home value, and if home values continue to rise Town-wide, some people would see their homes valued over the cap, and could lose some of that sensitivity adjustment.

The Board then discussed the non-profit appropriation requests for new or increased funding. These organizations spoke to the Board at their January 4, 2021 meeting. The Selectboard decided to stick to the guidelines used for determining increases in appropriations and new appropriations in the FY21 budget, which was to cap all increases at 20% and to cap all new requests at \$1,000. With this in mind, the Stowe Selectboard agreed to advance the following organizations at the following amounts:

Stowe Jazz Festival: Currently \$1,000, requested \$2,500, Selectboard included in FY22 Budget at \$1,200

Stowe Trails Partnership: Currently \$7,500, requested \$10,000, included in Fy22 Budget at \$9,000

Salvation Farms: New Request for \$1,000, Selectbaord included in FY Budget at \$1,000.

The Selectboard also discussed a request for \$250 in funding from Big Heavy World, a non-profit based out of Burlington that supports local musicians. They felt that the application did not highlight how the residents of Stowe were served by this organization and agreed not to include the request in the FY22 budget. They did encourage the organization to work with the Stowe Arts & Culture Council to create a stronger connection with the Stowe Community to be considered for future funding.

The Board also discussed other areas of the General Fund Operating Budget, including the crack filling in the Municipal tennis courts, removal of ash trees in preparation of the Emerald Ash Borer and use of turf vs ice at the Stowe Arena. The Board -decided not to make any changes at this time and instructed the Town Manager to warn to the budget as presented -for a public hearing on January 25, 2021.

#### **Draft Australian Ballot Warning**

Town Manager Charles Safford presented a draft of the Australia Ballot warning to be used for all voting on March 2, 2021. It was discussed that unlike at Annual Meeting where the budget can be adjusted by the voters, once finalized and published on the Australian Ballot, the voters will not be able to make changes to the budget but rather vote to approve or not approve it. The Town will seek final approval of the Australian Ballot following the FY22 Budget public hearing on January 25, 2021.

#### **Selectboard Annual Report**

Chair Hagerty noted that she had sent out a draft version of the Selectboard Annual Report to be included in the Town of Stowe Annual Report. The Board members had not had time to review the report in advance of the meeting, but due to printing deadlines agreed to review and forward any comments/revisions by the end of the week.

#### **Annual Meeting Community Forum**

Town Manager Charles Safford provided the Board with a draft agenda and draft on-line survey. The Board discussed the work load they and the municipal staff have had and if it the timing was right to have a community forum. It was decided to wait until their was a full Board at the 1/25/21 meeting to decide whether to hold a community forum on Annual Meeting Day. In regards to the survey, the Selectboatrffrd requested that a question be asked if someone was a resident or non-resident. The Selectboard ask that the draft survey be put on the 1/25/21 agenda with the intent of finalizing it.

Selectboard Meeting 1/11/21

### **Manager's Report**

Mr. Safford provided the Board with a list of Special Event users of the Mayo Events Field that have requested that the Town reserve their dates for 2021 in the hopes that large events will return later in the year. It was noted that the Board is not currently accepting Special Event Applications until the Governor lifts the restrictions on gathering sizes.

Mr. Safford noted that a State Statute limits the time street banners can be hung up to 21 days. Currently the Town has been allowing banners to be displayed for longer due to lack of demand, but in order to assure compliance all banners will be taken down after 21 days. An exception will be made for the mask banners as those are serving as a public health message.

Mr. Safford also provided the Board with an update on the December YTD budget summary, delinquent tax increases, the 2020 Equalization Study results as discussed earlier in the meeting with Mr. Morrissey with the understanding it would not be appealed, and noted that Stowe Mountain Rescue has appointed a new chief, Graham Govoni.

On a motion by Mr. Adams, seconded by Mr. Noyes, the Board went into Executive Session at 7:49pm to discuss Personnel.

There being no further business, Chair Hagerty adjourned the meeting at 8:50pm.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday January 25, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Noyes, William Adams, Nick Donza, Morgan Nichols  
There were 17 participants on Zoom.

**Call to Order**

Chair Lisa Hagerty called the meeting to order at 5:30pm.

**Approve the Agenda**

On a motion by Mr. William Adams, seconded by Mr. Willie Noyes, the Board approved the agenda as presented.

**COVID-19 Update**

Chair Hagerty provided a COVID-19 update, stating that Vermont currently had 10,759 cases, with 169 deaths. She noted that the vaccine is now available to those over the age of 75, and can be registered for online. She encouraged anyone with questions to refer to the Vermont Department of Health website.

**Consent Agenda**

1. 1/11/21 Selectboard Minutes
2. 24 Sunset Street Water/Sewer Allocation
3. 942 Mtn Rd Water/Sewer Allocation
4. Annual Certificate of Highway Mileage
5. Stagecoach Road Engineering Agreement

On a motion by Mr. Adams, seconded by Mr. Noyes, the Board approved the Selectboard Consent Agenda Item as presented.

**Selectboard Resolution in Appreciation for Solving Arson Case**

Chair Hagerty read a resolution commending Stowe Police Department, including Detective Sergeant Fred Whitcomb and the officers that initially responded, Alcohol Tobacco & Firearms, Burlington Field Office, including Supervisor Special Agent in Charge Alex Schmidt (a Stowe resident) and Special Agent Tam Vieth, and Vermont State Police Fire and Explosion Unit detective Sergeant Todd Ambroz and all other investigators and Stowe Fire Department for the work done to solve several arson cases in the Town of Stowe.

On a motion by Ms. Morgan Nichols, seconded by Mr. Noyes, the Board adopted the resolution.

**Stowe Mountain Resort Game Ball Recognition**

Bobby Murphy, Vice President and General Manager of Stowe Mountain Resort, presented the Stowe Police Department with their annual "Community Partner Gameball Award" for the 2019-2020 ski season. He noted this was in appreciation for all the Stowe Police Department has done working with the resort on traffic management and other collaboration between the two organizations. Police Chief Don Hull accepted the award and thanked Mr. Murphy and Stowe Mountain Resort for the honor.

**Proposed FY22 General Fund Operating Budget & Capital Plan Public Hearing**

Town Manager Charles Safford presented the Board with the FY22 General Fund Operating Budget and Capital Plan, noting that the Selectboard approval of the following Community, Social and Economic

Selectboard Meeting 1/11/21

Development Appropriations had been included: Stowe Jazz Festival \$1,200 (+\$200), Stowe Trails Partnership \$9,000 (+\$1,500), Salvation Farms, new appropriation of \$1,000.

Mr. Safford also noted that the Town had received revised estimates from Lamoille County Sheriff's reducing their initial funding request by \$25,335 and from the Lamoille County Courthouse - by \$2,909- Mr. Paul Sakash asked about increases in the Town Clerk budget, which was noted to be the inclusion of a family medical plan, and about increases in the Stowe Arena budget, mostly due to increasing staffing levels. The Town had tried to reduce staff in the summer at the Arena but it wasn't sustainable.. There was no further comment from the public on the budget.

On a motion by Mr. Noyes, seconded by Mr. Adams, the Board adopted the FY'22 General Fund Operating Budget and Capital Plan.

#### **Draft Australian Ballot Warning**

Town Manager Charles Safford presented a draft of the Australia Ballot warning to be used for all voting on March 2, 2021. This included the final General Fund Operating Budget and Capital Plan as approved by the Selectboard. Mr. Safford noted that the Vermont Legislature did pass H.48 which would allow municipalities to move their annual meeting to a later date, however it was felt that it was unclear if it would be safe to gather before the budget would begin on July 1, 2021 and that the School Board intended to hold their Australian Ballot voting on March 2, 2021. Mr. Safford recommended the Selectboard continue with plans to mail all ballots to registered voters and move forward with the vote on March 2, 2021 as well.

On a motion by Mr. Adams, seconded by Mr. Noyes, the Board approved the Australian Ballot warning and instructed the Town Clerk to mail ballots to all registered voters.

#### **Social, Community & Economic Service Appropriations Policy Amendment**

Mr. Safford presented the Board with a revised Social, Community & Economic Service Appropriation Policy to include the guideline that the Selectboard caps any request to increase funding at 20% over the previous year's appropriation but reserves the right to increase or decrease an appropriation unless the appropriation is based on a legally binding petition. This was to formalize the decision making guidelines used for the FY'21 and FY'22 Appropriation budgets.

On a motion by Mr. Noyes, seconded by Ms. Nichols, the Board approved the Social, Community & Economic Service Appropriation Policy as presented.

#### **Annual Meeting Community Forum & Survey**

Mr. Safford provided the Board with a draft agenda for a Community Forum to be held on Annual Meeting Day as well as a draft survey. The Board noted that -due to the ongoing pandemic and staffing demands, that they would hold on the community forum. They did wish to advance the survey using online survey systems. It was noted that surveys could not be included with mailed ballots for election law reasons. The Board discussed the survey and how best to present it to the public. It was agreed that Lisa would take the lead in further developing the survey for the Board's consideration at a future meeting. Once it is approved by the Board, then Abby Earle will put it on-line.

**Manager's Report**

Selectboard Meeting 1/11/21

Mr. Safford and Public Works Director Harry Shepard discussed the State Stormwater deadlines, noting that Initial Notice of Intent for coverage under the General Permit is due by 6/1/22 with a Full Notice of Intent for Coverage Under the General Permit due by 12/1/23. This full notice will require an Engineering Feasibility Study, Engineering Design for Stormwater System Improvement and payment of any Impact Fees if full compliance cannot be achieved. This will likely need to be included in the budgeting process for FY'23.

Mr. Safford also noted that a Telecommunications Facility Certificate of Public Good has been filed for minimus modifications on the wireless telecommunications facility at 879 Brush Hill Road.

Finally, Mr. Safford discussed Cotton Brook Road, noting it is a Class 4 road which is not plowed in the Winter, but that the gate is left open in the winter. The Town has suggested posting a sign warning drivers that the road is not maintained in the winter. The Board discussed closing the gate for winter season, if it was agreeable to the State Forest & Parks division as well as the snowmobilers who use that area. The Board also discussed a gate at Ranch Brook Road, which is also a Class 4 road that is not plowed in the winter and often used by skiers. Mr. Safford indicated that unless the Board objected staff would install a similar sign this winter after the camp and explore the idea of a gate with the stakeholders.

There being no further business, Chair Hagerty adjourned the meeting at 7:08pm.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday February 8, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Noyes, William Adams, Nick Donza, Morgan Nichols  
There were 32 participants on Zoom.

**Call to Order**

Chair Lisa Hagerty called the meeting to order at 5:30pm.

**Approve the Agenda**

On a motion by Mr. William Adams, seconded by Mr. Willie Noyes, the Board approved the agenda as presented.

**Consent Agenda**

1. 455 Thomas Lane Water/Sewer Allocation
2. 3418 Mtn. Road Water/Sewer Allocation
3. 1/25/21 Selectboard Minutes
4. SED Allonge for Attachment to Note (VELCO stock purchase)
5. Annual Liquor License Renewals

On a motion by Mr. Adams, seconded by Mr. Noyes, the Board approved the Selectboard Consent Agenda Item as presented.

**FY'20 Audit**

Fred Duplessis of Sullivan, Powers & CO Auditors presented the findings of their FY'20 financial audit. He explained that they provided an opinion of the financial statements of the Town, and provided a clean unmodified opinion, meaning that our Town's financials are in full conformance with generally accepted accounting practices. He noted there were no major changes in the principals for government accounting this year, and there were no compliance or material weaknesses found. Mr. Duplessis talked about the Town's reserves of cash on hand for cash flow, emergencies and stabilizing the budget, stating that the current amount was sufficient but he would not recommend going any lower. He also noted that the municipal retirement system is currently stable and able to pay all employees as needed. The only recommendation from the Auditors this year was to consider a fraud risk assessment, which was last done in 2011 and is due for an update. Mr. Duplessis thanked the Town staff for their cooperation and hard work, noting that the audit went smoothly despite the fact that it was done remotely. Mr. Donza asked about the impact of having a line of credit, which the Town took out at the beginning of the pandemic when there was concern over property tax payments getting made. Mr. Duplessis stated that there was no impact on the Town's credit having that line open.

**Stowe Arena Spring Season**

The Recreation Commission - recommended that the Selectboard extend the ice season at Stowe Arena until March 25, 2021 to accommodate the high school hockey season, then offer a turf season from April 3<sup>rd</sup> to the first week in May. Due to COVID-19, the high school hockey season is pushed back about a week from when it would normally end. Matt Frazee, Parks and Recreation Director, noted that there was strong support for a turf season from the high school lacrosse and baseball teams. It was noted that COVID-19 protocols will be in place for the turf season, including screening of all participants and spacing out the schedule to allow for cleaning and separation of groups. The Board discussed the Recreation Commission's May 8<sup>th</sup> recommendation to end of turf season but heard from some in the

Selectboard Meeting 2/8/21

audience there may be some demand for turf beyond the time if the outdoor fields are not playable. The Selectboard was agreeable to providing Mr. Frazee some flexibility to extend the turf season accommodate scheduling requests. He noted that there are about 3 weeks of annual maintenance to be done before ice can be put back in, and that ice typically is back in by Memorial Day weekend.

On a motion by Mr. Noyes, seconded by Mr. Donza, the Board modified the spring turf season for 2021 as recommended by the Recreation Commission: ice until March 25<sup>th</sup>, then turf from April 3<sup>rd</sup> through the first week of May with some flexibility for the Parks & Recreation Director to extend the turf season based on scheduling request.

#### **Nebraska Valley Road Bridge #48 (Near Sugarbush Lane)**

Following up on previous discussions during the Public Informational Meeting for the Scoping Study for the Nebraska Valley Bridge #49 (near Sugarbush Lane), Public Works worked with VTrans to study both the location of the proposed temporary bridge and the final alignment of the proposed structure. The temporary bridge is now proposed on the north side of the bridge. This is the least impactful and most cost-effective location. The proposed centerline alignment is shifted slightly from what exists, which will soften the horizontal alignment at the bridge approach on the west side. Some temporary rights and nominal Right of Way acquisition from the abutting property owner on the north side will be required. Construction is anticipated for the 2023 construction season.

On a motion by Mr. Adams, seconded by Mr. Noyes, the Board approved the location of the temporary bridge and the final alignment of the proposed reconstruction of the Nebraska Valley Road Bridge #48.

#### **Manager's Report**

Mr. Safford noted that a resident has requested a blind hill sign on Cottage Club Road between houses number 289 and 298, as motorists can lose the ability to see oncoming traffic due to the steep crest of the hill. Unless otherwise instructed by the Selectboard, Highway will install a standard yellow "HILL BLOCKS VIEW" sign with a "STAY IN YOUR LANE" plaque. The Selectboard did not object.

James Brockhausen raised a request that the Selectboard hold non-binding discussion regarding the Town of Stowe leaving the Lamoille South Unified Union. The schools merged in 2019 at the mandate of the State Board of Education, but citizens would like to explore the option of voting to leave the Union. Mr. Brockhausen stated that he felt the schools had regressed since the merger and had not realized any cost savings. Mr. Donza noted that the School Board cannot call for the vote, so it is in the Town's purview to discuss and decide if a vote to withdrawal is in the Town's best interest. The Board discussed the topic and felt it warranted further discussion but wanted to be sure to do it in a thoughtful way and not rush it. Ms. Hagerty noted that we needed to compile a list of who should be involved in the discussion, including speaking with the other Towns in the Supervisory Union and getting a legal opinion on if the vote would be binding. Richard Bland stated that he believed Elmore had a petition going to also withdraw from the Union, and spoke to concerns about getting a bond vote for capital improvements of the Stowe School passed in a unified Union.

Emily Rosenbaum brought forth a request that the Town of Stowe begin a discussion on the process for addressing systemic racism in the Town of Stowe and how we can do better.

On a motion by Mr. Noyes, seconded by Ms. Nichols, the Board went into Executive Session at 6:55pm to discuss legal and personnel issues.

Selectboard Meeting 2/8/21

The Board came out of Executive Session at 7:38pm.

On a motion by Mr. Adams, seconded by Mr. Donza, the Board moved to authorize the Town Manager to sign the Settlement Agreement on behalf of the Town, and for the Notice of Dismissal to be filed with the Court, related to pending litigation involving Harold B Stevens and Carol D Stevens.

There being no further business, Chair Hagerty adjourned the meeting at 7:40pm.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday February 22, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Noyes, William Adams, Nick Donza, Morgan Nichols  
There were 31 participants on Zoom.

**Call to Order**

Chair Lisa Hagerty called the meeting to order at 5:30pm.

Lisa Hagerty called for a moment of silence for Barbara Allaire a long-time Stowe resident and employee who recently passed away.

**Approve the Agenda**

On a motion by Mr. William Noyes, seconded by Ms. Morgan Nichols, the Board approved the agenda as presented.

**Consent Agenda**

1. Minutes of 2/8/21
2. VT Dept of Health Grant Agreement (Vaccinations by Stowe EMS Providers)
3. 2020 Grand List – Certificate of No Appeal or Suit Pending
4. Bike/Ped Grant Proposed Crosswalk Across Rt 108 in Front of Barnes Camp
5. 13 Kirkwood Ave Water Allocation
6. Revised Manager's Job Description

On a motion by Mr. Noyes, seconded by Mr. William Adams, the Board approved the Selectboard Consent Agenda Item as presented.

**Conservationist Of the Year**

Rob Moore, chair of the Stowe Conservation Commission, presented the annual Conservationist of the Year Award to David Jaqua in recognition of his 20+ years of service as a member of the Commission, as well as his work on designing kiosks panels throughout the Town and other brochures and town documents. Mr. Jaqua thanked the Board and Commission and said he is willing to keep helping even in his "retirement."

**Morgan Nichols Board Recognition**

Chair Hagerty recognized Morgan Nichols for her four years of service on the Stowe Selectboard. She remarked on the compassion and understanding that Ms. Nichols brought to the Board through her knowledge of both business and non-profits. Ms. Nichols thanked the Board and noted it had been a hard decision not to run for re-election but hoped to remain involved in the community as there is a lot of work still to be done.

**Australian Ballot Informational Meeting (Including FY22 Budget & Capital Plan)**

Chair Hagerty opened up the Information Meeting by noting that typically this is an informational discussion prior to Town Meeting day, however this year with COVID-19 restrictions in place, all voting will be done via Australian Ballot either through mail in, early voting or in person at the Stowe Arena on Tuesday March 2<sup>nd</sup> from 7am to 7pm. This time has been set aside for the public to ask questions about any items on the Town Australian Ballot.

Both Chair Hagerty and members of the community thanked the Town Staff and Selectboard for all the work they have done under challenging circumstances in the last year, and thanked the Town for bringing in a budget that is respectful of the financial hardships many have faced as a result of the pandemic. Mr. Safford noted that the Annual Report was dedicated to the Town of Stowe Employees and First Responders for keeping the Town going during the pandemic. He also thanked Abby Earle for the excellent job she did in creating the Annual Town Report.

There were no other questions or comments from the public.

Chair Hagerty did note that a virtual vaccine informational meeting would be held on February 23<sup>rd</sup> at noon, hosted by local physician Dr. Melissa Volansky, and that more information can be found online.

### **School District Withdrawal Discussion**

Richard Bland, a former Stowe School Board Member, has requested that the topic of a Town vote to withdrawal from the Lamoille South Unified Union School District be discussed by the Selectboard. Mr. Bland stated that nine other towns in Vermont have either already voted or are planning to vote to dissolve their forced school mergers, and that currently he does not believe that Act 46 can prohibit a town from holding a vote to withdraw from a forced merger. He stated that he believes the forced merger has adversely impacted Stowe Students and Taxpayers and that they should have a right to vote. Mr. Safford has spoken with the Town Attorney who plans to present an opinion on the legal matters of the vote for the March 8<sup>th</sup> Selectboard Meeting.

State Representative Heidi Scheuermann spoke to the legislative side of the issue, noting that the State Board of Education has asked the legislature for clarification on if a dissolution of forced mergers is possible, as there is currently nothing in the law that says they cannot. However, Ms. Scheuermann also stated that the Board of Education has specifically requested that towns NOT be allowed to withdraw as part of that clarification, and stated she felt the Town should vote prior to any clarifying action that might deny Stowe the right to have a vote at all. Ms. Scheuermann stated that she has proposed a bill that would allow Towns to vote to dissolve forced unions, and that there is currently no known bill that supports not allowing a vote, but that it could still be considered as part of committee bill.

It was clarified that should the Town of Stowe hold a vote to withdraw from the forced union, it would trigger votes in Morristown and Elmore -, and that all three towns would have to pass the dissolution for it to be considered by the State Board of Education. Chair Hagerty spoke to concerns of the significant impacts on the children if the measure were to pass in Stowe but fail in the other two Towns in the district, stating that at the most recent School Board meeting where this was discussed there did not seem to be a consensus among the School Board members of all three towns.

Other community members, including parents and former Stowe School Board members, spoke to their desire to have a voice and a vote on the topic, citing decreased enrollment, loss of AP classes at Stowe High School and general dissatisfaction with the current system. Former School Board member James Brochhausen spoke specifically to the infrastructure needs for Stowe Schools, which will likely require a \$30M bond vote, and that if the Town is still in the forced union that is not likely to pass in the other towns. He also voiced concern over the hiring of a new principal for Stowe High School when the Stowe representatives are a minority vote on the School Board.

Mr. Adams stated that while he understood the concerns, he wanted to emphasize the need for proper process which would set up the town to have its best chance of success. He also questioned the Selectboard's role in the process should the vote pass, and asked to have further discussions with both the Town Attorney, School Board members and representatives from other Town Selectboards. Chair Hagerty agreed with Mr. Adams and stated that she hoped for a well thought out structure and plan for Stowe Schools to being place if a vote should pass.

Selectboard Meeting 2/22/21

The Board agreed to resume this discussion at their March 8<sup>th</sup> meeting when the Town Attorney can be present to give his opinion. Mr. Safford will also reach out to the Elmore and Morristown Selectboards to see if they would be interested in having a joint meeting to discuss this topic.

### **Manager's Report**

Mr. Safford presented the Board with an equalized Municipal Tax Rate comparison for Lamoille County, noting that once equalized, the Town of Stowe taxes come in as some of the lowest tax rates in the county. He said this is not typically done for municipal taxes state-wide, but thought it provided some - context. -

Mr. Safford updated the Board on the current delinquent tax rate, which has gone up 39% since COVID-19. He noted that the amount of delinquent taxes was still manageable and that this money should not be considered lost as the Town has - liens on properties or ultimately use tax sales as a way to get payment.

Mr. Safford also provided a financial update on budget impacts for FY'21 due to COVID-19, stating that overall the impacts have been less than projected. He requested that the Board agree to full a full-time EMS position which has been vacant for some time, but the Town had held off hiring until COVID-19 impacts had been better understood. At this time Finance and Mr. Safford both feel the Town is in a position to fill this position.

Finally, Mr. Safford noted that when COVID-19 vaccines become available to staff members, he will not require the vaccine, but will offer to allow employees to get the vaccine without having to utilize sick or vacation time. Ms. Nichols questioned if this also extended to those who felt ill following the vaccine and Mr. Stafford stated that would be accommodated within reason.

Emily Rosenbaum reminded the Board of her request that the Town of Stowe begin a discussion on the process for addressing systemic racism in the Town of Stowe and how we can do better. The Board stated that they are anticipating getting an Equity Inclusion Statement from the local Racial Equity Alliance of Lamoille County (REAL) and would include the discussion on systemic racism in those discussions.

On a motion by Mr. Noyes, seconded by Ms. Nichols, the Board went into Executive Session at 7:28pm to discuss legal and personnel issues.

The Board came out of Executive Session at 8:10pm.

There being no further business, Chair Hagerty adjourned the meeting at 8:10pm.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday March 8, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney  
There were 32 participants on Zoom.

**Call to Order**

Chair Lisa Hagerty called the meeting to order at 5:30pm.

Lisa Hagerty provided an update on Selectboard Member Willie Noyes, who is currently hospitalized at Dartmouth Hitchcock Medical Center on a ventilator due to COVID-19 complications. The Selectboard is sending Mr. Noyes best wishes for a speedy and complete recovery.

**Approve the Agenda**

On a motion by Mr. William Adams, seconded by Mr. Nick Donza, the Board approved the agenda as presented.

**Election of Officers**

Chair Hagerty handed the meeting over to Town Manager Charles Safford to hold the Election of the Board Chair.

Mr. Safford asked for nominations for Chair of the Selectboard. Ms. Hagerty nominated Mr. William Adams to serve as Chair of the Selectboard, with Mr. Donza seconding the nomination. There were no other nominations. The board voted unanimously to elect Mr. Adams as Selectboard Chair.

Mr. Adams then took control of the meeting. He thanked Ms. Hagerty and the entire Selectboard for their service during extraordinary times in the last year, and congratulated Ms. Hagerty and Ms. Jo Sabel Courtney for their election day wins, welcoming new Selectboard member Ms. Sabel Courtney.

Mr. Adams asked for nominations for Vice Chair of the Selectboard. Ms. Hagerty nominated Mr. William Noyes to serve as Vice Chair of the Selectboard, with Ms. Sabel Courtney seconding. The Board unanimously elected Mr. Noyes as Vice Chair.

Mr. Adams asked for nominations for an acting Vice Chair until Mr. Noyes was able to resume his responsibilities as Vice Chair due to his current illness and hospitalization. Mr. Donza nominated Ms. Hagerty to serve as Acting Vice Chair of the Selectboard, with Ms. Sabel Courtney seconding. The Board unanimously elected Ms. Hagerty as Acting Vice Chair until Mr. Noyes is able to resume these duties.

Mr. Adams asked for -nominations for Selectboard Clerk. Ms. Hagerty nominated Town Manager's Executive Assistant Ms. Abigail Earle to serve as Selectboard Clerk, seconded by Mr. Donza. The Board unanimously elected Ms. Earle to serve as Selectboard Clerk.

**Consent Agenda**

1. Designation of Local Newspaper
2. Liquor License Approvals

The Board approved the Selectboard Consent Agenda Item as presented.

**Continuation of School District Withdrawal Discussion – Hear from Legal Counsel**

Mr. Safford opened the discussion by introducing Ms. Dina Atwood from Stitzel, Page & Fletcher, the Town Attorney office. Ms. Atwood prepared a legal opinion on the topic of withdrawing from the Lamoille Unified Union School District and the Selectboard's role. Ms. Atwood stated that she believes that the Town can call for a vote to withdraw from the Unified Union, however it must be called by the Voters of the Town of Stowe through petition and cannot be a decision made by the Stowe Selectboard. The role of the Stowe Selectboard is to receive a petition to call a vote signed by at least 5% of the Stowe Registered Voters, and to act in the ministerial function of warning the vote and holding - a Special Town Meeting - within 60 days of receiving the petition. Ms. Atwood noted that for the petition to be legally binding it will require wet signatures, meaning actual written signatures (not electronic), which will be verified by the Town Clerk's office upon receipt. The Selectboard does not have the authority to waive the wet signature requirement. Ms. Atwood further explained that should the Town of Stowe hold a vote to withdraw and it passes, the Towns of Morrisville and Elmore would also have to hold votes on the Stowe Withdrawal, however there is no time requirement for Unified Union School Districts on when that vote would be held, only that it does have to happen. If both of those towns approve the withdrawal through voting, it would go to the State Board of Education for final approval.

Ms. Atwood cautioned that this process would likely not be accomplished prior to the July 1, 2021 start of the Fiscal Year, the budget of which was just adopted on Town Meeting Day. This means any withdrawal would likely not take effect until July 1, 2022. She also noted that there would need to be agreements in place for the division of property that had been transferred to the Unified Union after the forced merger. Ms. Atwood suggested that these discussions begin with the LSUU Board and the School Board business office prior to the final dissolution order by the State Board of Education.

Ms. Atwood also brought up the possibility that the right to withdraw from the Unified Union could be challenged due to unclear and limiting language in the State Statute. This challenge would likely have to be raised by a voter in the Unified Union district (Stowe, Morrisville or Elmore) but it could lead to an injunction what could delay the votes in Morrisville and Elmore.

It was asked if Ms. Atwood had reviewed the current petition wording to assure it would be appropriate and she said she thought what she had seen was okay, that it should be straightforward and simple with no persuasion, simply asking for the vote.

Mr. Richard Bland raised a concern that Town Representative Ms. Heidi Scheuermann had asked Legislative Counsel and they had advised that the Town of Stowe Selectboard could call the vote without a petition of the voters, which Ms. Atwood said she would look into. She will also research how the vote would be held – by -floor vote or Australian Ballot.

Ms. Marina Meerburg asked for further discussions on what isn't currently working in the Unified Union and what the impact of withdrawing from the Unified Union would have on tax rates. Mr. Safford noted that an informational meeting would be held in advance of any vote, but that the Town is not in a position to provide budget or governance information. The Town could make available some documents that were produced prior to the forced merger (Lamoille South Supervisory Union Proposal for an Alternative Governance Structure and Proposed Statewide Plan for School District Governance 2015 Acts and Resolves No. 46, Sec. 10(a). Outside of this, he suggested that if a petition is received the school board members ask that information be prepared by the Lamoille South Unified Union School District that may help address some questions for Stowe, Morristoryn and Elmore voters on tax impacts and other items that may be of interest. He also suggested that those who are organizing the petition be prepared to speak to and answer questions on why they think it is advisable to withdraw.

Having heard from legal counsel on process for a withdrawal, it was noted that the Selectboard will await receipt of a legally binding petition to call a vote.

**Manager's Report**

Selectboard Meeting 3/8/21

Mr. Safford noted that he is applying for a grant from the Town's insurance company, Vermont League of Cities and Towns, to hold inherent bias, equity and inclusion training for Department Heads, as well as elected and appointed officials. Ms. Hagerty also suggested those interested in - this topic may also want to attend the - Racial Equity Alliance of Lamoille County meetings.

Mr. Paul Sakash asked about the current status of the Fire Chief and Acting Fire Chief. Mr. Safford noted that Fire Chief Kyle Walker remains on a paid administrative leave, and that Acting Fire Chief Scott Reeves is being compensated at the rate previously used for the volunteer fire chief, which he believed to be approximately \$15,000 per year, prorated.

The Board discussed the need to continue to have COVID-19 updates at each meeting, particularly given the recent uptick in positive cases in Stowe and Lamoille County. Tom Jackman is currently serving as the Deputy Health Officer and can provide statistical updates at future meetings. Mr. Safford also stated this information can be retrieved from the State of Vermont Department of Health website.

There being no further business, on a motion by Ms. Sabel Courtney, seconded by Ms. Hagerty the Board adjourned the meeting at 7:06pm.

Minutes respectfully submitted by Abigail Earle.

**Draft**

**Stowe Selectboard  
Water & Sewer Commissioners  
Virtual Meeting  
Monday March 22, 2021**

**Present: Selectboard Members:** Lisa Hagerty, William Adams, Willie Noyes, Nick Donza and Jo Sabel Courtney. There were \_\_ participants on Zoom.

Call to Order

Chair Adams called the meeting to order at 5:30 pm. Mr. Adams welcomed Mr. Noyes to the meeting and expressed the Board's joy at his return. Mr. Noyes remains at Dartmouth Hitchcock Medical Center at this time.

Approve the Agenda

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Agenda.

COVID Update

Acting Health Officer Tom Jackman provided an update on COVID 19 statistics in VT.

Consent Agenda

1. Approve 2/22/21 and 3/8/21 Selectboard Minutes
2. Water/Sewer Allocation: 804 S. Main Street
3. Water/Sewer Allocation: 488 Thomas Lane
4. Liquor Licenses

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Consent Agenda items as presented.

Adoption of Special Meeting Warning

Withdraw from the Lamoille South Unified Union School District; Mystic Lodge Property Tax Exemption; Cannabis Retail Sales Opt-in – The Town Clerk received a legal petition requiring the Selectboard to warn a special meeting to ask the voters the following question: “Shall the voters authorize the Town of Stowe to withdraw from the Lamoille South Unified Union School District?” Mr. Safford also explained that an additional article which was inadvertently omitted from the March Annual Meeting should be included in the meeting warning: “Shall the voters approve extension by five years of the partial exemption from taxation for the property owned and used by Mystic Lodge 56, Free and Accepted Masons?” The Board reviewed the warning with consideration of a vote date by Australian ballot of 5/11/21 at the Stowe Arena.

Mr. Safford reviewed another article for Selectboard consideration to be included in the May Warning. The alternate warning would provide an article for the community's consideration to opt in to allow the retail sale of cannabis: “Shall the voters permit the operation of the licensed cannabis retailers and integrated licensees in the Town of Stowe?” The Selectboard decided to further discuss the potential of a cannabis article later on this year after to see what if the State does anything further from a tax and/or regulatory standpoint and consider potentially putting on “opt-in” article on the warning for next Annual Meeting.

#### E-Bike Lending Library MOU

The Board reviewed information from Catherine Crawley, Chair of the Stowe Energy Committee, requesting approval with Local Motion Memorandum of Understanding. Local Motion offers a Traveling E-bike Lending Library and partner with towns, libraries and other entities to bring this program to town across Vermont. If approved the Local Motion Traveling E-bike Lending Library would provide two to three e-bikes for a period of six weeks in June – July. There is no cost to the Town. These E-bikes would be available by reservation through a website managed by Local Motion.

On a motion by Mr. Donza, seconded by Ms. Sabel Courtney, the Board approved the Local Motion MOU E-bike Lending Library.

#### Use of Village Green by Stowe Vibrancy

The Board reviewed an email from Aimee Green on behalf of Stowe Vibrancy requesting to use the Village Green on the corner of Park and Main Streets on May 29<sup>th</sup> for 2-3 hours during the day to host a musical act in connection with *The Best of Stowe*. They also request to use it to host a musical act in connection with the *Main Street Live Series* which is anticipated to run 6-8 weeks on Thursday nights beginning July 15<sup>th</sup> from 5-8pm. Ms. Green stated in the email if approved, “They would be under a tent with appropriate spacing, directional signage, and under SV management.” Mr. Safford said it should be noted that they are not applying for a special event permit because they are not anticipating drawing over 300 people.

On a motion by Ms. Hagerty, seconded by Ms. Sabel Courtney, the Board approved the use of the Village Green as requested with the understanding that the Governor’s State of Emergency Executive Order and Department of Health’s Guidelines will be adhered to and they provide us a proof of insurance.

#### Amendments to Street Banner Policy

The Board approved proposed amendments to the Street Banner Policy clarifying that community wide special events and governmental speech are eligible, but not other banners.

The Town’s attorney recommended that any amendments to the Town’s banner policy continue to limit 3<sup>rd</sup> party banners to community wide special events (as defined in the policy), perhaps with new language expressly excepting from the policy Town banners that represent governmental speech.” In the draft amendments, it continues to delegate the approval of community wide special event banners to the Town Manager or his designee but reserves the approval of governmental speech banners to the Selectboard. The litmus test for governmental speech banners is it is approved by the Selectboard as a municipal government message.

On a motion by Ms. Sabel Courtney, seconded by Mr. Noyes, the Board approved the amended Stowe Street Banner Policy and Event Banner Application.

#### Conservation Commission Bear Education Banner

Last fall, the Selectboard asked the Conservation Commission to take the lead on educating the community on living with bears. With that in mind, the Commission developed a Bear Awareness Education Plan. Planning Director Tom Jackman noted one component of the plan is to hang a Bear Awareness banner on Main St. as bears

emerge from their dens, which would be visible to residents, visitors and members of other communities. The banner will be funded through the Conservation Commission.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved the Bear Awareness banner for display for no more than 21 days.

#### Stagecoach Road Bridge Conservation Award

The Board reviewed information provided by Public Works Director Harry Shepard on the Stagecoach Road Bridge bid results. The Town four bids with a low bid of \$1,136,695 by A.L. St. Onge Construction Inc. from Montgomery VT. This is 27% over the Engineer's Final Estimate. Based on numerous discussions and analysis, the primary cause of the higher than anticipated bid is associated with the current rapidly escalating cost of construction materials, including particularly for this project, steel and concrete, which are primary materials for the proposed bridge. For the Town's project which uses prestressed concrete for the superstructure, the cost has also been influenced by a current peak demand for prestressed products associated with numerous current large MassDOT contracts. \$240,000 has already been appropriated. To advance this project requires an additional \$160K appropriation from Capital Reserves.

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved to appropriate an additional \$160K from the Capital Reserves to increase the local match to \$400,000 and award the contract for the Stagecoach Road bridge a A.L. St Onge Construction, Inc, conditioned upon VTrans increasing the total Maximum Limiting Amount in the Finance and Maintenance Agreement to \$1,096,028 and, authorize the Town Manager to sign the amended grant agreement and construction contract on behalf of the Town.

#### Manager's Report

AT&T Replacement Utility Pole Notice: Mr. Safford explained that AT&T sent notices in connection with "small cell" projects involving replacement of five existing wooden utility poles with slightly taller poles along VT Route 108 and Mountainside Drive to accommodate wireless nodes. Staff including Stowe Electric raised no concerns. He added unless otherwise instructed staff will not request a Selectboard presentation or intervene on behalf of the municipality.

No further action was required by the Board.

#### Executive Session

The Board went into Executive Session at 8 pm on a motion by Mr. Noyes, seconded by Mr. Donza to discuss contracts and personnel.

The Board came out of Executive Session at 8:43 pm. On a motion by Mr. Adams, seconded by Ms. Hagerty, the Board approved the Amendment to the Collective Bargaining Agreement between the Town and Stowe Police Association Agreement pertaining to the start date of health insurance for new employees hired on or after March 1, 2021.

There being no further business to conduct, Mr. Adams adjourned the meeting at 8:45 pm.

Draft

**Stowe Selectboard  
Water & Sewer Commissioners  
Electronic Meeting  
Monday April 12, 2021**

**Present: Selectboard Members:** Lisa Hagerty, William Adams, Willie Noyes, Nick Donza and Jo Sabel Courtney. There were 71 participants on Zoom.

Call to Order

Chair Adams called the meeting to order at 5:30 pm.

Approve the Agenda

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Agenda.

Executive Session – Personnel

At 5:05 pm, on a motion by Mr. Noyes, seconded by Mr. Donza, the Board went into Executive Session. The Board came out of Executive Session at 5:20 pm. –

On a motion by Mr. Adams, seconded by Mr. Noyes, the Board voted to appoint Gail Kaiser to the Cemetery Commission.

COVID Update

Acting Health Officer Tom Jackman provided an update on COVID 19 statistics in VT.

Consent Agenda

Mr. Sakash asked for discussion on the Personnel Rules and IBEW Amendment.

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Consent Items as presented with the removal of Item #4.

1. 3/22/21 Selectboard Minutes
2. Catamount Ultra Trail Race Road Crossing Request
3. Warn Special Selectboard Meeting - Australian Ballot Informational Meeting
  
5. VTrans Annual Financial Plan
6. Water Allocation: Lot 3 Off Luce Hill Road
7. Moscow Fields Volleyball Amendment – 3 to 4 Courts
8. Paving Bid Award
9. Liquor Applications

Personnel Rules and IBEW Agreement Amendment –  
Eligibility for Health and Dental Insurance

At the 3/22/21 meeting the Selectboard agreed to amend the Stowe Police Officer Association's Agreement to start employee health insurance the first day of the month rather than after the employee having completed 30 days of employment.. At that meeting the Selectboard indicated that they were open to offering the same benefit through the Personnel Rules and the IBEW Agreement.

Mr. Sakash asked for clarification regarding if the Town requires a 5% and 10% employee co-pay depending on the health insurance plan. Mr. Safford said yes. It is part of the union agreements and is subject to bargaining to change it. Mr. Sakash also asked the cost of health insurance premiums paid by the Town and if we pay the same amount regardless of household size. Mr. Safford indicated that the Town has

Selectboard Meeting 4/12/21

single, two-person and family plans and pays 90% to 95% of those premiums depending on the plan. He indicated that he would need to locate the cost of the plans and could provide the information during other business.

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board approved the Amendment to the Personnel Rules and IBEW Agreement as presented.

#### Business

Lamoille South Unified Union District School District Withdrawal Vote Discussion  
Tracy Wrend, Superintendent of Schools, provided a power point presentation regarding the upcoming school withdrawal vote. At the conclusion of her presentation, she fielded questions from those in attendance. Ms. Hagerty wanted it understood that if the Stowe voters vote yes, then it is just the start of an uncertain process. First it has to be voted on by both the Morristown and Elmore voters and then if all municipalities vote yes, then it goes to the Vermont Board of Education for their consideration.

#### Akeley Building Memorial Room Proposed Video Conference System

Mr. Safford explained that historically the Selectboard, Development Review Board and other town boards and commissions have met in-person. With the onset of the COVID-19 Pandemic the transition was made to a fully remote forum. He said moving forward, a hybrid model, that allows both in-person and remote participation may be the most accommodating. Casually known as “zoom rooms”, technology has rapidly developed to support this hybrid format and a software based system that provides an integrated experience for audio conferencing, screen sharing, and video conferencing to both in-person and remote attendees is proposed.

Mr. Jolly stated the system would function very similarly to the current fully-remote Zoom format, but would allow both the board and the in-person audience to participate as a group in a similar manor that an individual would in a fully-remote meeting. Public Works solicited pricing from REnVisioning Technology, LLC, a regional firm with a focus on installing and supporting “zoom-room” technology. Lead time on materials would be appx. 6-8 weeks from commitment to having the room fully operational.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board authorized the Town Manager to engage Ren Visioning Technology, LLC and a to be determined electrical contractor to purchase and implement the video conferencing system for Memorial Hall.

#### Other Business Manager’s Report

Mr. Safford indicated the Town currently pays between \$8,284 to \$32,597 per year for employee health insurance plans. If an employee can demonstrate they obtain insurance elsewhere and do not require insurance provided through the Town, the Town currently pays them \$5,871 in lieu of health insurance which is 50% of a single person plan.

American Recovery Act: Mr. Safford explained that the Town of Stowe is estimated to receive \$440,000 from the Federal Government. The following are eligible:

Selectboard Meeting 4/12/21

\*respond to the COVID-19 public health emergency by paying for costs related to assistance to households, small business, non-profits, and affected industries such as tourism, travel and hospitality.

\*provide premium pay (up to \$13 per hour in addition to base pay up to \$25,000) to government workers who perform essential work during the public health emergency, or to provide grants to employers with employees who perform essential work.

\*provide government services to the extent of lost revenues from the public health emergency, relative to revenues in the fiscal year prior to the pandemic; and

\*make investment in water, sewer, or broadband infrastructure.

He reviewed information from Cindy Fuller, Finance Director, indicating that the Town of Stowe lost an estimated \$1million local option taxes, general fund, water, and sewer revenue due to the pandemic. The Stowe Electric Department estimates their losses at \$624,476. Unless otherwise instructed, staff will direct the American Recovery Plan money to make these funds whole to the maximum eligible amount based on the percentage of each funds losses to the total loss. If any money remains, we will advise the Selectboard.

Utility Pole Replacement Notice: Mr. Safford reviewed the notice from AT&T indicating they *propose to construct and install a replacement utility pole and wireless communication facility within the public right of way near 968 Mountain Road*. Staff has not raised any concerns. Unless otherwise instructed, staff will not intervene on behalf of the municipality.

Interim Zoning: Mr. Safford said the working draft of interim zoning would continue to allow tents, outdoor seating, and sandwich boards through 11/15/21 or the end of the State of Emergency whichever comes first. The interim zoning approval is scheduled for the Selectboard's 4/26/21 meeting.

No action was necessary.

#### Executive Session – Contracts and Personnel

The Board went into Executive Session at 8:50 pm on a motion by Mr. Noyes, seconded by Ms. Sabel Courtney.

The Board came out of Executive Session at 9:16pm.

There being no further business to conduct, Mr. Adams adjourned the meeting at 9:16pm

Minutes respectfully submitted by Susan Moeck.

**Stowe Selectboard  
Water & Sewer Commissioners  
Electronic Meeting  
Monday April 26, 2021**

**Present: Selectboard Members:** Lisa Hagerty, William Adams, Willie Noyes, Nick Donza and Jo Sabel Courtney. There were 24 participants on Zoom.

**Call to Order**

Chair Adams called the meeting to order at 5:30 pm.

Tom Jackman, Deputy Health Officer, provided an update on COVID 19 statistics in VT.

Approve the Agenda

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board approved the Agenda.

**Consent Agenda**

1. Annual Reappointment List
2. 4/12/21 Minutes
3. Catamount Trail Association Cooperative Agreement
4. Simmons Brook Culvert Repair Amended
5. Liquor Licenses Amended

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board approved the Consent Agenda Items as presented.

**Interim Zoning Public Hearing**

In 2020, the Board adopted 3 rounds of Interim Zoning to allow businesses ultimate flexibility to conduct business outdoors to maximize social-distancing and to be able to have temporary signage not normally permitted though zoning in response to the COVID-19 pandemic. The current round of Interim Zoning is set to expire April 30.

Mr. Safford explained that the Governor's Vermont Forward re-opening plan anticipates eliminating all COVID-related restrictions after July 4. At their 4/19/21 meeting, the Planning Commission reviewed the draft Interim Bylaws and discussed whether to have this round of Interim Zoning expire at that point. In order to give local businesses the greatest chance to recover economically; and for businesses that may wish to continue social-distancing practices after July 4, the Planning Commission is recommending that the Interim Zoning continue throughout the summer/fall tourist season and expire on November 15.

Mr. Safford added that the current draft version also includes schools, places of worship and non-profit public service organizations.

On a motion by Ms. Sabel Courtney, seconded by Mr. Noyes, the Board adopted the proposed Interim Zoning effective May 1.

**Special Event Application Pre-July 4<sup>th</sup> -VT Renaissance Faire – 6/26-27**

Mr. Safford reviewed the Governor's Vermont Forward Phased Reopening Plan <https://www.vermont.gov/vermont-forward#steps> . As of July 4 outdoor gatherings have no capacity restrictions (dates are subject to change). Masks and physical distancing are encouraged. The Vermont Renaissance Faire has requested the weekend of June 27<sup>th</sup> and 28<sup>th</sup>. It is anticipated that as of that date outdoor gatherings will be allowed under the Phased Reopening Plan to allow up to 900 unvaccinated people and any number of vaccinated people. Mask and physical distancing are required in the presence of others outside of your household. The event application indicates that they anticipate "5000 For the weekend...(hopefully). The event organizer indicated in an email "Unfortunately the Faire

needs to continue on that weekend...it is a week before the state is fully open AND we will be within its current guidelines.” He goes onto state, “We can add the question of vaccinations (with the purchaser having to answer it on order to buy their tickets) to our online ticket sales (pre-sales). Then we can base our day of tickets off that number and by asking everyone buying a ticket at the gate and keeping track of all unvaccinated patrons we can limit them to 900 individuals per day. This will allow us to have more than 900 patrons at any given time while limiting the unvaccinated number to 900...”. Jeffrey Folb, GM/Owner, added that modifications to his set up to allow for further social distancing. In addition, the Board received a letter of support from the Stowe Area Board of Trustees noting “Across lodging, restaurants, and retail, we estimate the Vermont Renaissance Faire to generate some \$350,000 +/- for town businesses, on top of the revenue generated for event vendors, many of which are local Vermonters as well. “

Mr. Safford explained that staff is not aware of any authority the Governor has granted local legislative bodies to be more restrictive than the State regarding outdoor gathering sizes (vaccinated or not). However, the Town does have authority to provide conditions in accordance with Stowe’s Special Event Ordinance.

On a motion by Ms. Sabel Courtney, seconded by Mr. Donza, the Board approved a conditional permit subject to revocation if gatherings of the size and nature applied for is NOT permitted under the terms of EO-20 as most recently amended or interpreted by the Governor of the State of Vermont or his designees, the Vermont Department of Health and the Agency of Commerce and Community Development. Also, conditioned on the current state guidelines are followed at the time of the event and the number of unvaccinated people are tracked as stated by the event organizer.

#### **VT Renaissance Liquor License**

The special event liquor application for VT Renaissance3 Faire was submitted by Smugglers Notch Distillery pending approval of the event by the Selectboard.

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Smugglers Notch special event liquor application.

#### **Special Event Applications – Post July 4<sup>th</sup>–**

Catamount Ultra Trail Race – June 26-27

Fireworks Festival – July 4

Green Mountain Games – July 17-18

British Invasion - September 11-12

Bailey Memorial Jamboree – September 18-19

Stowe Arts Festival – October 8-10

Mr. Safford reviewed the Town’s application for the Fireworks Festival with the Board and recommended that several items be removed from the field activities to prevent children from coming in close contact with one another. He suggested that this year the field activities be limited to food vendors, fireworks and sanitary facilities. Mr. Frazee said he would look into other games which would limit close contact.

There was further discussion regarding July 4<sup>th</sup> including the “pop up” Moscow Parade. Mr. Safford said those involved may want to consider operating under the umbrella of the Town’s Fireworks Festival Application in the future which would provide coverage for police and liability insurance.

There being no issues with the other special event applications as submitted, on a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board gave approvals with the following condition: Applications are subject to revocation if gatherings of the size and nature applied for is NOT permitted under the terms of EO-20 as most recently amended or interpreted by the Governor of the State of Vermont or his designees,

Selectboard Meeting 4/26/21

the Vermont Department of Health and the Agency of Commerce and Community Development. Also, conditioned on following any requirements that may be in place at the time of the event.

**Other Business**  
**Manager's Report**

**Australian Ballot** - An meeting beginning at 5:30 pm will be held on Monday, May 3 for parties to provide information regarding the May 11 Australian Ballot School District withdrawal vote and Stowe Mystic Lodge Tax Exemption. Town Counsel will be in attendance.

**Phosphorus Optimization Plan: Public Works Director Harry Shepard reviewed a** copy of the Phosphorus Optimization Plan for the WWTP submitted by Public Works/Sewer to VTDEC as required by our 2020 Discharge Permit renewal. It presented a concise description of the processes implemented at our WWTP for doing our part in reducing phosphorus discharge at our outfall and into the Lake Champlain watershed.

No action was necessary.

**Executive Session**

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board went into Executive Session at 6:50 pm to discussion Personnel.

The Board came out of executive session at 7:20pm .

Mr. Adams adjourned the meeting at

Minutes respectfully submitted by Susan Moeck.

**Stowe Selectboard  
Water & Sewer Commissioners  
Electronic Meeting  
Monday May 10, 2021**

**Present: Selectboard Members:** Lisa Hagerty, William Adams, Willie Noyes, Nick Donza and Jo Sabel Courtney. There were 34 participants on Zoom.

**Call to Order**

Chair Adams called the meeting to order at 5:30 pm.

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Agenda.

A. Consent Agenda

1. Local Emergency Management Plan Adoption
2. Capital Projects Closeouts
3. 5/3/21 Minutes
4. Parks & Rec 4<sup>th</sup> of July Permit Amendment – Moscow Parade
6. Liquor Applications

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved the Consent Agenda items with the deletion of Item 5 SED Grant Letter of Support.

Item 5 SED Grant Letter of Support & Restore Moscow Mill Building & Dam

The Board received a request from Michael Lazorchak, SED Manager Regulatory Affairs, asking the Selectboard to agree to a letter of support for a grant application to the Northern Boarder Regional Commission to stabilize, restore, and modernize the historic Moscow Mill building and dam. Mr. Lazorchak said the project will allow the Department to preserve the historical significance of the site to stabilize the foundation of the mill building and dam/mill site. In response to a question from Mr. Sakash, he said the \$500,000 project would be federally funded through a grant and does not rely on rate payer money.

On a motion by Ms. Sabel Courtney, seconded by Lisa Hagerty, the Board approved the letter of support and authorized the Chair of the Selectboard and Town Manager to sign.

Motor Vehicle Ordinance Amendments - Cady Hill Speed Limit

This time was set aside for the Board to consider warning a public hearing for an amendment to the motor vehicle ordinance to reduce the speed limit on Cady Hill Rd from 35 mph to 25 mph. In September 2020, Stowe Public Works received a request from the residents of Cady Hill Rd to consider reducing the posted speed limit. Cady Hill Road is a dead-end Class 3 Town Highway and is currently posted at a speed limit of 35 mph. In conjunction with the Lamoille County Planning Commission (LCPC), a traffic and speed analysis was commissioned with the primary intent of determining the current speed distribution of free-flowing vehicles on Cady Hill Road, specifically what percentages of motorists are going in excess of the posted speed limit of 35 mph. Stowe Police informed that since 2016, there were two accidents on Cady Hill Rd, but neither were speed related. Public Works conducted an Engineering Study and concluded that the reduction of the Speed Limit to 25 mph is warranted.

During discussion the Board asked if staff could see if additional signage was warranted on the road especially due to the increased use of Cady Hill Forest and the number of cars and pedestrians.

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board approved a motion to warn a public hearing for May 24, 2021 Selectboard Meeting.

#### Stowe Rescue Donation Offer

The Board received a letter from Stowe Rescue President Tom Mendes in which he indicated in part, “The Board of Directors would like to once again gift to the Town \$50,000 to be deposited into a fund to assist the Department with continuing to fund paid per diem positions...The BOD would like to offer these additional funds while the capacity exists to allow the department the opportunity to operate with 3 paid positions per shift into the new fiscal year, as the department works to rebuild the volunteer roster.” Mr. Safford explained that in the past the Selectboard has committed to ensuring one full time or per diem employee was on duty 24/7/365 to provide surety of service and augment volunteers. The minimum crew size is two. It is estimated the funding will last almost five months (Donation \$50,000, Rate/hour \$14.50, hours 3,448, Shifts 287, days 144 = months at 4.79).

On a motion by Ms. Sabel Courtney, seconded by Mr. Noyes, the Board approved the acceptance of the \$50,000 donation with the understanding that the Town will continue to use it to provide paid three-person coverage until the funding runs out.

Lamoille Area Health and Human Services Response Command Center Presentation  
Emily Rosenbaum requested time to present to the Selectboard and spoke about the collaboration among the area’s health and human services organizations throughout the last year.

#### Manager’s Report

Akeley Memorial Building Reopening: Mr. Safford explained that he was anticipating opening up the Akeley building post July 4 when there are no restrictions on interior gathering sizes. He is considering keeping regular employee hours from 8 am to 4:30 pm but would also consider keeping the building closed to the public for up to 8 hours per week. The schedule is to be determined with the intent to allow staff uninterrupted time to process information, do training, have staff meetings etc. He said scheduling appointments with staff members and the public will be encouraged as part of the new schedule.

Masks: The Governor has amended his executive order to “rescind the requirement that Vermonters wear face coverings over nose and mouth when they are in outdoor public places provided sustained or prolonged close contact with individuals from outside their household can be avoided.” Mr. Safford said however the order also states the “legislative body of each municipality may enact more strict local requirements regarding mask use than those set forth herein.” After an initial conversation with the Selectboard, Mr. Safford indicated he would

include it on the Selectboard's May 24<sup>th</sup> agenda for further discussion to see if the Selectboard wants to amend their mask resolution and when to take down the street banners.

Public to be Heard Non-binding

Several members of the public raised a personnel matter in which an employee had sex while on duty and was in a position of power. They indicated that the Stowe Police General Order involving sexual harassment needed updating and wanted to know what Stowe Police Officers received for training in this regard. They also expressed disappointment that the person who made the allegations wasn't given more deference by the States Attorney's Office and noted that such cases seldom lead to convictions. In addition, they expressed displeasure that the employee hasn't resigned and was not otherwise terminated.

Mr. Safford indicated that he understands their perspective although he has no lived experience, but said he does take the matter very seriously. As soon as Chief Hull became aware that there may be a criminal infraction involving a police officer it was turned over to the Vermont State Police as an independent law enforcement agency to investigate. VSP turned their investigation over to the State's Attorney's Office who chose not to prosecute in part due to insufficient evidence. Although there were no criminal charges there was serious infractions of town policy for which substantive corrective action was taken. Mr. Safford said the employee was fired as a police officer but retained his position within the fire department with a ten-day unpaid suspension. He will also receive focused training on power differentiated relationships. Mitigating factors included the States Attorney not pressing charges, the last event occurred 8 years ago (2013), there is no evidence of similar behavior since, he has no other substantive corrective actions in his personnel file and has otherwise provided exemplary service to the municipality.

The members of the public read a formal letter. Mr. Adams asked that the letter be forwarded to the Town Manager. The Town Manger indicated Chief Hull is currently on vacation but will follow-up with him on reviewing the Stowe Police General Order involving sexual harassment and the training received by officers in this regard. Mr. Adams indicated that under the Council / Manager form of government it is the Town Manager who is responsible for taking personnel actions, not the Selectboard.

At 6:50 pm, the Board went into Executive Session on a motion by Mr. Noyes, seconded by Ms. Sabel Courtney.

The Board came out of executive session at 7:13 pm. No action was taken. There being no further business to conduct, Mr. Adams adjourned the meeting at 7:14 pm.

Minutes respectfully submitted by Susan Moeck.

**Stowe Selectboard  
Special Electronic Meeting  
Thursday May 20, 2021**

**Present: Selectboard Members:** Lisa Hagerty, William Adams, Willie Noyes, Nick Donza and Jo Sabel Courtney. There were 20 participants on Zoom.

**Call to Order**

Chair Adams called the meeting to order at 5:30 pm.

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Agenda.

**Stowe Mask Resolution & Street Banner**

Mr. Safford explained that the Governor's Addendum 16, stated in part, "...Effective immediately, fully vaccinated people can resume activities without wearing a face covering over nose and mouth or physically distancing, except where required by federal, State or local laws, rules, and regulations, including local businesses and workplace guidance....Unvaccinated people are not required to wear face coverings over nose and mouth when they are in outdoor public spaces, provided sustained or prolonged close contact with other unvaccinated people from outside their household can be avoided." It also states, "The legislative body of each municipality may enact more strict local requirements regarding mask use than those set forth herein. Businesses may also enact more strict requirements regarding mask use than those set forth herein."

Stowe Area Association and Rachel Vandenberg provided a letter/email requesting the Town align with covid policies of the CDC and Governor Scott's Executive Order.

The Board discussed their preferences on how to move forward and proposals for language for a revised Face Covering Resolution encouraging people to follow the Governor's Executive Order including that unvaccinated people are required to wear masks indoors. They discussed revising the street banner to either encourage people to get vaccinated or thanking them for being vaccinated. Revising door signage for businesses was discussed.

The discussion was tabled until the May 24, 2021, meeting for further consideration of revisions to the Face Covering Resolution, street banner and door signage.

**Executive Session**

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board went into executive session at 6:25 pm.

The Board came out of executive session at 7:05 pm. No action was taken.

There being no further business to conduct, Mr. Adams adjourned the meeting at 7:06 pm.

Minutes respectfully submitted by Susan Moeck.

**Stowe Selectboard  
Water & Sewer Commissioners  
Electronic Meeting  
Monday May 24, 2021**

**Present: Selectboard Members:** Lisa Hagerty, William Adams, Willie Noyes, Nick Donza and Jo Sabel Courtney. There were 26-37 participants on Zoom during the meeting.

**Call to Order**

Mr. Adams called the meeting to order at 5 pm.

**Executive Session – Personnel**

The Board went into executive session at 5:05 pm on a motion by Ms. Hagerty seconded by Mr. Noyes.

The Board came out of executive session at 5:30 pm.

**Approve the Agenda**

On a motion by Ms. Sabel Courtney, seconded by Mr. Noyes, the Board approved the Agenda as presented.

A. Consent Agenda

1. 5/10/21 Minutes
2. Stowe Vibrancy July 4<sup>th</sup> Parade Special Event Permit Application
3. Cady Hill No Outlet Sign Request
4. Gravel Crushing Bid Award
5. School Banner Request
6. Liquor Applications

On a motion by Mr. Noyes, seconded by Ms. Sabel Courtney, the Board approved the Consent Agenda Items as presented.

B. Business

**Motor Vehicle Ordinance Amendment Public Hearing (Cady Hill Rd Speed Limit)**

This time was set aside for a **public hearing** to consider an amendment to the motor vehicle ordinance to reduce the speed limit on Cady Hill Rd from 35 mph to 25 mph. Several residents of Cady Hill Rd spoke in support and the need of the speed limit reduction.

In September 2020 Stowe Public Works received a request from the residents of Cady Hill Rd to consider reducing the posted speed limit. Cady Hill Road is a dead-end Class 3 Town Highway and is currently posted at a speed limit of 35 mph. In conjunction with the Lamoille County Planning Commission (LCPC), a traffic and speed analysis was commissioned with the primary intent of determining the current speed distribution of free-flowing vehicles on Cady Hill Road, specifically what percentages of motorists are going in excess of the posted speed limit of 35 mph. Stowe Police informed that since 2016, there were two accidents on Cady Hill Rd, but neither were speed related.

Public Works conducted an Engineering Study and concluded that the reduction of the Speed Limit to 25 mph is warranted.

On a motion by Mr. Donza, seconded by Ms. Hagerty the Board move to amend the Stowe Motor Vehicle Ordinance by lowering the speed limit on Cady Hill Road to 25mph.

### **The Current's Exposed Exhibit**

The Board reviewed The Current's outdoor sculpture exhibits proposed for this season July 10-October 23. This year's theme is communication, language and symbols. Executive Director Rachel Moore described specific artwork pieces.

On a motion by Ms. Sabel Courtney, seconded by Mr. Noyes, the Board approved The Current's Exposed Exhibit with the understanding that the exhibits will be structurally supported to the satisfaction of the Public Works Director.

### **Memorial Park Log Landing & Transport Request**

The Town received a request from Eli Nolan, who is logging an appx. 14 acre parcel owned by Stowe Hollow Rd LLC that is located between the Parks Dept Building on the Memorial Park property and Stowe Hollow Rd. The request is to cross the Town property as a means of removing logs from the adjacent parcel. This work is associated with an approved Zoning Permit. - Given the steep terrain, it has proven impractical to skid the logs remaining logs on the lowest portion of the parcel uphill to a landing on Stowe Hollow Rd. Mr. Nolan expects the impact to Town property will have a duration of appx. six weeks. No excavation will be required on the Town's property for this, and any areas of disturbance will be restored to their pre-existing condition to the Town's satisfaction at Mr. Nolan's expense. He will also not transport during school or summer camp hours.

While the Town plan does not speak to crossing town property for private logging activities, it does include the following regarding use of Class 4 T.H. and Legal Trail for logging access: Permission for the use of gated Class 4 highways and Legal Trails to access properties for logging activities shall not be unreasonably withheld by the Selectboard. The road or trail shall be left in as good or better condition as when permission is granted. The Selectboard may require that the logger or property owner provide temporary facilities required for the proposed logging operations and/or, place an adequate amount of funds into an escrow account to be available in the event that the logger or property owner fails to restore the road or trail to an acceptable condition.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved the request with the conditions outlined in the Mr. Nolin's letter (attached) with the understanding that if school is remote learning, summer camp is not in session, or there are other windows of opportunity when Memorial Park is not busy then the Park Superintendent may authorize the logger to transport logs through at other times.

### **Mask Banner, Resolution & Business Signs**

At their May 20 special meeting, the Selectboard tabled a discussion on revising the Selectboard Face Covering Resolution, the street banners, and what if anything to make available to local businesses in terms of signage regarding mask.

Rachel Vandenberg provided concepts for mask signs and a street banner. The distribution of sign materials would be so that businesses and other establishments avail themselves to a choice of signs on if they wanted all patrons to wear mask or just those that are unvaccinated.

The Board agreed to the mask signs and to make them available for downloading. They requested staff to revise the street banner for the Main Street location as follows: Thank you Stowe Residents and Visitors for Being Vaccinated.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board moved to rescind the existing Selectboard Resolution and adopt the revised as presented, and replace the street banner as amended.

### **Healthy Lamoille Valley Presentation**

Alison Link requested time to share information regarding Healthy Lamoille Valley Community Planning Toolkit for Substance Prevention as well as 3-4-50 VT Health Department initiative. Mr. Adams thanked her for the presentation and suggested contacting Stowe's Planning Commission for further discussion with them.

### **Manager's Report**

**Akeley Building:** The Governor's Executive Order Addendum 16, states, in part, "Businesses and non-profit and government entities shall continue to implement measures notifying unvaccinated customers or clients of the requirement to wear masks or facial coverings in public indoor spaces. This notice may include, but shall not be limited to, posting signage stating that masks or cloth facial coverings are required denial of entry or service to customers or clients who decline to wear masks or facial coverings." Unless otherwise instructed, staff will change out the signs on our public buildings indicating that masks are still required for unvaccinated people. We will also open the Akeley Building on June 1<sup>st</sup> to the public without an appointment. Mr. Safford said appointments are still encouraged in order to ensure the availability of the municipal employee and allow for the appropriate amount of time required for the request. Also, until further notice the Akeley Building will be closed to the public on Tuesday and Thursday mornings until noon. Mr. Adams requested the Town Manager to provide an update in August on how the revised hours are working to assess if the modified public hours should remain or be modified.

**Delinquent Tax Update:** The Board was provided with a delinquent tax update. indicating that they have decreased by 3% over last year on this date (May 14<sup>th</sup>). Stowe's delinquent tax sale policy indicates "No tax sales shall occur during a declared State or local emergency where the Akeley Building is closed to the public or otherwise may be determined by the Town Manager to be in the best interest of the community." Tax sale processing taxes approximately three months to prepare for tax sale. After the tax sale a delinquent property owner has a year to redeem. Unless otherwise instructed by the Selectboard, staff will begin to process tax sales again three months after the State of Emergency is lifted.

**Waterbury Source Protection Area:** The Town of Waterbury provided notice and a map of their water source protection area which extends into the Town of Stowe in the area of Waterworks Road. This portion in Stowe is completely on state land or Waterbury Village land

and is within the Forest Reserve District and doesn't allow residential or commercial development. Unless instructed otherwise, Mr. Safford said he would notify the Waterbury Municipal Manager that other than road maintenance issues the Town of Stowe does "not have any activities or proposed land use changes within the boundaries of the SPA that might have the potential to impact the water quality."

**Public to be Heard Non-binding**  
Other Business

Richard Bland asked the Selectboard to play an active role in advancing the school de-merger. Mr. Adams asked Mr. Safford to read what the Town Attorney provided for context purposes. Accordingly, Mr. Safford, read the following statement: "It is our opinion that the Selectboard completed its obligations and fulfilled its duties when the Special Town Meeting was held to enable the voters to express their will vis a vis the de-merger. Obviously, if there had been (or would be) a challenge to the voting process or propriety of the vote, the Selectboard would be obliged to defend the *mechanics* of the vote. But there is no provision of Title 16 or Title 24 which, in our view, obligates or enables the Selectboard to *advance* the proposition of de-merger." Mr. Bland asked if the school topic could be on future Selectboard agendas. Mr. Safford indicated that if request were made he could consult with the Chair on when and how to include it on the Selectboard agenda, with the understanding that it would be for update purposes and the Selectboard wouldn't necessarily be in a policy making role.

There was no further discussion.

Prior to going into Executive Session, Mr. Noyes made a motion, seconded by Ms. Hagerty to appoint Beth Liberman and Cheryl Casey as new members of the Arts and Culture Council.

**Executive Session**

On a motion by Mr. Noyes, seconded by Mr. Donza, the Board went into executive session at 7:50 pm.

The Board came out of executive session at 8:30 pm. No action was taken.

Minutes respectfully submitted by Susan Moeck.

**Stowe Selectboard  
Water & Sewer Commissioners  
Electronic Meeting  
Monday June 14, 2021**

**Present: Selectboard Members:** Lisa Hagerty, William Adams, Willie Noyes, Nick Donza and Jo Sabel Courtney. There were 21 participants on Zoom during the meeting.

**Call to Order**

Mr. Adams called the meeting to order at 5 pm.

**Approve the Agenda**

On a motion by Mr. Noyes, seconded by Ms. Sable Courtney, the Board approved the Agenda as presented.

**Executive Session – Confidential Communication with Legal Counsel**

The Board went into executive session at 5:05 pm on a motion by Ms. Sabel Courtney, seconded by Mr. Noyes.

The Board came out of executive session at 5:41 pm. No action was taken.

**Consent Agenda**

Mr. Adams requested that Item 6 FY 21 Audit Contract be removed from the Consent Agenda.

1. Stowe Vibrancy July 4<sup>th</sup> Special Events Permit Amendment
2. Minutes (5/20/21 and 5/24/21)
3. Sheriff's Dispatch Contract
4. Liquor Applications
5. Lease Amendment for ATT Cell Tower
7. Highway Superintendent Proclamation

On a motion by Ms. Sabel Courtney, seconded by Mr. Donza, the Board approved the Consent Agenda items as presented.

**Business**

**Stowe Withdraw Vote Certification**

The voters of Stowe approved by a margin of 1068 to 464 the following article: "Shall the Town of Stowe withdraw from the Lamoille South Unified Union School District?" The Board reviewed a letter from the Secretary of State certifying the vote to withdraw as a member of the Lamoille South Unified Union School District. The next step is for Morrystown and Elmore to warn voters for their voters to consider ratifying the Stowe vote or not. If approved by both municipalities, it would go to the Secretary of Education for the Board of Education's consideration.

Mr. Adams said the Board recognizes the support from the community on the school vote. He said the Board welcomes updates on the progress of the withdrawal but indicated that the Board was not in a position to play a formal role nor fund the de-merger with municipal funds

On a motion by Mr. Noyes, seconded by Mr. Donza, the Board acknowledged and accepted the Secretary of State's certification of the vote.

### **FY'22 Water & Sewer Budgets & Capital Plans**

The Board reviewed a Water-Sewer Budget Summary Memo from the Public Works Director including Draft FY22 Water and Sewer budgets summaries, Rate Schedule, and Fund Projections. Mr. Safford said in general expenses are up slightly (0.82% Water & 1.4% Sewer) while revenues increase of 3.8% in Water and 9.2% in Sewer, with a 5% rate reduction in Water and no change in Sewer rates. This primarily is achieved by operational efficiencies on the spending side and our usage fee revenues anticipated to normalize post COVID. In addition, he said some previous debt service obligations have now been retired. Notwithstanding COVID impacts, our Water Fund balance has seen modest growth and is now positive for 4 consecutive fiscal years and the Sewer Fund remains healthy and stable. With other debt service obligations nearing retirement in the next few years, positive net positions in both Departments are on the horizon and the intended results of the 2008 Water Fund Stabilization program has been realized. Mr. Shepard reviewed the Capital requests for both funds.

The Board expressed their appreciation - for the focused effort overtime to get the Water Fund into a positive net position.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board moved to warn a Public Hearing on the proposed FY22 Water and Sewer Budgets and Rate Schedule for the June 28, 2021 Water and Sewer Commission Agenda.

### **FY 21 Audit Contract**

Mr. Adams asked for clarification on the additional services fee of \$1,500 for Stowe Electric Department. Ms. Fuller said it is an option we choose every year to include the Stowe Electric Department financial statements into the Town's financial statements

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved the FY 21 Audit Contract with the inclusion of \$1,500 to include the Stowe Electric Department financial statement's into the Town's financial statements for the SED audit for a total of \$36,500.

### **Manager's Report**

**Class 2 Paving Grant:** VTrans awarded a Town Highway Class 2 paving grant which provide 80% funding for mill and overlay paving of the Class 2 section of Weeks Hill and West Hill Roads and Mayo Farm Road (northern Alternate Route). The 20% municipal match money will come out of the FY'22 highway operating budget. This project was bid as an Add Alternate to the 2021 paving program. Beech Hill Road is now substantially complete. The Class 3 paved portion of Weeks Hill Road is scheduled for August. The Class 2 paving will occur this fall or possibly next spring.

**Structures Grant:** Vtrans awarded a structures grant to replace the "Bouchard Road Culvert." The municipal match will come out of the FY'22 highway stormwater budget. This is a shovel ready project that is currently out to bid with construction anticipated this summer.

**In-Person / Virtual Selectboard Meeting:** Unless otherwise instructed, staff will warn the 6/28/21 Selectboard meeting as an in-person / virtual meeting.

**Pine Tree Removal:** Behind the Parks Shed there are a number of white pine trees that the logger has offered to remove for the Town at no cost in exchange for the lumber. We have put orange ribbons on them in the event you would like to see which ones are proposed to be taken down. Unless otherwise instructed we will move forward accordingly.

**Dead Tree Removal:** There is a tree that is in poor health in the triangle of grass at the Moscow and River Road intersection. Parks is going to remove the tree and is not going to replace it at this time. Public Works is preparing a first phase request in the FY'23 capital budget for Moscow Village Improvements. What if anything to do in this area will be considered as part of this process.

**Transfer Station Retaining Wall:** In an email from Susan Alexander, Lamoille Solid Waste Management District General Manager, she indicates they are “seeing more signs of degradation” of the retaining wall. The email goes on to state, “I have contracted a couple structural firms with the hopes of having an evaluation done to plan for shoring it up for the short-term. The long-term plan is a larger discussion and can wait until we get the engineers evaluation.” The Town of Stowe owns the Stowe Transfer Station and the LSWMD leases it from the Town.

**Local Option Tax 3<sup>rd</sup> Quarter:** In an email from Finance “The Local Option Tax for the 3<sup>rd</sup> quarter 2021 came in at \$294,432, up 30% from last year, better than our 50% forecast based on FY'2019, pre covid. If the 4<sup>th</sup> quarter comes in down 50% from prior year and the 4<sup>th</sup> quarter at the same as last year's pandemic shutdown results, we would collect \$749,681. The Town had originally estimated \$1 million dollars in local option tax revenues pre-covid and after the pandemic started modified our estimate to \$500,000.

**Zoning Activity:** A graph showing zoning applications received from January 1<sup>st</sup> to June 1<sup>st</sup> for the years 2016-2021 the average was 89 through 220. In 2021 zoning has received 142 applications to date. Public Works also reports significant increases in activity associated with development and real estate transactions.

**Land Record Recording Activity:** A graph showing the volume of Documents and Pages recorded in the Land Records from 2012 to May 31, 2021 shows an uptick in 2017 which was when Vail purchased the Stowe Mountain Resort and last year during the pandemic there was another increase which is still continuing today. As of May 31<sup>st</sup>, the number of documents and pages recorded for the current calendar year are more than half of the total amount for the previous year (2020). For comparison purposes, it was stated that on average towns in Vermont record approximately 500 documents and about 1500 to 1700 pages per year. (Mark Kirk, Cott Systems)

Also included is a flow chart of what the process is for recording a document and a description of some of the tasks involved for each step. This is a very detailed and time-consuming process for the town clerk's office, the new hours have allowed them to focus their uninterrupted attention to keeping the records current and available for the public to view online and will be beneficial in the future to work on back-scanning and indexing of older land records which are not currently available online.

**Summer Camp Participation:** The Stowe Parks & Recreation Summer Camp Enrollment Comparison indicates the average enrollment between 2018 and 2020 was 69 kids. So far in 2021, 116 children have registered.

**Cotton Brook Road Maintenance Summer 2021** – an email from Dan Singleton, State Lands Forester outlines a considerable amount of work that will begin in the middle of June on Cotton Brook Road starting at the gate and continuing for approx. 2.5 miles. The road will be open to the public but there will be some inconveniences and alterations to road conditions.

**Smugglers Notch Mitigation Measures** – an email from Joe Flynn, Secretary of Transportation, explains the implementation of short and long term mitigation measures for warning tractor trailer trucks attempting to travel through the Notch.

**Road Closure Updates** - Maple St (VT Route 100) will be closed to South bound traffic starting tomorrow (Tuesday) from noon to 4:00 pm and Wednesday and Thursday from 9:00 am to 4:00 pm from West Hill Road to Main Street for the installation of a new watermain in the near 607 Maple Street location. South bound traffic will be detoured at West Hill, Mayo Farm, Weeks Hill and Mountain Road.

**Mask** – The Governor lifted all COVID 19 restrictions including the mask mandate for unvaccinated people in indoor spaces. The Town Manager indicated that unless otherwise instructed he would instruct staff to remove the mask requirement signs for unvaccinated people in municipal buildings.

**Stagecoach Road** – July 5<sup>th</sup> road will be closed. Detour north to Morrystown corner then over to Route 100.

#### **Executive Session – Confidential Communication with Legal Counsel**

On a motion by Ms. Hagerty, seconded by Ms. Sabel Courtney, the Board went into Executive Session at 6:43 pm.

The Board came out of Executive Session at 7:40pm. No action was taken.

Mr. Safford reminded the Board of Steve Bonneau's retirement at noon on June 23<sup>rd</sup> at the Green Mountain Inn. Mr. Adams as Chair needs to present Steve with the Selectboard Resolution honoring his service.

There being no further business to conduct, Mr. Adams adjourned the meeting at 7:41pm.

Minutes respectfully submitted by Susan Moeck.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday June 28, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes

In Person attendees: George Lewis, Harry Shepard, Paul Sakash

Zoom attendees: Emily Rosenbaum, Carrie Simmons, Cindy Fuller, Larry Lackey, Dan Snyder

**Call to Order**

Chair Billy Adams called the meeting to order at 5:33pm.

Mr. Adams began the meeting by noting that it was the first in-person Selectboard meeting in 476 days. Mr. Adams gave kudos to the State of Vermont, Lamoille County and Stowe for leading the way in vaccination rates which allowed the State to open back up. He also acknowledged the role the Selectboard played throughout the pandemic and in encouraging vaccinations. Emily Rosenbaum thanked the community leaders, including pharmacists and healthcare workers for their continued effort to vaccinate the community.

**Approve the Agenda**

On a motion by Ms. Lisa Hagerty, seconded by Mr. Willie Noyes, the Board approved the agenda, pulling item A-4-A to be discussed in Executive Session, and one additional item in the Liquor Consent Items.

**Consent Agenda**

1. Internal Controls Checklist
2. 6/14/21 Minutes
3. Transfer to Capital Fund (Police Message Boards)
4. Water/Sewer Allocations
  - a. PULLED
  - b. 400 Barrows Road
5. Bouchard Road Culvert Bid Award
6. Music in the Meadow Special Event Application
7. Bridge Finance & Maintenance Agreement
8. Liquor Consent Items

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Noyes, the Board approved the Consent Agenda as presented.

**FY'22 Water and Sewer Budget, Rate Schedule and Capital Budget Public Hearing**

Chair Adams opened the Public Hearing. Town Manager Charles Safford noted that the Water Rates are proposed to go down by 5% and the Wastewater Rate is proposed to be unchanged. There were no questions from the Selectboard or public comment. The Selectboard thanked Public Works Director Harry Shepard and his team for putting together the budget.

On a motion by Ms. Courtney, seconded by Mr. Noyes, the Board approved the FY22 Water & Sewer Budget, Rate Schedule and Capital Budget as presented.

**Stowe Welcome Sign**

Stowe Area Association, represented by Carrie Simmons, Executive Director and George Lewis, President have approached the Town to assume ownership and responsibility for the existing Welcome Signs near the Morrisville and Waterbury Town Lines on VT 100. The existing signs are in poor

condition and are in need of being replaced. Replacement signs would have concrete foundations, stone veneer, steel posts and two sided signs that will be illuminated using LED lights. On the North side, solar powered lights will be used as there is no hard-wired connection available. The cost to replace both sides is estimated to be \$40,000. Mr. Safford has proposed to use unallocated Capital Reserve funds for the replacement of the signs.

Currently the signs are located on private property owned by Bob Shannon on the south side of Town and Paul Percy on the north side. Five year renewable agreements have been drawn up granting the Town the rights to install and maintain the new signs.

Board member Nick Donza noted that the sign on the Northern side of Town is located on the left side of the road, and could be easily missed, and the Board discussed looking into alternative locations in that area that would be on the right side of the road.

Community Members Larry Lackey and Paul Sakash questioned the cost and the need to completely replace the signs vs repairing them. Mr. Lewis of Stowe Area Association said they had deemed the southern sign to be listing and unsafe, and that there is mold on the signs. It was noted that these signs are at least 20 years old and were not built to last much longer than that. The replacement signs have been designed for longevity. It was noted that the Unallocated Capital Reserves is funded largely through Local Option Taxes, which are intended to be used for projects such as this.

The Board also discussed concerns about the installation of a permanent structure when the agreements have a 120 day escape clause which is the same as the existing license agreements. . Mr. Shepard indicated that it was likely possible to make the signs so that they would be moveable if needed.

On a motion by Ms. Hagerty, seconded by Ms. Courtney, the Board approved accepting ownership and responsibility of the Town Welcome Signs, and authorized the Town Manager to complete the required License Agreements on behalf of the Town and to allocate \$40,000 from Capital Reserves for the replacement of existing signs. The Board also directed Staff to look at options for making the signs able to be moved if necessary and explore alternative locations for the northern sign with the property owner to see if it can be moved to the right side of the road.

### **Manager's Report**

Mr. Safford discussed that the Town of Stowe has received notice that they are adjoining property owners for a proposed project on 45 Summit View Drive. After reviewing the project, Mr. Safford has indicated that staff will not participate to maintain party status on the project unless otherwise directed by the Selectboard. The Selectboard did not instruct the Manager to participate to maintain party status.

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board went into Executive Session to discuss contracts and legal items at 6:16pm. Mr. Shepard was invited to join the Executive Session.

The Board came out of Executive Session at 6:54pm.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board granted preliminary approval for 572 GPD of additional water allocation and 508 GPD of additional sewer allocation for 17 Towne Farm Lane.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved the Settlement Agreement regarding Zachary Isham v. Stowe Police Department.

There being no further business, Chair Adams adjourned the meeting at 7:10pm.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting**  
**Monday July 7, 2021**  
**Virtual Meeting**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Jo Sabel Courtney, Willie Noyes

In Person attendees: Tim Morrissey, Lisa Walker, Harry Shepard

Zoom attendees: Erica Loomis

**Call to Order**

Chair Billy Adams called the meeting to order at 7:30 am.

**Approve the Agenda**

On a motion by Mr. Willie Noyes, seconded by Ms. Jo Sabel Courtney, the Board approved the agenda as presented.

**Set FY22 Tax Rate**

The Board was presented with the FY22 Tax Rate Certificate to approve the Town General Fund Tax rate. Town Appraiser Tim Morrissey has calculated that based on a voter-approved budget of \$13,004,014 with \$9,933,908 to be raised by taxes and previously voter authorized tax exemptions, the Grand List lodged by the Board of Listers, the FY22 municipal tax rates should be \$0.4339 Town General Fund Tax Rate and \$0.0052 Voter Approved Tax Exemption Rate for a total Municipal (non-school) Tax Rate of \$0.4391. This reflects a decrease of \$0.0011 from FY21 Municipal Tax Rate. This is because the Town had previously estimated a Grand List growth of 1.5% during the budgeting process, and the actual growth was 1.62%

The State has set the FY22 Homestead Education Tax Rate at \$1.7198 and the Non-Homestead Education Tax Rate at \$1.8421.

The Selectboard thanked the Town Staff, particularly Mr. Morrissey, for their work to complete this process.

On a motion by Ms. Lisa Hagerty, seconded by Ms. Courtney, the Board set the FY22 Town General Fund Tax Rate at \$0.4339 and the Voter Approved Exemption Tax Rate at \$0.0052 for a total FY22 Municipal (non-school) Tax Rate of \$0.4391.

**Manager's Report**

Mr. Safford reviewed the current construction project on Stagecoach Road and the concurrent work being done by VTrans on VT Route 100. Mr. Safford noted that Town Staff had worked with VTrans in the coordination stages to delay the Stagecoach Road project until after VTrans original completion date of 6/30/21 for their Route 100 project. The VTrans project has been delayed, Public Works Director Harry Shepard indicated due to manpower capacity for the contractor, however the Town's Stagecoach Road project could not be delayed. This is due to the existing condition of the culverts, the contracts in place and the limited time that work can be done in the waterway due to ANR permits. The Town has asked VTrans to delay the final paving of the Route 100 project or move to night work, however they are not inclined to do so. The State has indicated that they have two days of paving left, which they are anticipating doing Thursday and Friday, weather dependent. However, there will be additional work for intersections, aprons and line striping, but those impacts are less severe. The Town has worked with the State to try to mitigate the impacts of their construction on Route 100 including having shorter run lengths, increased intersection flagging, supervisors on site monitoring traffic conditions and better public communication. Mr. Safford also stressed the importance of being able to get emergency vehicles through the construction in a timely manner. Mr. Shepard indicated that the State seems aware that the

Selectboard Meeting 7/7/21

traffic impacts seen early last week were unacceptable and cannot happen again, and are hopeful that with the project moving further north of Stowe Village, along with the mitigations - Mr. Adams asked how the Town and State could work together to learn from this in advance of the planned intersection project of Route 100 and West Hill Road currently scheduled for 2023. Mr. Shepard indicated that he will continue to work with VTrans to look at options such as bypass lanes and night work, but that while the Town can make suggestions it is ultimately in VTrans control. The Board requested that VTrans host a public informational meeting in advance of that project.

There being no further business, Chair Adams adjourned the meeting at 7:47am.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday July 12, 2021**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes  
In Person attendees: Harry Shepard, Paul Sakash, Carolyn Cota, Cory Burrall, Audrey Mann, Larry Lackey, Andrew Chmura, Ray Piche, Gilbert Helmkin, Marina Meerburg

**Call to Order**

Chair Billy Adams called the meeting to order at 5:31pm.

**Approve the Agenda**

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Willie Noyes, the Board approved the agenda, adding item 2-C Stowe Arts & Culture Council Banner Request in Business, and pulling item 1-B to be discussed in Business item 2-D.

**Consent Agenda**

- A. Minutes of 6/28/21 & 7/7/21 Meetings
- B. PULLED
- C. Water Allocation 224 Wildewood Lane (Unit 13)
- D. Water/Sewer Allocation 371 Sylvan Park Road
- E. Sewer Abatement Request 221 Stoweflake Meadows
- F. Acceptance Offer Dedication and Easement for Drainage Extensions (Stowe Hollow Road Subdivision)
- G. Special Event Applications – Race to the Top of Vermont & Heady Trotter
- H. Liquor Consent Items

On a motion by Mr. Noyes, seconded by Ms. Lisa Hagerty, the Board approved the Consent Agenda as amended.

**Bridge Public Information Meeting (Bridge #48 & #51 on Nebraska Valley Road)**

Carolyn Cota, of VTrans, presented preliminary designs for the reconstruction of two bridges on Nebraska Valley Road. The work is scheduled to be done concurrently in 2023 construction season. VTrans indicated they intend to bid both bridges as one project with one contractor to save money and give flexibility to the contractor. Both bridges will be replaced utilizing temporary one-lane bridges with a traffic light for the maintenance of traffic. Ms. Cota noted that Bridge #48 plans include a slight realignment of the highway to improve sight lines. It also includes a 6% banked deck for drainage. The temporary bridge for #48 will be installed upstream with minimal temporary impacts. VTrans is working with Stowe Electric to install a higher utility pole to avoid having to relocate utilities in this area. The temporary bridge on Bridge #51 will also be on the upstream side, with some impacts to the landscaping around the temporary bridge, which will be replaced after project completion. Because the Town gravel pit is located on this road, the bridges do see a higher number of large truck traffic, and the temporary bridges will be designed to accommodate that. The cost estimate for bridge #48 is \$1,752,204 with the Town being responsible for 10% of that cost, or \$175,220. The cost estimate for bridge #51 is \$1,788,230, with the Town being responsible for 10% of the cost, or \$178,823. Town Manager Mr. Charles Safford noted that these costs will need to be budgeted out of the FY23 Capital Fund Budget. Adjacent property owner Mr. Andrew Chmura raised concerns about the staging of equipment, which Ms. Cota explained is the responsibility of the contractor awarded the bid, and about hours of operation. Ms. Cota indicated that VTrans would be willing to include special conditions on the contract to limit the

morning hours of operation on Bridge #51 to no motorized noise before 8:00am. It was also noted that there would be no work on Sundays or holidays.

### **VCDP Grant Application Affordable Housing 605-635 Maple Street**

Jim Lovinsky, Executive Director of Lamoille County Housing Partnership, has requested the Town to apply for a Vermont Community Development Program grant for \$500,000 to help fund the acquisition and partial rehabilitation of housing at 605-635 Maple Street to be used for affordable housing. The project would give LHP 14 new units of affordable housing in Stowe to serve low- and moderate-income residents through two existing buildings and a new nine unit building that is under construction. To apply for this funding, the Town of Stowe would be the applicant, and if successful, the Town would subgrant the funds to LHP who would then loan the funds to the Tax Credit Partnership and be responsible for all future reporting. The total project is estimated at \$5.6M- The construction of the nine new units has been approved by the Development Review Board and is currently under construction with Graham Mink as the developer. Mr. Lovinsky noted LHP has been looking for affordable housing in Stowe for many years and this is the first time they have been able to find an option that would work. It was questioned if the costs for this project were appropriate, and Mr. Lovinsky agreed to bring a - pro forma of costs to the September 13<sup>th</sup> public hearing. He also noted an appraisal was currently being done to assure LHP is not overpaying for the property. It was discussed that the only local tax impact might be a 7-10% tax rate discount if approved by the Board of Listers due to the nature of low-income housing. Mr. Safford also noted he would research if there is a cap on funding the Town would be eligible to receive from VCDP. Ms. Marina Meerburg spoke in support of the project, stating that if the Town does not apply for the grant money it will go elsewhere, and that the proposed project location is ideal for work force housing as it is walking distance to a grocery store and public transportation.

On a motion by Ms. Courtney, seconded by Mr. Nick Donza, the Board approved the warning of a public hearing to be held at the September 13, 2021 meeting.

### **Stowe Arts & Culture Council Banner Request**

Sharon Harper, on behalf of the Stowe Arts & Culture Council, has requested that a governmental banner be considered to support Stowe Arts Summer. The banner is not tied to any one event and therefore requires Selectboard approval. Mr. Safford reminded the Board that state law limits the hanging of banners to no more than 21 days in a calendar year and requested that the banner not displace event banners if there is a demand.

On a motion by Ms. Hagerty, seconded by Mr. Donza, the Board approved the Stowe Arts & Culture Council Banner request with the banner to be hung when space is available and for no more than 21 days total.

### **Stowe Theatre Guild Lease Agreement**

Stowe Theatre Guild has made proposed changes to their current lease with the Town of Stowe for the use of the Akeley Memorial Building Theater on the 2<sup>nd</sup> floor. They have also proposed changes to the Town's Theater Use Policy which is an attachment to the lease. These changes mainly focus on third-party usage of the theater space. The policy has historically included a lower rate for use of the space by non-profit organizations vs for profit use, and STG has asked that the Town's portion of the payment for non-profit use be reduced. Other changes are to separate out the use of the thrust and other STG-owned equipment from the use of the Akeley space to allow STG to maintain its own rates and forms for the rental of their equipment. Mr. Larry Lackey raised concerns that the current lease allowing STG to operate the Theater year-round for \$1/year is generous and that requiring other users to pay to utilize the space is inequitable. Mr. Lackey proposed that STG pay the same hourly or daily rates as other users or

Selectboard Meeting 7/12/21

that the existing rental fees be lowered. It was noted that historically use of the space by other parties has been limited, but it was felt that STG would be better positioned to promote use of the space and provide village vibrancy through local theater events. Mr. Safford also noted that currently the Vermont Ski Museum and The Current rent Town buildings for the amount of \$1/year and can rent out their spaces to third parties. It was determined that if the Town were to remove its remittance of the rental fees, then the STG could lower the overall rental fees accordingly and make renting the space more affordable for all.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved the Stowe Theatre Guild Lease and Theater Use Policy with the removal of remittance of rent to the Town and lowering the rental rates accordingly.

### **Manager's Report**

Mr. Safford discussed that the Town of Stowe has received notice that they are adjoining property owners for a proposed project at 112 Main Street. After reviewing the project, Mr. Safford has indicated that staff will not participate to maintain party status on the project unless otherwise directed by the Selectboard. The Selectboard did not instruct the Manager to participate to maintain party status.

Mr. Safford updated the Board on the ongoing IT projects that have been implemented in 2021 by Cindy Fuller, Finance Director and Jonathan Thereault at the Public Safety Building. This includes transitioning Town-owned cell phones to a government use network, moving Town phone system to Voice Over Internet Protocol (VOIP), replacing the Akeley Building server and installing a direct fiber connection between the Public Safety Facility and the Akeley Building to offer redundancy for IT servers and flexibility to handle emergency conditions. Mr. Lackey also commended the Town for the implementation of a Zoom Room to allow the public to participate in governmental meetings without having to attend in person.

On a motion by Ms. Hagerty, seconded by Ms. Courtney, the Board went into Executive Session to discuss contracts and real estate at 8:06pm.

The Board came out of Executive Session at 8:48pm.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved a one year extension to the Stowe Police Officers Association Agreement.

There being no further business, Chair Adams adjourned the meeting at 8:49pm.

Minutes respectfully submitted by Abigail Earle.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday July 26, 2021**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes

In Person attendees: Harry Shepard, Paul Sakash, Rick Swanson, Scott Brinkman, Donna Adams, Scott Reeves

**Call to Order**

Chair Billy Adams called the meeting to order at 5:04pm.

**Approve the Agenda**

On a motion by Mr. Willie Noyes, seconded by Ms. Jo Sabel Courtney, the Board approved the agenda as presented, with one additional item added to the Liquor Consent Items.

**Executive Session**

On a motion by Ms. Lisa Hagerty, seconded by Mr. Noyes, the Board went into Executive Session to discuss personnel at 5:05pm.

The Board came out of Executive Session at 5:17pm.

Chair Adams re-opened the meeting at 5:30pm.

**Consent Agenda**

1. Minutes of 7/12/21 Meeting
2. Vermont 10 Miler Special Event Application
3. Liquor Consent Items

On a motion by Ms. Courtney, seconded by Mr. Noyes, the Board approved the Consent Agenda with the one additional item on the Liquor Consent Items.

**Request by Greater Stowe Interfaith Coalition to Erect an Interfaith Winter Holiday Display on the Village Green**

Rabbi David Fainsilber and Father Rick Swanson representing the Greater Stowe Interfaith Coalition have requested to erect an interfaith winter holiday display on the Village Green in conjunction with Stowe Vibrancy holiday celebrations. The dimensions are proposed to be 8 feet long, 3 feet wide and 5 feet tall, and will be designed by local artist/architect Aron Temkin to represent the faiths of the GSIC, which is Christianity, Judaism, Bahai and Unitarian-Universalist. Father Rick also indicated Islamic and Kwanza celebrations may be included. It was noted this request is for the 2021-2022 winter season only, from approximately Thanksgiving to President's Day.

Town Manager Charles Safford provided an email from the Town Attorney's Office regarding the constitutionality of religious images/symbols on publicly owned property, indicating, "when located on government-owned property and/or sponsored by the government, include sufficient secular context, do not include certain religion images/symbols to the exclusion of others (i.e., if you allow one, you should allow all) and, if appropriate, contain messaging stating that the religious display is privately sponsored." The Board discussed why the Village Green was selected, with Father Rick explaining that it is a high visibility spot and is preferred to doing displays on each religions property as it provides a unity amongst the faiths. They also spoke to the desire to be as inclusive as possible, but they were beginning with those that are the largest and most present in American culture that have celebrations in the winter. Father Rick

indicated that if other religions wished to be included, they would have a dialogue with them, and would also include information on the sign that directed people to the GSIC.

It was noted that if snow obstructs the display, volunteers from the GSIC would be responsible for shoveling or other maintenance. Mr. Paul Sakash asked if the Selectboard should see the design before final approval. Town Manager Charles Safford indicated that the Town Attorney advised that the Selectboard shouldn't "get too involved in the display or its design, other than to approve its location."

On a motion by Ms. Courtney, seconded by Mr. Noyes, the Board approved the interfaith winter holiday display for the upcoming holiday season which runs approximately from Thanksgiving to President's Day, with the understanding that a sign will be erected by the requesting party indicating who erected it, and that it will be supported to the satisfaction of the Public Works Director. This approval is for the duration of one year.

### **Replacement of Engine 1**

The Town of Stowe is scheduled to replace Engine 1 in FY22. The proposed replacement will be an Engine/Rescue truck which will replace both Engine 1 and Rescue 1, with two apparatuses combined into one. This will remove one vehicle from the equipment reserve fund. In addition, Engine 2 was sold last year, removing it from the fund and depositing \$150,000 into the equipment fund. The proposed cost for the new Engine 1 is \$686,685, the Equipment Fund budgeted \$650,000 for this purchase. At the time of budgeting, it was estimated that the Town would receive \$15,000-\$20,000 for each of the two trade-ins (Engine 1 and Rescue 1). Current estimates now indicate the Town is likely to get \$5,000 per vehicle. The low trade-in value is due to the lime-yellow color and the condition and manufacturer of Engine 1, which is an American LaFrance which went out of business in 2014 and parts are difficult to obtain. The Town will list Engine 1 and Rescue 1 on a national fire truck reseller in the hopes of getting more money for them, but the reserve on each is set to \$5,000. In the event that higher resale values are not received, the Stowe Volunteer Firefighters Inc has asked to donate up to \$30,000 towards the purchase and upfitting on the new replacement for Engine 1.

Fire Chief Kyle Walker indicated that the department has been working to size its number of apparatuses with the amount of personnel available to operate them. Combining Engine 1 and Rescue 1 allows one crew to run the apparatus and have what is needed on-site, when they often do not have enough bodies to crew both pieces of equipment separately. Chief Walker also indicated that an Apparatus Committee had been formed to assess what the needs to the department were and to provide specifications for the replacement of Engine 1/Rescue 1 to assure it meets the needs and availability of the department. He also noted that the new Engine 1 would have a 20-year life expectancy and would be purchased through a national consortium to help take advantage of the purchasing power and to help ensure the vehicle is from a reputable manufacturer. This purchase is a custom build, so once the contract for purchase is signed, it will take approximately 220 days to build, with Chief Walker estimating that we would take possession of the new vehicle in the spring of 2022.

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board accepted the donation of up to \$30,000 from Stowe Volunteer Firefighters to offset the cost of the replacement of Engine 1, and authorized staff to purchase an Engine/Rescue vehicle, and to sell the current Engine 1 and Rescue 1 vehicles.

### **Former CCC Camp: Asbestos Removal and Building Demolition**

The Town owns the space at 1953 Moscow Road, which is the former site of the CCC camps and Vermont Forest and Parks sign shop. The Fire Department has historically used the area for fire department training and storage. The buildings are in severe disrepair and have become unsightly. The Town budgeted \$6,000 in the FY22 General Fund Budget to be matched with \$6,000 from the Stowe Volunteer Firefighters Association to remove the buildings. However, an inspection has revealed that one

Selectboard Meeting 7/26/21

of the buildings contains asbestos which must be removed and disposed of by a qualified contractor prior to the removal of the buildings. This significantly increases the cost of the project, and Stowe Volunteer Firefighters Association has offered to fund the difference in the cost of the project by donation, up to \$39,000. This amount, combined with the Town's \$6,000, brings the total cost of the project up to an estimated \$45,000.

It was discussed that this donation is without any expectations, however there is a second stage of the project planned to include a berm and landscaping with trees. Eventually the fire department would like to utilize the space for a training facility, but no firm plans are in place for that. This is currently the only training space that the Fire Department has.

On a motion by Mr. Nick Donza, seconded by Ms. Courtney, the Board accepted the donation of up to \$39,000 from the Stowe Volunteer Firefighters to fund the removal of asbestos and the demolition and disposal of the buildings, and authorize the Town to file for a zoning permit and sole source contracting for the removal of the asbestos.

### **Manager's Report**

Mr. Safford updated the Board that as of 7/27/21, the Akeley Memorial Building would resume office hours of 8:00am to 4:30pm Monday through Friday. Due to demand and in order to serve people effectively, staff will continue to encourage appointments in Planning & Zoning, Public Works and for service that takes a substantial amount of time to process in the Town Clerk's Office (e.g. passports, marriage licenses). The Town Manager's Office will continue to maintain an open-door policy.

Public Works Director Harry Shepard provided an update on the Town's paving project, noting that paving of a base layer on West Hill is anticipated to start tomorrow, 7/27/21 and continue for two days. After that there will be overlay paving on Mayo Farm Road and Weeks Hill Road, which is anticipated to last one week, weather dependent. On Stagecoach Road, work continues with the foundations of the new bridge completed and backfilling being done now. The bridge beams are scheduled to be delivered on 8/4/21.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board appointed Michael Lemaire to the Cemetery Commission to fill a vacant term which will expire 4/30/2023.

There being no further business, Chair Adams adjourned the meeting at 6:27pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday August 9, 2021**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes  
In Person attendees: Marina Meerburg, Catherine Crawley, Rick Weinstein, George Gay, Sarah Henshaw, Emily Rosenbaum, Harry Shepard, Don Hull

**Call to Order**

Chair Billy Adams called the meeting to order at 5:34pm.

**Approve the Agenda**

On a motion by Ms. Lisa Hagerty, seconded by Mr. Willie Noyes, the Board approved the agenda as presented, with one additional item added to the Liquor Consent Items.

**Consent Agenda**

1. Minutes of 7/26/21 Meeting
2. NENSA Invitational Special Event Application
3. Liquor Consent Items

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Noyes, the Board approved the Consent Agenda with the one additional item on the Liquor Consent Items.

**Personnel Policy Update Discussion – Stowe Personnel Attorney**

Chair Adams opened the discussion by introducing Kerin Stackpole, Stowe's Personnel Attorney, and noting that the discussion would be related to public employment law and Stowe's Personnel Policies, particularly pertaining to sexual misconduct. He noted that this was not a time to discuss any specific personnel matters.

Ms. Stackpole began by noting that there are employment laws, and there are labor laws, which protect those covered by union contracts. Currently the Town of Stowe has a union agreement with the Stowe Police Association and with the International Brotherhood of Electrical Workers (IBEW). Ms. Stackpole said that the current agreements and personnel policy in place in Stowe are pretty good. She explained "just cause" as specific rules that require fair, impartial investigation, fair application of rules, consideration of mitigating factors and appropriate fair punishment.

She also explained that there are different laws pertaining to employee misconduct with another employee, versus employee misconduct with the public. She explained that sexual harassment laws pertain to unwelcome harassment in the workplace, but that other misconduct with the public would -may be subject to other regulations. The Board discussed what could be done to change policies to give victims more confidence in reporting. Ms. Stackpole encouraged education, training and setting a tone on what is and is not acceptable behavior, and also mentioned some places have anonymous reporting services and engaging external investigations. She also noted that during investigations it is common to look at the credibility of both sides of the claim and any potential witnesses but encouraged a culture of listening and thoroughly investigating all claims. Additionally, Ms. Stackpole explained that employees, even those accused of misconduct, do have rights for due process and when investigating allegations, it is required that their entire performance record be looked at, along with the circumstances and any mitigating factors. Ms. Emily Rosenbaum spoke to the extreme emotional toll felt by survivors who are asked to relive their trauma in order to come forward. Mr. Safford noted that he appreciated the courage it took to come forward and that the Town would take any reports seriously and give it a thorough investigation, and that he understood the importance of making sure the victims felt safe.

Mr. Noyes asked if it would be appropriate to consider an HR position for the Town, which Ms. Stackpole indicated would not be uncommon in a town our size to assist the Town Manager with training, resources and recommendations for best practices.

Mr. Donza asked Ms. Stackpole to explain the role the Selectboard holds in the hiring and firing of employees. Ms. Stackpole explained that the Town of Stowe charter is set up with the Town Manager form of government, which gives the Town Manager the -day-to-day operations of the town- policies and ordinances in accordance with policies adopted by the Selectboard. The Selectboard maintains a contract with the Town Manager, but all other employees are not under contract and follow either a union agreement or the Town of Stowe Personnel Policies. Mr. Safford indicated that when hiring Department Heads - the Town Charter requires him to notify the Selectboard seven days' notice with ability to override the decision. If they do so, the Manager shall submit an alternative choice. The Selectboard discussed if Department Heads should be put under employment contracts which would require Selectboard ratification. Ms. Stackpole indicated that individual contracts is not common but could be done. Employment contracts offer some - control, but also may inhibit recruitment and retention, lack the flexibility of the Town Manager to build a team as they see fit, and may not be well received by current employees. Ms. Stackpole indicated that it is not recommended for elected officials to get involved in personnel decisions, rather they can hold the Town Manager accountable for managing the personnel. The Board discussed "at will" employment. Ms. Stackpole indicated under union contracts and covered by specific state laws (i.e. Police) have specific rights including just cause termination and progressive discipline. Even those employees falling outside of union agreements may have employment rights established through policy which diminishes the ability to terminate the ability to terminate employee" at will," such as progressive discipline. Mr. Safford indicated this provides some protection from arbitrary termination which helps attract and maintain a qualified workforce. Ms. Sarah Henshaw asked about a Zero Tolerance policy for sexual misconduct, which Ms. Stackpole indicated would be challenging to have with just cause termination as that requires an investigation to include mitigating factors and would be difficult to get a union to agree to. Ms. Marina Meerburg asked if a separate policy could be created for Department Heads (who are not covered by a union) to set an example for other employees and include zero tolerance for sexual harassment and misconduct. Ms. Stackpole encouraged trainings and setting an expectation of accountability relating to all sexual misconduct.

Ms. Hagerty asked if a statement such as "Sexual activity of any kind is prohibited while on duty" could be added to Town policies and Ms. Stackpole agreed they could be included as part of standards for workplace behavior.

Mr. George Gay asked if employees could be reassigned to other positions within the Town if there are allegations of misconduct, which Mr. Safford indicated -it is possible to reassign employees. Mr. Gay also asked if legally the Selectboard was excluded from personnel decisions, which Ms. Stackpole indicated that having the Selectboard get involved with personnel decisions would be inconsistent with the Town of Stowe Charter, the labor union contracts, and against best practices, which would be a legal vulnerability. She also indicated one of the roles of the Selectboard is to serve as a judiciary board for employees to appeal to if they disagree with a personnel decision made by the Town Manager, and if they were to get involved in personnel decisions that could impact their ability to stay neutral. Finally, Mr. Gay asked if the position of Fire Chief was one the Selectboard could choose to abolish, which Ms. Stackpole said would require further investigation to determine.

Police Chief Hull spoke to the General Orders which govern Police staff and noted that they are often above and beyond other policies in the Town. He explained these evolve constantly with best practices, and require new training whenever updates are made. He explained in recent years policies have been put in place that require a duty to report if another officer suspects misconduct, and that failure to report can make the officer liable. These policies were not in place 10 years ago and cannot be retroactively applied, however they do indicate a culture and expectation shift in recent years towards more accountability. He also noted that officers are now required to wear body cameras during any interaction with the public and

Selectboard Meeting 8/9/21

that they staff two officers on the night shift with supervisors available at least some of the shift to give more checks - on the officers activity. He said the Town currently doesn't have tracking devices on police cruisers, but he is looking into that.

Overall, Ms. Stackpole indicated that she felt the Town policies had good structure, but there was always room for improvement and should be re-evaluated every few years. Chair Adams stated that the Selectboard owed it to the Community to look at the current policies and work to address any issues and make changes to them as appropriate, understanding the parameters in which the Town must work. He asked Ms. Stackpole to evaluate the Town policies and make recommended changes and bring them back to the Board for consideration.

#### **Manager's Report**

There was nothing on the Manager's Report to discuss.

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board went into executive session to discuss personnel at 8:00pm to include Town Attorney Kerin Stackpole via Zoom.

The Board came out of executive session at 9:36pm

There being no further business, Chair Adams adjourned the meeting at 9:37pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday September 13, 2021**

Present:

Selectboard Members: Lisa Hagerty, William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes

In Person attendees: Dan Snyder, Patti Rubin, David Bailey, Mila Lonetto, Emily Rosenbaum, Paul Sakash, Arnold Ziegel, Cory Stett, Alan Goldman, Jim Lovinsky, Brenda Lazarovich, Patricia Graner, Tom Jackman, Harry Shepard, Brian Richardson

There were 24 participants on Zoom.

**Call to Order**

Chair Billy Adams called the meeting to order at 5:33pm.

**Approve the Agenda**

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Willie Noyes, the Board approved the agenda as presented.

**Consent Agenda**

- A. Minutes of 8/9/21 Meeting
- B. Deputy Health Officer Appointment
- C. Special Event Applications
  - 1. British Invasion Block Party Retroactive Approval
  - 2. Vermont Pumpkin Chuckin' Festival
  - 3. 2<sup>nd</sup> Annual Indigenous People's Day Rocks
  - 4. Trapp Mountain Marathon
  - 5. The Current Open House: ART NOW
- D. Grand List Errors & Omissions
- E. Rt 108 Water Main Crossing Bid Award
- F. 49 & 57 Depot Street Storm Easement Acceptance
- G. 4656 Mountain Road Water & Sewer Allocation
- H. 1520 Luce Hill Road Water Allocation
- I. Spruce Peak Realty – Allocation and Re-Allocation
- J. Liquor Consent Items

On a motion by Ms. Lisa Hagerty, seconded by Mr. Noyes, the Board approved the Consent Agenda as presented.

**Tom Jackman Proclamation**

Chair Adams read a proclamation honoring Tom Jackman and his service to the Town of Stowe. Among the accomplishments Chair Adams noted were 19 years of service as Stowe's Planning Director, winning the Vermont Planners Association Plan of the Year Award, serving as liaison and staff support on numerous boards & commissions, creating management plans and development of recreational trail systems through many Town lands, and establishing Stowe a Designated Downtown and Village Center Designation for Stowe's Lower Village. Chair Adams named Mr. Jackman as Stowe Town Planner emeritus as part of the proclamation. He then presented Mr. Jackman with a signed copy of the proclamation. Mr. Jackman thanked the Town for the many opportunities and amazing experiences he had during his tenure with the Town.

**Ed Billings Proclamation**

Chair Adams read a proclamation honoring Ed Billings, who will be celebrating his 100<sup>th</sup> birthday on September 15<sup>th</sup>, 2021. Chair Adams noted that Mr. Billings was an accomplished Merchant Marine,

house constructor and long-time member of the Stowe Ski Patrol, as well as being a music and visual artist. Chair Adams named Mr. Billings a treasure to this community for his exemplary life well lived and its indelible impact on the Stowe community. Mr. Billings attended the meeting via Zoom and thanked the Board, noting that Stowe was a wonderful place to live.

### **Highway Superintendent Introduction**

Public Works Director Harry Shepard introduced the Board and Audience to Brian Richardson, who has been hired as the Highway Superintendent following Steve Bonneau's retirement. Mr. Richardson has an associates degree in Architecture Engineering from Vermont Technical College and has over 25 years of experience in heavy civil construction, including most recently as project manager on the Stagecoach Road bridge. Public Works has worked with Mr. Richardson on a number of projects in town and are pleased to have him on board as a known entity.

### **VCDP Grant Application Affordable Housing 605-635 Maple Street Public Hearing**

Jim Lovinsky, Executive Director of Lamoille Housing Partnership, has requested that the Stowe Selectboard apply to the Vermont Community Development Program for a grant of \$500,000 to help fund the acquisition and partial rehabilitation on housing at 605-635 Maple Street to be used for 11 units of affordable housing in Stowe. There will also be three units rented at market rate, for a total of 14 units. Mr. Lovinsky provided a PowerPoint presentation that outlining the project and the need for affordable housing. The project has received DRB approval and is currently under construction. The presentation noted that the costs of the project include \$1.34M for land and building acquisition, \$3.6M for new construction and renovation, \$300,000 for engineering, permitting, studies and other fees, and \$400,000 for legal and other development costs for a total project cost of \$5.64M. Funding will come from Low Income Tax Credit Equity Investment, Vermont Housing & Conservation Board, the subject grant, and other permanent loans. If awarded the grant, the Town of Stowe would subgrant the money to LHP, who would then be responsible for the ongoing reporting and grant writing. The Selectboard was presented with a number of letters of support from individuals and business owners in Town, many speaking to the need for affordable, workforce housing in Stowe. It was noted that the project includes cutting edge energy efficiencies and HVAC systems for health and safety. The Board discussed concerns about the cost of the project, noting the high cost per unit. Mr. Lovinsky explained that keeping the units affordable in perpetuity and meeting the standards required to qualify for federal and state funding make the project more expensive than a traditional private development project. He also noted that part of the requirements of the project is that they have an appraisal done to assure they are not overpaying for the project. Chair Adams brought up there was some market rate units. Mr. Lovinsky said it was to help support the project financially and to provide a mix of household incomes within the complex to avoid creating pockets of poverty. Residents of the nearby Hillcrest Condominiums expressed concerns about residents potentially cutting through their property, the impact on their home values having low income housing nearby, and attempts to create density in the future. Mr. Lovinsky stated that they would want to be good neighbors but did not commit to putting up a fence. He also indicated that historically their projects have not lowered property values in surrounding homes and that they don't have any plans at the present time to increase density. Chair Adams noted that any future buildings would need to obtain a zoning permit. Mila Lonetto, chair of the planning commission, read out the housing goals from the Stowe Town Plan, noting this project helps the town meet many of those goals.

On a motion by Ms. Hagerty, seconded by Ms. Sabel Courtney, the board approved the resolution for VCDP Grant Application authorizing up to a \$500,000 Grant Application to sub-grant to Lamoille County Housing Partnership to assist in an affordable housing project for 605-635 Maple Street.

Selectboard Meeting 8/9/21

### **Masks in Municipal Buildings & Vehicles**

Citing recent upticks in COVID cases in the State and County, including among those who have been vaccinated, Town Manager Charles Safford brought up the topic of resuming a mask requirement within municipal buildings and vehicles. The Board discussed when the mask mandate might be lifted, possibly when those under 12 are eligible for vaccination to protect those employees and visitors with young children but decided it would be a “know it when you see it” situation.

On a motion by Ms. Sabel Courtney, seconded by Mr. Nick Donza, the board moved to require masks in the presence of others (within 6 feet) for Town of Stowe buildings and vehicles that house municipal employees except when actively on the ice in the Stowe Arena.

### **Manager’s Report**

Mr. Safford provided the Selectboard with a number of updates, including:

VLCT Annual Meeting Representative – Mr. Safford serves on the VLCT Board of Directors, and in past years has served as the voting representative. He will continue to do so this year.

Fire Training – The National Association of State Fire Marshalls will be hosting their 31<sup>st</sup> annual fire prevention and safety symposium the week of September 14<sup>th</sup> at the Stoweflake Resort & Spa, and all are invited to attend a fire sprinkler demonstration on 9/14/21 at 11am.

ARPA Funding – The Town of Stowe will be receiving \$1,324,541.21 in ARPA funding from the federal government. It remains to be seen what eligible uses the Town may be able to use this fund for, but it appears the focus may be on utility infrastructure such as water, sewer, broadband and stormwater. The Town has until 12/31/2024 to obligate the funds and 12/31/2026 to expend them.

Vail Act 250 Filing – Vail has filed to do some hand cutting and maintenance on vegetation near the Nosedive Trail.

Wheels for Warmth – Stowe Rotary has requested to use the Mayo Events Field Parking Lot to collect tires for Wheels for Warmth on October 29<sup>th</sup> & 30<sup>th</sup>. The Town will grant this request.

2020 Census: The Stowe Reporter recently cited the U.S. Census conducted in 2020 which showed that Stowe population grew by nearly 1,000 residents from 4,314 in 2010 to 5,223 in 2020.

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board went into executive session to discuss personnel and contracts at 7:52pm.

The Board came out of executive session at 9:14pm

There being no further business, Chair Adams adjourned the meeting at 9:15pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday September 27, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes

In Person attendees: Allyson Scanlon, Paul Sakash, Larry Lackey, Becky Gonyea, Christina Nozan, Rachel Fisher, Stephen Friedman, Pat Ripley, Sarah Henshaw, Devon Williams, Rebecca Chase, Rob Foregger, Sarah Jacobsen, Dick Marron, Heidi Scheuermann, Josi Kytle

There were 22 participants on Zoom.

**Call to Order**

Chair Billy Adams called the meeting to order at 5:32pm. Chair Adams thanked everyone in attendance for complying with the new rules regarding wearing a face mask inside of all Town buildings.

**Approve the Agenda**

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Willie Noyes, the Board approved the agenda with the addition of a statement by Rachel Fisher to be read at the beginning of Business.

**Consent Agenda**

- A. Minutes of 9/13/21 Meeting
- B. Liquor Control Items
- C. Talta Lodge Fall Opening Celebration Special Event Application
- D. Committee Appointment

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board approved the Consent Agenda as presented.

**Rachel Fisher Statement**

Ms. Rachel Fisher read a statement to the Stowe Selectboard regarding her experience with Stowe Fire Chief Kyle Walker. She asked the Town to reverse its decision to retain Chief Walker. The Selectboard thanked her for coming in and speaking to her experience.

**Lamoille Economic Development Director Introduction**

Mr. Pat Ripley introduced himself as the new Executive Director of the Lamoille Economic Development Corporation. He noted that LEDC works to provide marketing assistance and revolving loan funds to Lamoille area businesses. He spoke to their current initiative to develop a list of priority projects within the County. He stated these could be both public and private projects.

**Halloween Maple Street, Sunset Street, Pleasant Street Road Closure**

Police Chief Hull has recommended the closure of Maple Street from its intersection with West Hill Road to Main Street, as well as Sunset Street, Pleasant Street and making School Street one-way traffic from Pond Street to Main Street from 5:00pm to 8:00pm on Sunday October 31<sup>st</sup> to allow for safe trick or treating activities. Traffic will be detoured using West Hill Road, Mayo Farm Road, Weeks Hill Road and Mountain Road during the closure. This is consistent with what has been done in past years, although the trick or treating was suspended last year due to COVID concerns. It was noted that it was a well received event for the Town, and provides a safe outdoor environment for the children. Signage and notices will be put out in advance to warn motorists of the closure.

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board approved the plan to close roads and detour traffic in accordance with Chief Hull's memo.

### **Stowe Elementary School Parade Request**

Stowe Elementary School Principal Nina Slade has requested the use of public roads and sidewalks for the Annual Halloween Parade to be held on Friday October 29<sup>th</sup> at 10:00am. In working with Chief Hull they have developed a route using Park Place to Depot Street to Pond Street, using Pond Street Sidewalk only. This modified route avoids closing Main Street, and will still allow for the community member and parents to enjoy the event. Chief Hull has indicated that he will have officers assisting with the closure and road crossings.

On a motion by Mr. Noyes, seconded by Mr. Nick Donza, the Board approved the Annual Stowe Elementary School Halloween Parade as requested.

### **Motor Vehicle Ordinance Amendment – Public Safety Facility No Parking**

The Public Safety Chiefs have requested a change to the Motor Vehicle Ordinance to read “no parking, excluding public safety staff/personnel and visitors to the Public Safety Facility (visitor parking in designated area).” This is in response to a growing number of motorists parking there for extended periods of time. Chief Hull indicated that when asked, some of the motorists have indicated that they are staying in Air BnBs with inadequate parking. Chief Hull also explained the need to have spaces for emergency personnel to park when responding to emergency calls, but said they would leave a small number of spaces designated with signage that indicated it is for visitors to the Public Safety Facility.

On a motion by Mr. Noyes, seconded by Ms. Courtney, the board moved to warn a public hearing on the Motor Vehicle Ordinance Amendment on October 12, 2021.

### **Stowe Electric Update**

Dick Marron, chair of the Stowe Electric Commission, presented on behalf of the Stowe Electric Department regarding plans for upgrades to two sub stations in Town. Mr. Marron noted that the SED Commission is planning to ask voters for approval for a \$3.4M bond on Town Meeting Day in 2022 to upgrade the Wilkins Substation, which currently serves Downtown Stowe. The substation currently has two circuits which are very close to capacity and does not have the capacity to backup the Houston and Lodge Substations when needed. The proposed upgrade would include a third circuit to allow capacity for future growth and backup capabilities. The estimated cost for this project would be \$3.29M, over a 30 year bond. It was noted that SED anticipates this upgrade will meet demand for approximately 15 years. Mr. Marron also spoke to updating the Houston Substation, which currently is not able to accept energy from Solar Arrays, and this limits approximately 40% of the SED customers from using solar as an option. Upgrading the Houston Substation is estimated to cost \$370,500.

The Board discussed if this bond would impact the Town’s debt ratio policy and ability to borrow funds in the future. Town Manager Mr. Charles Safford stated that there is no debt limit on general obligation bonds, and that the Town has by practice not included enterprise fund debt (Water, Sewer and Electric) in the overall debt ratio calculations. However he did note that this bond would be - backed by the taxpayers of the Town should SED default. -With this being said, SED has the option to raise rates to cover debt if approved by the Public Service Board so it is unlikely they would default. .

### **Lamoille FiberNet Communication Union District Update**

Stephen Friedman, Stowe’s appointed CUD representative on the Lamoille Fibernet Board, gave a presentation on the progress the CUD has made since Stowe voted to join. He noted that the mission of the CUD is to provide broadband service to all residents in the nine town members of the CUD with the minimum of 100mbps up and download speeds via fiber. He noted that funding in the form of grants to get the project started are available from the Vermont Broadband Board.

Rick Rothammer, President of Stowe Cable, also spoke on the progress they have made in their goal to provide fiber broadband to many residents of Stowe. He indicated they have expanded their coverage to include service on Stagecoach Road and all side roads, Upper Hollow Road, West Hill, Barnes Road, Tabor Hill Road, East Shaw Hill Road, Moscow Road, Edson Hill Road, Robinson Springs and other areas. Overall Mr. Rothammer reports they have provided 31 miles of new fiber, spending \$1.2M in new construction and met all goals for 2021 and started on 2022 from the list presented to the Selectboard previously.

Mr. Friedman also spoke to the biggest barrier in getting fiber service to residents, particularly those in Stowe, being the "Conduit Conundrum." He explained that many developments in Stowe utilize underground utilities, but that additional conduit is needed to run new fiber lines, both for Stowe Cable and CCI, the other major internet provider in Stowe, and that the cost and logistics for installing this conduit can be overwhelming and a barrier for some residents. Mr. Friedman noted that any ARPA funding that may become available to the CUD or Town could be put towards assisting in conduit placement, although that cost is typically borne by the recipient of the service, grants or other loans could be determined to help hurdle this financial barrier.

#### **Lower Bar 151 Main Street/Noise Associated with Outdoor Consumption Permit**

Sunset Street residents Rebecca Chase and Rob Foregger have requested to speak with the Stowe Selectboard regarding their concern for noise after 10pm which is generated by the Lower Bar, and the previous tenant in that space, Tap 25, when alcohol is consumed on the patio after 10pm. Currently the Lower Bar has an outdoor consumption permit allowing alcohol consumption on their outdoor patio until midnight. This is consistent with the outdoor consumption permit that Tap 25 had in place. Mr. Safford noted that Vermont State Law limits outdoor consumption permits to 2am, and that in order for the Selectboard to have authority to reduce those hours, -it appears they would need to put in place an entertainment or public nuisance ordinance through public hearing process. - Currently bars and restaurants in Stowe have a range of outdoor consumption permit hours from 8pm to 2am. It was discussed that currently there are no violations on record for the Lower Bar and there were two noise complaints against Tap 25 in the past. The residents were encouraged to call the police department when they have concerns about noise to allow the police to request that the patrons quiet down and to create a record of noise complaints. They can also file complaints with the Vermont Department of Liquor Control if they feel the outside consumption permit is being violated. The Selectboard indicated that they would look into a -entertainment or public nuisance ordinance that might allow some control over outside consumption permits in the future, likely prior to the spring annual license renewals for all bars and restaurants.

#### **Manager's Report**

Mr. Safford notified the Selectboard that Public Works has solicited a vendor for FY'22 salt in accordance with the Purchasing Policy using Compass Materials at a price of \$70.53/ton which is State negotiated pricing with a 1% increase over last year.

Mr. Safford reminded the Board that the next meeting would take place on Tuesday October 12<sup>th</sup> due to that Monday being Indigenous Peoples Day. He also noted the meeting may begin at 5pm to allow for interviews for an open position on the Historic Review Board.

There being no further business, Chair Adams adjourned the meeting at 7:38pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Tuesday October 12, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes, Lisa Hagerty  
In Person attendees: Paul Sakash, Emily Rosenbaum, Chris Leighton, Lisa Senecal, John Schnee,  
Elizabeth Busheuff, Bodo Liewehr, Shapleigh Smith, Sarah Ashe, Jennifer Robbins, Sam Schofield  
There were 11 participants on Zoom.

**Call to Order**

Chair Billy Adams called the meeting to order at 5:34pm. Chair Adams thanked everyone in attendance for complying with the new rules regarding wearing a face mask inside of all Town buildings.

**Approve the Agenda**

On a motion by Mr. Willie Noyes, seconded by Ms. Courtney, the Board approved the agenda with the removal of Consent Agenda item A-2.

**Consent Agenda**

- A. Minutes of 9/27/21 Meeting
- B. REMOVED
- C. Permanent Easement in Connection with West Hill Traffic Light
- D. Liquor Consent Items

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board approved the Consent Agenda as amended.

**Motor Vehicle Ordinance Amendment Public Hearing  
No Parking at Public Safety Facility**

The Public Safety Chiefs have requested a change to the Motor Vehicle Ordinance to read “no parking, excluding public safety staff/personnel and visitors to the Public Safety Facility (visitor parking in designated area).” This is in response to a growing number of motorists parking there for extended periods of time. There will be a small number of spaces designated with signage that indicate it is for visitors to the Public Safety Facility.

On a motion by Mr. Noyes, seconded by Ms. Lisa Hagerty, the board approved the Stowe Motor Vehicle Ordinance as amended.

**Temporary Gondola Display in front Akeley Building**

Jeff Wise of Stowe Mountain Resort has requested that the Town of Stowe display one of SMR’s red, eight-person gondola cabins on lawn in front of the Akeley Memorial Building. This will serve to enhance the connection between the Town and SMR, as well as promote use of Public Transportation, as it will be located adjacent to the current bus stop. They anticipate it will be a visual cue for those looking for the bus stop, and can be used in messaging to direct people to the bus stop. The gondola will be left open with information inside with QR codes with shuttle and resort information. The display will be installed from approximately November 15<sup>th</sup> 2021 to April 15<sup>th</sup> 2022. Stowe Area Association has supplied a letter of support for this project. It was discussed that the gondola will be located where the bench in front of the Akeley Memorial Building currently sits, and that the Highway department will maintain access to the gondola as part of their snow removal. The Board discussed this as a good step towards promoting ridership of the bus and may want to look at promoting other stops along the bus route as well.

On a motion by Mr. Noyes, seconded by Mr. Nick Donza, the Board approved the gondola display as requested with the condition that it will be installed and structurally supported to the satisfaction of the Public Works Director.

### **Citizen Request to Make Main Street and other Public Streets One-Way**

Alec Graham, a Stowe citizen, has submitted a request to the Selectboard to consider making Main Street one-way northbound, with southbound traffic being routed onto West Hill to its intersection with Mayo Farm Road, Mayo Farm Road, Weeks Hill from its intersection with Mayo Farm Road to Route 108 and Route 108 from its intersection with Weeks Hill Road to Main Street. All of those roads would also be designated as one-way only. The intent would be to reduce traffic on Main Street and create a new bike lane on Main Street, West Hill Road and Mayo Farm Road. It was advised that Main Street and Route 108 while Class 1 Town Highway, are shared ownership with VTrans, who would have to agree with this proposal. A formal traffic study would also be required before advancing this and would likely be a capital project. Mr. Safford cautioned the Board on asking too much of VTrans and Town Staff when there are already a number of priority projects in the works, including the West Hill traffic light, improvements of the Luce Hill Road intersection and the Moscow Road intersection. The Board thanked Mr. Graham for his creative thinking but acknowledged that staff resources and budget constraints make this a difficult project to advance. The Board did talk about overall traffic strains in town and the need for a traffic study for the Town and asked Mr. Safford to reach out to VTrans to keep that study on their radar. Emily Rosenbaum also suggested look at transportation planning grants and utilization of empty parking lots, such as school lots on the weekend and religious buildings.

### **Manager's Report**

Mr. Safford provided the Selectboard with the FY23 Budget adoption schedule, which would have the initial budget presentation to the Board take place on Monday December 27<sup>th</sup>. Mr. Safford also included the Vermont Department of Environmental Conservation Authorization to Discharge Under Municipal Roads General Permit. This is permit requires the Town of Stowe to demonstrate that all hydrologically connected municipal roads meet standards by 12/31/36. Public Works Director Harry Shepard noted that the Town has 49.5 miles of hydrologically connected roads and that in the last three years has upgraded 5 miles of roads to meet standards. To comply with the 2036 deadline, he indicated that the Town would need to double that pace through additional funding and staffing. There is also a balance to be had with the large number of narrow scenic roads in Stowe while trying to accomplish storm water requirements. At this time, it is unclear what the penalty will be for failing to comply with the State deadlines. Mr. Shepard also noted that the Bouchard Road Culvert replacement project is currently ongoing.

Emily Rosenbaum raised a question regarding the removal of consent agenda item related to the appointment of Kyle Walker to the Regional Emergency Management Committee. Mr. Safford explained that the appointment is ministerial within the authority of the Town Manager. He noted that as Emergency Management Director, Mr. Walker should be appointed to the committee as it is focused on emergency planning exercises and not engaging with the general public. Ms. Rosenbaum and others expressed concern that Mr. Walker should not be appointed to represent the Town in any further capacity.

On a motion by Ms. Courtney, seconded by Mr. Donza, the Board went into Executive Session at 6:34pm to discuss Personnel and Contracts. They invited Sam Schofield, Historic Preservation Chair, to join the beginning of the session.

The Board came out of Executive Session at 7:28pm.

Selectboard Meeting 10/12/21

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board appointed Jennifer Guazzoni to the Historic Preservation Commission for a term to expire April 30, 2022, appointed Tyson Bry to the Historic Preservation Commission for a term to expire April 30, 2023, and appointed Shapleigh Smith to the Historic Preservation Commission for a term to expire April 30, 2024.

There being no further business, Chair Adams adjourned the meeting at 7:38pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday October 25, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes, Lisa Hagerty  
In Person attendees: Paul Sakash, Emily Rosenbaum, Becky Gonyea, Sarah Henshaw, Harry Shepard  
Kerin Stackpole and seven other attendees participated via Zoom.

**Call to Order**

Chair Billy Adams called the meeting to order at 5:30pm.

**Approve the Agenda**

On a motion by Mr. Willie Noyes, seconded by Ms. Jo Sabel Courtney, the Board approved the agenda as presented.

**Consent Agenda**

1. Minutes of 10/12/21 Meeting
2. Consecutive Water System Agreement 3148 Mountain Road
3. LCPC Municipal Planning Grant – Childcare Study
4. SED Line of Credit

On a motion by Ms. Lisa Hagerty, seconded by Mr. Noyes, the Board approved the Consent Agenda as presented.

**Personnel Policy & Sexual Harassment Policy Amendments**

After receiving feedback from the Selectboard and members of the public, the Stowe Personnel Attorney, Kerin Stackpole, presented a number of changes to the Town's Personnel Policy and Sexual Harassment Policy.

One of the main points added to both policies was to clarify that the behaviors that are deemed unacceptable in these policies extend to the treatment of those in the public, and not just other employees. Ms. Stackpole noted that unionized employees have "just cause termination" protections that make "zero tolerance" policies difficult to put in place, but that these policies go a long way in giving the Town tools for Just Cause termination as they outline a clear expectation of behavior, consequences for breaking policy, and require fair and consistent application and investigation. Just Cause also requires that employers look at mitigating factors such as work history and patterns of behavior, as well as requiring that you demonstrate that the punishment fits the infraction, which is made clear in the policies as presented.

Ms. Stackpole noted that in the Personnel Rules and in the Sexual Harassment Policy they added language that states "Any employee who engages in conduct that is egregious in nature or that has the effect of undermining public trust or risks injury to members of the public, may be subject to immediate termination." Also in the Personnel Rules it states "The Town is committed to ensuring that Town employees do not engage in any unlawful harassment towards members of the public." The Board discussed the meaning of "egregious" and how it could be up for interpretation, and the term "unlawful" as that can mean but criminally or civilly unlawful.

In the Sexual Harassment Policy, Ms. Stackpole added examples and followed current law language, and included verbiage including "the Town also prohibits employees from engaging in any conduct noted above when dealing with any member(s) of the public while such employees are acting in their capacity as a Town employee." Previously the policy mostly focused on harassment towards other employees of the Town. Ms. Stackpole also expanded the anti-retaliation language and clarified that any employee, volunteer or member of the public can submit complaints directly to Charles Safford, Town Manager for

a prompt investigation, by a third party if necessary. If the complaint is about Mr. Safford, then the complaint can be filed with the chair of the Selectboard with the Town Attorney completing the investigation. It is also noted that if an investigation finds the accusation is unsubstantiated, no disciplinary action will be taken, and if the accusation is blatantly false and malicious, the accuser may be disciplined. She also noted that investigative materials are not part of public records. Ms. Becky Gonyea of the Clarina Howard Nichols Center spoke to this subject with concern that the Town is obligated to make sure the independent investigations are done appropriately and accurately.

The Selectboard discussed the requested addition of “no sexual activity while on the job” which Ms. Stackpole said would be considered a dereliction of duty, but did say could be added as an example in the Personnel Policy Article 8 section A.

The Board also discussed how these policies will be presented and framed to the employees, with Mr. Safford noting that once approved, they would be distributed to the Department Heads, and then to all employees, volunteers and public officials, who would be required to sign off on the policy and return them. The Town would also complete trainings to allow people to ask questions, get clarification and real world examples. This would make it explicitly clear to all employees, volunteers and public officials that they are on notice of what the expectations for behavior are. It was suggested that the Selectboard or Town Manager also put out a statement about these revised policies and the expectations and culture they are building. Ms. Henshaw asked that the Town outline a regular training program, which Mr. Safford indicated he would do if given the funding, staffing and resources to focus on HR topics such as this in upcoming budgets.

Members of the public discussed the language in the Personnel Rules Article 8 Section A which states that the disciplinary procedures do not apply to “at will” employees. It was suggested that this language may be confusing as it is meant to imply that the progressive discipline outlined is not applicable to “at will” employees rather than inferring they are not subject to termination and/or discipline. Ms. Stackpole agreed to look at that language for future drafts.

Ms. Emily Rosenbaum asked that the Town consider adding language referring to abuse of power. Ms. Stackpole noted that it does currently cover Quid Pro Quo as an abuse of authority, but that only covers authority over other employees in the workplace and that language could be added to include members of the general public as well.

Chair Adams concluded the conversation, noting that further work would be done to take the comments and concerns from the discussion and incorporate them as appropriate into the policies before they were ready for approval. He thanked Ms. Stackpole for her time.

### **Manager’s Report**

Mr. Safford noted that the Mount Mansfield Colocation Corporation RFR Monitoring Report had been released that found that RF field measurements indicate that levels in generally accessible areas near the towers on Mount Mansfield are below established Federal guidelines for RF exposure to the public.

He also included a draft budget submitted by the Lamoille FiberNet CUD.

Ms. Rosenbaum spoke to concerns that citizens are not reaching out to Town officials due to fear of being included in future Freedom of Information Act requests that may put their words in the newspaper or otherwise made public. She asked the Selectboard to consider ways the public can address concerns to them confidentially. The Board stated that they are open to phone calls from the public, and requested that their phone numbers be posted on the website for the public to find.

Ms. Gonyea spoke to the appointment by the State of Vermont Department of Health making Kyle Walker the Town of Stowe Health Officer. She stated that the DoH indicated they would go by the

Selectboard Meeting 10/25/21

recommendation of the Stowe Selectboard, and she asked the Selectboard to consider revoking that recommendation for appointment.

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board went into Executive Session at 8:01pm to discuss Personnel. They invited Kerin Stackpole, Personnel Attorney, to participate via Zoom.

The Board came out of Executive Session at 9:18pm.

There being no further business, Chair Adams adjourned the meeting at 9:20pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday November 8, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes

In Person attendees: Paul Sakash, Carrie Simmons, Dan Snyder, Frank Lota, Sharon Harper, Bruce Nourjian, Cap Chenowith, Walt Frame, McKee Macdonald, Kj Soper, Larry Lackey, Mark Frier, Sam Von Trapp.

**Call to Order**

Chair Billy Adams called the meeting to order at 5:30pm.

**Approve the Agenda**

On a motion by Mr. Willie Noyes, seconded by Ms. Jo Sabel Courtney, the Board approved the agenda with the addition of one consent item.

**Consent Agenda**

1. Minutes of 10/25/21 Meeting
2. Annual Snowmobile Public Records Request
3. Municipal Planning Grant – Zoning By-law Review Pertaining to Housing
4. Special Event Application – Traditional Christmas in Stowe
5. Water/Sewer Telemetry Upgrades and Bid Waiver
6. Liquor Consent Item
7. Veterans Day Coffee & Donuts

On a motion by Ms. Courtney, seconded by Mr. Noyes, the Board approved the Consent Agenda with the additional item A-7,. Veterans Day Coffee & Donuts.

**Stowe Land Trust – Capital Contribution Request (Ricketson Farm Conservation)**

Kristin Sharpless, Stowe Land Trust Executive Director, has submitted a letter asking for a \$200,000 capital contribution towards the Ricketson Farm Conservation Project. This is a 217-acre farm with prime agricultural soils located on the gateway to Stowe from the north. Ms. Sharpless noted that this project will “guarantee that the farmland will not be developed and will remain available for farming.” She did note that there is an option for a one-time subdivision that would allow for two farm parcels with two homesteads, with both parcels subject to the conservation easement. Under the easement the farm owner(s) can renovate, replace and rebuild any buildings and construct other structures that support the farm. Ms. Sharpless stated that the conservation easement also allows for an affordability option that ensures the land remains affordable for farmers to live and work on the land.

Ms. Sharpless explained that this is a \$2.5M conservation project, with Mr. Ricketson making a significant donation through a bargain sale on the land development rights. The Vermont Housing and Conservation Board has committed \$1,063,000 in State and Federal funding and is considering a request for an additional \$200,000. This represents the largest investment in farming conservation that the Board has made. SLT has currently raised over \$600,000 in private donations and is hoping to raise another \$240,000 by March 1<sup>st</sup>, 2022, with an anonymous donor matching \$200,000 of that. The remaining \$200,000 SLT is asking the Town to present to the Voters as part of the FY23 Capital Budget. It was noted that if SLT fails to raise the funds, the land could be sold off as an estate or subdivided.

Mr. Noyes asked Ms. Sharpless if they had considered affordable housing on some of the land as it is a very pressing issue in the Town. Ms. Sharpless said that they were aware of the need, however at this time the Ricketson family is only interested in selling the development rights, not the actual land. She did note that SLT had conversations with Lamoille Housing Partnership regarding affordable housing and noted that this location doesn't meet their criteria of having accessible water/sewer, transportation and

schools in walking distance. Ms. Sharpless said that SLT would love to partner with LHP in the future if possible.

It was discussed that it is highly unlikely future farmers would be able to use the land for dairy farming, but that the conservation easement would allow for any types of agricultural activities without restrictions and could include hemp/CBD or other Vermont farming products. It was noted that it was important to stay flexible and allow the farmer/tenant to plan for what the land best supports. - SLT could act as a potential matchmaker with any potential buyers, but the Ricketson family retains the rights to sell the land to any agricultural users they choose. It was noted that solar is limited to roof panels and 1% of the total land area, so a solar array would not be allowed. Wind -towers are allowed with some restrictions. It was discussed that the land is currently assessed at a \$847,800 less the Farmer's Contract discount of \$598,800 leaves the taxable value of \$287,500. A conservation easement might result in a small reduction in municipal property taxes.

-The Selectboard agreed to having the Town Manager include the \$200,000 in the proposed capital budget to be further considered during upcoming budget deliberations.

### **Stowe Area Association Appropriation Request**

Carrie Simmons, Executive Director of Stowe Area Association, has submitted a request from the SAA to increase their appropriation from \$20,000 to a formula where they would receive 50% of the increase in 1% Local Option Taxes (LOT) from rooms, meals and alcohol taxes using 2017 as a base year. Assuming a 5% increase each fiscal year, the projected transfer to SAA would be \$97,782 in 2022 increasing to \$180,966 by 2025. Currently funds from the 1% LOT are used for long term debt payments with the remainder put towards capital projects which are one-time projects over \$10,000.

Mr. Safford noted that the Town can only budget for FY23 and forward and cannot bind future Selectboards so the funding cannot be considered in perpetuity but rather approved annually. Finally, Mr. Safford noted that the appropriation -should be based -on actual receipts rather than projected receipts but from a fixed number may be more realistic to use from a practical standpoint for budgeting purposes. It was noted that this request would include the elimination of the \$20,000 appropriation and the \$20,000 given to SAA to support their public restrooms.

Ms. Simmons presented that SAA is a key driver for tourism which is the cornerstone of the local economy. Currently the SAA has an overall budget of \$700,000 of which \$160,000 goes towards running the visitors center and \$300,000 towards the GoStowe.com website. Currently, SAA is a dues-based organization where local businesses pay in to join, and currently only promotes those member businesses, although they market Stowe as a whole brand. It was noted that most organizations similar to SAA in tourist destinations receive funding through LOT. The Selectboard also asked how the current membership model would change with the proposed funding structure to be more inclusive of all businesses. It was explained that the funding from the Town would offset dues prices making it more affordable for businesses in hopes more will join.

Mr. Larry Lackey reminded the Board that while this proposal supports SAA, it diverts revenue from the Capital Fund, which will mean the Town can either take on fewer capital projects or will have to put the burden back on the property taxpayers. Mr. Walter Frame, Board member of SAA, urged the Town not to think of it as either/or but rather that some capital projects can still occur while supporting SAA. Chair Adams addressed the growing demands on the Town and the struggle to meet those demands without raising property taxes by a large amount. ARPA funding was brought up, but Mr. Safford noted that the Town is still trying to understand what that federal funding can be used for, but that it looks like the focus will be water/sewer and broadband internet and perhaps green projects but the use of it is not open ended. The Board agreed to continue to consider the proposal when putting together its FY23 budget but did not commit to any set amount or structure.

### **Stowe Energy Committee – Electric Riding Mower Proposal**

The Stowe Energy Committee has submitted a proposal to the Town to amend the Equipment Fund to replace the 72” riding mowers scheduled to be replaced in FY25 to be replaced with electric technology. It was noted that the electric mowers are quieter, emissions free, and can hold a charge for up to 8 hours. They also have fewer maintenance costs and do not require oil changes. The current gas-powered mowers that are scheduled to be replaced at a cost of \$14,000 per unit would be replaced with electric mowers at a cost of \$35,000, however there may be some rebates available. It was noted that the return on investment is only 7 years due to the rising cost of gas and savings with electric power. - It was noted that the power capacity at the Parks Garage might have to be upgraded to support overnight charging of the four machines along with charging stations.

The Board was supportive of the idea and Mr. Safford would modify the Equipment Fund to reflect the cost of electric mowers to be considered as part of the FY’23 budget process.

### **Manager’s Report**

Mr. Safford noted a number of openings for full time staff and volunteer opportunities on Town Boards & Commissions. He encouraged the Board to encourage anyone they knew who might be interested to apply, as often word of mouth is the best way to find the right candidates.

Sam Von Trapp requested to speak in support of Kyle Walker, Fire Chief. He addressed concerns that a number of supporters do not feel they can speak up due to concerns of backlash and urged the Selectboard to gauge the feelings of the entire community and hear all voices.

On a motion by Mr. Noyes, seconded by Ms. Courtney, the Board went into Executive Session at 7:42pm to discuss Contracts.

The Board came out of Executive Session at 8:22pm.

There being no further business, Chair Adams adjourned the meeting at 8:24pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday November 22, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes, Lisa Hagerty

In Person attendees: Paul Sakash, Beth Oleks, Chris Oleks, CJ Grimes, Art Shinnors, Lynne Rogers, Dave Rogers, Ash Carr, Eli Hayward, Dan Snyder, Meghan Rodier, Katie Nichols, Walt Frame, Mary Skelton Altadonna, Marjorie Ward

There were 32 participants on Zoom.

**Call to Order**

Chair Billy Adams called the meeting to order at 5:30pm.

**Approve the Agenda**

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Willie Noyes, the Board approved the agenda with the addition of one liquor consent item to the Consent Agenda

**Consent Agenda**

1. Minutes of 11/8/21 Meeting
2. Banner Policy Amendments
3. 539 Thomas Lane Water/Sewer Allocation
4. Liquor Consent Item

On a motion by Ms. Lisa Hagerty, seconded by Ms. Courtney, the Board approved the Consent Agenda with the additional item A-4, Liquor Consent Item.

**Local Hazard Mitigation Plan Public Comment**

Meghan Rodier from Lamoille County Planning Commission was present to discuss the Stowe Local Hazard Mitigation Plan Draft which is up for public comment. The purpose of the plan is to identify local hazards that are a threat to the community and outline mitigation actions to reduce vulnerability to threats, including natural and man-made disasters. The Town is required to maintain an updated Hazard Mitigation Plan as part of the requirements for Emergency Relief Assistance Funds and other grants. Chair Adams noted that a number of the other plans noted in this plan, including the Stowe Mountain Emergency Action Plan and Emergency Manual, have not been updated since 2014. Ms. Rodier noted that there are no mandates for private organizations to update emergency plans, but it is strongly recommended. Ms. Rodier noted that LCPC will be accepting public comment until 12/10, when it will be submitted to FEMA and VEM for their approval and sent back to the Selectboard for final adoption.

**Recreation Commission Priorities**

Lynn Altadonna, Chair of the Recreation Commission, and Matt Frazee, Parks & Recreation Director, presented to the Board the Recreation Commission's priorities for upcoming projects. The main priorities they discussed are replacement of the Tennis Courts in Memorial Park and replacement of the David Gale Recreation Center. It is recognized that Stormwater permit requirements need to be fully understood for the Memorial Park area before any major replacements can be undertaken. However, Mr. Altadonna and Mr. Frazee explained that the current tennis court surface is broken making the courts difficult to use and -may become unsafe and need to be closed for use if not repaired or replaced. There are some existing funds that were allocated in the capital fund for repairs to the courts that may help to hold them, but - they are recommending full replacement as soon as possible, including the replacement of one tennis court with four pickleball courts, as that is a fast-growing sport in Stowe for all ages. The remaining tennis court would also be able to be converted into four temporary pickleball courts.

The David Gale Recreation Center was built in the 1970s and while it has served many generations of children in Stowe, it is now past the life expectancy of the building and the program space needs have outgrown the space. The Recreation Commission is recommending a complete replacement of the Gale Rec Center with a 5,000 square foot building that would meet ADA codes and other current building codes, have room to house the summer camp program with 120 kids, five office staff and have storage and conference room space. They also recommended a permanent outdoor pavilion to provide outside shade and space for the summer camp children and replace the current temporary tent that is set up for summer. A new space would be more desirable for programming and would give the community more options for using the space.

In addition to the courts and recreation center, the Recreation Commission presented other mid- to long-term goals including a skate park/pump park, relocation of the Cape Cod Road/Route 108 Recreation Path crossings and looking at improvements to the fields on Mayo Farm.

The first step in the process will be to update the Memorial Park Master Plan, to look at Stormwater requirements, other limitations of the site, and get cost estimates for what may be feasible in that area. The Recreation Commission is requesting the Town budget for this master plan in the FY23 Capital Plan.

### **Outside Consumption Ordinance First Reading**

After receiving citizen complaints about noise from businesses related to their outside consumption of alcohol permit, the Selectboard indicated it would look into an ordinance that might allow some control over outside consumption permits in the future, prior to the spring annual license renewals for bars and restaurants. Town Manager Charles Safford prepared and presented a draft Outside Consumption Ordinance that would limit outdoor consumption at all bars & restaurants in Stowe to no later than 10pm. Mr. Safford noted that for the ordinance to be binding, it would require approval from the Voters to give the Selectboard authority to condition liquor permits. Once the voters approved the ability to condition permits, then the ordinance could be modified by future selectboards -through the ordinance amendment process outlined in the Stowe Town Charter which includes a public hearing process. Currently without this ordinance or the ability to condition permits, State Law states that bars and restaurants can operate outside consumption up to 2am.

A large number of bar and restaurant owners in Stowe spoke to concerns about limiting the time on outdoor consumption permits. It was noted that the number of complaints is very minimal compared to the overall number of liquor permits issued in the Town of Stowe, and that police can currently enforce noise in the nighttime laws if there is excessive noise. Many people spoke to the effect this would have on their businesses, as to limit outdoor consumption to no later than 10pm would mean that service cutoff would actually be 9:30pm or earlier. It was noted that many special events, including weddings, would be affected by this ordinance and it could cause issues with hotels, such as those that offer poolside service on summer evenings. It was also discussed that limiting outside consumption doesn't necessarily limit outdoor congregation, people can still smoke, chat and gather outside and cause noise.

Many business owners spoke to the impact of the COVID pandemic on their businesses and how outdoor seating was often seen as a preferred option for many people and urged the Town not to impose limits on that. Businesses located in the Village also spoke to concerns that they would be unfairly impacted as they are more visible serving outside than restaurants on the Mountain Road.

Chair Adams stressed that while Stowe is a resort and tourist driven community, it is still a community, and that noise needs to be managed so that Stowe remains a desirable community not just to visit but to live in. He noted that with the increase in outside dining with COVID the Town has seen an increase in noise outside, and the Board may want to see how things continue in a post-COVID world before enacting further restrictions. He encouraged bar and restaurant owners to work collaboratively with their neighbors. At this time the Board did not desire to further advance this ordinance to a second hearing. Mr. Safford encouraged those with complaints about noise to contact the police department non-emergency line, as they can be objective responders and enforce the Noise in the Nighttime rules if necessary.

**Capital Plan Amendment – Luce Hill Bridge Abutment Emergency Repair**

Public Works has observed structural distress in the north-east abutment of the Luce Hill Road Bridge. The bridge has experienced significant scouring (erosion of the stream bed) since it was built in 1952, Harry Shepard, Public Works Director estimates it to be 12-13' of scour. In 2011 the Town implemented scour stabilization underpinning, but a horizontal crack approximately 5' from the top of the footing is showing movement and possible settlement of the abutment footing associated with the scour conditions. Because of this, Public Works is recommending emergency structural bracing for the existing abutment, as well as monitoring program, scoping study and independent structural assessment. Public Works has received quotes for the emergency structural bracing from prequalified firms with the lowest being \$18,000 by Winterset, Inc. Mr. Shepard noted that the structural bracing will not interrupt the function of the bridge, although during implementation it may at times be reduced to one-lane alternating traffic. The Luce Hill Bridge is not currently on the VTrans replacement schedule, but Mr. Shepard is hoping the independent structural assessment will help make a case to VTrans regarding the condition of the bridge and the need to replace and increase the length of the bridge significantly to avoid future scouring conditions. Changes to the bridge will also impact the recreation path and parking at Chase Park.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board approved a \$20,000 appropriation from the General Fund Capital Reserved for the proposed Emergency Structural Bracing of the Luce Hill Road bridge abutment.

**Transportation Alternatives Grant Application – Luce Hill Rd/Chase Park Bike and Pedestrian Scoping Study**

VTrans has advised that they are advancing the proposed Luce Hill Road Intersection Improvements project, which they intend to include in this year's State Transportation Improvement Plan. Public Works is seeking grant funding for the reconstruction of the Luce Hill Road Bridge, which includes doubling the bridge span, and a relocation of the recreation path and reconfiguration of parking at Chase Park. The proposed grant will be a VTrans compliant scoping study to consider possible bike and pedestrian improvements and connectivity along Luce Hill Road from the Mountain Road Intersection to Chase Park. The estimated cost of the scoping study is \$28,500, of which the Town would be responsible for \$5,700 (20% local match) which would come out of the Public Works Administration budget.

On a motion by Ms. Hagerty, seconded by Ms. Courtney, the Board approved the Transportation Alternatives Grant application submittal to VTrans for a Bike and Pedestrian Scoping Study for Luce Hill Road between Chase Park and Mountain Road and authorize the Town Manager to sign and submit the application, along with a transmittal letter affirming the Selectboard support for the project on behalf of the Town.

**Manager's Report**

Mr. Safford noted that the 2021 Listers Cards are now available on the Town of Stowe website.

On a motion by Ms. Courtney, seconded by Mr. Noyes, the Board went into Executive Session at 7:47pm to discuss Legal and Contracts.

The Board came out of Executive Session at 8:33pm.

There being no further business, Chair Adams adjourned the meeting at 8:34pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday December 6, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes, Lisa Hagerty  
In Person attendees: Rachel Vandenberg, Mark Vandenberg, Maura Mancini, Susan Connerty, Lynn LaFleur, Michael Valdez, Tom Ashworth, Deb Longe  
There were 51 participants on Zoom.

**Call to Order**

Chair Billy Adams called the meeting to order at 5:31pm.

**Approve the Agenda**

On a motion by Mr. Nick Donza, seconded by Mr. Willie Noyes, the Board approved the agenda as presented.

**Indoor Mask Mandate Resolution**

Chair Adams opened the discussion noting that there were many participants both in the audience and online via Zoom and asked that everyone take part in a civil discussion together. The State has not put a mask mandate in place, but rather gave authority to Towns to put a mandate in place for public places if they chose to do so. Chair Adams noted that this meeting was called to discuss this topic at the request of a resident, Lynn Goldsmith. Ms. Goldsmith explained that she made the request after seeing many tourists in town for the Thanksgiving holiday not wearing masks, combined with the increased COVID positivity rate in Vermont.

Other residents spoke to concerns about a mask mandate, citing civil liberties, personal choice, divisiveness in the community and mental health as reasons not to implement. Some residents and business owners spoke to concerns on how long this would be in place, as COVID may not be going away any time soon, and that authority like this should only be used in emergency situations, which the Governor has not declared. Many also said people had the right to choose to wear a face mask if they felt they should but did not want to force it on all. Many business owners spoke to concerns about putting their employees, who are already stressed, in the position of policing the people who enter their establishments without a mask. They also felt that enough had been put on business owners throughout the pandemic.

Others were concerned that forcing all to wear masks would increase isolation, fear and mental health issues, which could contribute to the rising number of deaths by suicide and drug use. There was also concern that re-instating a mask mandate would be a first step towards further shutdowns and restrictions. Resident Ms. Susan Connerty quoted studies by environmental toxicologists who felt that a mask mandate was dangerous to people's health as they were not designed to be worn for more than a few hours, and they inhibit oxygen intake. Resident Ms. Elizabeth Sherman, a retired biology professor, stated that she felt that there were no negative effects from wearing masks and that they should be used to help stop the spread the disease, and a mask mandate would increase compliance.

Many spoke to the effectiveness of vaccination and booster shots, and that while the case counts are rising, those who are vaccinated are not likely to end up in the hospital or dying from the disease. Some stated they felt more emphasis should be put on encouraging vaccination and booster shots rather than a mask mandate.

Other business owners spoke to concerns about theft and crime with face masks making it difficult to identify criminals. Mr. Michael Valdez stated he felt there was a higher chance of being a victim of crime due to masks, than of being a victim of COVID. Another business owner stated she had been a victim of shoplifting and knew of instances at other stores in town. Mr. Safford was asked about crime statistics during the original mask mandate and he said he would follow up with information.

Selectboard Meeting 12/06/21

Selectboard member Ms. Lisa Hagerty, spoke in favor of the mandate, voicing concerns about the statewide ICU capacity, the stress the virus has taken on healthcare workers, and feeling that wearing masks kept the rate of transmission down in 2020 and early 2021, and perhaps was lifted too soon. She also felt that having a Town mandate would make it easier for staff asking people to wear masks, rather than making it more stressful, a sentiment that was supported by Ms. Katrina Veerman, owner of P.K. Coffee, where masks are required.

Ms. Tiffany Donza spoke to concerns that implementing such a mandate would be an abuse of power, however Ms. Hagerty pointed out that the Governor did give Towns the right to implement mandates, so it was not an overreach by the Selectboard.

Ms. Jo Sabel Courtney suggested changing the language from requiring masks to recommending masks so the Town was still putting weight behind the statement without putting business employees in the position of enforcement. Ms. Beth Gadbois stated she felt that it was not a good idea to put out a suggestion without teeth or enforcement. Chair Adams spoke to the need to protect the residents of the Town, not just the businesses and tourists, particularly during the upcoming holiday season in which it is anticipated 10,000 visitors will come to Stowe. Mr. Nick Donza stated he felt it was not just the business community but residents as well who were suffering from fatigue and mental health issues from not being able to connect with others, and that a mask mandate would only further divide the community while sending a message that it is not safe in our community right now. Mr. Willie Noyes stated that businesses had the right to require masks, and that the Town did not need to get involved and let people make their own decisions.

On a motion by Ms. Hagerty, seconded by Mr. Noyes, the Board moved to adopt the proposed Resolution Regarding Face Coverings.

Chair Adams stated that this was not an easy decision to make, and that he was weighing listening to the community and business owners as well as the science. He stated he believed masking was an important way out of the current pandemic, but that that as an elected official he was listening to the people.

On a vote, the motion failed 4(Chair Adams, Mr. Noyes, Mr. Donza, Ms. Courtney)-1(Ms. Hagerty).

### **Manager's Report**

Mr. Safford noted that the Lamoille County Transportation Advisory Committee has drafted changes to the Rules of Procedure. Stowe's TAC members have not expressed any concern with the draft.

On a motion by Mr. Donza, seconded by Mr. Noyes, the Board went into Executive Session at 7:49pm to discuss Contracts.

The Board came out of Executive Session at 8:27pm.

There being no further business, Chair Adams adjourned the meeting at 8:27pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday December 13, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes, Lisa Hagerty

In Person attendees: Ken Libby, Bobby Murphy, Drew Clymer, Tiffany Donza, Marina Meerburg

There were 20 participants on Zoom.

**Call to Order**

Chair Billy Adams began by making some comments regarding the Special Meeting on December 6<sup>th</sup>, 2021 to discuss Mask Mandates. He thanked the community for having a civil conversation, and wanted to follow up on a few points discussed at the meeting: While the Chief of Police stated it would be harder to ID a criminal in a mask, he also noted that has not been an issue to date; the CDC website states that in most circumstances mask wearing has no adverse health effects; While businesses anecdotally are stating they were harmed by COVID, the LOT revenue indicates that overall spending in the Town has bounced back; COVID cases in Lamoille County have increased by 37.5% in the last two weeks, and new daily State case record are being set every day; current vaccines are less effective on the variants of COVID currently circulating. With that all stated, Chair Adams stated that mask wearing is a vital tool in the fight against COVID, and that the Town needs to continue to be vigilant. With that in mind, Chair Adams urged Stowe residents, workers and visitors to mask up, get booster shots and do the right thing to keep the community safe.

Chair Adams called the meeting to order at 5:35pm.

**Approve the Agenda**

On a motion by Ms. Jo Sabel Courtney, seconded by Mr. Willie Noyes, the Board approved the agenda as presented.

**Consent Agenda**

1. Minutes of 11/22/21 & 12/6/21 Meeting
2. Selectboard Meeting Policy Amendment
3. Water/Sewer Allocation Extension: 50 Highland Avenue
4. 2022 Englobe Sludge Management Proposal
5. LCPC TAC Appointments
6. Liquor Consent Items

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board approved the Consent Agenda with a change in the 12/6/21 Minutes to include the names in the vote on the Mask Mandate.

**Recreation -Financial Assistance Fund Donation**

Ken Libby has offered to donate 800 shares of Exxon Stock to help support the Stowe Recreation - Financial Assistance Fund in memory of his late wife, Joan "Bunny" Libby, who served 17 years on the Recreation Commission. There are no conditions with the offer other than the money be used for recreation financial assistance, however the Recreation Commission has recommended the Financial Assistance Fund be re-named the Bunny Libby Recreation -Financial Assistance Fund and will erect a plaque at the Gale Center in recognition of their generous donation. As of 11/23/21, the stocks were trading at \$63.13 per share, or \$50,504. It was noted that the Town can either retain the stocks and use the dividends -, or can cash out the stocks and reserve the money in the -Financial Assistance Fund. Mr. Libby did ask that the funds be used judiciously so that the fund could last for some time, and stated he hoped his children and grandchildren may contribute in the future. It was noted that once accepted, the

Selectboard Meeting 12/06/21

funds will be under the jurisdiction of the Treasurer and the Selectboard, and will be disbursed according to the Town of Stowe Recreation -Financial Assistance Fund Policy.

On a motion by Ms. Courtney, seconded by Mr. Nick Donza, the Board accepted the offer of 800 shares of Exxon Stock with no conditions but that the money be used for the Bunny Libby Recreation -Financial Assistance Fund.

### **Motor Vehicle Ordinance Amendment – No Parking Cemetery Road**

Chair Adams recused himself from the Board for this topic as he is a Cemetery Road resident. Vice Chair Noyes assumed the duties of Chair.

Alex Keyssar, a resident who lives on Cemetery Road, has requested that the Town make the entirety of Cemetery Road designated as No Parking. He noted that the road is narrow and often used as overflow parking for nearby Air B'n'Bs which reduces the road capacity to one-way, and leads to other nuisances, such as people walking on residents' lawns and causing noise when going to and from cars. It was noted residents do not feel the parking issue is caused by the cemetery or by the quiet path, but specifically related to short-term rentals with insufficient parking. Mr. Keyssar and Mr. Adams both spoke to safety concerns if this were to continue as there is no way to maintain two-way traffic with on-street parking, or have enough room for fire trucks to get through. It was noted that violators would be ticketed, and signs will be posted to notify that it is a no parking area.

On a motion by Mr. Donza, seconded by Ms. Courtney, the Board will warn a Public Hearing on the Motor Vehicle Ordinance Amendment – No Parking on Cemetery Road for their December 27, 2021 meeting.

Chair Adams resumed his duties as Chair.

### **Stowe Mountain Resort Annual Update**

Bobby Murphy, General Manager of Stowe Mountain Resort, presented to the Board on the upcoming 2021-2022 ski season. He noted that they were starting off their 85<sup>th</sup> season of operations with a great start despite the unseasonably warm temperatures this week. He stated that business is mostly back to normal post-COVID-19 restrictions, with lifts operating at full capacity, no reservations required, and no masks required outside. He did state that masks are required indoors in all areas operated by Stowe Mountain Resort, and that in cafeteria settings where there is close contact and a need to unmask to eat, proof of vaccination will be required. In sit-down restaurants, proof of vaccination is not required. Vaccination is also required for all employees. Mr. Murphy indicated that they are anticipating a busy year, with Epic Pass sales up 47% company-wide over last year. He also discussed the impacts of this anticipated business on lifts and parking. SMR continues to heavily promote use of the Mountain Road Shuttle, including posting a gondola outside the Akeley Memorial Building with route information, and working with Stowe Area Association to get the word out to the visitors. He also noted on the busiest days of the year, employees will be required to travel in high occupancy vehicles or utilize the shuttle to get to work.

Also of note, Mr. Murphy announced that next year, the 2022-2023 season, they plan to replace the Mountain Triple chair lift with a new 6-pack chair lift that will start at the parking lot level. He stated that replacing this chair lift with more capacity will help spread more people out on the mountain and help with capacity.

Mr. Murphy thanked the Town for its collaboration with SMR.

### **Retail Cannabis Opt-In**

Scott Weathers, representing the Stowe Retail Cannabis Coalition, has requested that the Selectboard voluntarily warn an article at the upcoming Annual Meeting to allow for voter consideration of retail cannabis sale in Stowe. Town Manager Charles Safford explained that the State is allowing the sale of retail cannabis but municipalities have to vote to opt in to allowing them in their town, and may create a local Cannabis Control Board to issue licenses similar to the current Liquor Control system. Towns can also regulate through zoning where stores can be located, etc. If Towns do opt in, they can vote later to opt out, but any retail establishments that were licensed would be grandfathered in. The State also has its own Cannabis Control Board, and their state-wide regulations are still being developed and finalized. At this time, Towns can charge a \$100 licensing fee, and if they have a 1% Local Option Sales Tax they can receive sales revenue, but otherwise there is no state revenue sharing with municipalities. Should the Selectboard choose not to include this topic on the ballot voluntarily, voters could still petition to put it on the ballot if they get signatures from 5% of the registered voters.

Mr. Weathers explained that he felt the Stowe voters should have a say in if retail cannabis can come to Stowe. He noted that approximately 2 dozen other towns in Vermont have already approved retail cannabis, including neighboring towns Morrisville and Waterbury. He said that as a tourist town, high end cannabis retail shops could add to the revenue and job growth in Town and opting in now would give the Town a competitive advantage. Mr. Weathers also indicated that he was aware and concerned about youth usage, but that studies have shown that usage does not go up when retail cannabis is legalized, and that regulators are very mindful to keep the youth safe.

Ms. Allison Link of Healthy Lamoille Valley provided feedback as a representative of a substance use coalition, stating that they advocate for clear and intentional process in any decision regarding retail cannabis. She stated she felt that it was misleading to say that it was safe for youth to have retail cannabis in towns, and that Vermont youth usage was already very high. She felt voters should be engaged and informed of all aspects of the law before voting. She also pointed out that as a local Cannabis Control Board, the Town could impose stricter regulations such as increasing “buffer zones” near schools and limiting the number of licenses issued.

Ms. Tiffany Donza, School Board member, provided a resolution from the Lamoille South Unified Union School Board which was issued to advise the voters of Morristown to vote no on opting into issue retail cannabis, citing concerns about cannabis use and dangers to youth. Ms. Donza also spoke as a resident, stating that she was concerned about opting into a system where the rules are not yet finalized, and encouraged people to wait and see how it goes in other towns before considering it for Stowe. She also voiced concerns that approving retail cannabis sends the message that usage is normalized and puts youth more at risk, particularly with edibles being marketed to youth.

Mr. Donza questioned how tourists could consume cannabis if it is only allowed for “in home” usage. It was noted that a Cannabis Control Board and retail establishments would need to communicate where it is legal to consume, and how.

Resident Marina Meerburg spoke in favor of the vote, stating that people are already using cannabis and allowing the voters to make an informed decision on this topic is important, and opting in would allow for more local control rather than having it come in from neighboring towns. She also stated that having a legal market would slow down the current black market, assuring more regulated and safer cannabis.

Ms. Hagerty stated that she didn’t see a reason to rush, but rather preferred a methodical wait and see process. Ms. Catherine Crawley asked that the Town look at what other towns such as Woodstock, VT were doing with commissions to study impacts and how best to set up a local control board.

It was discussed that should the topic end up on the ballot either voluntarily or through a petition, there would be an informational session prior to the vote. However, Mr. Safford cautioned that the Town was not in a position to advance public health information, nor to attest to the accuracy of specific studies, etc. Many Selectboard members spoke to the feeling that they did not have enough information at this time and would prefer to see how it plays out in other towns. The Selectboard felt that voluntarily adding the item to the ballot would send a message of support which they did not want to do. At this time, the Selectboard will not include the issue on the ballot unless they receive a legally binding petition. Ms.

Selectboard Meeting 12/06/21

Hagerty asked the community not to petition for this item on the ballot at this time, but rather give the community time to review and process the information. In the meantime, Mr. Safford stated that he would ask the Planning Commission to look at what may be done through Zoning Regulations and what other communities are doing for regulation and/or ordinances.

### **Manager's Report**

Mr. Safford provided the Board with a press release from the Vermont Commissioner regarding the FY23 Education Yield. It stated that while there is a surplus in the State Education Budget, the rising real estate values and declining CLA mean that actual tax rates may be higher than the forecasted statewide rate. The Board noted that it is likely the CLA will drop to levels which require the Town to do a reappraisal within the next year. This process takes approximately two years and was last triggered in 2012.

Mr. Safford also reported that the Local Option Tax revenue for the 1<sup>st</sup> quarter of FY22 came in at \$417,450, which is a 105% increase from last year, and falls in line with pre-COVID predictions that the LOT will achieve \$1,000,000 by the end of the fiscal year.

Mr. Safford also provided the SED FY21 financial statements and the results letter stating that the Town of Stowe has been awarded \$350,000 from the VCDP Implementation Grant to support the River Bend Apartments being built by Lamoille Housing Partnership.

Chair Adams spoke again to the mask mandate discussion held on December 6, 2021. He stated that while the Board voted against a mandate, that some felt it was sending the wrong message and suggested sending a message that while the Selectboard did not enact a mandate, they do strongly suggest the usage of masks indoors for public health. Chair Adams and Ms. Hagerty agreed to craft a guest perspective article for the Stowe Reporter indicating that they support and encourage mask wearing.

On a motion by Ms. Courtney, seconded by Mr. Noyes, the Board went into Executive Session at 7:56pm to discuss Legal & Contracts. They invited Drew Clymer, Sarah McShane and Joseph McLean to join the Executive Session.

The Board came out of Executive Session at 9:08pm.

There being no further business, Chair Adams adjourned the meeting at 9:08pm.

Minutes respectfully submitted by Abigail Sweetser.

**Stowe Selectboard, Liquor Commission & Water/Sewer Commission Meeting  
Monday December 27, 2021**

Present:

Selectboard Members: William Adams, Nick Donza, Jo Sabel Courtney, Willie Noyes, Lisa Hagerty  
In Person attendees: Ken Libby, Andrew Libby, Chris Tamer, Nate Libber, Abigail Tamer, Paul Sakash, Kierseten Becker, Katie Becker, Elizabeth Alexander, Keely Tamer, Chris Tamer, Kristie Becker, Rich Becker, Derek Libby, Matt Frazee, Becky Gonyea  
There were 6 participants on Zoom.

**Call to Order**

Chair Adams called the meeting to order at 5:30pm.

**Approve the Agenda**

On a motion by Ms. Lisa Hagerty, seconded by Ms. Jo Sabel Courtney, the Board approved the agenda as presented.

**Consent Agenda**

1. Recreation Fee Policy
2. 12/13/21 Minutes
3. Grand List Errors & Omissions
4. Stowe Police Association Agreement Ratification
6. Police Special Event Fees Amendment
7. 546 Thomas Lane Water Sewer Allocation
8. 132 Mountain Road Water Sewer Allocation
9. Liquor Consent Items
10. Volunteer Pay – Public Safety
12. Recreation Scholarship Fund Investment Policy

Mr. Paul Sakash asked about the wage increases included in the Stowe Police Association Agreement, and Mr. Charles Safford, Town Manager, explained that during negotiations the Town and SPA wanted to keep the rates competitive for recruitment and retention purposes, and that included changes to the Step wages, which are in recognition of experience and years of service. Employees also receive an annual Cost of Living Adjustment.

On a motion by Mr. Willie Noyes, seconded by Ms. Hagerty, the Board approved the Consent Agenda as presented.

**Fire Warden Appointment**

Mark Walker has resigned as Stowe's Fire Warden, a position that is appointed by the Vermont Department of Forest, Parks and Recreation at the recommendation of the Selectboard. Scott Reeves, Interim Fire Chief, has indicated that he is willing to serve as Stowe's Fire Warden.

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board accepted Mark Walker's resignation as Stowe's Fire Warden and recommend Scott Reeves as Stowe's Fire Warden subject to approval by the Commissioner of Forest, Parks and Recreation.

**Health Officer Appointment**

Kyle Walker was the Town of Stowe Health Officer. Following his removal as an employee of the Town of Stowe, staff recommend removing him from the position, which is an appointment made by the Vermont Commissioner of Health at the recommendation of the Selectboard. Town Manager Charles

Selectboard Meeting 12/27/21

Safford has served as Health Officer in another community and is willing to serve until a replacement can be found.

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board recommended the removal of Kyle Walker as Stowe's Health Officer and recommended Charles Safford be appointed as the Health Officer, with Scott Brinkman continuing to serve as the Deputy Health Officer.

### **Recreation Scholarship Fund Dedication**

At the December 13, 2021 Selectboard meeting, Ken Libby offered and the Selectboard accepted a donation of 800 shares of Exxon Stock to help support the Stowe Recreation Scholarship Fund in memory of his late wife, Joan "Bunny" Libby, who served 17 years on the Recreation Commission. The Scholarship Fund has been re-named the Bunny Libby Recreation Scholarship Fund. Ken and his family were in attendance to receive a plaque in honor of Bunny and the generous donation in her name, which will be on display at the Gale Center, or any replacement building in the future. The Selectboard thanked the family for the generous donation and the impact it will have on the children of Stowe.

### **Motor Vehicle Ordinance Amendment Public Hearing – No Parking Cemetery Road**

Chair Adams opened the Public Hearing on the Motor Vehicle Ordinance Amendment at 5:45pm. Alex Keyssar, a resident who lives on Cemetery Road, has requested that the Town make the entirety of Cemetery Road designated as No Parking. He noted that the road is narrow and often used as overflow parking for nearby Air B'n'Bs which reduces the road capacity to one-way, and leads to other nuisances, such as people walking on residents' lawns and causing noise when going to and from cars. Mr. Sakash questioned how many "no parking" signs would be erected, which Mr. Safford indicated would be enough to give the public notice without overdoing it, and that the number of signs could be adjusted as needed. There were no further questions or comments from the public.

On a motion by Mr. Noyes, seconded by Ms. Hagerty, the Board approved the amendment to the Motor Vehicle Ordinance to include no parking on Cemetery Road, effective immediately.

### **FY'23 General Fund Operating Budget & Capital Plan**

Mr. Safford presented to the Selectboard the FY'23 General Fund Operating Budget & Capital Plan. He noted that in the past, staff have worked to keep any increases in the budget within the rate of inflation and growth of the Grand List, however this year was particularly challenging due to inflation including wage pressure. Also, the Town is adjusting to increasing demands for municipal services with a growing residential population, as seen in the recent census numbers, and booming second homeowners and visitors as seen through the increase in Local Option Tax receipts. In order to catch up, this budget as presented includes an increase of \$873,754 or 8.8% increase over FY22. The Grand List is projected to grow by 3%, with an estimated increase in tax revenue of \$297,988. The proposed budget will increase the municipal tax rate by \$0.0245 or 5.65%. He noted that big drivers in the budget increases came from a COLA increase of 5.4% for all full-time employees, the inclusion of a full time Human Resources Manager, two full-time equivalent fire fighter positions to allow for surety of service, a part-time IT Manager, and increased pay for public safety volunteers--, and potential increases in the IBEW contracted positions when that contract is re-negotiated in 2022.

Other changes in the budget that Mr. Safford noted included moving all buildings and facilities that fall under the General Fund (Akeley Memorial Building, Helen Day Art Center/Library, Ski Museum, Public Safety Facility, Bloody Brook Schoolhouse, Historical Society, Highway Garage, Gale Recreation Center, Parks Garage, Cemetery Buildings and Street Lights) into one "Buildings and Facilities" budget which will be overseen by Chris Jolly, Assistant Public Works Director. The Arena was not included in this budget but will get assistance from Public Works with facility operation.

Mr. Safford noted that there are four pieces of equipment scheduled for replacement out of the Equipment Fund in FY'23, which includes a Highway Roadside Mower, Parks F-350 Dump 4x4 and two Patrol SUVs. Additionally, the Town Manager is recommending including an article on Town Meeting Day asking the voters to redirect the remaining bond proceeds of \$1.25 million from the Overhead Utility/Sidewalk bond to be used for the purchase of a new aerial ladder truck/pumper for the Fire Department. This is an essential piece of equipment that has exceeded its 30-year life expectancy. Speaking more on the Fire Department, Mr. Safford explained that there is increase in the number of fire calls (139 in 2018 and 400 anticipated this year). Also, the size, complexity and risk of the buildings being constructed in this community have changed. We are now dealing with multiple buildings in excess of 100,000 sq/ft, more than 60 feet high, with the potential of hundreds of people inside them. At the same time, it is harder to obtain a critical volunteer response especially during the regular work week. Currently the fire department has 20 members on the roster, but the four members that recently resigned had significant tenures and the loss of their experience will be felt by the department as they try to get the newer members trained. Interim Fire Chief Scott Reeves indicated that he that the increase in volunteer pay along with on-call pay should help but the Town needs to add fiscal capacity to hire per diems and full-time fire fighters to help provide surety of service.

Other changes noted in the budget include the Town taking over the \$16,000 Stowe Area Association previously paid for the Mountain Road Shuttle, impacts of the new Stowe Police Officers Association Agreement, increase in volunteer pay for Mountain Rescue Volunteers, and a decrease in revenue in the Library due to the Library Trustees requesting to eliminate the transfer of funds to the Town from their trusts, due to the unreliability of dividends or interest. Stowe Arena and Recreation both project increased revenues due to increased summer camp fees and -increased ice usage.

Mr. Safford then discussed the Capital Fund, which is projected to include \$1 million in Local Option Tax Revenue in FY'23. Of those revenues, \$350,000 has been earmarked for Stowe Arena debt and the annual debt payment for the Overhead Utility Line Project is estimated at \$207,751. This leaves \$442,249 for capital appropriations. Staff is recommending \$1,054,448 in new capital spending in FY'23, utilizing the Capital Reserves to fund the remained of the projects. If all new spending is approved, this will leave \$239,156 in the unallocated capital reserve fund. The proposed projects are: Nebraska Valley Bridges 51 and 48, which both require a 10% local cost share of \$216,000 per bridge; repairs to the Highway Garage Roof east side, which is failing and estimated to cost \$75,000; Stowe Land Trust has requested \$200,000 for their conservation of the Ricketson Farm; an assessment and scoping of the Luce Hill Road Bridge estimated at \$45,000; Moscow Road/Village Reconstruction Phase 1, which includes surveys and planning for traffic calming and curbing, estimated at \$85,000; Memorial Park Master Plan Update as recommended by the Recreation Commission estimated at \$85,000; Town Building Security Cameras estimated at \$70,000 to protect the historic and vital buildings owned by the Town; and IT Access Control System at the Public Safety Facility which would replace the antiquated system that has security and equipment failure issues estimated at \$62,448.

### **Manager's Report**

Mr. Safford noted that the Selectboard has regularly scheduled meetings on January 10<sup>th</sup> and January 24<sup>th</sup> to further discuss the budget, which also includes hearing from the community organizations that are requesting new or increased funding. The Selectboard decided against holding a special meeting on Monday, January 3<sup>rd</sup> to hear from those organizations and will include them in the January 10<sup>th</sup> meeting.

Mr. Safford also included the Lamoille County Courthouse Budget information; a final budget meeting will be held on January 10<sup>th</sup> at 7pm via Zoom.

Ms. Becky Gonyea, representing the Clarina Howard Nichols Center thanked the Board for their work throughout what was a difficult year.

Selectboard Meeting 12/27/21

On a motion by Ms. Courtney, seconded by Mr. Noyes, the Board went into Executive Session at 7:30pm to discuss Personnel.

The Board came out of Executive Session at 8:02pm.

There being no further business, Chair Adams adjourned the meeting at 8:03pm.

Minutes respectfully submitted by Abigail Sweetser.