

- Draft only, not yet approved by the Selectboard -

Greensboro Selectboard

August 14, 2024 – Minutes

[This was a hybrid meeting held at the Greensboro Free Library, with some participants joining remotely]

SELECTBOARD MEMBERS PRESENT: Ellen Celnik, MacNeil, David Kelley, Eric Hanson, Bobbie Nisbet

SELECTBOARD MEMBERS ABSENT: None

OTHERS PRESENT in person: Gary Circosta, Davis Barnett, Erika Karp, Jane Johns, Chris Roy, Renee Circosta, Brett Stanciu, Josh Karp, Kim Greaves, Beth Meachem, JoAnn Hanowski, Warren Hill III, Terry O'Connor, Elissa Mackin, Naomi Ranz-Schleifer, Rick Walsh, Liz Steel, Kent Hansen, Paul Fixx, Tim Nisbet

OTHERS PRESENT remote: Aileen Gebbie, Anne Altman, David Day, Janet Long, Matt Day, Melissa Moffatt, Dan Predpall, Janet Patterson, Jerilyn Virden, Elsa Shultz, Chad Sims, Hugh Knox, Ila Hunt, Robin Hardy, Leesa Gravel, Kristen Leahy, Elaine Cole-Kerr, Rod Kerr, John Mackin, Michelle Mackin, Michael Porrazzo, Betsy Hunt

CALLED TO ORDER: 6:30 PM

ADDITIONS TO THE AGENDA

- Stewart LaPoint tree proposal for Town Park
- Greensboro Bend traffic study

MINUTES

Minutes from the July 24 meeting unanimously approved as amended.

SELECTBOARD RULES OF PROCEDURE

The rules of procedure were updated after discussion at last month's meeting. David made the following motion:

The selectboard adopts the rules of procedure as distributed.

Bobbie seconded the motion which carried unanimously.

PUBLIC CONCERNS

1. Deputy town health officer Christine Armstrong requested that kits for testing lake water be included in next year's budget. She also requested that the town purchase test kits for this year's testing.
2. Gary requested that the town website distinguish between long-term maintenance costs and operational costs for the town hall. He also requested that figures for more years be made available.
3. Gary noted inaccuracies in the Local Emergency Management Plan that the board approved at the July 24 meeting. He suggested the contacts section was especially important to keep current.
4. Naomi Ranz-Schliefer asked for an update on the Breezy Ave. bike/ped scoping study that the town applied for. Kim had no update.
5. Gary said he was unable to find minutes and documents for the wastewater and housing committees and requested these be made available to the public.

ORLEANS COUNTY SHERIFF'S DEPT.

The Board reviewed the July OCSD report.

GREENSBORO FIRE DEPT. – Chief Dave Brochu, Jr.

No report available this evening.

ROADS & DRIVEWAYS

1. **Road Foreman's report.** MacNeil said Tom is attending a family event and may miss the meeting. The road crew has been repairing roads, replacing culverts and will be resurfacing roads and assisting Mark Colburn with Better Roads grant work.
2. Mack has offered the town \$45k for Dan's ten-wheeler that was just replaced. Some local contractors may be interested in purchasing the truck. The selectboard may solicit bids prior to trading in but made no decision this evening.
3. **Lake Watershed Action Plan.** Discussion continued from last month. David said a plan needs to be worked out to address the water quality problems identified in the report. Josh said specific projects are already prioritized in the Municipal Roads General Permit, and he, MacNeil and JoAnn can work out next steps.
4. Josh suggested the town follow its purchasing policy with the exception that RFPs be advertised for one week instead of two, so as much repair work can get done this season as possible. Ellen made the following motion:

The timeline for advertising RFPs under the purchasing policy will be reduced to seven days on a temporary basis.

MacNeil seconded the motion which carried unanimously.

5. David said the road crew did a great job cleaning up after the recent wind storm.
6. Terry criticized the way the town rebuilt roads after the 2023 and 2024 floods. He also said his driveway culvert is undersized and should be upsized as many others have been. Josh will look into whether this project could be covered by FEMA.
7. **Isa Oehry curb cut.** Tom has approved this curb cut. MacNeil made the following motion:
The board approves Isa Oehry's curb cut request.
Ellen seconded the motion which carried unanimously.
8. Josh asked if the engineer for the Wilson St. stormwater project will be able to help Elsa and Chad with their stormwater issues in the immediate term. Eric said engineers from KAS have agreed to meet with Elsa and Chad.
9. **July 2024 flood road repair work - trucking bid.** One bid was received for trucking from Warren Hill III, who submitted a bid for trucking at a weekly rate of \$4800. David made the following motion:

The board accepts Warren Hill III's bid for trucking.

MacNeil seconded the motion which carried unanimously.

10. July 2024 flood road repair work – road bids

	Darkwing	McAllister	Colburn	Gravel	
Lyman’s Drive	\$4250	\$4750	\$2160	\$4150	David moved Colburn, MacNeil seconded the motion which carried unanimously.
Cemetery Ridge	\$16125	\$12500	\$15600	\$12650	David moved McAllister, MacNeil seconded the motion which carried unanimously.
Barr Hill Rd.	\$5720	\$7800	\$3240	\$6230	David moved Colburn, MacNeil seconded the motion which carried unanimously.
Young Rd.	\$9875	\$13500	\$9920	\$6450	David moved Gravel, MacNeil seconded the motion which carried unanimously.
Bend Bridge	\$2720	\$2799	\$500	\$2950	David moved: The board approves MacNeil awarding the bid after clarifying the scope of work with Colburn. Bobbie seconded the motion which carried unanimously.

TREASURER – Brett Stanciu

1. The Board reviewed the treasurer’s monthly report, the FY25 budget report, and the July check warrant reports.
2. **Line of Credit for July 2024 flooding.** The board signed loan documents for the \$750k line of credit with Community National Bank. The loan has an interest rate of 5.2%. Brett reported that the town has paid about \$85k for 2024 flooding costs to date, with more invoices arriving daily.
3. Brett reported that approx. \$500k in property tax payments have been received to date.

TOWN HALL/RURALEGE UPDATE

The selectboard will be hosting a public meeting on Monday August 19 at 6 PM about the town hall RuralEdge proposal. The meeting will be held at Fellowship Hall with an audio-only remote option, moderated by Tim Nisbet. Prior to the official 6 PM start will be a dessert pot luck at 5:30 PM.

Elissa: this is warned as a RuralEdge town meeting, I thought this was a town hall redevelopment meeting? And what happened with the idea of an outside moderator as discussed?

Tim: I envision a meeting similar to what the town did in April. First an update from the selectboard to clarify the proposed project and answer as many questions as possible, followed by a two-hour public session where people get in line, come up to the mic and speak for up to two minutes. If things get out of hand I’ll ask for a motion to adjourn.

Eric noted a representative from RuralEdge will not be present.

Naomi asked that official postings about the event clarify the meeting structure.

Davis asked for a list of contingencies currently being negotiated in the purchase and sales agreement.

Christine asked that public comments about the proposal be posted on the town website.

MacNeil said a wastewater assessment won’t be completed prior to this meeting.

Renee asked if the board has discussed the petition submitted at the July 24 selectboard meeting.

Eric said the town has an agreement with RuralEdge that expires at the end of December, and we’re proceeding with that. He agreed that the town will clarify the meeting announcement and publish a list of contingencies being negotiated.

Naomi: from the beginning of this process, there's been lack of clarity about the timeline. There's never been a conversation or vote on the question of whether the people of Greensboro are interested in selling the town hall property. Gary asked, why not proceed with such a vote now?

David said he looked at the statute on conveyance of municipal real estate, and it says that voters may petition for a vote on a 'proposed conveyance'. In his opinion, this means there needs to be a specific proposal on the table.

Gary asked Brett how the town hall project fits into the existing zoning bylaw. He said this sounds like a 'mixed use' development which is not included in the bylaw's list of permitted uses. Brett noted that previous zoning administrator Kristen Leahy pointed out the need to address the mixed-use issue, but this was never followed up on.

Brett said it's RuralEdge's responsibility, as the applicant, to reach out to the zoning administrator and begin a conversation about the project. This has not happened to date.

ONGOING BUSINESS

- 1. Gravel pit land encroachment / land sale.** No update.
- 2. Greensboro Bend traffic study.** Kim said the Sheriff's recent speed study showed that the current 35 mph speed limit on Main St. is appropriate, with about 90% of traffic traveling at this speed or less. While NVDA recommended the town follow state policy for setting speed limits, it's possible the town could petition for an exemption due to the preschool.

Erika suggested lowering the speed limit to 25 mph as requested by a majority of Main St. residents in a petition a few years ago. Bobbie agreed that the town should honor their request but that the process must be fully understood.

Naomi said there was a study done on Main St. a few years ago that included traffic calming structures. She will send the study to the board.

- 3. Community Wastewater Project.** Eric said the wastewater committee is looking at a new piece of land for the disposal field. It's possible that the town could move forward with a purchase and sales agreement on the parcel if test results are promising. Naomi said she would like to join the wastewater committee.

Eric said while the project has lost \$2 million in ARPA funds due to deadlines passing, there is still \$4 million remaining.

ZONING BYLAW UPDATES

Eric said now that the selectboard has held a public hearing on the Miscellaneous Bylaw Changes, board members need to decide how to proceed. Historically, bylaws have gone to a town vote. Kent said statutes have changed and the default is now selectboard approval, but the board could choose to send the bylaws to the voters instead.

If the board thinks significant changes are warranted, the bylaw can be sent back to the planning commission.

Eric moved to approve the Miscellaneous Bylaw Changes. The motion did not receive a second.

Discussion of language in §1.3(D) of the bylaw, stating that in cases where the bylaw is unclear, the DRB or zoning administrator can consult with the planning commission and the resulting opinion must be attached to the issued permit and entered into the minutes of a hearing, if held. MacNeil felt this language was not necessary or appropriate, given that the planning commission is not a quasi-judicial board.

After discussion, MacNeil moved that the selectboard return the Miscellaneous Bylaw Changes proposal to the planning commission so this language can be removed. The motion did not receive a second.

Christine said this language has been included in the bylaw for a number of years and is not a recent change.

MacNeil made the following motion:

The selectboard will send the Miscellaneous Bylaw Changes back to the planning commission, who will solicit advice from VLCT advice on the language in §1.3(D).

Ellen seconded the motion which carried unanimously.

Kent said the public hearing needs to be scheduled for the Shoreland Protection District (SPD) changes. Discussion of the SPD proposal. Matt Day had concerns about new definitions of ‘area of encroachment’, ‘volume’, and ‘enlargement’. Footprint and height establish volume, he said - why this new definition of volume? Matt said this change seems to discriminate against small properties. He is considering adding a story to a non-conforming structure, and while currently allowed since he wouldn’t be increasing the degree of non-conformance, this proposed ‘volume’ language might prohibit a second story.

David said this is a good question and he had some other questions. Requiring a ‘qualified professional’ could increase costs for applicants. The language on lake access footpaths also seems problematic, he said, especially if we’re talking about an existing deeded ROW. How can someone own a ROW yet be prohibited from establishing a footpath down to the lake?

Eric said the way the new statutes are written, the SPD update would go into effect immediately after the selectboard’s public hearing, which could affect current applicants – so it could make sense to address some of these issues prior to the hearing. He also asked, why not wait to move the SPD proposal forward until the updated flood maps are available and can be included? Kent said these maps could be two years out and the planning commission’s proposed changes are important and should be considered sooner.

Brett said she would send the selectboard the minutes of the DRB meeting where the SPD update was discussed, as it was a productive conversation. She also asked the selectboard to consider the cost of enforcement for proposed bylaw changes.

The selectboard agreed to send Brett all their questions and concerns about the SPD update, who will compile and pass them on to the planning commission. This way a number of questions can be answered before the selectboard’s public hearing.

Christine said she wished the selectboard had looked at both bylaw proposals earlier in the year. For amendments that aren’t approved by the statutory deadline of October 17, the process will have to start over with new planning commission hearings.

Janet said all versions of the bylaw proposals are on the town website in the planning commission section.

OTHER BUSINESS

1. Sign policy. Bobbie said VLCT is reviewing a draft sign policy she’s been working on that would cover both political signs and general activity signs. VLCT suggests keeping such a policy as simple as possible, and indicated that the ‘Save Town Hall’ signs are political signs, as they are meant to convey an opinion on a political matter. Bobbie hoped by the end of August there will be a draft policy to review.

Gary said the sign policy currently on the town website may not be appropriate. He said it was his understanding that if the town allows any signs, it must allow all signs. David made the following motion:

Until a specific sign proposal is approved, no political sign, campaign sign, or issue sign may be placed on property owned by the town.

MacNeil seconded the motion which carried unanimously.

Renee said this sounds like a free speech violation.

David said he didn’t think so, adding that the town of Craftsbury has a similar policy.

2. Greensboro Nursing Home – Emergency Utility Contract. No one from the GNH was present, so this item was tabled.

3. **Tree donation at the Town Park.** Stuart LaPoint offered to plant a yellow buckeye as a replacement tree at the Town Park. Discussion. Some selectboard members expressed concern about ongoing maintenance of this species of tree, and wondered if a native tree could be a better choice.
4. **Selectboard meeting schedule.** Discussion of going back to one scheduled selectboard meeting per month. Ellen said statute allows selectboards to hold unwarned planning meetings during which no action may be taken. The board agreed to hold such a planning meeting on August 21, instead of a second warned monthly meeting on Aug. 28.

EXECUTIVE SESSION

David made the following motion:

The board will enter executive session at 8:52 PM to discuss a personnel issue, with Kim Greaves and Brett Stanciu present.

MacNeil seconded the motion which carried unanimously.

The board left executive session at 9:04 PM and took no action.

Ellen made the following motion:

The board will enter executive session at 9:05 PM to discuss a legal matter.

Bobbie seconded the motion which carried unanimously.

The board left executive session at 9:25 PM and took no action.

ADJOURNMENT

The meeting was unanimously adjourned at 9:26 PM.

Respectfully Submitted, Josh Karp, Selectboard Clerk