

Minutes of the Waterbury Select Board
Monday November 20, 2023
Steele Community Room, 28 North Main Street and via zoom

In Attendance: Tom Leitz, Kane Sweeney, Alyssa Johnson, Dani Kehlmann, Roger Clapp, Mike Bard, Katarina Lisaius, Karen Petrovic

Public Attendance: Jane Willard, ORCA Media, Bill Shepeluk, Matt Dugan, Rachel Muse, Carol Plante, Trooper Rancourt, Anna Black, Joseph Pensak, Malachi Brennan, Gary Dillon, Jake Blauvelt, Mike Rossi, Belle McDougall, John Haase, Tamatha Thomas-Haase, Billy Vigdor

Zoom: ORCA Media, MaryEllen Lamson, Deanna King, Anna Shelley, Anne Imhoff, Mal Culbertson, Jake Seymour, Tami Bass, Tera Dacek

R. Clapp called the meeting to order at 7pm.

Approve Agenda: K. Sweeney moved to approve the agenda which was seconded by M. Bard. A. Johnson asked to add Appointment to the Conservation Commission to the agenda following Appointment to the NDCP because the Board received a late application. **A vote to amend the agenda passed unanimously. A vote was held on the amended agenda and passed unanimously.**

Consent Agenda: Minutes of November 6, 2023

M. Bard moved to approve the consent agenda. D. Kehlmann seconded the motion; a vote was held and passed unanimously.

Public: M. Bard paid tribute to Ken Squier's recent passing.

Appoint varies Commissioners to vacancies on boards:

Appointment to the Library Commissioner: **D. Kehlmann moved to appoint Anna Black which was seconded by A. Johnson and passed unanimously.**

Appointment to the Housing Task Force: **M. Bard moved to appoint MaryEllen Lamson to the HTF. A. Johnson seconded the motion, a vote was held and passed unanimously.**

Appointment to the NDPC: **K. Sweeney moved to appoint Matt Dugan to the NDPC, D. Kehlmann seconded the motion, a vote was held and passed unanimously.**

Appointment to the Conservation Commission: **M. Bard made a motion to appoint Malachi Brennan to the Conservation Commission ending in 2027, D. Kehlmann seconded the motion; a vote was held and passed unanimously.**

Restorative Justice: R. Clapp introduced this reminding the board that Lt. Winn recently attended a Select Board meeting and spoke about youth in Waterbury causing some disturbances. In line with that conversation, it was discussed having the Restorative Justice Center located in Montpelier come and speak to the Select Board about the services that are offered in this program. C. Plante explained the process of restorative justice, referrals typically come from police officers such as State Troopers. There is a panel dedicated to Waterbury which has local volunteers. J. Willard stated she didn't feel Waterbury has a large number of youths in the program but of late there have been some very serious cases in the program. The Responsible Person, as the Restorative Justice Board refers to them, is provided an opportunity to learn from the mistake and not have charges on their permanent record. Typical motivation is that the responsible youth doesn't want to go to court or doesn't want to pay the fines associated with the "crime" they have been charged with.

Trooper Rancourt stated with any law ordinance that exists it needs to carry teeth. We don't arrest our way

out of crime. There is more than one approach to get it done. If there was an ordinance there would need to be a consequence to get it done. The State does have a noise and mischief ordinance that are used in the most severe cases. Trooper Rancourt made a direct referral to Restorative Justice when some youths lit a porta potty on fire. Best practice is “swift,” “certain” and “severe.” An ordinance may assist the troopers to engage with youth without causing a 4th amendment issue.

K. Sweeney wondered if the mischief we are experiencing in Waterbury is enough to create an ordinance to send youth to Restorative Justice? D. Kehlmann felt there was enough physical, mental, and emotional harm to discuss ideas such as Restorative Justice further. The Restorative Justice system does assist all ages, youngest was 9 and oldest to memory was in their 80’s. D. Kehlmann invited the Board to reach out to Waterbury if there is anything we can do to assist. J. Willard stated an ordinance would be helpful. Trooper Rancourt declined to comment on best practice without more time. The City of Montpelier has a couple of examples of ordinances that could be useful. The public drinking ordinance has not been that helpful. The Dog Ordinance has been successful.

Waterbury Skatepark Coalition: T. Bass introduced the members of the Coalition. J. Blauvelt, T. Bass, M. Rossi, B. McDougall, T. Dacek, J. Seymour (consultant). The Coalition gave a presentation to the Board. The new plans would be a 4,000 sq foot skate park using concrete construction, included in the plans is expanded parking, basketball, ADA path and horseshoes. There is an ask for the Town to endorse the RFP because the Town will own the park once completed. The park study moved the skatepark to the Ice Center location and why the big pivot? The amount of work at the Ice Center along with the safety issues at Hope Davey needing to be dismantled. The Ice Center area was in the flood zone which was daunting. The Coalition is not taking the Ice Center site off the table. The existing asphalt surface could be used for the basketball court so not part of the Coalitions costs. The hope is that there is no ask for Town Funding to complete this expansion. G. Dillon has concerns about disrespect of the participants that use the park now and violate the use of the fire station parking lot. The Board will need to take parking issues into consideration when making long term decision about this expansion. Parking and lighting will also be addressed by the DRB.

R. Clapp outlined two main concerns: One is the conceptual design on this. The second is funding with \$60,000 short of the current budget. **K. Sweeney moved to approve the concept as shown in Hope Davey Park. D. Kehlmann seconded the motion.** A. Johnson wants a really compelling application to ensure it’s not diluting Waterbury’s opportunity to obtain an VORec Grant. **A vote was held and passed unanimously.**

3rd Quarter Financial Update: T. Lietz distributed a memo for the Board’s review.

Budget Schedule: T. Leitz presented the board with a timeline of budget discussions in January 2024. Will plan to meet each Monday for the month.

Next Meeting agenda: “Buyout Request,” “Short Term Rentals” and “Reappraisal & ARPA”

Executive Session to discuss real estate transaction: A. Johnson moved to enter into Executive Session due to premature public knowledge of a real estate transaction would put that town at a distinct disadvantage. **D. Kehlmann seconded. A vote was passed unanimously.**

The board exited Executive Session at 10:35pm having taken no action. **The meeting was then adjourned.**

TOWN OF WATERBURY VERMONT
Application Form for Town Commissions, Boards, and Committees

Please submit your application to **one** of the below:

In person or by mail: Board Search, Town of Waterbury, 28 N. Main St. Waterbury, VT 05676 or by email to: karen@waterburyvt.com

Please supply the following information:

1) Review the scheduled meeting day/time of the Commission, Board, or Committee along with the length of the term of the position. Will you be able to regularly make the meetings? Y N Will you be able to serve for the term of the position? Y N

2) Please introduce yourself to the Selectboard by providing a one page cover letter detailing your background, experience, and interest in the board/commission/committee you are applying for. A 1-2 page resume is optional.

Name of Applicant: ANNA A. BLACK

Date: 10/16/2023

Phone Number: (802) 730-7005

Email Address: ablack@stackpolefrench.com

Name of Commission/ Board/ Committee and term (if known):

- ① Conservation Commission *Also really wish I could join Making Task Force but have a conflict with the
② Library Commission (if accepting meeting schedule) N/A Years
How many years have you served on this Committee? N/A Years

If you serve on another Commission/Board/ Committee, please indicate which one(s):

None for town of Waterbury. I am on the Board of the Stowe Land Trust (act as Secretary).

If you were referred or recommended for this position by someone, please share that reference's name and contact information.

N/A

Waterbury Resident: Y N (circle one)

Please note, applicants are asked to attend the selectboard meeting at which volunteers will be nominated to their respective positions. If you cannot attend, please email karen@waterburyvt.com in advance of the meeting to provide additional background information.

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For hard copies or accessibility accommodations please contact: Karen Petrovic; karen@waterburyvt.com

November 15, 2023

Dear Waterbury Selectboard,

Please consider this as a follow-up letter of interest to my original letter of interest dated October 6, 2023, which I am glad to say resulted in my joining the Waterbury Conservation Commission. The purpose of this letter however, is to supplement and focus in on my bid to join the Waterbury Library Commission, as Karen has informed me there is now a vacancy and I would love to step in to fill the spot.

In my first letter, I explained that my reasons for wanting to join the Library Commission are simple – I'm an avid reader. I strongly believe that libraries are the center of and the most integral public service facility of our civilization. I will and would do anything and everything that I can to support, grow, and expand the reach of our library, which as a patron I can say is already doing a wonderful job. I have some ideas as to some fun new projects/initiatives for the library as well (I have shared with the library director already).

Mostly, there is nothing that excites me more than learning. I love learning and I love sharing my love of learning with others, which is really the opportunity that our library provides to its patrons – libraries are essentially the “paper highways” of public services as they help readers learn, grow, and provide a path for them to get wherever they're looking to go. Since I was a very little girl, reading has been one of my favorite activities for a myriad of reasons including: (a) reading opens one's world up to include adventures, perspectives, ideas, and questions that one otherwise may have never considered; (b) it is my favorite avenue toward growth and learning – I am a social person but also really, really enjoy being alone with a book; and (c) reading in and of itself is also a conduit to connecting with others – discussing books that one has just read or asking for good book recommendations from others has led to many wonderful conversations and friendships that I treasure.

I really care about giving back to my community and doing my part to contribute to and support our public services that exist to uphold and enrich our community. We're all uniquely qualified to provide support to our communities in different ways, and my interests, intellect, creativity, experience and attitude make me a solid candidate to support our library as a commissioner. I'm a hard-worker, an optimist, and a creative problem-solver. It brings me such joy to visit our library and I can't imagine a better way to get more involved in our community than to pledge to join the library commission and add my ideas and support to our fantastic library commission.

I would also like to briefly mention that the business my husband and I started back in June (the Phoenix Gallery & Music Hall on Stowe Street) would love to get involved and provide support to the library however it may (we're creative and open to creative ideas for growth!).

Thank you all for your consideration. Please feel free to reach out to me with any questions, and/or for further discussion.

Sincerely,

A handwritten signature in black ink that reads "Anna A. Black". The signature is written in a cursive style with a horizontal line underneath the name.

Anna A. Black

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2) Please introduce yourself to the Selectboard by providing a one page cover letter detailing your background, experience, and interest in the board/commission/committee you are applying for. A 1-2 page resume is optional.

Name of Applicant: Mary-Ellen "Em" Lamson

Date: 11/13/2023

Phone Number: 802-585-6243

Email Address: smlamson4@gmail.com

Name of Commission/ Board/ Committee and term (if known):

Housing Task Force

How many years have you served on this Committee? N/A Years

If you serve on another Commission/Board/ Committee, please indicate which one(s):

N/A

If you were referred or recommended for this position by someone, please share that reference's name and contact information.

Waterbury Resident: **Y**/N (circle one)

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Mary-Ellen Lamson
PO Box 694
Waterbury, VT 05676

November 14, 2023

Waterbury Selectboard Members – Board Search
Town of Waterbury
28 N. Main Street
Waterbury, VT 05676

Dear Board Members:

I am writing to express my interest in becoming a member of the Housing Task Force.

I have lived in Waterbury my entire life, I am actively involved in the community as a member of the fire department for over 28 years, and my husband and I are also rental property owners of a commercial building, a multi-unit apartment building, and we are also short term AirBNB Hosts.

I see that you are looking for a landlord and/or short term rental owner to become a member of this task force, and I feel that I would be a good fit, with my experience in these areas.

I look forward to hearing from you.

Thank you,



Mary-Ellen Lamson
802-585-6243
Smlamson4@gmail.com

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2) Please introduce yourself to the Selectboard by providing a one page cover letter detailing your background, experience, and interest in the board/commission/committee you are applying for. A 1-2 page resume is optional.

Name of Applicant: Matthew Dugan

Date: 11/05/2023

Phone Number: 802-882-8259

Email Address: matt@shadowprod.com

Name of Commission/ Board/ Committee and term (if known):

Natural Disaster Preparedness Committee

How many years have you served on this Committee? 0 Years

If you serve on another Commission/Board/ Committee, please indicate which one(s):

If you were referred or recommended for this position by someone, please share that reference's name and contact information.

Waterbury Resident: / N (circle one)

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Matthew J. Dugan
70 Tyler Ridge Road
Waterbury, VT 05676
(802) 882-8259
matt@shadowprod.com

EDUCATION

Master of Arts, Applied Communication, December 2013
Northern Arizona University, College of Social and Behavioral Sciences, Flagstaff, Arizona
Area of concentration: Media and behavioral science.
Thesis: *A Case for Evidence-Based Health Communication: The Creation of Messaging to Encourage HIV Testing in Vermont*
Honors: Graduated with distinction; member Phi Kappa Phi Honor Society.

Bachelor of Arts, December 1985
Boston College, Chestnut Hill, MA
Majors: English and Speech Communication
Honors: Magna cum laude

Other

Saint Michael's College, Colchester, VT, 1981-1983 (Journalism major)
Emerson College, Boston, MA (public speaking)
Boston University, Boston, MA (public relations)

RESEARCH INTERESTS

My professional experience is in media strategy, research, marketing/advertising, journalism, and health communication, but my interests are multi-disciplinary and include public health, mental health, applied communication, communication theory, and media studies. My research and writing concentrate on persuasion and evidence-based behavior change with an emphasis on health, environmental and pro-social behaviors.

RELEVANT CAREER EXPERIENCE

Public Health Communication Specialist

**Northern New England Clinical and Translational Research Network (NNE-CTR),
Burlington, VT**

2022-present

<https://med.uvm.edu/nne-ctr/home>

This is a three-state partnership (VT, ME, and NH) funded by the National Institutes of Health to address rural health disparities in northern New England. The NNE-CTR is housed in the Biochemistry department of the University of Vermont's Larner College of Medicine. Duties include using research to create programs to promote public health and measure outcomes; grant

writing; promoting the organization's medical research to the general public and other audiences; publishing newsletter and maintaining website.

University Lecturer

University of Vermont, Burlington, VT

2018-2022

Lecturer in Public Communication, Department of Community Development and Applied Economics, College of Agriculture and Life Sciences. Course topics included social media, journalism, advertising, public relations, integrated marketing communication, consumer behavior, public policy, climate action, and behavior change. In addition to full-time teaching responsibilities, work included an advising load of between 18 and 40 students per semester, the supervising of multiple marketing research interns and independent study projects, and cross-sector collaborations with university colleagues (such as the Northern New England Clinical and Translational Research Center), the state (the Vermont Department of Environmental Conservation and the Vermont State Police), and the public sector (such as the non-profit organization Protect Our Wildlife).

President, Owner

Shadow Associates in Behavior Change, Burlington, VT

2013-2019

www.shadowabc.com

Shadow Associates in Behavior Change (Shadow ABC) was a cross-disciplinary group of scholars, researchers and producers who used an evidence-based approach to designing messaging in the areas of health, energy, and the environment and measuring outcomes.

President, Owner

Shadow Productions, Burlington, VT

1990-2019

www.shadowprod.com

Served as president, head researcher, writer, and executive producer for multi-media marketing firm that specialized in the strategic development and production of electronic communication materials including messaging, web content and sites, animation, music, and TV and radio spots. Clients included Ben & Jerry's, IBM, the Vermont Teddy Bear Company, the BBC, the National Science Foundation, and more. Portfolio includes work in diverse sectors from retail to high-tech, as well as projects for regional and national advertising agencies. Responsibilities include conducting qualitative and quantitative research with a focus on evidence-based behavior-change campaigns. Experience also includes copywriting for advertising, technical publications, brochures, and public relations.

Creative Director

Collins, Lang & Connolly, Burlington, VT

August 1987-August 1990

Designed and wrote radio imaging campaigns for a variety of clients in Vermont and beyond.

Reporter

Keene Sentinel & Keene Business Journal, Keene, NH

October 1987-March 1991

Worked as a general assignment reporter and business reporter. Highlight: Reported from Germany during the fall of the Berlin Wall. Won several "Quill" accolades (internal awards from editorial staff).

ADDITIONAL TEACHING EXPERIENCE

State of Vermont Certified Public Manager Program, Burlington, VT. (2020-present). Teach "Informing and Influencing" module to Vermont state employees who are on the management track.

Champlain College, Burlington, VT. (2015-2018). Adjunct professor, Stiller School of Business and College of Professional Studies. Courses include Health Communication, Marketing Research, Consumer Behavior, Integrated Marketing Communication, Strategic Marketing Process, and Advanced Advertising

Lyndon State College, Lyndonville, VT. (1990-1997). Adjunct professor for courses in marketing, creative writing and broadcast writing.

Champlain College, Burlington, VT. (1989-2018). Guest lecturer in behavior science, entrepreneurship, and marketing.

University of Vermont, Department of Community Development and Applied Economics (2012-2018). Guest lecturer in communication practice and health campaigning.

Community College of Vermont, Burlington, VT. (1998-2009). Guest lecturer in marketing and business management.

University of Vermont Church Street Center, Burlington, VT. (1990-1992). Taught professional writing to continuing education students.

University of Vermont (2000). Guest lecturer in entrepreneurship.

RELEVANT ACCOMPLISHMENTS, PUBLICATIONS, ACADEMIC & PRO-SOCIAL EXPERIENCE

- Multiple award winner (30+ awards) as writer, producer and talent for various radio and television advertisements
- Presented "An Analysis of Attitudes and Barriers to HIV Testing in Vermont: Implications for a State-wide Media Campaign" at National Communication Association conference in November 2012
- Worked with UVM Office of Health Promotion Research on various research-based youth tobacco and alcohol campaigns across the country. Wrote approximately 125 scripts and

developed nearly 50 messages (to see a sample of one of the project's most highly ranked spots, go to http://www.shadowprod.com/tv_samples.html and select "The Jungle" Office of Health Promotion Research)

- Produced "Power and Persuasion: Behavior Science in the Energy Conservation Sector," a research project for the state of Vermont's energy efficiency utility. This paper was presented at the November 2014 National Communication Association conference
- Brought together scientists, educators, and non-profits to create the YWCA citizen science program, The Camp Hochelaga Center for Lake Studies, a week-long young-women-in-science program (program copy available upon request)
- Many pro bono campaigns concerning various social, health and environmental issues
- Two-time winner of Finley Humor Writing Contest, nation's only endowed humor contest
- Presentations on evidence-based health communication using behavior science and persuasion: Vermont Suicide Prevention Coalition, September 2014 & Vermont Department of Health, March 2015
- Presented "Deep Roots and Tangled Branches: Exploring the Past and Future of Euro-American Conflation of Native Americans and the Natural Environment," National Communication Association conference, November 2015
- Selected for participation in Research in Progress Roundtable for "A Case for Evidence-Based Health Communication: The Creation, Testing, and Evaluation of Media Messages to Encourage HIV Testing," National Communication Association conference, November 2015
- Winner of award for excellence in teaching (based on multiple criteria), Champlain College, 2016
- Presented "Persuasion on a Budget" at National Communication Association conference, November 2018
- Submitted paper reviewer, National Communication Association annual conference, 2019
- Publication: Finley, C., Dugan, M. J., Carney, J. K., Davis, W. S., Delaney, T. V., Hart, V. C., ... & McAllister, K. (2021). A Peer-Based Strategy to Overcome HPV Vaccination Inequities in Rural Communities: A Physical Distancing-Compliant Approach. *Critical Reviews™ in Eukaryotic Gene Expression*, 31(1)
- Publication: Dugan, M., McAllister, K. D., & Brennan, E. K. (2022). Persuasion via Performance: Toward a Handbook for Youth to Develop Content that Promotes HPV Vaccination. *Critical Reviews™ in Eukaryotic Gene Expression*, 32(7).
- Invited presentation: "All Together Now: The Transdisciplinary Approach to Creating Effective Health Communication," University of Vermont's Cells to Society series, June 2022
- Invited presentation: "Marketing Happiness," International Society for Quality-of-Life Studies annual conference, August 2022
- Distinguished Undergraduate Research committee: Assisted UVM College of Agriculture and Life Sciences undergraduate researchers in development of projects/papers. Sept. 2020-May 2023
- Publication: Dugan, M., Stein, G. S., Khan, S., Clifford-Bova, S. C. B., Pilcher, F., & Carney, J. K. (2023). Raising the HPV Vaccination Rate in Rural Northern New England Using Local Opinion Leaders. *Critical Reviews™ in Eukaryotic Gene Expression*, 33.

COMMUNITY SERVICE & ACTIVITIES

Institutional Review Board Member, Population Media Center, South Burlington, VT (2015-2021). The board evaluates research projects to safeguard the rights and welfare of human subjects.

Media Committee Chair, Vermont Tobacco Evaluation and Review Board, Burlington, VT (2015-2018). This board advises the Vermont Department of Health regarding statewide anti-tobacco advertising, social marketing, and social media efforts. The board is responsible for evaluating these efforts based on best practices regarding use of theory and evaluation.

Committee Member, Vermont Public Health Institute, Burlington, VT (2014-2019)
Serving as part of committee to bring about the establishment of a Vermont Public Health Institute as part of National Network of Public Health Institutes.

Kelley Marketing Group, Burlington, VT (2015-2018)
Champlain College-based volunteer group provides pro bono marketing and business advice to non-profit organizations.

Trustee, Lake Champlain Land Trust, Burlington, VT (2011-2013)
Position included both managerial responsibilities and hands-on watershed preservation and restoration work.

Member of Vermont Businesses for Social Responsibility, Burlington, VT (2007-2018)
Co-created, conducted interviews, wrote and served as host for Internet program, *Action Item*. Show highlighted people creating better communities through responsible business practices.

Committee Member, Greater Burlington YMCA, Burlington, VT (1999-2019)
Communications and Membership Committees

Member and Board President, Green Mountain Peer Projects, Burlington, VT (2006-2009)
2006-2009. Helped direct operations of statewide youth peer organization.

Program Participant, Leadership Champlain, Burlington, VT (September 2006-June 2008)
Participated in Lake Champlain Regional Chamber of Commerce program involving team-based learning, leadership skills, and community service.

Odyssey of the Mind Judge, Burlington, VT (2003-2005)
Worked as a project judge (Classics) for state competition regarding creative problem-solving by middle- and high-school students.

Youth soccer coach, referee, mentor, Vermont (1994-2004)
Referee for Charlotte Middle School 1990-2000.
Coached for Burlington International Games (with Burlington, Ontario) 1994-1996.
Youth mentor 2002-2004.

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2) Please introduce yourself to the Selectboard by providing a one page cover letter detailing your background, experience, and interest in the board/commission/committee you are applying for. A 1-2 page resume is optional.

Name of Applicant: Malachi Brennan

Date: 11/20/23

Phone Number: 802-999-0872

Email Address: malachi.brennan@gmail.com

Name of Commission/ Board/ Committee and term (if known):

Conservation Commission, term of 2 or 4 years (wasn't sure which was open)

How many years have you served on this Committee? _____ Years

If you serve on another Commission/Board/ Committee, please indicate which one(s):

If you were referred or recommended for this position by someone, please share that reference's name and contact information.

Waterbury Resident: Y N (circle one)

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MALACHI BRENNAN

13 Butler St. | Waterbury, VT 05676 | (802) 999-0872 | malachi.brennan@gmail.com

November 20, 2023

By Email

Waterbury Selectboard
% Karen Petrovic
karen@waterburyvt.com

Dear Selectboard Members:

Please accept my application for a seat on the Conservation Commission. I moved to Waterbury village last year, but for much of my life this town has always been the gateway to accessing the exemplary natural beauty of this state, both while growing up in Chittenden County or more recently living in Montpelier. I am very interested in taking a more direct community role in conservation, particularly in the face of climate change and other shifting land use patterns in the state.

Environmental conservation has been an interest of mine from a young age, and has since shaped much of my personal and professional life. It led me to study biology and ecology in undergrad, ultimately focusing on forestry, and then working as a research forester across several western states for five years. I then returned to school to focus on environmental law and have found great satisfaction in that field over the last three years, particularly when working to confront and adapt to climate change.

I believe I am well equipped to serve the Commission and the Town. Initially trained as a scientist, I now work daily with a wide array of state and federal environmental laws and regulations. My law practice focuses primarily on Act 250 and other land-use regulations, renewable energy, and general environmental litigation. Perhaps equally as important, I try to spend as much time as possible outdoors in and around Waterbury: relaxing, noticing, and appreciating the wild spaces we have at our doorstep. I would be honored to apply my skills and perspectives to the work of the Commission.

I understand the Town is also looking to fill seats on the Housing Task Force. While I am applying initially for the Conservation Commission, if that position is filled I would ask to be considered for that role if the Selectboard believed I could be helpful. I have worked on the land-use permitting for several affordable housing projects and also understand the deep need for more attention to this issue. I would be happy to discuss that role more if desired.

Enclosed is a copy of my resume. If I can provide any additional information, please let me know. Thank you for considering my application.

Respectfully,



Malachi Brennan

MALACHI BRENNAN

13 Butler St. | Waterbury, VT 05676 | (802) 999-0872 | malachi.brennan@gmail.com

BAR ADMISSIONS

Vermont Supreme Court, U.S. District Court for the District of Vermont

EDUCATION

Vermont Law School

South Royalton, VT

2019

Juris Doctor, summa cum laude

Rank: 3/139 (3.91 GPA)

Activities: Articles Editor, *Vermont Law Review*

Teaching Assistant for Constitutional Law and Civil Procedure

Treasurer, *Environmental Law Society*

The University of Vermont

Burlington, VT

2010

Bachelor of Science in Forestry

Activities: Teaching Assistant for Forest Ecology Lab and Dendrology

Varsity Cross-Country and Track, 2006–07; Cycling Team, 2007–10

EMPLOYMENT

SRH Law (f.k.a. Dunkiel Saunders Elliot Raubvogel & Hand)

Burlington, VT

2020–Present

Associate Attorney

- Practice areas include:
 - Land-use regulation, representing clients in Act 250 and zoning hearings, including complex Environmental Court and Supreme Court appeals.
 - Energy & utilities, assisting with the permitting of renewable energy projects and representing public utilities in rate making and other regulatory proceedings.
 - Environmental and civil litigation, providing general civil litigation in support of other practice areas, as well as partnerships with state and national public interest groups to advance environmental policy goals with strategic litigation advice.

Washington County State's Attorney

Barre, VT

2019–2020

Deputy State's Attorney

- Managed a docket of over 300 active cases composed mostly of financial crimes, domestic violence, and motor vehicle offenses.
- Tried two misdemeanor cases and assisted as second chair during five more trials, all felonies.
- Organized a criminal record expungement clinic with Vermont Legal Aid.

United States Court of Appeals for the Second Circuit

Rutland, VT

Fall 2018

Judicial Extern for the Honorable Peter W. Hall

- Wrote bench memoranda and draft summary orders, drafted a published opinion.
- Observed ~40 Second Circuit appellate arguments and several hearings in the district court.

Dunkiel Saunders Elliot Raubvogel & Hand

Burlington, VT

Summer 2018

Summer Law Clerk

- Worked on a range of matters, including: renewable energy siting, Act 250, nonprofits, property, administrative law, tax law, employment law, and contracts.
- Drafted filings for the Vermont P.U.C. and several District Environmental Commissions.
- Wrote client letters, MOUs, internal research memoranda, and firm blog posts.

Conservation Law Foundation

Montpelier, VT

Legal Extern

Spring 2018

- Researched and drafted briefs to support Vermont Environmental Court litigation.
- Provided written and oral public comments to federal and state agencies.
- Shadowed attorneys at depositions, trials, and legislative committees.

Spellbound Forestry

Cove, OR

Founder, General Partner, and Forester,

2012–2016

- Contract researcher for the U.S. Forest Service Pacific Northwest Research Station.
- Collected data and wrote detailed reports on forest ecosystem health for 1200+ remote field sites.

Montpelier Community Justice Center Programs

PROGRAM		HIGHLIGHTS	HOW TO USE
Restorative Outreach		<ul style="list-style-type: none"> ▪ MCJC searches Valcour to identify people who were victimized or who reported harm or threat to their safety or wellbeing in the community, with some exclusions. ▪ MCJC attempts contact via telephone or letter within a few days of non-pending incidents ▪ MCJC offers emotional support and helps people identify needs and resources 	<ul style="list-style-type: none"> ▪ MCJC has access to Valcour and identifies people to call ▪ If an urgent or special need is identified, email ezimet@montpelier-vt.org with your request for victim support
Conflict Assistance		<ul style="list-style-type: none"> ▪ Use for non-criminal conflict, such as neighbor or landlord-tenant relationships regarding noise, garbage, lights, heat, pets, boundaries, parking, snow, etc. ▪ Program provides a mediator to engage parties in a facilitated conversation for parties to resolve issues ▪ Works best when referral is made during early stages of conflict 	<ul style="list-style-type: none"> ▪ Refer all parties without designating either an “offender” or a “victim” ▪ Communicate expectation that parties help themselves find a solution ▪ Either direct parties to call the CJC at (802) 223-9606 or email pertinent information to cplante@montpelier-vt.org to request CJC initiated contact
Restorative Justice Alternative		<ul style="list-style-type: none"> ▪ Use for misdemeanor, chargeable offenses that can be diverted for a restorative process ▪ Program provides community-based response to offending behavior that may involve people affected by the offense ▪ Focuses on learning about harm and accountability for making amends, creating a positive connection with community and learning to make better choices ▪ While over 90% of people complete the program, protocol calls for those who don’t to be cited 	<ul style="list-style-type: none"> ▪ Fill out referral form provided by MCJC and email it to cplante@montpelier-vt.org ▪ Provide a summary of the offense or an affidavit ▪ Receive periodic updates about the case progression and a notification of final disposition approximately three months after the referral

Hope Davey Skatepark Initiative

Presented to Waterbury Select Board

Presented by Waterbury Skatepark Coalition in collaboration with Waterbury Recreation Department

November 20, 2023

Goals for Meeting are to provide:

- Overview of skatepark development activities
- Hope Davey Skatepark conceptual design plans and budget
- Roadmap and schedule for design and construction
- Maintenance and fundraising
- Safety and security

- Conditional approval of plan for continuing roadmap activities

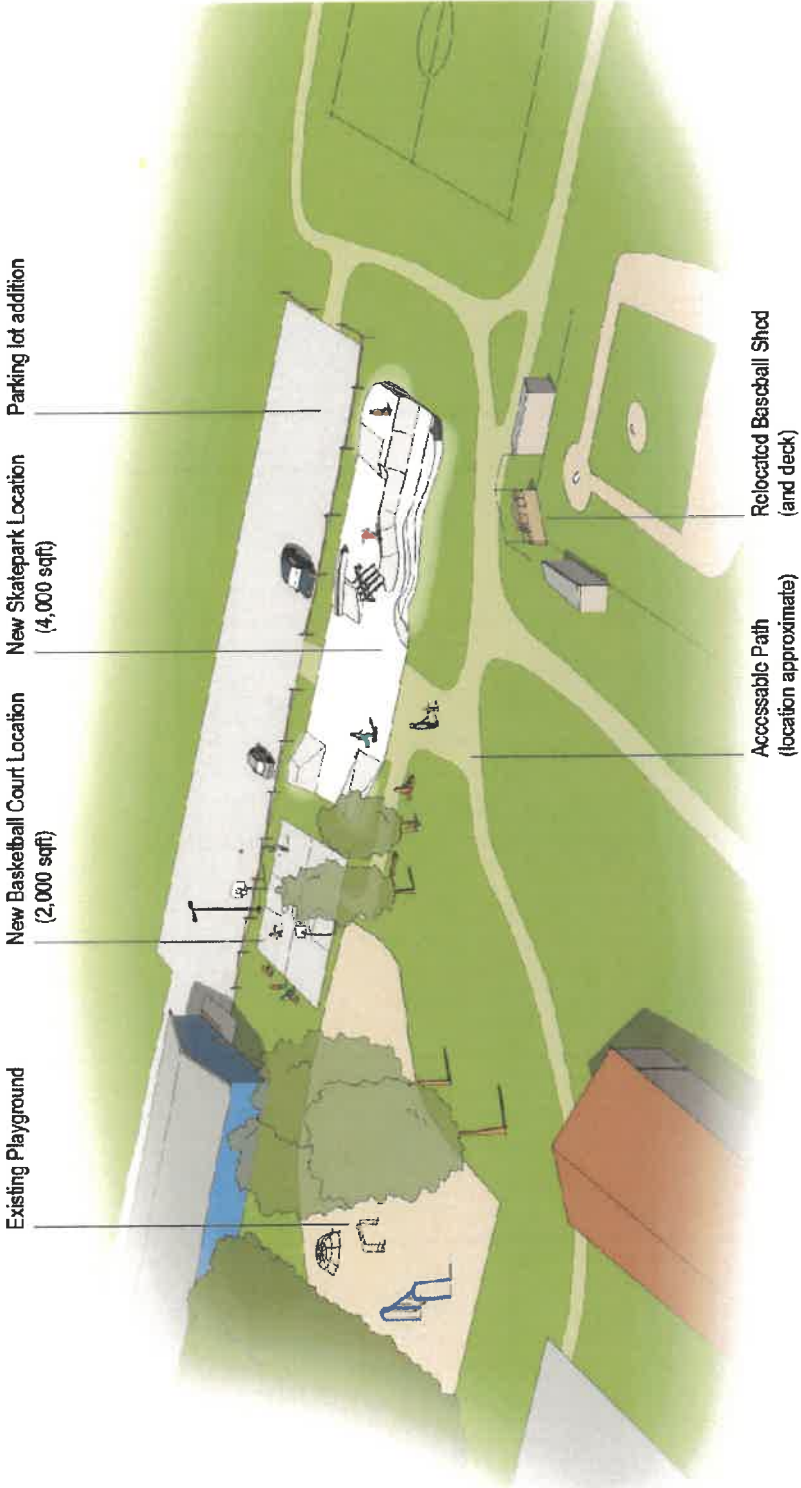


Overview of Skatepark Development Activities

- Prioritize and Optimize Hope Davey Skatepark Area for 2024
 1. Deconstructed the old park, unsafe – Oct, 2023
 2. Increase finished surface area from 4000 to 6000 ft²
 - 4000ft² for skatepark
 - 2000ft² for basketball court
 3. Larger, concrete skatepark park (increase 2000 to 4000 ft²)
 4. Incorporate into planning
 - Parking
 - Basketball
 - ADA path
 - Horseshoes



Hope Davey Conceptual Design



Hope Davey Skatepark Budget Estimate

Build Item	Quantity	Price	Item total
5" Flat Top Deck - Rebar Reinf. Conc. Over Aggregate Base (sf)	2,810	\$ 23.00	\$ 64,630.00
6" Cast In Place Banks (sf)	123	\$ 35.00	\$ 4,305.00
Ledges / Boxes / Manual Pads / Jersey Barriers with 6" Ink. Cantilevered Caps (cf)	170	\$ 75.00	\$ 12,750.00
6" Bank / Transitions (sf)	800	\$ 55.00	\$ 44,000.00
2" Round coping (lf)	90	\$ 65.00	\$ 5,850.00
2" Round Steel Rail (lf)	11	\$ 125.00	\$ 1,375.00
Total Anticipated			\$ 132,910.00

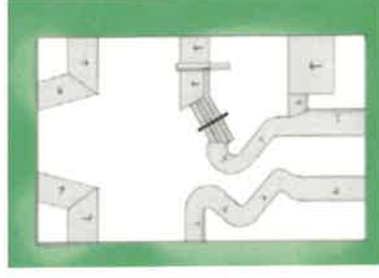
Design, permitting and site prep = \$40K

Total Park Cost Estimate = \$172,910

Current fundraising status = \$42K + \$55K (pledge)

Blauvelt Banks = \$15K

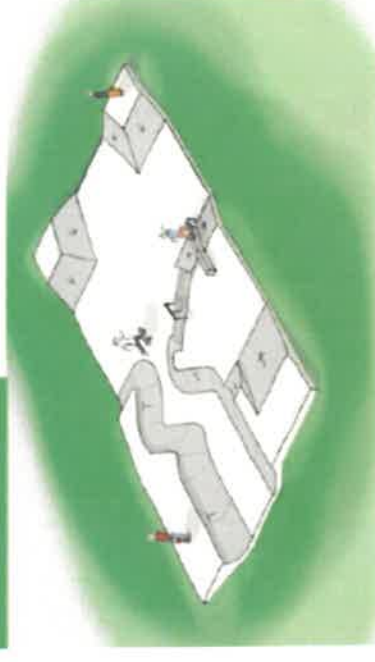
Fundraising Delta = \$61K, offset by in-kind donations – materials, lodging, labor



Shotcrete: 495 sqft

Flatwork: 2890 sqft

Cast in place: 580 sqft



Roadmap and schedule for design and construction

- Approval of conceptual site model for Hope Davey skatepark area
December 2023
- Final Design and RFP for skatepark – January 2023
- Select contractor – March 2024
- Permitting and Compliance – February/March 2024
 1. Storm water permit – currently working with Town on this
 2. Conditional Use Permit – DRB hearing scheduled for December 6
- Finalize budget – March 2024
- Site prep – May/June 2024
- Construction – June/July 2024



Maintenance and Fundraising


- Maintenance Costs
Estimated yearly maintenance, \$2,500
 - a) Park repairs, minimal first 3 years
 - b) Graffiti, glazing, sealant
 - c) Routine - garbage, landscaping, etc.

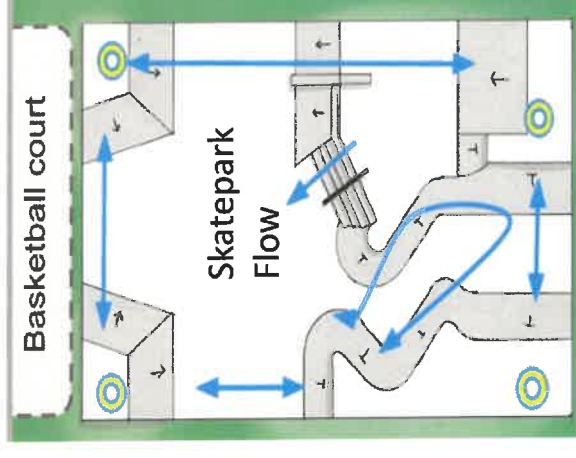


- Short-term Fundraising – 6 months
Status of fundraising - \$42,000/\$55,000 pledges

- Long-term Fundraising – sustaining the park (data from 3 other VT parks)
Rec Program summer camps - #325-\$375/week mini-camps
 - a) Skate camps, two per summer
 - b) Local private camps (Apple Tree Learning, Mud City Adventures...for example)Fundraising Events/Jams/birthday parties
 - a) Spring/Fall, approx. \$500/event

Safety and Security

- Security – Recommendations from Lt. David White and Trooper Ryan Riegler
 1. High resolution security cameras
 2. Excellent communication with local State Police officers and routine passthroughs
 3. Optimized security lighting with park closed at dusk-consider electric gate
 4. Signage – rules, emergency #s, hours
 5. Intergenerational use is common and also a deterrent-high level of respect
- Safety
 1. History tells us very few injuries x 12 yrs. No head injuries.
 2. Safe viewing and perimeter seating
 3. Thoughtful design elements to optimize skater flow 
- Noise
 1. Concrete - Less noise, significantly quieter surface
 2. NO alcohol and NO smoking/vaping anywhere on park property





WATERBURY MUNICIPAL OFFICE
802.244.7033 or 802.244.5858
FAX: 802.244.1014
28 NORTH MAIN ST., SUITE 1
WATERBURY, VT 05676
WATERBURYVT.COM

Memo

Date: November 17, 2023
From: Katarina Lisaius, Recreation Director
To: Selectboard
Subject: Recreation Department Support for Waterbury Skatepark Coalition Planning

The Master Plan for Hope Davey and Ice Arena Parks was endorsed by the Selectboard. The Master Plan outlines uses of the park including a basketball court and a skatepark, yet the plan did not outline the details of how each sport and space would be updated over time at Hope Davey Park. This memo is to provide an update on the details of skateboarding and basketball at Hope Davey Park.

As you may be aware, the wooden skatepark was demolished in October as it was in disrepair. The Waterbury Skatepark Coalition plans the rebuilding of the skatepark at Hope Davey Park in spring 2024. For the rebuilding, the coalition proposed to the Recreation Committee and the Recreation Department expanding the footprint of the skatepark from 2000 sq. ft. to 4000 sq. ft. The proposal requested Recreation Committee member feedback and Recreation Department feedback on how the expansion should be implemented. To help support the feedback, the Recreation Department created a survey requesting input from the basketball community on the court options at Hope Davey Park. The survey results are attached. In summary, the basketball community shared that the basketball court is used and desired at Hope Davey.

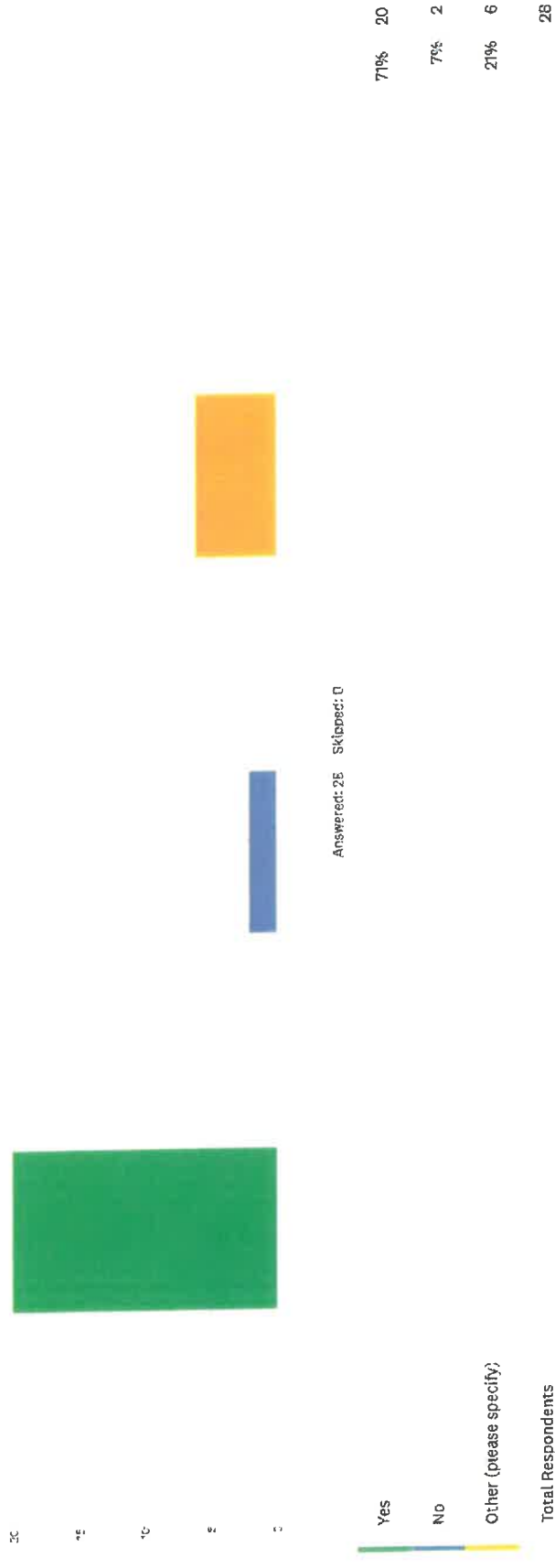
Upon sharing the survey results with the Recreation Committee, the Committee voted in favor (5-1-1) of expanding the footprint of the skatepark by expanding the hard surface. The expansion of the hard surface will have room for skateboarding and basketball at Hope Davey Park.

As Recreation Director, I support the thoughtful approach the Waterbury Skatepark Coalition has in rebuilding the Hope Davey skatepark. The skatepark has support within the Waterbury community and the Vermont skateboarding community. The sport has long lasting positive impacts on skateboarders including aiding mental health, building resilience of youth, and engaging informal and experiential learning. In my role, I will continue to support and promote time outdoors in public parks and spaces to help keep kids, youth, and adults safe and engaged.

Basketball Survey Results

Survey seeking solutions for location for basketball court at Hope Davey, should the skatepark expand. It was important for the town to conduct a survey to begin implementation of the [Waterbury Hope Davey and Ice Center Area Parks Master Plan](#). Community shared that they supported both the skatepark and basketball court in public comments of the master plan. The specifics of the skatepark placement and basketball court were not in the report, which is why the Recreation Department sought additional feedback.

1. Do you regularly use the town basketball courts?

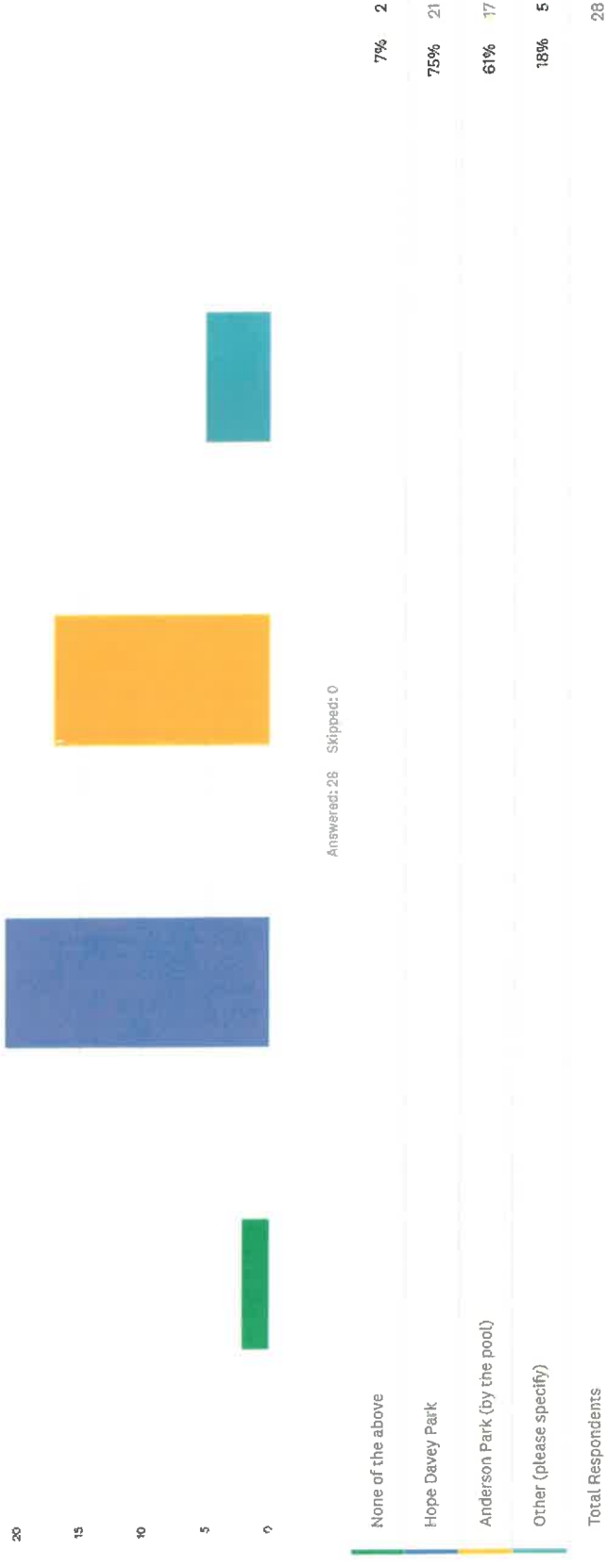


Other:

- My kids go there about once a month
- My grandson and his friends
- I want to, but the conditions are tough. Loose rocks and gravel make it a bit dicey.

- I sometimes use the court by the pool, but it is not a great orientation with the sun and it needed physical improvements last time I was there this past Summer.
- Have no yet, but will soon with a kid in the Center starting basketball.
- No I don't use it currently but it is nice to have at least a small court available for kids to shoot hoops somewhere separate from the skatepark

2. Where do you use the basketball courts?

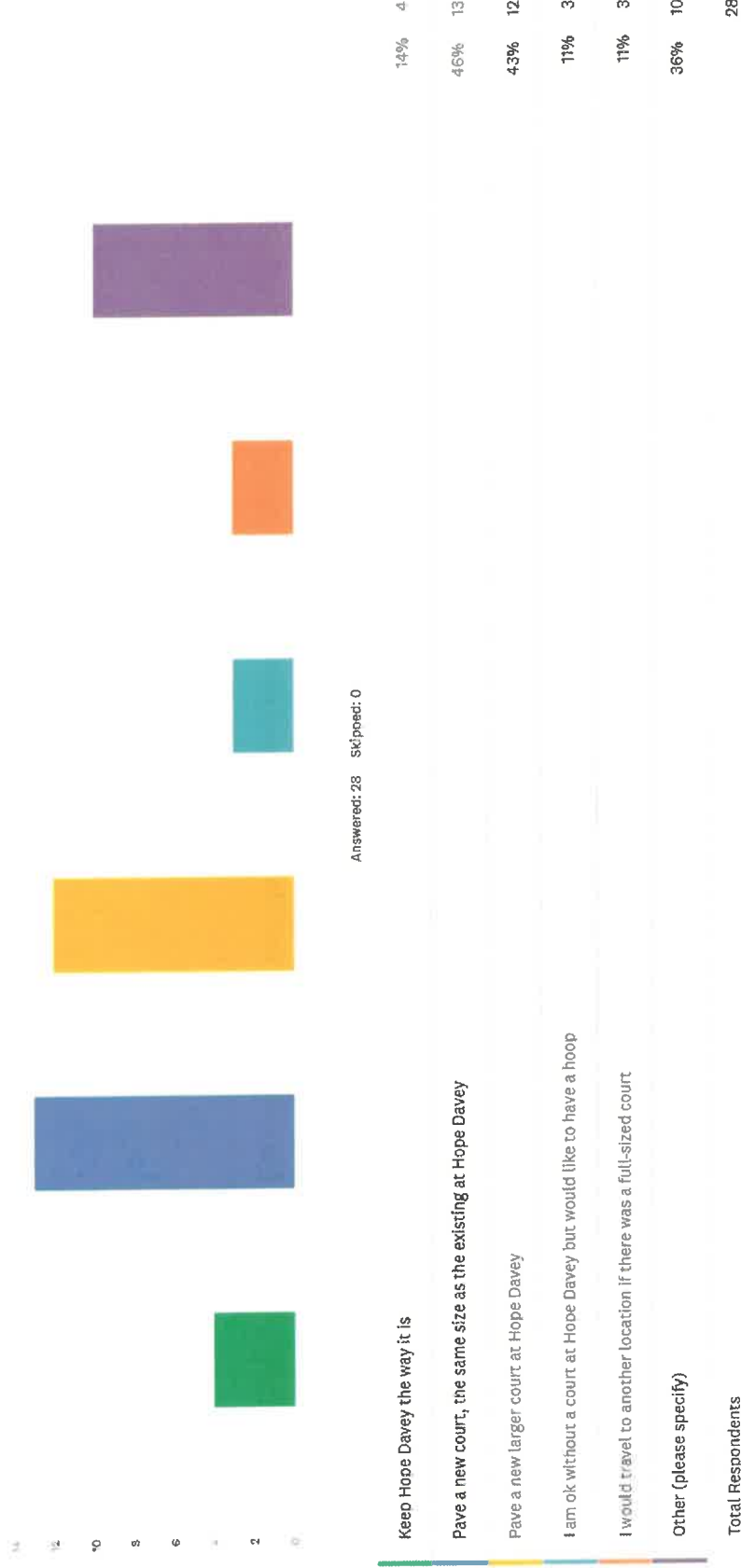


Other:

- Kids sometimes use the hoops by the state building
- My grandson and friends

- St. Leo's
- Don't use bur our son enjoyed shooting hoops at Hope Davey and at Anderson Field
- Next to St. Leo's

3. If you play at Hope Davey, what are your suggestions to improve the space? Please keep in mind that Hope Davey is close to wetlands which impacts what we are able to do.



Other:

- We have a real deficit of hoops for the interest in this district. I would be against removing any. The hoops at Anderson are busy all day when it's nice out. WE only have two full size indoor courts (harwood and Crossett) and harwood is basically completely off limits. The rest of the courts in the district are not much more available. Fully support making hope Davey full court – or two full courts
- The Waterbury Center kids need a basketball court
- If the skatepark is moved to the ice center location, utilize that current space to expand the court
- I think it would be incredible to have a covered court. Indoor would be ideal so we can play during the winter. There are a ton of dads in the community looking for a place to play in the cold dark months and having an option would be so valuable to the community. We obviously have a covered ice rink. Having a coveted basketball court would be an incredible compliment. I'd be more than willing to volunteer to organize and run leagues, whatever it takes!!! Thanks guys!
- Only need a new court if the skate park expands, but if it doesn't some work on the existing court would be nice. New hoop or at least a net on the right side, and removing the ankle-breaking frost heave under the other hoop.
- I don't use hope Davey Park court, so do whatever the people want.
- My kids like to shoot hoops at hope davey but don't play full games there. it's a good option for kids at hope davey there due to sibling games/practice
- Would love an adjustable hoop that lowers for kids!
- There is plenty of room at Hope Davey to enlarge both the skatepark and the basketball court in my view – there is field space to expand other activities that is rarely utilized in its current state.
- One existing hoop has never had a net. The other has a frost heave right under the hoop.

Category	Actual: Q3		2023 Budget	2023		2022 Q3		% of Budget	2022		% of Budget	Notes
	2023	% of Budget		2023	% of Budget	2022 Q3	% of Budget		2022	% of Budget		
General Fund Revenues												
Tax Revenues (incl int/penalties)	1,955,469	97.7%	1,910,575	97.7%	2,074,646	97.9%	Penalty is billed after final payment is due 50% of the Duxbury fire contract has been billed and paid. Remainder billed in October. Expecting \$500k in AMR payments.					
Other Governmental Revenue	820,568	25.4%	208,765	25.4%	132,000	17.2%	Much of this is recreation. We are on pace to match 2022. Town Clerks fees are a bit of a concern, but sometimes that is just a timing issue.					
Service Fees	417,350	83.5%	348,313	83.5%	321,277	85.0%	This is a direct transfer from an investment fund					
Revenue from Tax Stabilization Fund	56,000	110.9%	62,117	110.9%	1,523	2.9%	This line item shows our ARPA funds. This shows as a revenue here, but has an offsetting expense. The \$150k to EFUD has been transferred.					
Miscellaneous	526,500	89.1%	468,918	89.1%	864	0.1%	On pace with 2022 excluding the ARPA impact.					
Subtotal: General Fund Revenues	3,775,887	79.4%	2,998,687	79.4%	2,530,310	64.6%						
General Fund Expenses												
General Government - Payroll & Fringe	664,884	75.8%	504,249	75.8%	435,572	70.5%	2022 saw a \$75,000 transfer to our reappraisal fund. That transfer is no longer necessary.					
General Government - All Else Non ARPA	430,146	61.5%	264,628	61.5%	329,518	70.6%	EFUD, Sr. Center, Stowe St. Alley					
General Government - ARPA	526,000	34.3%	180,551	34.3%	50,000	8.3%	FEMA claim likely to exceed cash expenses.					
Flood Expenses	-	-	102,573	-	-	NA	Balance will be paid to state police for contract.					
Public Safety - Ambulance & Police	464,070	58.5%	271,570	58.5%	342,013	78.1%	In 2024 I suspect we will have to budget higher payroll costs as ranks grow. Payroll also includes flood response.					
Fire Department	782,116	56.6%	442,586	56.6%	417,613	51.6%						
Landfill/Green Up Day	38,117	99.3%	37,840	99.3%	37,915	99.5%	Paid Mad River Solid Waste slightly earlier in 2023					
Health & Social Service	36,148	4.0%	1,443	4.0%	63	0.1%	Costs will increase compared to 2022 due to hiring Animal Control Officer					
Recreation	492,305	79.6%	392,109	79.6%	446,410	92.7%	Last year saw a transfer to the capital fund, but we are generally below 2022 expenses.					
Parks Maintenance	111,842	58.3%	65,156	58.3%	59,591	71.6%	50% of this is staff time allocated to parks during summer, highway in winter.					
Planning & Zoning	299,355	59.6%	178,272	59.6%	149,827	51.3%	Hope Davey/Ice Center expenses drove early part of 2023. Base expenses under budget					
Municipal Building Debt (Town Portion)	101,405	0.0%	-	0.0%	79,845	74.6%	Paid in November. We will hit budget number to the penny.					
Special Articles	39,357	0.0%	-	0.0%	120,000	76.0%	Generally paid at year end unless requested.					
Total General Fund Expenses	3,985,745	61.2%	2,440,977	61.2%	2,468,368	60.7%	Accounting for the \$150k ARPA expense we are on budget					
Net Gain (Loss)	(170,501)		557,710		61,942							

Highway Fund

Highway Revenues											
Property Taxes	1,845,363	1,175,811	63.7%	1,624,900	100.0%	Will not automatically transfer full amount of taxes. If highway is under budget at year end the balance will stay with the general fund.					
ARPA	465,000	435,000	93.5%		0.0%	Internal transfer					
All Else	136,749	157,456	115.1%	93,788	77.8%	State aid, miscellaneous sales of used equipment/vehicles					
Total Highway Revenues	2,447,112	1,768,267	72.3%	1,718,688	92.7%	On pace to meet budget. Did try and fail to sell an older vehicle, but will try again shortly.					
Highway Expenses											
Salary & Fringe	652,611	449,971	68.9%	454,872	76.5%	Down from budget and prior year.					
Fuel	88,000	52,890	60.1%	70,915	120.3%	We have seen some relief in prices. Warm winter has not translated into less salt. But we hope our November/December salt use will be covered by what is already in the salt shed.					
Salt	45,000	42,335	94.1%	26,160	58.1%	Some substantial repairs. Will need to increase 2024 budget.					
Chloride, Sand, Stone & Gravel	129,000	108,142	83.8%	112,930	107.6%	Transfer will be adjusted at year end based on expenses.					
Vehicle & Equipment Repairs	72,500	60,033	82.8%	52,953	63.0%						
All Else	240,244	197,129	82.1%	179,984	64.7%						
Transfer to Capital Fund	1,055,000	857,768	81.3%	595,500	75.0%						
Total Highway Expenses	2,282,355	1,768,267	77.5%	1,493,314	76.2%	Increased budget in 2023, so our spend rate is higher but within budget.					
Excluding Transfer	1,227,355	910,499	74.2%	897,814	77.0%						

Library

Library Revenues						
Property Taxes	513,753	288,117	56.1%	485,575	100.0%	Recorded when bills are mailed in July.
All Else	44,288	10,693	24.1%	35,150	53.7%	Much of this is investment gains and losses.
Total Library Revenues	558,041	298,810	53.5%	520,725	99.2%	No major concerns.
Library Expenses						
Salary & Fringe	307,007	222,153	72.4%	205,383	72.1%	On reasonable pace and on budget.
Debt/Muni Bldg Costs	184,984	-	0.0%	91,463	47.1%	Internal transfer. Made in November.
All Else	69,200	76,657	110.8%	107,697	174.5%	Books, subscriptions, etc.
Total Library Expenses	561,191	298,810	53.2%	404,543	74.8%	Overall on budget without any major concerns. Rachel & her team are excellent.

Cemetery

Cemetery Revenues						
Property Taxes	15,000	15,000	100.0%	11,250	75.0%	
All Else	39,350	43,559	110.7%	(56,085)	-136.3%	Better year for investment fund.
Total Cemetery Revenues	54,350	58,559	107.7%	(44,835)	-79.8%	Driven by investment gains/losses.
Cemetery Expenses						
Salary & Fringe	21,940	4,401	20.1%	4,178	19.0%	
Grounds Maintenance	65,000	86,350	132.8%	12,700	50.8%	Cemetery commissioners elected to complete capital projects. Difference will be withdrawn from investment fund. \$38k was from a prior year donation.
All Else	15,490	18,553	119.8%	2,455	14.8%	
Total Cemetery Expenses	102,430	109,304	106.7%	19,334	18.7%	Will struggle to find staff to maintain grounds. This hurts operations, but helps the budget

Municipal Building Operating Fund				
Expenses				
Heat/Electric	39,000	19,877	51.0%	68.5%
Building Maintenance	55,110	48,751	88.5%	128.4%
Debt	217,606	35,053	16.1%	16.0%
All Else	36,889	12,313	33.4%	37.3%
Total Municipal Building Costs	348,605	115,994	33.3%	37.0%

Revenues are internal transfers, and will be made. Expenses need close monitoring.

Nothing remarkable

Capital Expenses				
Paving	405,000	333,954	82.5%	1.2%
Finish Main Street Project	-	4,303	NA	120.0%
Bridge Improvements	-	30,119	NA	29.7%
Sidewalks	30,000	25,354	84.5%	-
Building Improvements	45,000	3,985	8.9%	-
ARPA Bridges	435,000	91,221	21.0%	-
Gravel Road Rebuild	60,000	-	0.0%	-
Gravel Study	20,000	-	0.0%	-
Loader	-	-	-	96.6%
New Truck	140,000	70,602	50.4%	0.0%
One Ton (budgeted in 2022)	-	111,209	#DIV/0!	-
Mini Excavator	95,000	-	0.0%	-
Chloride Trailer	8,500	13,724	161.5%	-
Hydro Seeder	-	-	-	70.0%
Cemetery Vehicle	15,000	-	0.0%	-
Recreation CIP (Pool, Buildings, Fields)	49,500	7,491	15.1%	8.9%
Fire Department SCBA System	85,000	80,568	94.8%	0.0%
Total Capital Expenses	1,388,000	772,530	55.7%	22.6%

Will be spent in full.
Paid for by grant
Dry bridge on Stowe Street. Construction likely 2-3 years out

Significant 4th quarter expenses, but this will linger into 2024.
Not able to complete in 2023.

2021 purchase paid in 2022
This is actually paying the bill for a 2022 purchase.

Have decided to not order this year. Will re-evaluate for 2024.
Some expenses incurred in 3rd quarter

Purchased in 3rd quarter.

Pool study ongoing. Restoration of soccer field at ice center will be 75% reimbursed through FEMA.
In place. Old system has no value and will be donated to another department.

Proposed 2024 Budget Schedule

- 12/18 - Provide a complete draft budget, including estimated tax levy and rate (20 minutes)
 - Review fund balance history & any use of reserves (15 minutes)
 - Review reserve funds (15 minutes)
 - Review employee pay & benefits (15 minutes)
 - Review ambulance service (15 minutes)
- 1/8: Public Works (including capital) (30 minutes), Fire Department (20 minutes), Planning & Zoning (15 minutes)
- 1/15: Library, including Trust Fund (30 minutes), Cemetery (20 minutes), General Government (20 minutes), Recreation (15 minutes)
- 1/22: Revitalizing Waterbury (15 minutes), Senior Center (15 minutes), Special Articles (45 minutes), & Review Draft Warning (20 minutes)
- 1/29: Finalize & adopt budget and warning (60 minutes)
- Items that May Need to be Scheduled: State Police Contract, Solid Waste District