

Wilmington Selectboard Agenda
January 18, 2022 at 6:00 pm

1. Visitors, Public Comments, Possible Changes to the Agenda
2. Approve Minutes of January 4, 2022 (5 minutes)
3. Action Items
 - *The Selectboard to possibly approve the Annual Certificate of Highway Mileage*
4. Equalization Study (10 minutes)
 - *The Selectboard to possibly approve the Listers request to appeal the equalization study results on four properties.*
5. Town Meeting (10 minutes)
 - *The Selectboard to review and possibly approve the Town Meeting Warning.*
 - *The Selectboard to possibly vote to move to Australian Ballot for the 2022 Town Meeting*
6. VSP PSAP Staffing Contingency Plan (20 minutes)
 - *The Police Chief to discuss the VSP PSAP staffing and how it will affect the Wilmington Police Dept.*
 - *Traffic stop and race data*
7. Other Business/Correspondence
8. Select Board Members Comments
9. Town Manager's Updates (10 minutes)
10. Executive Session
 - *The Selectboard to possibly enter executive session for the purpose of discussing a contract amendment and to discuss attorney client communication pertaining to Superior Court tax appeal case Neuner v Town of Wilmington.*

Wilmington Selectboard Meeting Minutes January 4, 2022

Present: Tom Fitzgerald, John Gannon, Sarah Fisher, Tony Tribuno **Absent:** Vince Rice

Others Present: Scott Tucker, Jessica DeFrancesco, Christine Richter, Meg Staloff (by phone), Geri Kogut, Amelia Nick, Ryan Todd, Gretchen Havreluk, Therese Lounsbury, Brandon Brassor, Jessica Lee Smith

Public hearing called to order at 6:00 pm

1. Zoning Public Hearing

- Staloff; Article VII, section 733–One district was left out in the introductory section. Should include “resort/commercial/residential”. Havreluk commented on the great work of the Planning Commission in creating this section of the ordinance.

Public hearing closed at 6:04 pm

Meeting called to order at 6:05 pm

2. Visitors, Public Comments, Possible Changes to the Agenda

3. Approve Minutes of December 21, 2021

- Tribuno moved to approve the minutes of December 21, 2021, Fisher second; all in favor.

4. Action Items

- Fitzgerald moved to appoint Geri Kogut to the Rec Committee for a 4-year term to expire in 2026, Fisher second; all in favor.
- Our tire carrier is no longer picking up tires and prices for tires have increased. Brandon has been doing research to try and find a hauler that will keep our costs in line with current costs. Permit sales have doubled, and use is starting to normalize some. Gannon moved to approve the updated transfer stations fees for tires, Fisher second; all in favor.

5. FY 23 Budget

- Gannon moved to approve the FY 23 general fund and highway budgets, Fisher second; all in favor.

6. Public Hearing Approval

- Tribuno moved to approve zoning articles IV, VII, and X as amended and corrected, Fisher second; all in favor.

7. Other Business/Correspondence

- Town Report Dedication

8. Select Board Members Comments

- The CLA from the state is concerning
- State is moving forward with the town meeting bill–should be done in the next two weeks so the Selectboard will be able to vote to hold town meeting by Australian ballot.

9. Town Manager’s Updates

- Seeing a COVID–spread right now and it is affecting our employee base; some is work contact, some is outside work. We have a small number of home–testing kits.
- WRC has asked us to participate in stormwater master planning.

Meeting adjourned at 6:53 pm

Respectfully Submitted,
Jessica DeFrancesco, Administrative Assistant

Approved by the Wilmington Selectboard:

Thomas Fitzgerald, Chair

John Gannon, Vice Chair

Vince Rice, Clerk

Sarah Fisher

Tony Tribuno

District 1
Certcode 1322-0

**CERTIFICATE OF HIGHWAY MILEAGE
YEAR ENDING FEBRUARY 10, 2022**

Fill out form, make and file a copy with the Town Clerk, and submit the Mileage Certificate on or before February 20, 2022 to: Vermont Agency of Transportation, Division of Policy, Planning and Intermodal Development, Mapping Section via email to: aot.mileagecertificates@vermont.gov or if necessary via mail to: VTrans PPAID - Mapping Section, 219 North Main Street, Barre VT 05641.

We, the members of the legislative body of WILMINGTON in WINDHAM County
on an oath state that the mileage of highways, according to Vermont Statutes Annotated, Title 19, Section 305,
added 1985, is as follows:

PART I - CHANGES TOTALS - Please fill in and calculate totals.

Town Highways	Previous Mileage	Added Mileage	Subtracted Mileage	Total	Scenic Highways
Class 1	0.000				0.000
Class 2	13.360			13.36	0.000
Class 3	54.02			54.02	0.000
State Highway	14.462			14.462	0.000
Total	81.842			81.842	0.000
* Class 1 Lane	0.000				
* Class 4	7.14			7.14	0.000
* Legal Trail	0.00				

* Mileage for Class 1 Lane, Class 4, and Legal Trail classifications are NOT included in total.

PART II - INFORMATION AND DESCRIPTION OF CHANGES SHOWN ABOVE.

1. NEW HIGHWAYS: Please attach Selectmen's "Certificate of Completion and Opening".

2. DISCONTINUED: Please attach SIGNED copy of proceedings (minutes of meeting).

3. RECLASSIFIED/REMEASURED: Please attach SIGNED copy of proceedings (minutes of meeting).

4. SCENIC HIGHWAYS: Please attach a copy of order designating/discontinuing Scenic Highways.

IF THERE ARE NO CHANGES IN MILEAGE: Place an X in the box and sign below. ☒

PART III - SIGNATURES - PLEASE SIGN.

Signatures of Selectmen/ Aldermen/ Trustees:

Signature of T/C/V Clerk:

Date Filed:

Please sign ORIGINAL and return it for Transportation signature.

AGENCY OF TRANSPORTATION APPROVAL: Signed copy will be returned to T/C/V Clerk.

APPROVED:

Representative, Agency of Transportation

DATE:

Town of

Wilmington

(802) 464-8591 (Voice)

(802) 464-8477 (FAX)

www.wilmingtonvermont.us

January 12, 2022

State of Vermont
Department of Taxes
Attn: Jill Remick, Director
133 State St
Montpelier, VT 05633-1401

Re: 2021 Equalization Study

Dear Director Remick:

The Town of Wilmington Select Board are appealing 4 properties that are in the Equalization Study for 2021.

1. 762-242-13144 & 10503, Seller was Kuenstle/Heiko, this was a multi lot transaction to Boch Donna Trst which included a house & land as well as a lake lot. Sales Prices were allocated
2. 762-242-11319, should not be in Category S1- should be Category R1
3. 762-242-13145, seller was Knaggs, Randy, buyer Scrudo, Paul wanted lot for dock on Lake Raponda. Buyer owns a house in the neighborhood.
4. 762-242-12040, seller was Llewellyn, buyer Garrett, Bowman wanted lot for dock on Lake Raponda and buyer owns a house in the neighborhood.

Please let us know if any more information is required to appeal these properties.

Sincerely,

Deb Kingsley, Administrator for
Board of Listers

Approved by the Board of Selectpersons

Thomas Fitzgerald, Chairperson

2022 W A R N I N G

ANNUAL TOWN MEETING

Wilmington, Vermont Tuesday, March 1, 2022

The legal voters of the Town of Wilmington are hereby notified and warned to meet at the Old School Community Center (OSEC) in said Wilmington, Vermont, from 7:00 A.M. until 7:00 P.M., on Tuesday, March 01, 2022, to vote by Australian Ballot.

Article 1: To elect all Town and Town School District Officers required by law and all articles as set forth below.

Article 2: Shall the Town vote to raise and appropriate the sum of \$2,679,221 to care for the expenses and liabilities of the General Fund for fiscal year 2023 (7/1/22 to 6/30/2023)?

Article 3: Shall the Town vote to raise and appropriate the sum of \$1,531,250 to care for the expenses and liabilities of the Town Road Budget for fiscal year 2023 (7/1/22 to 6/30/2023)?

Article 4: Shall the Town vote to allocate the State per parcel payment estimated to be \$26,792 to the Reappraisal Reserve Fund?

Article 5: Shall the Town vote to raise and appropriate \$175,000 to fund the Highway Town Road Equipment Capital Fund?

Article 6: Shall the Town vote to raise and appropriate \$100,000 to fund the Bridge Capital Fund?

Article 7: Shall the Town vote to establish a Highway Building Capital Fund for the purpose of building maintenance, and raise and appropriate \$5,000 for such fund?

Article 8: Shall the Town vote to raise and appropriate \$150,000 to fund the Fire Department Equipment Capital Fund?

Article 9: Shall the Town vote to raise and appropriate \$5,000 to fund the Fire House Capital Fund?

Article 10: Shall the Town vote to raise and appropriate \$20,000 to fund the Memorial Hall Capital Fund?

Article 11: Shall the Town vote to raise and appropriate \$12,000 to fund the Library Capital Reserve Fund?

Article 12: Shall the Town vote to raise and appropriate \$20,000 to fund the Town Hall Capital Fund?

Article 13: Shall the Town vote to raise and appropriate \$20,000 to fund the Police Equipment Capital Fund?

Article 14: Shall the Town vote to raise and appropriate \$5,000 to fund the Transfer Station Capital Fund?

Article 15: Shall the Town vote to raise and appropriate \$10,000 to fund the Public Lands and Fences Capital Fund?

Article 16: Shall the Town vote to establish a Water Capital Fund for the purpose of maintaining water reservoirs, systems and equipment, and raise and appropriate revenue for such fund under the control and direction of the Selectboard, sitting as the Water Commission, to be funded by rate payers?

Article 17: Shall the Town vote that water charges will bear interest at a rate of one percent per month or fraction thereof for the first three months and thereafter one and one-half percent per month or fraction thereof, from the due date of such charges pursuant to 24 VSA 5151(c)?

Article 18: Shall the Town vote to expend \$260,000 from the FY21 surplus to fund the Planning & Acquisition Capital Fund for the purpose of the Public Safety Facility expenditures.

Article 19: Shall the Town vote to discontinue its two additional elected Lister positions pursuant to 17 V.S.A. § 2650(c) so the number of elected Listers is reduced to three?

Article 20: Shall the Town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863?

Article 21: Shall the Town vote to add three Justice of the Peace positions for a total of ten, based on the population?

Article 22: Shall the Town vote to collect taxes on August 26, 2022 and February 24, 2023?

Dated at Wilmington, Vermont this _____ day of January 2022.

Selectboard of the Town of Wilmington

Tom Fitzgerald, Chairman _____

John Gannon, Vice Chair _____

Vince Rice, Secretary _____

Sarah Fisher _____

Tony Tribuno _____

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11/25

We, the undersigned legal voters of the Town of Wilmington, Vermont, do hereby petition the Wilmington Selectboard to consider the following article for Australian Ballot at the Annual Town Meeting on March 1, 2022:

Shall the town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863?

Wilmington Registered Voter

Print Name	Signature	Address
Margaret Hubbard	Margaret Hubbard	24 Lawrence Davis Dr. Wilmington VT
Harry Stephen Butte	Harry Stephen Butte	129 VT RT 100A WILMINGTON VT
Emily Payton Fitzgerald	Emily Payton Fitzgerald	184 Stowe Hill Rd. Wilmington VT
Edward Fitzgerald	Edward Fitzgerald	" same as above
Jason Moore	Jason Moore	5 P. Moose Ln
BRENT JOHNSON	Brent Johnson	13 GATES LANE
Aaron Mitchell-Patrick	Aaron Mitchell-Patrick	27 Stowe Hill Road
Cricket Valle	Cricket Valle	239 Coldbrook Rd
Earlene M. Boyel	Earlene M. Boyel	239 Coldbrook Rd.
Chrystal Holt	Chrystal Holt	363 Boyd Hill Rd. Wilmington
JESSICA PARSONS	Jessica Parsons	102 Rt 100S WILMINGTON
Matthew J. Valle	Matthew J. Valle	239 Coldbrook Rd
Rebecca Craven	Rebecca Craven	71 Wilmington Heights
Dana Wing	Dana Wing	Beaver St Wilmington
Larry Lucas	Larry Lucas	9 Beaver St Wilmington
Andrew Ferguson	Andrew Ferguson	
Adam Skwigut	Adam Skwigut	81 West Main St
Brian Geddis	Brian Geddis	21 Beaver
John Lebron	John Lebron	22 Mountain View
MATTHEW COLE	Matthew Cole	311 Stowe Hill
MATTHEW COLE	MATTHEW COLE	
MARILYN MILL	Marilyn Mill	134 Rte Hill, WILM.
BOB HARRIS	BOB HARRIS	

(7 pages Total)

WILMINGTON, VERMONT Town Clerk
Received for Record 01-06-2022 11:55am
Therese Lounsbury, Clerk

82 Signatures Required
113 Signatures Received

18

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Shall the town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863?

Wilmington Registered Voter

Print Name	Signature	Address
Jason Parsons	[Signature]	102 Mt 100 S Wilmington
Dylan Rowe	[Signature]	83 ATHERTON RD APT 2 WILMINGTON, VT 05363
Sandy Porter	[Signature]	30 E DAVEN RD WILMINGTON 05360
Devon Farfour	[Signature]	83 Atherton Rd. APT 2 Wilmington VT 05363
Sheyn Birk-Furley	[Signature]	83 Atherton Rd APT 2 Wilmington VT 05363
JEFFREY WEINSTEIN	[Signature]	115 WESTLAKE RD WILMINGTON, VT 05363
Joseph Moore	[Signature]	5 Primrose Ln Wilmington VT
Donna O'More	[Signature]	5 Primrose Wilm. VT
Rob Marzelli	[Signature]	10 E Main St Wilmington VT
Levin Beach	[Signature]	14 E Hill Rd Wilmington VT
Jennifer Beach	[Signature]	14 East Hill Rd Wilmington
PEDRO R PEREIRA	[Signature]	41 WOODS RD WILMINGTON
Art Swanson	[Signature]	6 Sturgis 05363
CHRISTOPHER PARKES	[Signature]	Wilmington
Carrie Russell	[Signature]	18 New England power Rd
NOAMAND VANDAL	[Signature]	56 Country Club Rd Wilmington VT
Nancy Vandal	[Signature]	448 Higley Hill, Wilmington VT
Nicole Stendy	[Signature]	30 Mill St Wilmington
Christina Moore	[Signature]	5 Primrose Lane Wilmington
Alex Rioux	[Signature]	109 Elwell Heights
Toby Burrows	[Signature]	60 Look Rd
Lisa Sullivan	[Signature]	305 Ray Hill Rd Wilmington
Mary Jane Finnegan	[Signature]	9 Rock Rd Wilmington



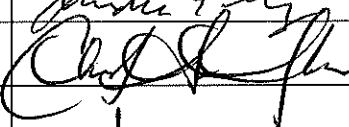




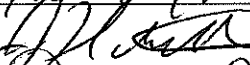
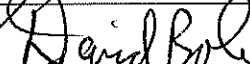
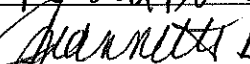
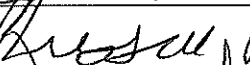
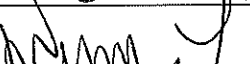




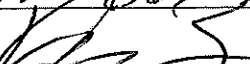

WILMINGTON, VERMONT Town Clerk
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Therese Lounsbury, Clerk

(24)

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Shall the town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863?

Wilmington Registered Voter

Print Name	Signature	Address
✓ Shawn Vandaele		8 Rist St Wilmington
✓ Krista Rushford	Krista Rushford	8 Ristast Wilmington
✓ Theodore Gray		197 Oldtown Rd. Wilmington
✓ Cheryl Trudeau		75 N. MAIN. ST. @ COTTAGE
Barry S. Klerm	Barry S. Klerm	
✓ Barry S. Klerm		38 N.E. Power RD ^{WILMINGTON VT}
✓ Taylor Schumann	Taylor Schumann	64 VT-8 Searsburg
✓ Tony Simone		17 Two Wall Way
RICHARD BROOK		17 SCOOT CIR, WILMINGTON
✓ Keith Herbert		6 QUAIL COURT WILM.
✓ Jason Hartnett		614 VT-100, Wilmington
✓ David Boliver		11 Myhre Hill Rd, Wilmington VT
✓ Jeannette Bishop		Box 1772 Wilmington
✓ Russell Bishop		Box 1772 W. Wilmington
✓ Deborah McNeil		27 Stragis Rd Wilmington
✓ Haleigh Tyerman		26 Pine Dr, Wilmington
✓ Michael Rade		53 N. Main St. Wilmington
✓ Rhannon Simpson	Rhannon Simpson	PO BOX 488, WILMINGTON VT
✓ ERIC CRAVEN		71 WILMINGTON HOTS
✓ Peter Atwood		P.O. 481 W Daus
✓ Dan Zeman		84 Castle Hill
✓ Corey Duncan		184 Corse Rd.

WILMINGTON, VERMONT Town Clerk
Received for Record 01-06-2022
Therese Lounsbury, Clerk

Shall the town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863?

[illegible]

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Wilmington Registered Voter

Print Name	Signature	Address
Randy DeBlois	Randy DeBlois	42 Country Club Rd. W. 1/2
Stephanie Bartlett	Stephanie Bartlett	71 Ray Hill
Justin Bartlett	Justin Bartlett	71 Ray Hill
Thomas Young	Thomas Young	10 WARREN RD 05363
James Aguilar	James Aguilar	29 Country Club Rd
Matt Castillo	Matt Castillo	446 Ray Hill Rd
ERIC WENC	Eric Wenc	138 Haskins Hill Rd
Ramsey Ridgeway	Ramsey Ridgeway	1382 Goldmine Rd Leeds
David Bertram	David Bertram	404 Echo Brook Rd New Ave
Stephanie Kathan	Stephanie Kathan	12 Ray Hill Wilmington, VT
Chris Bullock	Chris Bullock	Shaker St Wilmington
Aaron Duncan	Aaron Duncan	19 Whitney Rd. To Davis
Karl Nilsson	Karl Nilsson	159 Ray Hill Rd
Desiree Decker	Desiree Decker	37 Look Rd
CHRIS ANEL	Chris Anel	143 Rt 9 W
Pear Belet	Pear Belet	6 BRIMLEY
Dale Doucette	Dale Doucette	441 Ray Hill Rd
Michelle Doucette	Michelle Doucette	499 Boyd Hill Rd
Shontee Smith	Shontee Smith	499 Boyd Hill Rd
Cody Gerbasi	Cody Gerbasi	78 Canal Dr.
		12 Ray Hill Rd.

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Wilmington Registered Voter

Print Name	Signature	Address
✓ Eric Potter		21 Rock Road 05363
✓ Margaret S. Heffernan		7 E. Main. St. 05363
✓ Jon Ewart		580 Rt 100 north 05363
✓ Joyce Roy		PO Box 1466 Wilmington
✓ CRAIG M GREEN		21 LAWRENCE DAVIS DR WILMINGTON, VT Rd. Box 575 Wilmington VT 05363
✓ Leigh Thomson		106 Town Green
✓ Joseph Nousseau		6 Burnham Rd 05363
✓ Joseph Nerney		33 Sun & Ski Rd
✓ Alyssa Guarino		53 N Main St, VT 05363
✓ Katy Little		173 Ray Hill Wilmington
✓ Patricia Johnson		71 E. Main Street
✓ Daland Wells		38 Ray Hill Rd, Wilmington
Aimee Florence		1371 New Seaburg
✓ Ken Packer		611 Rt 96 Wilmington
✓ Heidi Zizza		128 Mountain View
✓ Brian Pisan		89 Farbus Rd
✓ Stanley Bryce		89 Farbus Rd
✓ Shana McConnell		20 Old Stage Rd
✓ Brian Holt		363 Boy's Hill Rd
✓ Kathleen Cuffa		6 Quail Court
✓ Justin Farnsworth		49 Morrey Parkway
✓ Karina Morehead		102 Rt. 100 S. Wilmet
✓ Paul Trudeau Sr		287 Haystack Rd
to ishy people		64 44 Rt 8 SEANSBURG

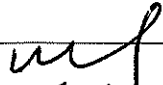
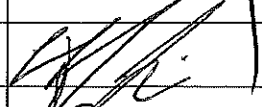
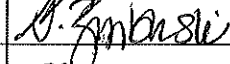
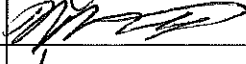


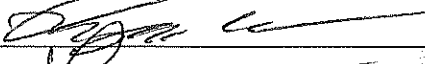


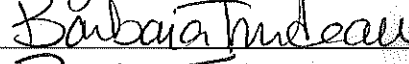

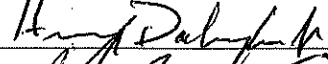
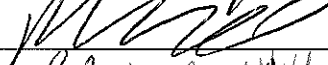


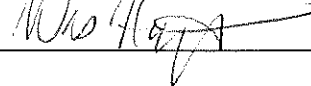
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WILMINGTON, VERMONT Town Clerk
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Therese Lounsbury, Clerk

We, the undersigned legal voters of the Town of Wilmington, Vermont, do hereby petition the Wilmington Selectboard to consider the following article for Australian Ballot at the Annual Town Meeting on March 1, 2022:

Shall the town authorize cannabis retailers in town pursuant to 7 V.S.A. § 863?

Wilmington Registered Voter

Print Name	Signature	Address
✓ MARK O'MALEY		29 CORNELL WAY 05363
✓ Clifford Lemonen		184 Higley Hill Rd.
✓ Stephanie Zumbroski		19 Hassey Bend Wilmington
✓ Nicholas Rajotte		3 Lightning Ledge Way
✓ Kim Wene		138 Haskell Hill Rd Wilmington
✓ Tristen Dionne		138 Haskell Hill Rd Wilmington
✓ Ryan O'Connor		31 Townform Rd Wilmington
✓ Lance Mep		Liste Hill Rd.
✓ Maya Holschuh		17 Shafter Street
✓ Barbara Trudeau		11 Hubbard Hill Rd. 05363
✓ Paul Trudeau		11 Hubbard Hill Rd 05363
✓ Henry Darlington		82 Mowing Way 05363
✓ Daniel Farinella		177 Chimney Hill Rd. 05363
✓ Sharon Saunders		15 Butterfield 05356
✓ Allen Aldrich		UNKNOWN
✓ WES HAIGHT		PO Box 394 WILMINGTON

WILMINGTON, VERMONT Town Clerk
 Received for Record: 01-06-2022
 Therese Lounsbury, Clerk

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VERMONT STATE POLICE

Headquarters

Memo



To: Major Lane

From: Captain Burnham

Date: 1/7/2022

RE: VSP Public Safety Answering Point Contingency Plan

OVERVIEW

Current staffing at two State Police Public Safety Answering Points (PSAPs) has reached a point where normal levels of service cannot be maintained. Currently, the Williston PSAP is carrying 13 vacancies and three dispatchers tested positive for COVID 19. The Westminster PSAP is carrying eight vacancies and four dispatchers have also tested positive for COVID 19. Our total available dispatch personnel currently stands at 36 dispatchers compared to 66 at full staffing.

EFFORTS TO DATE

Within the past 2 months, VSP has made internal changes to maintain continuity of our workflow and work product. We recently hired four E911 call takers to ease the burden of the full-time dispatch staff. The call takers attended the necessary training, completed field training, and were inserted into a full-time schedule. Our remaining dispatch staff have altered their schedules and increased the overtime hours they have worked to fill the empty positions. The dispatchers have also rescheduled annual vacations and leave to fill vacancies.

VSP is also developing a plan to divert non-emergent calls to each barrack's administrative staff and/or sworn members. This will allow the public to speak with a sworn member as quickly as possible. VSP has also increased our recruitment efforts for new members and redeveloped our training program so new dispatchers complete their training in a more streamlined manner.

CONTINGENCY PLAN

The following is a contingency plan to be followed by VSP dispatch personnel to maintain operational capacity, with reduced staffing. VSP will make every effort to provide professional services and will solely direct our efforts to life saving emergency calls. The goal is to reduce non-emergency call follow up and administrative work for our dispatchers.

1. Prioritize 911 call taking and emergency dispatch services

Level 3: At this level, the PSAP will stop routine dispatching services for agencies outside of VSP. Dispatch will process only life-threatening emergencies that require response for safety purposes. Municipal and county law enforcement agencies will process their own calls for service, radio communications and incident documentation. These agencies will be limited to dispatch services for officer safety communication only. Agency heads will be notified when dispatching services go in and out of level 3.

2. Partner with other dispatch agencies

VSP dispatch centers will turn to established partnerships with other dispatch agencies to offset the load of EMS and fire dispatch where appropriate. The Fish & Wildlife Wardens, Department of Motor Vehicle Inspectors and Liquor Enforcement Units will be limited to officer safety communications only. Vermont Emergency Management will be responsible for their agency hotlines. Administrative work such as warrants, court work, records check, and criminal histories will stop when administrative staff is on duty.

3. Streamline dispatcher role

To maintain operational consistency, the following steps will be followed:

- Dispatch will cease Valcour tasks that officers typically ask of dispatchers. These tasks will fall on the sworn officers.
 - Running queries
 - Administrative tasks such as adding vehicles, subjects, or property into cases.
 - Repeating radio logs
 - Running 28s and 27s when officers can do so from their MDC
- Municipal departments will be required to provide a non-emergency line that allows callers to leave a message.
- Inactive/non-emergent cases will be put through to the officers or their non-emergency lines to leave a message for follow up. No further dispatch involvement.
- Each VSP barracks will provide either a sworn member or admin staff to take non-emergent calls during normal operational hours.
- Embedded mental health workers within the barracks will be called upon to assist with mental health calls.
- Administrative staff with recent dispatch experience will be pulled to fill empty dispatch shifts.

4. Provide minimum staffing (24-hour time)

Westminster PSAP				
Hours	0700-1500	1500-2300	2300-0300	0300-0700
Number of Dispatchers	4	5	3	2
	Westminster	Westminster	Westminster & Royalton	Westminster, Royalton, & Shaftsbury
	Royalton & 911	Royalton & 911	Rutland	
	Shaftsbury & New Haven & 911	Shaftsbury & 911	Shaftsbury & New Haven & 911	Rutland & New Haven & 911
	Rutland	New Haven & 911		
		Rutland		

Williston PSAP				
Hours	0700-1500	1500-2300	2300-0300	0300-0700
Number of Dispatchers	4	5	3	2
	Williston/ St. Albans	Williston	Williston/ St. Albans	Williston/ St. Albans/Middlesex
	Derby/St. Johnsbury	St. Albans & 911	Derby/St. Johnsbury	Derby/St. Johnsbury & 911
	Middlesex	Middlesex	Middlesex & 911	
	Support & 911	Derby & 911		
		St. Johnsbury		

Did COVID-Induced Reductions in Vermont Traffic Stops Lower Racial Disparities?

Pat Autilio, Nancy Brooks, and Stephanie Seguino¹

January 3, 2022

The COVID-19 pandemic led law enforcement agencies across the country to conduct fewer traffic stops in order to reduce contagion and because there were fewer cars on the road. We analyzed Vermont's traffic data to identify the impact of the changes in traffic policing on overall stop rates and racial disparities in traffic policing.² These results can help to inform the vibrant debate in Vermont on what the role of policing in our communities should be and help us evaluate whether we are over-policed. Our goal in providing this analysis is to stimulate interest in that discussion in a way that leads to more trust in policing, reduced racial disparities, and an appropriate allocation of resources to policing.

Our main findings are:

- Statewide, traffic stops fell by 40% in 2020. But almost one fifth of agencies *increased*, rather than decreased their stops.
- Vermont's stop rate per 1,000 residents fell by almost half, from 318 to 187. Still, our rate is well above the (pre-COVID) national average of 81.³
- Amongst agencies that reduced stops in 2020, the lower number of traffic stops appears to have contributed to a narrowing of racial disparities in arrest and search rates.
- Statewide, there was little impact on racial disparities in stop rates. For the state as a whole, stops of white drivers decreased by 40%, but only 38% for Black drivers.

The following are our more detailed findings:

About 70,000 fewer cars were stopped in Vermont in 2020 than in 2019.⁴ That's a 40% decrease. This is a substantial reduction in stops although some states had even larger

¹ Pat Autilio is an independent data analyst; Nancy Brooks is visiting associate professor in the Department of City and Regional Planning at Cornell University; and Stephanie Seguino is UVM professor of economics, and Fellow at the Gund Institute for the Environment.

² Data used in this analysis are available from Vermont Criminal Justice Council at: <https://vcjc.vermont.gov/content/traffic-stops-race-data>.

³ U.S. Department of Justice, Office of Justice Programs. (2020) *Contacts Between the Police and the Public 2018- Statistical Tables*.

⁴ We would have preferred to compare March-December in 2019 and 2020, but many agencies fail to report date and time of stop. As a result, estimates presented here are likely an underestimate of the decrease in car stops in 2020.

reduction. The reduction in stops is good news in the sense that prior to the pandemic, Vermont had much higher stop rates per 1,000 residents than the national average. Nationally, police stop 81 drivers per 1,000 residents. In Vermont, prior to the pandemic, the state's stop rate was 318 per 1,000 residents. That fell to 187 in 2020. Even with that decline, Vermont's stop rate remains substantially above the (pre-COVID) national average.

Moreover, not all Vermont law enforcement agencies reduced their stops in 2020. About 20% of Vermont law enforcement agencies actually *increased* their traffic stops by 30% last year. Stops by these 17 agencies comprised 7% of all stops in 2019, rising to 16% in 2020. Most notably, Wilmington increased stops by 109%, Dover by 80%, and Franklin County Sheriff's Department by 57%. (See the table below).

More than half the agencies that increased stops in 2020 increased stops of Black drivers by a higher percentage than of white drivers. For example, in Wilmington, stops of white drivers doubled but stops of Black drivers increased by almost 400%. In Norwich, stops of white drivers increased 14% but doubled for Black drivers. Overall, if we look at the agencies that increased their traffic stops in 2020, racial disparities widened substantially. For that group, stops of white drivers increased 29% compared to a 54% increase in stops of Black drivers

For those agencies that did decrease stops in 2020, did this also lead to a reduction in racial disparities in traffic policing? The good news is that the lower number of traffic stops in 2020 appears to have contributed to a reduction of racial disparities in arrest and search rates. There were 30% fewer arrests of Black drivers in 2020, while arrests of white drivers fell 20%. Thus, although Black drivers are still more likely to be arrested than white drivers in Vermont, arrest rate differences declined in 2020.

The racial gap in search rates also narrowed. Black drivers were 24% less likely to be searched than in 2019, and white drivers 19% less likely to be searched. This is a modest improvement but progress nevertheless. Black drivers are still approximately 2.75 times more likely to be searched than white drivers. (In both years, Black drivers were less likely than white drivers to be found with contraband that results in a citation or arrest, indicating continued over-searching of Black drivers).

Among some agencies that reduced the overall number of traffic stops in 2020, however, racial disparities widened. Essex County Sheriff's Department reduced stops of white drivers by 22% but increased stops of Black drivers by 250%. In Brandon, stops of white drivers fell 61% but stops of Black drivers increased by 71%. And in Pittsford, stops of white drivers fell 36% but increased 87% for Black drivers.

In sum, the 2020 data provide some evidence that reducing the number of stops can help to reduce lower disparities in arrests and searches, if not stops.

Did the decrease in traffic stops compromise public safety as measured by accidents? We can't answer that precisely because we don't know how many cars were on the road in 2020. But Burlington's experience provides some information for us. Burlington has substantially reduced traffic stops in recent years. For example, in 2017, Burlington's stop rate per 1,000 residents was 144, already far below the state average. This fell to just 52 per 1,000 in 2019 (before COVID hit). During that time, traffic accidents *fell* by 6%. At least during these years, we can safely say that public safety as measured by traffic accidents was not harmed as a result of stopping fewer cars in Burlington.

Table 1. Percentage Change in Stops from 2019 to 2020

a. Agencies that Decreased Traffic Stops

<i>Agency</i>	<i>Change in White Drivers Stopped</i>	<i>Change in Black Drivers Stopped</i>	<i>Change in Total Stops</i>	<i>White Drivers Stopped (2020)</i>	<i>Black Drivers Stopped (2020)</i>	<i>Total Stops (2020)</i>
All Vermont	-40%	-38%	-40%	96,983	3,484	104,854
All Police	-31%	-31%	-31%	53,367	2,395	58,419
All Sheriffs	-32%	-24%	-32%	22,161	436	23,268
VSP	-59%	-58%	-59%	21,455	653	23,167
<i>Addison County</i>	-64%	-64%	-64%	1,703	32	1,780
<i>Barre City</i>	-18%	-20%	-18%	1,343	49	1,425
<i>Barre Town</i>	-61%	-71%	-61%	667	7	687
<i>Bellows Falls</i>	-25%	-13%	-25%	1,147	28	1,209
<i>Bennington</i>	-34%	-20%	-36%	3,175	105	3,403
<i>Bennington County</i>	-42%	-41%	-43%	1,126	22	1,160
<i>Berlin</i>	-46%	-39%	-46%	1,075	34	1,127
<i>Bethel</i>	-53%	0%	-37%	9	0	17
<i>Bradford</i>	-64%	-100%	-63%	35	0	36
<i>Brandon</i>	-61%	71%	-60%	282	12	299
<i>Brattleboro</i>	-28%	-46%	-26%	2,383	75	2,705
<i>Brighton</i>	-13%	0%	-13%	20	0	20
<i>Bristol</i>	15%	20%	-4%	664	6	718
<i>Burlington</i>	-42%	-37%	-44%	939	121	1,117
<i>Caledonia County</i>	-5%	0%	-1%	208	0	218
<i>Chester</i>	-57%	-27%	-56%	207	8	240
<i>Chittenden County</i>	-14%	-11%	-13%	2,983	125	3,219
<i>Colchester</i>	-29%	-40%	-28%	1,980	116	2,202
<i>Essex</i>	-42%	-14%	-42%	2,441	178	2,760
<i>Essex County</i>	-22%	250%	-21%	507	7	542

<i>Fair Haven</i>	-40%	36%	-38%	1,166	38	1,256
<i>Hardwick</i>	-4%	0%	-3%	328	7	343
<i>Hartford</i>	-53%	-60%	-54%	1,033	34	1,129
<i>Hinesburg</i>	-6%	-25%	-5%	657	12	693
<i>Killington</i>	-93%	0%	-92%	12	2	16
<i>Lamoille County</i>	-30%	-31%	-29%	808	24	852
<i>Lyndon</i>	-28%	0%	-27%	265	4	272
<i>Manchester</i>	-24%	-14%	-22%	778	31	850
<i>Middlebury</i>	-16%	-21%	-16%	950	27	1,003
<i>Milton</i>	-48%	-48%	-48%	1,957	65	2,061
<i>Montpelier</i>	-50%	-34%	-49%	1,005	33	1,069
<i>Newport</i>	-41%	-37%	-39%	636	12	675
<i>Northfield</i>	-5%	15%	-8%	452	15	492
<i>Orange County</i>	-46%	-40%	-46%	896	12	927
<i>Pawlet</i>	-40%	-100%	-57%	3	0	3
<i>Pittsford</i>	-36%	87%	-29%	179	28	218
<i>Richmond</i>	-81%	-100%	-80%	117	0	124
<i>Rutland County</i>	-43%	-47%	-41%	2,519	47	2,681
<i>S. Burlington</i>	-35%	-2%	-33%	1,142	161	1,360
<i>Shelburne</i>	0%	-22%	-4%	1,131	51	1,233
<i>Springfield</i>	-58%	-38%	-58%	697	15	727
<i>St. Albans</i>	-34%	-37%	-35%	2,586	57	2,701
<i>St. Johnsbury</i>	-18%	35%	-15%	955	23	1,007
<i>Swanton</i>	-24%	0%	-24%	588	10	622
<i>Thetford</i>	-49%	0%	-51%	141	4	146
<i>UVM</i>	-70%	-80%	-71%	290	22	329
<i>Vergennes</i>	-57%	-39%	-57%	775	43	859
<i>VT DMV</i>	-25%	-37%	-27%	4,878	419	5,693
<i>Washington County</i>	-37%	40%	-36%	1,291	21	1,337
<i>Weathersfield</i>	-17%	1,000%	-13%	288	11	314
<i>Williston</i>	-53%	-51%	-53%	1,776	107	1,966
<i>Windham County</i>	-47%	-18%	-47%	1,435	9	1,459
<i>Windsor</i>	-84%	-70%	-83%	135	3	144
<i>Windsor County</i>	-33%	-34%	-33%	3,680	56	3,926
<i>Winooski</i>	-66%	-78%	-67%	452	60	554
<i>Woodstock</i>	-24%	18%	-20%	553	26	645

b. Agencies that Increased Traffic Stops

<i>Agency</i>	<i>Change in White Drivers Stopped</i>	<i>Change in Black Drivers Stopped</i>	<i>Change in Total Stops</i>	<i>White Drivers Stopped (2020)</i>	<i>Black Drivers Stopped (2020)</i>	<i>Total Stops (2020)</i>
<i>Castleton</i>	30%	95%	30%	1,466	43	1,527
<i>Dover</i>	72%	229%	80%	759	23	864
<i>Fairlee</i>	0%	-100%	9%	31	0	36
<i>Franklin County</i>	58%	142%	57%	2,146	29	2,206
<i>Grand Isle County</i>	0%	20%	1%	1,912	42	1,984
<i>Ludlow</i>	6%	144%	11%	663	22	717
<i>Morristown</i>	1%	-4%	1%	817	25	863
<i>Norwich</i>	14%	100%	16%	743	10	796
<i>Orleans County</i>	0%	67%	0%	947	10	977
<i>Poultney</i>	21%	67%	23%	453	10	476
<i>Royalton</i>	51%	-14%	31%	216	6	236
<i>Rutland</i>	48%	16%	45%	2,435	73	2,573
<i>Rutland Town</i>	17%	0%	16%	214	9	229
<i>Stowe</i>	6%	8%	6%	1,470	52	1,559
<i>Wells</i>	50%	0%	50%	9	0	9
<i>Wilmington</i>	109%	389%	109%	1,176	44	1,376

Note: Green indicates a greater percent *reduction* in the number of traffics stops from 2019 to 2020. Red signifies a greater percent *increase* from 2019 to 2020. Yellow reflects a small change year over year. Stops of Hispanics, Asians, and Native Americans are omitted for brevity. *Weathersfield* stands out as an agency with a substantial increase in stops of Black drivers. To contextualize that result, in 2019, 347 white drivers were stopped and 1 Black driver. In 2020, the number of white drivers stopped fell to 288, while stops of Black drivers rose to 11.

TESTIMONY TO HOUSE COMMITTEE ON GOVERNMENT OPERATIONS

Vermont Traffic Stop Data and Racial Disparities in Policing

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January 12, 2022

Good morning, Chair Copeland Hanzas and Members of the Committee. Thank you for the invitation to provide you with an update on my assessment of the process for collecting race traffic stop data by law enforcement as well as the impact on law enforcement outcomes of the requirement to collect such data. In addition to commenting on these questions, I am also submitting a report by myself and co-authors on the impact of COVID on traffic stops and racial disparities.

I. Assessment of Process for Collecting Race Data on Traffic Stops

With regard to what is working well with data collection:

- All law enforcement agencies are now reporting their data.
- Data are now centrally processed and available on the Vermont Training Council website. That site posts data for 2018-20. The remaining data is posted at the Criminal Research Group website. I suggest that Vermont Training Council host *all of the data* collected since 2014.
- The percentage of stops in which race of driver is missing has fallen substantially from 6.8% in 2017 to less than 1% in 2020. There is, however, a good deal of data the legislature requires be collected that is nevertheless not being reported. For example, in 2020, almost 10% of incident reports were missing gender of driver. Other categories with still large amounts of missing data are: age of driver, reason for the stop, search reason, and whether or not contraband is found. This impedes the ability to investigate racial bias in stops.

Some changes are needed to meet the legislature's goals in requiring reporting of race data in traffic stops:

- *Changes are needed to clarify existing legislation and expand the categories of data to report.* With regard to clarification, the new legislation states that law enforcement is required to report "the outcome of the stop." There can be multiple outcomes of a stop (i.e., more than one citation or warning, or any combination of citation, warning, and arrest). However, some law enforcement agencies interpret this to mean they are only required to report **one** outcome of the stop and have declined to provide data on all of the outcomes of a stop.
- Expanding the legislation to include *additional categories of data* to be publicly reported would improve the ability to uncover racial disparities. These include: 1) start and end time of stop, 2) reason for each ticket, warning, and arrest (in other words, the

specific violation), 3) type and quantity of contraband found, 4) passenger information, 5) vehicle year, 6) state of vehicle plate, and 7) incident numbers. Especially important is 8) date and time of stop. Although much of this data is available in the data systems law enforcement utilize, many chiefs will only provide these data if required explicitly by legislation.

- *More detailed reasons for the stop should be required in incident reports.* This will make it easier to identify pretextual stops (stops justified by a minor traffic violation in order to investigate suspicion of criminal activity) that tend to be more susceptible to racial bias than safety stops. The expanded set of reasons would enable analysts to more explicitly identify racial bias in traffic stops. The expanded list of reasons for a stop could include: Speed limit, stop light/sign, driving impaired (DUI), safe movement, vehicle equipment, vehicle regulatory, seat belt, investigatory, and externally generated. The legislature should also consider curbing or banning pretextual stops, with law enforcement instead focusing on public safety as a goal of traffic policing. This step was recently taken by the City of Philadelphia, and in 2019 the Oregon Supreme Court moved to curb pretextual stops. Both Virginia and Texas legislatures are considering bans to pretextual stops.
- Instead of periodically revising the legislation, it would be more efficient for the legislature to *delegate someone or some group to make sure data is collected uniformly and accurately across all agencies.* This person or entity should also have the authority to make changes as needed in what data is collected without having to request changes to the legislation. My reading of H.546 is that in large measure, it addresses this issue. There is one amendment to H.546 that my colleagues and I strongly recommend: in addition to the requirement that data be reported to the Racial Justice Statistics Advisory Panel on a monthly basis, it should also be made available to the public on a monthly basis (via, for example, an interactive data portal).
- *The data are not available in a timely manner.* Currently, the Vermont Training Council posts traffic stop data with a delay of 10 to 12 months. This is too late to use the data as an administrative tool by chiefs to inform and revise policing practices as regards traffic stops. It would be relatively easy for agencies to submit data to Vermont Training Council on a monthly basis. North Carolina and Burlington have online data portals that can be queried by the public to obtain timely reports on traffic stops. These could serve as a model for the state.
- *There continue to be problems of data quality.* For example, sometimes non-traffic related incidents are included in the data (e.g., trespassing, vandalism). The problem of continued missing data in a variety of categories noted above continues, suggesting the need for greater accountability mechanisms.

II. Impact on Law Enforcement Outcomes of the Requirement to Collect Race Data on Traffic Stops

A. Trends

In 2021, I and my colleagues, Nancy Brooks and Pat Autilio, analyzed trends in racial disparities in traffic stops to assess the impact of the legislation. We issued a statewide report, as well as individual reports on the largest agencies: Bennington, Brattleboro, Burlington, Colchester, Rutland, South Burlington, Vermont State Police, and Williston.

These studies can be accessed here:

<https://www.uvm.edu/cas/economics/profiles/stephanie-seguino>.

Our main findings at the state level are:

- From 2015 to 2019, the number of traffic stops increased for all racial groups.
- Racial disparities in the increase in number of traffic stops are notable. While stops of white drivers increased by 46% over this time period, stops of black drivers increased 71%; Asian, 66%; and Hispanic, 119%.
- The share of stops that are investigatory/pretextual increased for all racial groups, but increases were greatest for black drivers. Such stops are more likely to be influenced by racial bias.
- Racial disparities in arrest rates also widened since 2014. The widening gap is due to a decline in the white arrest rate from 2018 to 2019 rather than an increase in the black arrest rate.
- Search rates declined for all racial groups after cannabis legalization but by 2019, the black search rate continued to be almost 3 times greater than the white rate. Legalization of cannabis, in other words, did not have a substantial impact on the black-white search rate disparity. The Hispanic search rate disparity widened from 2018 to 2019 with Hispanic drivers 2.5 times more likely to be searched than white drivers by 2019.
- Hit rates have decreased for searches that result in any outcome (warning, ticket, or arrest). This implies that officers are wrong more often in their decision to search a vehicle for contraband, from 2015 to 2019.

The appendix contains graphs showing trends in stops, pretextual stops, arrests, searches, and contraband.

In sum, at the state level, trends over time do not yield evidence that racial disparities have diminished for most indicators, even with the legalization of cannabis. That said, at the agency level, we note some positive trends.

- In South Burlington, black-white disparities in arrest and search rates have declined since 2015.
- In Burlington, South Burlington, and Rutland, and Vermont State Police, racial disparities in the contraband hit rate decreased from 2015 to 2019.
- Our analysis of 2020 data (attached) shows that in 2020, traffic stops fell 40%, although some agencies increased stops. Of note is that amongst agencies that reduced stops in 2020, the lower number of traffic stops appears to have contributed to a narrowing of racial disparities in arrest and search rates.
- The national pre-COVID number of stops per 1,000 residents is 81. This stop rate is far below the Vermont stop rate, which was 318 per 1,000 residents in 2019, *almost 4 times* the national average. Vermont's stop rate fell to 187 in 2020, in part due to COVID's impact on traffic policing. This stop rate is still well above the national (pre-COVID) rate. It should be note that agency-level stop rates vary quite dramatically. For example, Vermont State Police and Burlington

registered a 2020 stop rate of 43 and 29, respectively, compared to 445 in Bennington and 474 in Bellows Falls.

More generally, there is tremendous variation across the state in traffic policing itself, as well as in racial disparities. Some agencies have very low or negligible disparities, while others record disparities that are much wider than those found at the national level. The agencies with low disparities and those that are making some progress, however modest, are encouraging in that they demonstrate progress is possible.

B. Response of Police Chiefs and Community Members to Race Data Collection and Reporting

- Response of police chiefs to traffic stop data reports has been uneven. Several agencies have demonstrated interest in their data and in understanding the causes of the disparities. Vermont State Police continues to be a leader in attempting to implement protocols and procedures to address racial disparities and the data indicate they have had some success. A handful of agencies have reached out to my co-authors and me to help them understand the data better and to conduct some additional analyses of their data. These include South Burlington PD, Winooski PD, Windham County Sheriff's Office, and the Shelburne Select Board. However, a number of chiefs appear to not take seriously the racial disparities in their traffic policing or argue that just disparities are justified. Some continue to attempt to discredit the traffic stop data results for their town in the media.
- The legislation requiring data collection provides no mechanism of accountability to ensure compliance with the data collection legislation and to address racial disparities in policing. As result, local law enforcement agencies are only accountable to their select boards or city councils, many of which lack the expertise to address racial bias. That said, a goal of my research with Nancy Brooks and Pat Autilio has been to ensure our studies are accessible to community members so that community members can act to express community values with regards to racial disparities in policing. This goal has in part been met. Numerous community groups, interested in and concerned about the data results for their towns, have contacted us. These include Brattleboro, Castleton, Hartford, Montpelier, Richmond, Vergennes, and Williston.
- In an interesting case, two residents of Vergennes produced a high quality documentary ("The Price of Safety") on the community's struggle to come to terms with the racial disparities in Vergennes's data. They convened the community to watch the film and discuss how to move forward with a citizen oversight board and how to address racial disparities in policing there.

APPENDIX

The following figures show trends in traffic policing in Vermont, based on statewide data.

Figure 1. Percentage Increase in Annual Stops by Race, 2015-19

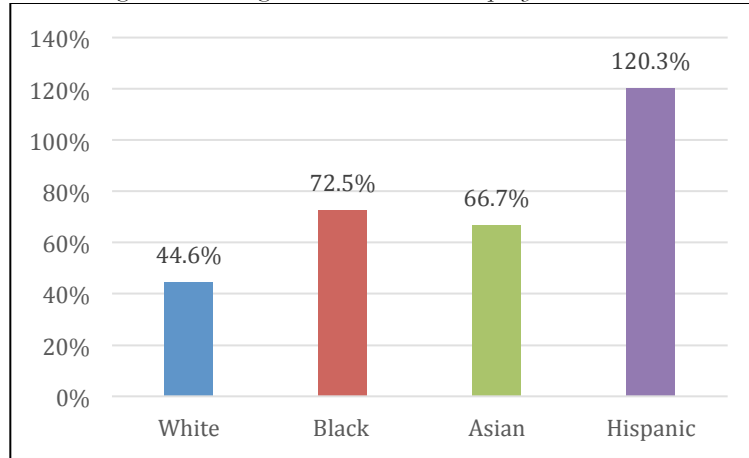


Figure 2. Investigatory/Pretextual Stops as % of All Stops

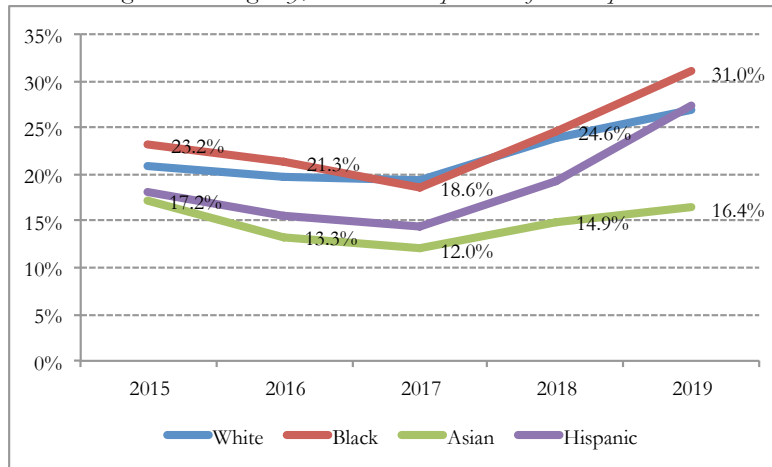


Figure 3. White and Black Arrest Rates Trends

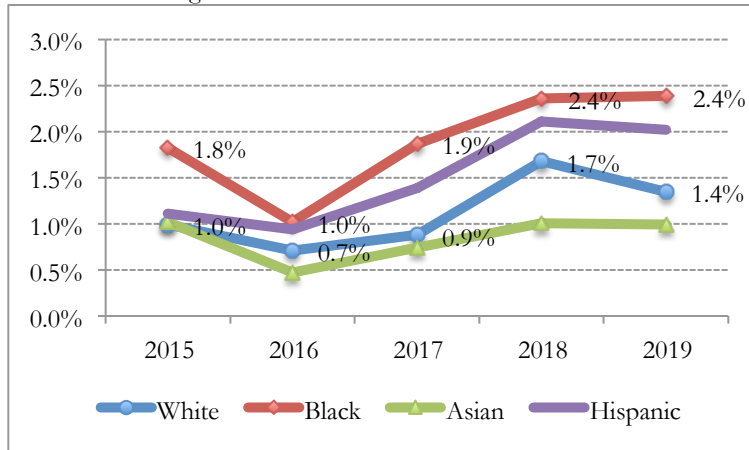


Figure 4. Trends in Ratios of BIPOC/White Search Rates

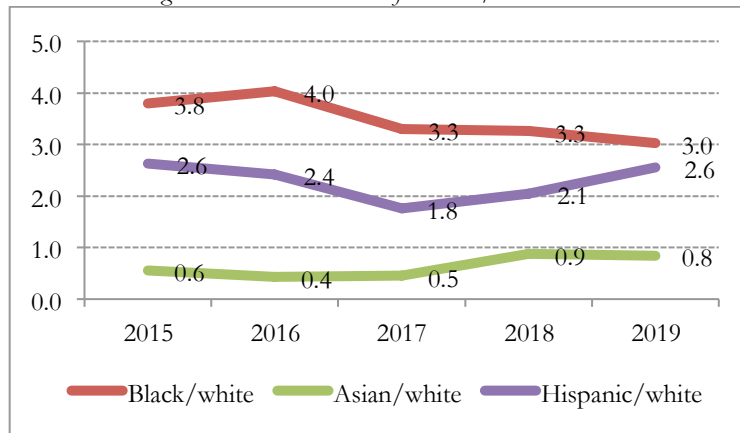


Figure 5. Percentage of Searches with Contraband Found (tickets & arrests)

