

Minutes of the East Montpelier Selectboard

January 16, 2012

SB Attendance: Chair Bruce Johnson, Peter Hill, Carl Etnier, Casey Northrup, Seth Gardner

Public Attendance: Mike Garand, Don Welch, Bill Pollock, Steve Sparrow

The meeting was called to order at 6:36 pm.

Additions to Agenda: None

Public Comment: None

Road Foreman Report & Highway Budget Discussion

Mike Garand, town road foreman, led a discussion on the current state of the approximately 12 miles of paved town roads. His opinion is that the town needs to move quickly to salvage the 9+ miles that haven't been repaved recently. Some of the roads are nearing 15 years without treatment. His recommendation is that the town follow a 7-year paving plan. The board discussed paving all the roads other than the recently paved sections of Towne Hill Road and County Road over the next 3 fiscal years. Once all the roads are in decent shape, the town could commence a paving maintenance plan with the roads in a 7-year rotation. Given the ability to pave approximately 3 miles a year, Mike's choices would be:

2012

1 mile of County Road
(Horn of Moon south)
Remainder of Towne Hill Road
(Gallison to Montpelier line)
Muddy Brook Road

2013

1 mile of County Road
(Next mile to south)
Vincent Flats Road
(Cherry Tree to end)
1 mile of Center Road
(Starting at gravel end)

The 2005 10-wheel truck is due for replacement this year. The board will need to make a purchase decision relatively soon due to the 8- to 9-month gap between order and delivery. The expected price is around \$200,000. The 2005 should have a \$40-45,000 trade-in value. Mike would like to see the town continue on a 7-year truck replacement plan. Heavy equipment, such as the grader and loader, should be on a 15-year replacement plan.

VTrans is requesting that the town sign an agreement to complete the necessary signage, at VTrans' expense, for the 2010 VTrans-funded Towne Hill Road paving project.

Motion: To authorize the Chair to sign the Town Highway Class 2 roadway Grant Project Agreement. Made by Mr. Gardner; second by Mr. Northrup. Passed unanimously.

Mike informed the board that Craig Seadeek had accepted the proffered road crew position and started as of January 13, 2012.

The road crew has used about 2,000 yards of sand so far this winter, a somewhat higher usage rate than normal due to numerous icy road days.

Selectboard Meeting Agenda Procedure

Bill Pollock expressed his concern that the SB is not following the Secretary of State's recommended agenda methodology and may be violating the state open meeting law. In particular, Mr. Pollock feels that the use of "Additions to Agenda" and "Other Business" to allow discussion of late-breaking items does not provide the necessary public notice to enable the board to take action on those items. The SB noted that it needs to be careful to balance the agenda flexibility required to operate town business efficiently with the right of citizens to receive reasonable notice.

Discussion of Sanfacon NOV DRB Appeal

On January 17, 2012 the Development Review Board will hear the Sanfacon appeal of the Notice of Violation issued by zoning administrator Dina Bookmyer-Baker. The NOV cites both a failure to obtain necessary permits and the use of the Sanfacon property on Wheeler Road as a junkyard. The town, as a statutory interested party to the appeal, has the right to appear before the DRB. The SB decided not to enter an appearance or provide a statement, as the various sides of the issues appear to be well covered by other parties. Both the Chair and the town attorney will attend the hearing.

Park 'n Ride Project Brownfield Program Applications

The town has received the Phase I Environmental Site Assessment for the WEC storage garage property that is the proposed location of a town-owned, grant-funded park 'n ride facility. The report recommended a Phase II assessment, a more in-depth study of the potential pollution issues on the property. The Chair presented an application to the Central VT Regional Planning Commission's Central VT Brownfields Inventory & Assessment Initiative for Phase II funding.

Motion: To authorize the Chair to sign and submit the CVRPC CVBIAI application for Phase II ESA funding for the WEC property. Made by Mr. Gardner; second by Mr. Etnier. Passed unanimously.

The Chair and Frank Pratt will present the town's application to the CVBIAI board January 23, 2012.

The Chair also presented an application to the VT Department of Environmental Conservation's VT Brownfields Reuse and Environmental Liability Limitation Program for the WEC storage garage property. This program provides state-level brownfields liability protection for prospective purchasers of environmentally-compromised properties. The application fee of \$500 may be covered by CVRPC as part of the Phase II funding.

Motion: To authorize the Chair to sign and submit the BRELLA application for prospective purchaser brownfields liability protection on the WEC property. Made by Mr. Gardner; second by Mr. Hill. Passed unanimously.

FY2011 Draft Audit Documents

During Jane Burroughs' FY2011 draft audit presentation to the board on January 9, 2012 she requested finalization of three documents from the town: 1) Management's Discussion & Analysis, documenting the town's FY11 financial activities, for which the town needed to provide reasons for variances from the voted budget and reasoning behind the FY12 budget development; 2) Response to Findings, documenting town intentions to improve material weaknesses in financial processes; and, 3) Letter of Cooperation, signed by both the Town Clerk and SB Chair, documenting the town's responsibility for the information provided during the audit. The Chair presented the three completed documents.

Motion: To approve the Management's Discussion and Analysis for the FY2011 audit. Made by Mr. Gardner; second by Mr. Etnier. Passed unanimously.

Motion: To approve the Response to Findings for the FY2011 audit. Made by Mr. Gardner; second by Mr. Northrup. Passed unanimously.

Motion: To authorize the Chair to sign the Letter of Cooperation for the FY2011 audit. Made by Mr. Gardner; second by Mr. Hill. Passed unanimously.

2012 Town Meeting Warning Discussion on Proposed Articles

The Chair presented the draft 2012 Town Meeting Warning. SB members suggested edits to the various articles. The board also discussed the possibility of including an advisory article seeking voter input regarding future options for Coburn Road, but made no decision. The Warning will be finalized at the January 30, 2012 special SB meeting.

The Chair presented an amended Funding Request Study Committee report to reflect the request by the Central VT Memorial Civic Center to have a separate Warning article and be removed from the Warning's funding request article.

Motion: To approve the Funding Request Study Committee's report as amended. Made by Mr. Northrup; second by Mr. Gardner. Passed unanimously.

Kellogg-Hubbard Library Town Meeting Warning Article

Dan Pudvah, Kellogg-Hubbard Library's executive director, submitted a request to alter the previously approved 2012 Town Meeting Warning Article benefiting the library. The alteration would decrease the requested amount from \$32,942 to \$32,296, the same amount approved by voters in 2011, 2010 and 2009.

Motion: To approve the amendment to decrease to \$32,296 the requested amount of the 2012 Town Meeting Warning Article benefiting the Kellogg-Hubbard Library. Made by Mr. Etnier; second by Mr. Hill. Passed unanimously.

Budget Development

The board continued work on the FY13 budget with the assistance of Don Welch. \$1,500 was added to the computer software line to allow the purchase of NEMRC's accounts receivable module. \$50,000 was added to the paving line to better reflect the actual cost of a 7-year maintenance plan for the town's paved highways. The Capital Reserve request for FY13 will be \$50,000, down from \$200,000 for FY12.

Town Office Building Basement Insulation Options

The Chair requested that the board ratify previous decisions to approve two contracts for insulating the basement of the town office. Mr. Pollock had specifically mentioned the approval of these two contracts in his discussion on the lack of notice with "Other Business" actions.

Motion: To ratify the SB decisions to approve two town office basement insulation contracts, one for \$2,509 and the other for \$4,458, with ASUF (All Seasons Urethane Foam). Made by Mr. Etnier; second by Mr. Gardner. Passed unanimously.

Appointments

The Chair requested, for the same reason as discussed above with the insulation contracts, that the board ratify a previous decision to appoint Michael Dworkin to serve as both the Town Moderator & School Moderator for the 2012 Town & School Meetings.

Motion: To ratify the SB decision to appoint Michael Dworkin as Town & School Moderator for the 2012 Town & School Meetings. Made by Mr. Etnier; second by Mr. Hill. Passed unanimously.

The town has a vacant Trustee of Public Funds position and Don Welch has agreed to fill this elected office until the 2012 Town Meeting.

Motion: To appoint Don Welch as Trustee of Public Funds until the 2012 Town Meeting. Made by Mr. Etnier; second by Mr. Northrup. Passed unanimously.

Bill George has been serving as the town's emergency management coordinator this year, but was never officially appointed to the post.

Motion: To appoint Bill George as the town's emergency management coordinator through March 2012. Made by Mr. Gardner; second by Mr. Hill. Passed unanimously.

Warrants

Selectboard members signed the warrant.

Minutes

The Chair presented the January 2, 2012 minutes.

Motion: To approve as amended the January 2, 2012 Selectboard meeting minutes. Made by Mr. Etnier; second by Mr. Hill. Passed unanimously.

The Chair presented the January 9, 2012 minutes.

Motion: To approve as amended the January 9, 2012 Selectboard meeting minutes. Made by Mr. Hill; second by Mr. Northrup. Passed unanimously.

Other Business/Town Administrator Report

The quarterly “state of the EMFD” presentation will be held at 7 pm on January 19, 2012 at the ESF.

The first meeting of the newly created Roads Policy Committee, originally scheduled for January 12th but postponed due to weather, will now be held at 7 pm on January 26, 2012 at the town office building.

Jim Abbott will continue as the main on-call winter road crew member.

We have now received \$219,628.70 from FEMA for the May 26/27th storm event and T.S. Irene. The state portion, \$43,925.74, is still outstanding.

The FEMA Hazard Mitigation Grant Program application deadline has been extended to February 17, 2012. We are still working on an application for the Quaker Road culvert upgrade.

Motion: To adjourn. Made by Mr. Northrup; second by Mr. Gardner. Passed unanimously.

Meeting adjourned 10:32 pm.

Respectfully submitted by Bruce Johnson, Selectboard

Approved: February 6, 2012 East Montpelier Selectboard meeting