

Minutes of the East Montpelier Selectboard

February 1, 2016 Meeting

SB Attendance: Chair Seth Gardner, Casey Northrup, Gene Troia, and Kim Swasey; Town Administrator Bruce Johnson

Public Attendance: Road Foreman Mike Garand; Times Argus Reporter Gina Tron; Jewel Love

Chair Gardner called the meeting to order at 6:32 p.m.

Additions to Agenda: None

Public Comment: None

Road Foreman Report: Road Foreman Mike Garand

➤ Options for New 10-wheeler Truck

- The town is in the market to replace one of its two 2008 International 7600 trucks. Road Foreman Garand received the following bids, which include trade-in of our truck:
 - Mack chassis: \$85,880
 - Western Star chassis: \$82,400
 - Freightliner chassis: \$76,300
 - International (Signature Series) chassis: \$64,540
 - International chassis: \$61,260

In addition, H.P. Fairfield provided a quote for its Everest body package (include plows) of \$68,000.

- Board members expressed concern regarding our recent history with Internationals and voiced support for sticking with Mack. Our most recent 10-wheeler purchase was a Mack and Mr. Garand characterized it as “bullet proof.”
- The board will reconsider the options at the February 15th meeting after reaching out to the various companies for both warranty information and bottom-line pricing.

➤ Potential Options for Enhanced Roadside Mowing

- The board struggled this past year with ways to improve brush removal along the roads. Mr. Garand presented a plan to rent a machine that could reach further off the road than our current mowing contractor can manage. The board liked the idea of the deeper cutting, but wondered if it would be better to find a contractor with the equipment to handle the job.

➤ Possible Claw Attachment for Excavator

- Mr. Garand suggested that one way to improve the efficiency of removing roadside brush would be to purchase a thumb/claw attachment for the excavator at a cost of approximately \$8,000. The board expressed a degree of interest in the concept. Mr. Garand will do more research into the options and costs involved.

➤ Potential 2016 VTrans Grant Applications

- This will be an active year for grant applications. The board agreed to pursue VTrans Better Roads grants for a Muddy Brook Road culvert repair and a Coburn Road culvert upgrade, a VTrans structures grant for the slumping section of Muddy Brook Road, and a VTrans paving grant for the last mile of County Road.

- The town has a 2015 VTrans structures grant for a culvert upgrade to the Montpelier line culvert on Murray Road. The board agreed to put the project out to bid requesting proposals on two alternate designs, one with normal steel guardrail and one with timber guardrail.
- The board agreed to hire, if available, consultant Doug Newton (Newton Technical Services) to assist with the design aspects of the grant applications and bid documents.
- **Bid Options for 2016 Roadside Mowing, 2016 Lawn Mowing, and 2016/17 Winter Sand**
 - The board would like to put out a bid for enhanced roadside mowing services for this summer in an effort to gauge the cost of more extensive mowing in the areas where that service makes sense.
 - There will be no bid process for 2016/17 winter sand. The town self-trucked sand last year. Both the board and Road Foreman Garand favor continuing this method for at least another year. Mr. Garand is hopeful that granite sand will be available at a reasonable price again this summer.
 - Tim Frazier is entering year 2 of a two-year contract to provide lawn mowing services to the town, so there will be no lawn mowing bid this year.

Discussion on Requested Center Road Speed Limit Change

The town now has a speed monitoring cart at its disposal. Mr. Garand will use it judiciously over the remainder of the winter when conditions allow, likely on the stretch of Center Road just northeast of the Bliss Road intersection. The VT State Police have commenced speed patrols in the vicinity. The board will continue to investigate other options, including the possibility of contracting for enhanced speed enforcement through the Washington County Sheriff's Department. The board will revisit the issue as events warrant.

Access Permit: 16-003 Shank-Nadeau Family Trust

The Shank-Nadeau Family 2012 Trust applied for after-the-fact access and work-in-the-row approval of an upgrade to an existing agricultural access on its 7-acre parcel located just north along Center Road of the Fred Strong property (1995 Center Road). Road Foreman Garand determined that the curb cut connection with Center Road was acceptable for agricultural access purposes.

Motion: To approve Access Permit #16-003 for an upgraded agricultural access to the Shank-Nadeau Family 2012 Trust parcel. Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously. Board members signed the approval.

Certificate of Highway Mileage

The town is required to annually file a certificate of highway mileage to the Vermont Agency of Transportation. The concept is to inform VTrans of any changes to the town's highway layout. This year the town had no changes. Board members signed the certificate.

Personnel Matters

Motion: To enter executive session to discuss a personnel matter. Made by Mr. Northrup; second by Mr. Troia. Passed unanimously.

The board entered executive session at 8:05 p.m.; exited at 8:17 p.m.; no action taken

EMFD Request for Funding to Add Flashing on the Emergency Services Facility (the new fire station)

The Emergency Services Facility has an area along top of the back wall that has a potentially problematic moisture problem. The original architect of the building put together a design fix involving flashing. EMFD received an estimate for the work from Burrell Roofing (the original roofing subcontractor) for \$4,200. Before approving use of the ESF Bond Remainder Fund for the repair, the board would like EMFD to get a couple more quotes.

Park 'n Ride Discussion on Potential Level 2 Charging Station

Washington Electric Co-operative has offered to provide, at no cost to the town for the first 5 years, a Level II charging station for the soon-to-be-constructed park 'n ride facility at 110 VT Rte. 14 N. The board reviewed the offer at its January 18th meeting, but put off any decision until Town Attorney Bjornlund had the opportunity to review the terms of the WEC-proposed agreement that would govern the deal. After reviewing the document, Attorney Bjornlund had some minor issues with the terms of the agreement regarding the arbitration clause, the contractor guarantee, and responsibilities in the event of accidental damage to the unit.

Motion: To accept the WEC offer to install the Type II EV charging station and authorize TA Johnson to negotiate an agreement with WEC regarding the terms of the offer. Made by Mr. Troia; second by Mr. Northrup. Passed unanimously.

Discussion on BDE East Montpelier Lazar Solar, LLC 500 kW Solar Facility PSB CPG Application on Cassani Property

The Selectboard has until February 4th to submit comments to the Public Service Board regarding the Certificate of Public Good proceedings dealing with the BDE East Montpelier Lazar Solar, LLC proposal to construct a 500 kW solar facility on the Cassani property across US Rte. 2 from the East Montpelier Home Center. The Planning Commission has filed a motion to intervene in the proceedings expressing concerns regarding the loss of approved building sites in East Montpelier Village and regarding aesthetics. The Selectboard discussed its options and decided to submit a letter of support for the PC's motion, focusing mainly on the loss of housing lots and wastewater capacity in the village.

Motion: To authorize Chair Gardner to sign a letter to the PSB expressing support for the PC's motion to intervene. Made by Mr. Troia; second by Ms. Swasey. Passed unanimously.

Preliminary Discussion on 2016 Town Meeting

Board members reviewed the ballots for the Australian Ballot election to be held on March 1, 2016, Town Meeting Day. There are three ballots: the town & school articles; the presidential primary; and, the U-32 articles. The board briefly discussed the various issues in play at 2016 Town Meeting with an eye toward developing a plan of action at its February 15th meeting.

Legal Matters

The town has been sued by the Hudson family in Vermont Superior Court. The quiet title action is claiming adverse possession of the town-owned parcel that was the former location of the town hall in East Montpelier Village. The town will need to file an answer to the complaint by February 15, 2016.

Motion: Premature general knowledge of the town's position in this legal matter would clearly place the town at a substantial disadvantage. Made by Ms. Swasey; second by Mr. Northrup. Passed unanimously.

Motion: To enter executive session to discuss civil litigation to which the town is a party and for attorney-client communications. Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously.

The board entered executive session at 9:06 p.m.; exited at 9:35 p.m.

By consensus the board agreed to have Town Attorney Bjornlund file a timely answer to the complaint.

Warrants

Members reviewed and signed the warrant.

Minutes

The Chair presented the minutes of the January 18, 2016 Selectboard meeting for consideration.

Motion: To approve the January 18, 2016 Selectboard meeting minutes as presented. Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously.

Other Business

Town Administrator Report:

- Vacancy on DRB:
 - The DRB will continue to rely on alternates from the Planning Commission for upcoming meetings; the Selectboard will aim to fill the vacancy by April
- East Montpelier Fire District #1 Annual Meeting:
 - The Fire District annual meeting was held January 13, 2016; the Prudential Committee remains unchanged; a decision was reached to submit a final offer to Deane Hedges for the purchase of the Crystal Springs water system
- Winterwood Timber Frames Catering License:
 - The town approved a one-day special event liquor license for February 6th on the Winterwood Timber Frames' property; usually the Selectboard would approve such requests at a regular meeting, often leading to timing issues with required state approvals; last summer the board created a protocol for last-minute requests that

involves notice to board members with the opportunity for members to demand the item be discussed at a meeting; if no response is received, the town administrator will authorize the town clerk to transmit town support of the license request to the VT Department of Liquor Control

- After discussing this first time use of the protocol, the board determined that it was comfortable with the methodology and will continue using the protocol
- Upcoming Meeting Schedule:
 - February 15th 6:30 pm Regular SB meeting
 - February 27th 9:30 am Town Forum at EMES
 - February 29th 6:30 pm Special SB meeting
 - March 1st 9:30 am Town Meeting at EMES
 - March 7th 6:30 pm Regular SB meeting

Zoning Administrator Report:

- 3 permit applications so far in 2016
- Next DRB meeting is scheduled for February 2, 2016

Motion: To adjourn. Made by Mr. Troia; second by Ms. Swasey. Passed unanimously. Meeting adjourned 10:00 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: February 15, 2016 East Montpelier Selectboard meeting