

Minutes of the East Montpelier Selectboard

APPROVED 3/3/14

February 17, 2014

Public Hearing on Class 4 Road Reclassifications

SB Members Present: Seth Gardner (Chair), Carl Etnier, Casey Northrup, Steve Sparrow, Kim Swasey

Others Present: Bruce Johnson (Town Administrator), Kristi Flynn (Recording Secretary), Alex Brown, Anne Lamere, Jared Lamere, Darryl Johnson, Eric Obeldobel, Monica Urquhart, John Helme, Rick Barstow, Chris Pratt, Mike Garand

Call to Order: 6:03pm

To Consider the Reclassification to Legal Trail of the Class 4 Portion of Johnson Road

There were differing opinions among the residents on Johnson Road:

Chris Pratt & Alex Brown – in favor of the legal trail reclassification: narrow road, underground power lines, residents can maintain it, quiet area

Anne & Jared Lamere – against legal trail reclassification, would like to see it upgraded to Class 3 for safety reasons and so the town will maintain it

Mike Garand spoke on the challenges of upgrading to a Class 3 road: trees close to the road are a big issue for emergency vehicles and many trees would have to be removed, 18” culverts would have to be installed, 80,000lb trucks are an average width of 8’, and there are drainage issues.

John Helme asked if there was a possibility of hitching up with the Porter property and road off Cherry Tree Hill Road.

On Johnson Road, the town owns the ROW and is interested in maintaining access to the Mallory Brook Trail, though it is not the only access to that trail.

Mr. Helme noted that nothing would stop the homeowners from removing some of the trees for safety, but the SB noted they are required to speak with the Tree Warden first.

Monica Urquhart wondered who is responsible for accidents that happen on the road; the SB believes the drivers are responsible.

Mr. Lamere wondered if there is any study on the value of homes on Class 3, Class 4 or legal trails; SB noted that this is just one of many variables that might affect the value of a home.

Ms. Urquhart would like to know what the minimum requirements would be for a Class 3 road so that the residents could make an informed decision.

The SB will close this hearing and have another one in May when the Porters return as they would like to have some input.

To Consider the Reclassification to Legal Trail of the Class 4 Portion of Foster Road

The residents have agreed to the reclassification.

Motion: I move to authorize the TA to write up the decision to reclassify Foster Road as a legal trail. Made: Mr. Northrup, second: Mr. Etnier

Vote on Motion: Passed 5-0

To Consider the Discontinuance of TH#9, the Barstow Driveway Located at 980 Sodom Pond Road

Rick Barstow is okay with the discontinuance.

Motion: I move to discontinue TH#9 to the Barstow house effective July 1, 2014. Made: Mr. Etnier, second: Mr. Sparrow

Vote on Motion: Passed 5-0

To Consider the Discontinuance of TH#10, the Johnson Driveway Located at 894 Sodom Pond Road

Bruce Johnson has no concerns with the discontinuance.

Motion: I move to discontinue TH#10 to the Johnson house effective July 1, 2014. Made: Ms. Swasey, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Regular SB Meeting

Call to Order: 7:08pm

Additions to the Agenda: Potential personnel matter

Public Comment: None

SB Members Present: Seth Gardner (Chair), Carl Etnier, Casey Northrup, Steve Sparrow, Kim Swasey

Others Present: Bruce Johnson (Town Administrator), Kristi Flynn (Recording Secretary), Mike Garand, Fred Satink

Road Foreman (RF) Report

-The Road Foreman has received 4 bids for the replacement of the Lo-Pro:

- Terra-Star – smaller truck, 4WD; \$32,094 (after trade-in of Lo-Pro)
- International 7400 – 6-wheeler, 4x2; \$52,000 (after trade-in)
- Freightliner – 6-wheeler, 4x2; \$71,000 (after trade-in)
- Mack - \$82,000 (after trade-in)

The RF recommends the International 7400 with the low-profile body; he feels it has a life expectancy of 10 years and the bulk of use will be for winter maintenance. The cost of adding the plow equipment is approximately \$40,000. The RF will get some price quotes on extended warranties. He would like to get rid of the Lo-Pro as soon as the snow ends this year.

-The RF received some complaints regarding the bus accident on Towne Hill Road recently. There was discussion on the possibility of adding a snow plow to the pick-up truck to be used as a back-up.

-The RF noted that the on-call process is not working currently.

-There was some discussion regarding what the SB wants in terms of service versus resident's expectations.

Access Permits

Cote – Sanders Circle, permit #14-004 – there is no policy on distance between drives

Motion: I move to approve permit #14-004 as access for Edward & Gladys Cote contingent on DRB approval of the subdivision. Made: Ms. Swasey, second: Mr. Etnier

Vote on Motion: Passed 5-0

Van Den Berg – Coburn Road, permit #14-006 – applicant would like to change his access in order to build a garage, the driveway is across from the Orchard Valley School parking lot access, applicant has agreed to discontinue use of old access

Motion: I move to approve permit #14-006 with the current access removed. Made: Mr. Etnier, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Consideration of Draft CDL Drug & Alcohol Policy

Fred Satink, from VLCT, came to go through the draft policy with the SB.

- Draft policy covers all 11 requirements
- Decision points are bolded throughout the document

Discussions on the draft policy:

- Section 1 – SB agrees to not list all vehicles
- Section 2 – Designated Employee Representative (DER) = Bruce Johnson (TA)
- Section 4 – negative dilute discussion
 - Town can re-test negative dilute results; definitely should re-test on pre-employment screening
- Random test and post-accident testing – VLCT recommends not re-testing
- Positive test split sample – testing second sample could be at employees' cost; it is the right of all employees
 - SB could agree to cover the cost of the 2nd test if it is negative
- Page 6 – pre-employment testing – not mandated for drivers who have participated in random drug testing; VLCT recommends still doing pre-employment testing as employers don't always forward appropriate documents; there was some discussion on SB regarding not recommending testing if the prospective employee meets all other requirements
- Page 7 – dealing with positive test results – the SB needs to think about it operationally
 - 2 options – 1) one & done – VLCT can recommend employment lawyer for opinion; 2) 2nd chance/return to duty testing policy; the SB will discuss this further at a future meeting

Consideration of Letter of Support for Cross VT Trail

Motion: I move to authorize the Chair to sign the letter of support for the CVTA Winooski Bridge project. Made: Mr. Etnier, second: Mr. Northrup

Vote on Motion: Passed 5-0

Excess Weight Permits

Motion: I move to authorize the Town Administrator to sign the excess weight permits for Newport Sand & Gravel, McCullough Crushing Inc., and Agri-Mark, Inc dba Cabot Creamery. Made: Mr. Northrup, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Warrants

Signed

Review of Minutes

February 3, 2014

Motion: I move to approve the minutes as amended. Made: Mr. Northrup, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Other Business

Town Administrator (TA) Report

- State Government Municipal Day 2014 – 3/31, starting at 8am (\$25 registration fee)
- VLCT SB Training – sign up if interested
- Bike & Ped Grant – Kevin Russell has signed on as local project manager
- Vermont State Police report – revenue figures are down the last two months

Upcoming schedule:

- February 27 – SB pre-Town Forum work session – 6:30pm at town office
- March 1 – Town Forum – 9:30am at U-32 cafeteria
- March 3 – SB regular meeting – 6:30pm at town office
- March 4 – Town Meeting – 9:30am at U-32 auditorium
- March 17 – SB regular & organizational meeting – 6:30pm at town office
- March 31 – State Government Municipal Day 2014 – 8am-3pm at National Life

Zoning Administrator Report

- See 2014 report – 5 permits this year
- Next DRB hearing will be March 11th
 - Ed & Gladys Cote subdivision to benefit son at 340 Sanders Circle
 - Greg Blake addition to commercial building at 1920 VT Rte 14S
 - Mikeljon Mascitti garage at 1690 VT Rte 14S (in aquifer protection zone)

Motion to adjourn. Made by Mr. Sparrow; seconded by Mr. Etnier. Passed 5-0. Meeting adjourned at 9:25pm.

Respectfully submitted by Kristi Flynn, Recording Secretary