

**East Montpelier Selectboard Meeting APPROVED (05/19/14) MINUTES  
May 5, 2014 at the Town Office**

**Selectboard members present:** Carl Etnier (recording secretary), Seth Gardner, Steve Sparrow, Casey Northrup, Kim Swasey (6:48, for item F and subsequent)

**Others present:** Bruce Johnson (town administrator), Don Welch (town treasurer), Amy Ash Nixon (*Times Argus*), Carolyn Shapiro (4 Corners Schoolhouse), Karen Gramer (delinquent tax collector), Mike Garand (road foreman), Bill George (East Montpelier Fire Department)

**A. CALL TO ORDER**

Chair Seth Gardner called the meeting to order at 6:37 pm.

**B. ADDITIONS TO THE AGENDA**

Town clerk report

Setting the special school meeting date

Request: hotspot for state police

Dog report

**C. PUBLIC COMMENT**

None

**D. CONVERSATION WITH 4 CORNERS SCHOOLHOUSE REPRESENTATIVE**

Carolyn Shapiro thanked the SB for the privilege of representing the town on the board. She said things are going well there, budget-wise, despite a hard winter. They've been holding a series on gardening; it will continue. Other events include an armchair travel series, meetings, concerts, and a Shakespeare camp.

Bruce Johnson asked about whether they wanted a page on the town's web site. Ms. Shapiro will canvas the board.

Ms. Shapiro wondered about the process for determining whether the insurance on the building is adequate for its value. She plans to talk to the town listers to find out the value.

**E. CONSIDERATION OF BETTER BACKROADS GRANT APPLICATION**

An application has been prepared to fund the upgrade to the drainage ditch that runs on the west side of Center Road just south of the Mallory Brook crossing. The grant would be for \$10,000; the town plans to do the work anyway.

**Motion: I make a motion to authorize CBJ to sign the Better Backroads Grant Application.**

**Made: Mr. Northrup. Second: Mr. Sparrow. 4-0**

**F. Town Meeting Minutes**

The Selectboard reviewed the Town Clerk's minutes of this year's town meeting, and the requisite three members signed off on them.

**G. Liquor Licenses**

Plainfield Hardware is planning a wine tasting, and Lylehaven farm is planning two events on May 22 and 23. Dudley's Store is renewing their liquor and tobacco license.

**Motion: I make a motion to approve liquor licenses for three one-time events and the liquor/tobacco license for CP Dudley's Store. Made: Mr. Northrup. Second: Ms. Swasey. 5-0.**

#### **H. Excess Weight Permits**

**Motion: I make a motion to authorize Bruce Johnson to sign the excess weight permit applications as accepted. Made: Mr. Northrup. Second: Mr. Sparrow. 5-0.**

#### **I. Appointments**

**Motion: I make a motion to reappoint the Funding Request Study Committee members to a one-year term. Made: Mr. Etnier. Second: Mr. Sparrow. 5-0.**

Tim Carver appeared at the meeting to state that he wants to continue as the primary representative. He also said that the alternate is authorized to be on any committee of the RPC, except for the executive committee. Julie Potter is currently the alternate, and she has also expressed interest in being the primary representative.

**Motion: I move to appoint Julie Potter as lead representative to the Central Vermont Regional Planning Commission and Tim Carver as the alternate representative. Made: Mr. Etnier. Second: Mr. Northrup. 3-2 (Mr. Gardner and Mr. Sparrow dissenting).**

#### **J. DELINQUENT TAX COLLECTOR REPORT**

Karen Gramer presented the 2014 Collection Policy. She has updated the "Further Tax Collection" section to clarify that interest after a tax sale "shall accrue at the rate of one percent per month or fraction thereof from the day of sale to the day of payment when the property is redeemed."

Mr. Welch expressed concern about the use of "accrue." Mr. Johnson said that much time and effort had been put into crafting a sentence that reflected the statute and accurately described the town's practice.

Mr. Etnier suggested striking "or any part of a month" from the section "Interest," as it adds nothing. There was general agreement to remove the phrase.

Ms. Gramer presented a list of delinquent taxes and highlighted four properties for which she may proceed on a delinquent tax sale. She said that she is proceeding slowly and expects to go to a sale no earlier than July or August.

Ms. Gramer wondered about paying an attorney for tax sales. Statute authorizes 15% of the principal of taxes delinquent for attorney fees. Usually \$600 is the attorney's fee for a sale, though Ms. Gramer expects to use Gloria Rice for all the sales, and Ms. Rice charges 15% always. Some principal amounts are small enough that 15% is less than \$600. The SB noted that the Delinquent Tax Collector has no authority to authorize any expenditure other than the 15%, and that an attorney charging 15% for every sale will make out quite well for some sales and less well for others.

Total taxes delinquent are \$35,443 of principal, and \$39,987 including interest. Delinquent taxes owed are down 89% from the beginning of the fiscal year. Mr. Etnier noted that is a 89% reduction from an unusually high baseline, as 2013 saw a spike in delinquent taxes when no postcard was sent out.

Ms. Gramer noted that the number of properties with delinquent taxes is larger than it usually is. Delinquent taxpayers who are entering payment agreements with her are now stretching their payments

past May 15, which she has previously worked to avoid.

Ms. Gramer presented a list of duties and responsibilities for the delinquent tax collector. She is cooperating closely with treasurer Don Welch. The list is evolving as she and Mr. Welch refine their methodology for cooperating. She also presented a more detailed list of procedures prepared at the request of the town auditors. She requested feedback on how to tighten up the procedures.

Mr. Welch said that he is satisfied with the thoroughness of the procedures as they are now described and followed.

Ms. Gramer brought up the issue of how she is paid, which the SB has previously raised. The SB asked to postpone this discussion to another night.

### **K. ROAD FOREMAN REPORT**

The Vtrans structures grant applications have been submitted for the Quaker and Dodge culverts: \$63,000 each. A paving grant for Gallison Hill Road has also been submitted.

Mr. Garand asked about fixing potholes on Quaker/Vincent Flats. The SB said to fix the potholes, as the town may get a grant for repaving that road next year, if it is successfully reclassified as Class 2.

The town garage is out of room, reported Mr. Garand. And the fire station next door may lose a couple vehicles. He is discussing housing town vehicles in bays in the fire station, which would require raising the roof of the fire station. The vehicles that would be stored in the fire station would be ones not used often in the winter, when the fire station is heated. The fire department is open to the idea, but it would need to be done in a way that does not impose costs on the town of Calais through their sharing of fire department costs with East Montpelier.

Department of Transportation's Commercial Drivers License (CDL) physicals are becoming more difficult to get through medical providers. Concentra does the physical at a reasonable cost, but they do not accept health insurance. The town has arranged for Concentra to bill the town for CDL physicals. The SB may revisit the personnel policy language on where CDL physicals are to be conducted.

### **L. DISCUSSION OF VTRANS BRIDGE INSPECTION REPORT**

No major issues were found. The SB signed it.

### **M. ACCESS PERMITS**

Dave and Paulie Coburn would like to shift the location of their access on Daggett Road. Mr. Garand approves the plan, with the proviso that the town retain use of the new access and driveway as a turn-around for winter plowing and regular road maintenance. The SB concurred.

**Motion: I make the motion to approve permit #14-021 as amended. Made: Mr. Sparrow. Second: Ms. Swasey. 5-0**

### **N. CONSIDERATION OF 2014 WINTER SAND, ROADSIDE MOWING, AND LAWN MOWING BIDS**

A new option this year is granite sand, from Northeast Materials. At \$16.80 per cubic yard, it is considerably more expensive per yard than other winter sand (\$11.24-11.53). On the other hand, less is needed per winter storm event because it's grittier, and using granite sand during the winter makes mud season less damaging to roads. Mr. Garand said it's possible that the granite sand could save money for

the town, considering savings from mud season maintenance and less application.

The SB discussed doing one truck's run with granite sand to try it out, but Mr. Garand said that there is not room at the town garage for a separate sand pile.

The SB asked Mr. Garand to get a sample of the granite sand and to look at options for an extra storage site.

The low bid was Brown's Trucking with Lepage material.

**Motion: I make the motion that we award the winter sand bid to Brown's Trucking with Lepage material. Made: Mr. Northrup. Second: Ms. Swasey 5-0.**

For roadside mowing, two bids were received:  
Evergreen Enterprises (John Cattier) -- \$5,300  
Doug Grout -- \$4,850

Last year, Doug Grout did the work for \$4,800.

**Motion: I make the motion to accept Doug Grout's bid for roadside mowing. Made: Mr. Northrup. Second: Ms. Swasey. 5-0.**

Three bids were made for lawn mowing at the town office, the pocket park nearby, the sidewalk zone at the Route 2 and 14 light, the recreation field, and the rec field fence. One bid did not include the sidewalk zone. Of the remaining two, the SB selected the local bidder, whose \$7,470 bid is \$5 more than the town has paid him in each of the last two years, over the \$6,000 bid from Kevin and Jeff Booth in Orange. One of the criteria the SB uses is selecting local workers.

**Motion: I move to accept Tim Frazier's bid for lawn mowing. Made: Ms. Swasey. Second: Mr. Northrup. 5-0.**

Gould Hill Road:

Mr. Etnier commented on the horrible condition of Montpelier's section of the road during mud season there, saying he suspects he broke an axle on his car there. He thinks a lot more East Montpelier residents use it than Montpelier residents, and he notes that Montpelier has a practice of neglecting its roads at the periphery. Plus he wonders about Montpelier's capabilities for gravel roads, when most of their roads are paved. He wondered whether it would make sense for East Montpelier to take over some or all maintenance of that section of road, in return for compensation from Montpelier.

Mr. Northrup noted that he traveled the road at about the same time and saw that Montpelier had spread slate on the spot that was hard hit by mud season heaves.

Mr. Garand acknowledged that Montpelier probably gets to sanding that road during the winter a couple hours later than East Montpelier crews would get to it. On the other hand, he can't envision what the city has that would be a good tradeoff for East Montpelier maintaining that section of road, and he doubts that Montpelier would be willing to pay for it.

## **O. CONSIDERATION OF DRAFT CDL DRUG AND ALCOHOL POLICY**

Postponed to next meeting.

## **P. CONSIDERATION OF ESRI FY 2015 ARC GIS LICENSE QUOTE**

This is for the town's tax map software. Mr. Johnson said the \$700 quote is the same price as for last five years.

**Motion: I move to accept ESRI's FYI 2015 ARC GIS license quote. Made: Mr. Northrup. Second: Mr. Sparrow. 5-0.**

## **Q. CONSIDERATION OF ENGAGEMENT LETTER FROM SULLIVAN, POWERS & COMPANY FOR FY2014 EXTERNAL AUDIT**

SB had decided to accept the Sullivan Powers proposal at a previous meeting; the engagement letter formalizes the agreement. Mr. Johnson reported that he and Treasurer Don Welch reviewed it and found it satisfactory.

**Motion: I make the motion that the SB accept the April 14, 2014 letter of engagement from Sullivan, Powers, & Company. Made: Mr. Northrup. Second: Ms. Swasey. 5-0.**

## **R. DISCUSSION ON PLANNING & ZONING ISSUES: HARPER DEVELOPMENT REVIEW BOARD HEARING & PROPOSED AMENDMENTS TO ZONING REGULATIONS**

Mr. Gardner recused himself from the discussion, which concerns his ex-wife, and Mr. Northrup chaired the meeting for this item.

Andy and Michelle Harper have applied to move the Winterwood Timber Frames operation to the empty lot between Blueberry Hill Commons & Plainfield Hardware. This is a combo retail and light industry use; retail is permitted in Zone A, but light industry is neither permitted nor conditional. It therefore falls back on the "similar in nature" DRB wildcard.

SB reviewed the plans. The SB is favorably inclined toward the development, as described. It seems in character with the area and would bring jobs to the town. Mr. Northrup plans to attend the May 6 DRB hearing and will convey SB's sentiment. No vote was taken.

## **S. DISCUSSION OF EAST MONTPELIER FIRE DEPARTMENT 50TH ANNIVERSARY AND OTHER ISSUES**

At its quarterly meeting with the Selectboards of East Montpelier and Calais, the EMFD board on April 17 mentioned that they were discussing a possible ambulance agreement with Cabot, which is having difficulty finding other ambulance services to provide reliable backup. Chief Ty Rolland mentioned that the revenue from such an agreement could lead to 24-hour staffing of the emergency services facility.

Denise Wheeler, chair of the Calais SB, copied the EMSB on an email about a recent discussion about a possible ambulance agreement with Calais. She agreed not to discuss the issue with Cabot SB and urged Mr. Roland to ask the Cabot ambulance volunteers to bring the matter up with the Cabot SB.

For EMFD's 50th anniversary celebration, the department has selected a date: August 16, 2014. However, no other plans have been set. Bill George, who is on the planning committee, asked how much the town wants to be involved. Without knowing what will happen, the SB has a hard time knowing how it can help.

Mr. Etnier and Ms. Wheeler will be invited to represent their SBs at a planning meeting next Monday, time TBD.

Mr. Gardner suggested keeping the celebration simple.

#### **T. SCHOOL SPECIAL MEETING**

The East Montpelier School Board has set the date for a special school meeting on Monday, June 16 at 6 pm. This is normally a SB meeting night. The SB will look for another date for its second June meeting.

#### **U. WARRANTS**

Warrants were signed.

#### **V. MINUTES**

**I move to approve the April 7, 2014 minutes as amended. Made: Mr. Northrup. Second: Mr. Sparrow. 5-0**

**I move to approve the April 17, 2014 minutes as written. Made: Mr. Sparrow. Second: Mr. Etnier. 5-0**

#### **W. OTHER BUSINESS**

##### *Town Administrator Report*

A Times Argus reporter is requesting that draft minutes be emailed to her within the requisite 5 days post meeting. The town's current method and attorney Bruce Bjornlund's recommendation is to meet the 5-day mandate, but not send out draft minutes – simply provide access through the town clerk. The SB weighed the public interest in informing the press expeditiously versus possible issues with inaccuracies in draft minutes being spread. No one knew what other towns do. No decision was made.

The March 2014 Vermont State Police report showed that revenues are down.

While on the subject of State Police, Mr. Etnier said that a resident had reported many and potentially dangerous violations of the stop signs at the Center-Lyle Young-Templeton Four Corners. The SB gave Mr. Etnier the nod to call Lt. Matt Nally at Middlesex barracks and request increased vigilance there.

Town Clerk Terri Conti reported that state law mandates that the town constable no longer have a blue light on his vehicle after July 1.

Recreational field stormwater pipe. The East Montpelier Elementary School facilities committee and the town Recreation Board disagree on whether further work is needed. The SB will visit the site before its next meeting, at 6:15 pm.

The Nathan Project has scheduled a 5k run fundraiser for June 28th at 10 a.m. It will start and end at The Old Meeting House; the race will be a down-and-back along Brazier Road. The SB notes the event.

##### **Concern Regarding Junk at Paul Ibey Residence on Quaker Road:**

On May 1st Mr. Johnson and Mr. Gardner responded to a number of complaints regarding the delivery of junk materials to the Ibey residence. They reported that it is not pretty, but not out of control; the

situation will be monitored

#### Dogs on North Street

Mr. Etnier reported that a resident told him she encountered four off-leash dogs on the VAST trail near North Street, two of them labradoodles. They were with a man she did not know, who restrained the labradoodles when he saw her. She thinks they are the same labradoodles that the SB entered into an agreement with the owner about earlier this year; the agreement said they would never be off leash off the property. Mr. Johnson will contact animal control officer Sandy Conti.

#### **X. ADJOURNMENT**

**Motion: I make the motion to adjourn. Made: Mr. Sparrow. Second: Ms. Swasey. 5-0 at 10:43 pm.**