

## **Minutes of the East Montpelier Selectboard**

### **May 19, 2014 Meeting**

**SB Attendance:** Chair Seth Gardner, Kim Swasey, Casey Northrup, and Carl Etnier (by video link); Town Administrator Bruce Johnson

**Public Attendance:** Charles Warner, Heather Warner, David Tucker, Charles Johnson, Susan Chickering, Brian Lusignan, Ty Rolland, William Porter, Mary Porter, Bob Morey, Dave Grundy, Rob Chickering

Chair Gardner called the meeting to order at 6:43 p.m.

**Additions to Agenda:** None

**Public Comment:** Charles & Heather Warner asked that the Selectboard reconsider its decision to require that the Warners and the Tuckers use the same Towne Hill Road curb cut to access their homes. Although the Warners understood the access requirements when they purchased the lot, they feel that the resultant driveway is difficult to navigate and essentially unsafe. An alternate access point, a former agricultural access with an installed drive culvert, is already in existence and was used by regularly during construction of their home. Mr. Tucker, whose driveway and home were developed first, feels that forcing his family to share a curb cut and part of a driveway is unfair and unnecessary. Selectboard members agreed to reconsider the decision. The Warners will formally apply for a new access.

### **Discussion with Conservation Fund Advisory Committee**

Long-time chair Sue Chickering has stepped down from the committee, leaving just 3 active members. Just as the number of committee members has slowly dwindled over the past few years, so has the number of potential projects in the pipeline. The Selectboard invited the committee members to this meeting to discuss the future of the committee and what the board could do to help reenergize the committee purpose.

Ms. Chickering, Mr. Johnson, and Mr. Lusignan gave a synopsis of the current status and philosophy: there is still over \$20,000 in the town's conservation fund; there is a potential project involving a Towne Hill Road farm property that was just purchased by a couple who intend to operate a small organic farm; there is still plenty of agricultural land in East Montpelier that might, in the future, be ripe for conservation; and, there may be opportunities for targeted conservation of land for recreational purposes.

The board will work with the remaining committee members to highlight the wide variety of possibilities for future conservation projects in an effort to attract new members.

**Motion: To reappoint Brian Lusignan to the Conservation Fund Advisory Committee for a term ending March 2017.** Made by Mr. Northrup; second by Mr. Etnier. Passed unanimously.

### **Discussion with Energy Committee**

Dave Grundy, chair of the Energy Committee since its inception in 2008, has submitted his resignation. He has tried to enlist another committee member to take over the duties of chair, but

has been unsuccessful. Committee members Mr. Grundy, Mr. Morey, and Mr. Chickering detailed the successes over the past six years, including:

- Setting up a network of 25 neighborhood groups throughout town to improve communication links and connections among neighbors
- Setting up a local food producers network
- Leading the Button Up weatherization effort in town
- Serving as the driving force behind the town's adoption of PACE, the Property Assessed Clean Energy program designed to provide financial options for homeowner energy efficiency projects
- Leading weatherization projects for both the town office and town garage
- Leading the successful effort to switch town streetlights to LED lighting

The need for a vital energy committee is highlighted by the large number of challenging actions and goals listed in the Energy & Energy Conservation section of the new town plan. Mr. Etnier offered to serve as the bridge between the Mr. Grundy-led current regime and a future energy committee leadership group. Selectboard members were emphatic in their desire to keep the committee alive.

#### **Discussion on Options for Class 4 Part of Johnson Road**

On February 17, 2014 the board held a hearing on the potential reclassification of the Class 4 portion of Johnson Road. Mr. & Mrs. Porter, whose property abuts the road to the southeast, were unable to attend that hearing and requested an opportunity to discuss their concerns with the board. Mr. Gardner summed up the February hearing simply: there was no consensus on what to do regarding reclassification. Some stakeholders desired Legal Trail status; some wanted the road upgraded to Class 3. The Porters stated that they would prefer that there be no connection between their development road off of Cherry Tree Hill Road and Johnson Road. They have a number of building lots along their road and would like to maintain the current quiet, country setting.

As a result of the input from the Porters as well as the variety of comments received at the February hearing, Selectboard members decided to leave the Class 4 portion of Johnson Road unchanged at the present time.

#### **EMFD Presentation on Possible Tanker Replacement**

East Montpelier Fire Department Chief Ty Rolland presented a request for the use of \$115,000 from the EMFD Capital Reserve Fund to purchase a 2,000-gallon tanker truck to replace the two aging tankers currently in the EMFD fleet. The intent is to buy a used 2007 fleet-maintained chassis and install a new, mostly poly body to ensure long life. The new tanker will be an automatic, allowing for greater availability of drivers, and will be properly baffled, ensuring greater safety. The new tanker would also have additional space for needed equipment.

The proposed total purchase price is anticipated to be \$113,000 with \$2,000 included as a contingency, resulting in the \$115,000 request. The current EMFD capital plan calls for spending \$100,000 on a tanker truck in FY2015. EMFD anticipates a return of \$15,000 from the sale of the two existing tankers. The intent is to pay cash (\$33,600) for the chassis and finance the remainder over a two-year period.

**Motion: To approve the EMFD purchase of a tanker truck at a cost not to exceed \$115,000, which will be taken from the EMFD Capital Reserve Fund, with the condition that proceeds from the sale of EMFD's two tanker trucks will be deposited back into the EMFD Capital Reserve Fund.** Made by Mr. Etnier; second by Ms. Swasey. Passed unanimously.

### **Consideration of Montague Salvage Yard Recertification**

Art Montague owns and operates a salvage yard at 3044 US Rte. 2. The yard has been in existence for over 60 years and currently holds both a 5-year town certificate of approval and a 1-year state license to operate. The town's certificate expires at the end of June and Mr. Montague is requesting another 5-year approval.

**Motion: To approve a 5-year renewal of the "Certificate of Approval for Location of a Salvage Yard" for the Montague salvage yard.** Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously. Chair Gardner, Mr. Northrup, and Ms. Swasey signed the form.

On a related topic, board members decided to schedule a site visit to inspect the culverts and drainage on Lyle Young Road along the Montague property, about 0.6 miles from the intersection with Dodge Road. The site visit will occur on June 23, 2014 at 6:00 p.m. prior to the board meeting that evening.

### **Discussion on the EMES Pipe Effects on the Recreation Field**

Prior to this meeting, at 6:00 p.m. Chair Gardner, Mr. Northrup, Ms. Swasey, Mr. Johnson, and East Montpelier Elementary School Assistant Principal Alicia Lyford met at the East Montpelier recreation field (555 Vincent Flats Road) to evaluate the current status of the field nearly a year after the installation of a storm water pipe across the field to take excess water from the EMES grounds to a stone-lined catch basin near the wetland behind the field.

Board members discussed the results of the site visit. Although the ground in the vicinity of the pipe is rough, somewhat rocky, and in need of more material, the consensus of the board was that the field would be in good shape after the EMES construction team does the planned remedial work in mid-to-late June, including the removal of rocks, filling of holes, and installation of more topsoil. A low-lying patch just outside of the pipe construction zone, in the baseball field's left field, is also in need of topsoil. Board members debated asking the EMES team to distribute soil on that patch at the same time it does the pipe remediation so as to limit the disturbance on the field. TA Johnson will discuss this possibility with EMES.

**Motion: To authorize the expenditure of up to \$1,000 for topsoil on the Recreation Field.** Made by Ms. Swasey; second by Mr. Northrup. Passed unanimously.

### **Consideration of Draft CDL Drug & Alcohol Policy**

Board members conducted a final review of the proposed CDL Drug & Alcohol Policy. Mr. Etnier expressed a concern that the DOT marijuana metabolites test is more stringent than state law requires for drivers.

**Motion: To adopt the Town of East Montpelier CDL Drug & Alcohol Policy for CMV Operators.** Made by Mr. Etnier; second by Ms. Swasey. Passed unanimously. Chair Gardner, Mr. Northrup, and Ms. Swasey signed the form.

### **Consideration of FairPoint Pole Placement Request**

FairPoint is requesting to install improvements to its phone distribution equipment located near 1320 Horn of the Moon Road. Road Foreman Mike Garand reviewed the request and expressed no concern.

**Motion: To approve FairPoint Order 276080, File 14-075 Horn of the Moon Road, East Montpelier, Vermont.** Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously. Chair Gardner, Mr. Northrup, and Ms. Swasey signed the form.

### **Consideration of DuBois & King Design Services Contract**

DuBois & King, Inc. was selected by the Village Committee to provide engineering and design services for the grant-funded East Montpelier Village sidewalk project. The company has submitted a proposed contract for the services at a cost of \$54,600. TA Johnson, Local Project Manager Kevin Russell, VTrans Project Manager Joel Perrigo, and town attorney Bruce Bjornlund have reviewed the agreement and believe it is appropriate for the project services desired.

**Motion: To authorize TA Johnson to sign the Agreement for Consultant Engineering Services between the town and DuBois & King, Inc.** Made by Ms. Swasey; second by Mr. Etnier. Passed unanimously.

### **Excess Weight Permits**

Chair presented an excess weight permit for approval.

**Motion: To authorize Town Administrator Johnson to sign the excess weight permit for Haskins & Associates Concrete, LLC.** Made by Mr. Northrup; second by Mr. Etnier. Passed unanimously.

### **Warrants**

Members reviewed and signed the warrant.

### **Minutes**

Chair presented the minutes of the May 5, 2014 East Montpelier Selectboard meeting.

**Motion: To approve the May 5, 2014 minutes as amended.** Made by Mr. Northrup; second by Ms. Swasey. Passed unanimously.

**Other Business**

**Town Administrator Report:**

Road Foreman Garand reports that the process for obtaining the mandated CDL medical card has become more difficult. The card is recommended by VLCT and included as a required element in the town's personnel policy. Board members agreed to monitor the situation, but have no desire to alter the policy.

Martha Holden submitted a request for a waiver of the Late Homestead Penalty. The board waived the penalty for all town residents last year. The board will consider both Ms. Holden's request and a general waiver later this summer when the state issues a status report on East Montpelier taxpayers subject to the penalty.

VLCT Health Trust has switched the provider of the Long Term Disability coverage that the town provides to employees. The town will need to apply to the new company.

The Vermont Agency of Transportation will hold a public forum on the East Montpelier Village Bridge project June 2, 2014, 7:30 p.m. in the U-32 cafeteria.

Town Treasurer Don Welch provided the delinquent tax warrant for Selectboard review. Delinquent taxes are running at 3% of total tax billings compared to 4.7% last year. The 3% figure is in line with historic expectations.

There are conflicts with both regular June 2014 board meetings. On June 2, 2014 the board will hold a short meeting starting at 6:00 p.m. and ending promptly at 7:15 p.m. so that members can attend the VTrans forum on the Village Bridge. The June 16, 2014 meeting is canceled due to the special Town School District meeting that evening. The board will have a special meeting on June 23, 2014, starting at 6:30 p.m.

**Zoning Administrator Report:**

TA Johnson presented a report of the current zoning permit activity. The DRB approved the Harper application to relocate Winterwood Timber Frames, LLC to an undeveloped lot on US Rte. 2 between Blueberry Hill Commons and Plainfield Hardware.

The next DRB meeting will include hearings for the EMES fire pond, a used car dealership at the K & A Leasing property located at 4423 US Rte. 2, and a 2-lot subdivision of a property on the corner of Guyette & Tucker Roads.

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

Meeting adjourned at 9:37 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

**Approved: June 23, 2014 East Montpelier Selectboard meeting**

