

Minutes of the East Montpelier Selectboard

APPROVED 6/3/13

May 20, 2013

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

Others Present: Bruce Johnson (Town Administrator), Kristi Flynn (Recording Secretary), Julie Potter, Michelle Harper, Andy Harper, Duane Wells, Sandy Conti, Tim Carver

Call to Order: 6:34pm

Additions to the Agenda: None

Public Comment: Mr. Wells asked that the SB reconsider its decision to require him to present a petition, with the signatures of a minimum of 5% of the town's voters, to start the process for a potential public takeover of his private development road, Captain Kidd Road. Chair Gardner explained that the board felt it was necessary to set a precedent for its new private roads acceptance policy. Since the board explicitly states in the policy that public takeovers of private roads are not encouraged, mandating proof of public support through the petition process is a sound strategy. The board discussed the fact that the Captain Kidd Road was developed under the former Selectboard policy and Mr. Wells worked with the town to construct a road that would meet the standards necessary for board consideration of acceptance.

Motion: I move to waive the petition requirement for Duane Wells on the grounds the road was already constructed in concert with the town before the current roads policy was adopted in 2012. Made: Ms. Swasey, second: Mr. Etnier

Vote on Motion: Passed 5-0

Sandy Conti, Animal Control Officer

Mr. Conti brought an issue to the SB regarding seven unregistered dogs at a residence on Horn of the Moon Road. One of the dogs recently killed a neighbor's 12 chickens and 6 ducks. The dog owners will pay for the chickens and ducks but no bill has been received yet. The dog owners are breeding the dogs and say that three dogs are not theirs. Four of the dogs will be registered within two weeks. Mr. Conti says a special license is needed to be a breeder and sell the puppies. He is not sure what the law says about how many dogs are allowed under a breeder's license. Mr. Conti will follow up on getting the dogs registered and getting proof of vaccination.

Update on CVRPC/CVEDC Merger

The merger does not seem to be on the fast track. The Joint Committee is willing to come to the SB, if requested in writing. Ms. Potter noted that she has requested and has received the meeting summaries from the Joint Committee; she has requested a meeting with Sam Anderson regarding the CVEDC and will send out a synopsis as appropriate. The SB agrees to invite a representative to come to the SB and will invite the PC to the meeting. The Town Administrator will correspond with the CVRPC.

Discussion of Draft Town Plan & Hearing Results

The second hearing is warned for 6/3. Deb Fillion hopes to have the final draft ready in the next couple of days. The TA will then post to the SignPost website.

Discussion of Contract Agreements with Calais and EMFD

The Calais SB made the following changes: addition of Appendix A and Item #6. The SB would like to schedule a meeting with the Calais SB; the TA will try for 6/3 or 6/17.

Management Concerns on Legal Trail #4

The SB discussed what the language should be on the no parking sign: No Parking from 10pm-5am. The SB may need to amend the traffic ordinance and should tackle other issues at the same time.

Old Trail Road – add “Dead End” sign on Snow Hill side; add “No Motorized Vehicles” at the gate. The town needs to make it easier for walkers to get around the gate, maybe add some gravel.

The SB discussed saying no motorized vehicles allowed on any town trails.

Recreation Field – add “No Parking Overnight” sign, add entrance and exit signs. The parking lot will be used by contractors during construction but only during school hours on weekdays.

Consideration of Letter to Planning Commission Regarding Suggested Zoning Regulation Amendments

Motion: I move to authorize the Chair to sign the letter to the PC as written. Made: Mr. Etnier, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Update on Charter Committee

Officers elected: Edie Miller – Chair, Richard Brock – Vice Chair, Carl Etnier – Recording Secretary. The committee will meet on the second and fourth Wednesdays each month. The first topic to be discussed will be whether the treasurer should

be appointed or elected. The committee and the SB both need to hold a couple of hearings, at least 30 days prior to a vote. Possible hearing schedule: committee will hold a hearing early in the process, then have one in late November or early December jointly with the SB with a draft charter, the SB will then have one in January before the Town Meeting warning is finalized.

Consideration of Recreation Field Easement to Benefit East Montpelier Elementary School

The town received notice of the school's storm water permit. There is a catch basin on school property with an 18" pipe across the rec fields to the wetlands. An easement from the town to the school is needed.

Excess Weight Permits

Motion: I move to authorize the Town Administrator to sign Excess Weight Permits for: GK Bisson Trucking LLC and Jack F Corse Inc. Made: Mr. Northrup, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Warrants

Signed

Review of Minutes

May 6, 2013

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

Vote on Motion: Passed 5-0

May 13, 2013

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

Vote on Motion: Passed 5-0

Other Business

Town Administrator Report

- Johnson Road – part of the road is Class 3 and part is Class 4; the town plows the Class 3 part, one resident wants to upgrade the road so that the town plows the entire road but not all residents on the road agree.
- Village Committee – needs to be re-formed as an official committee, adding a SB member; item will be added to the next agenda
- Orchard Valley meeting – the access road is too small, too many cars (80+) come at the same time; the state doesn't want Coburn Road being used because of the lack of a level stopping area; the school needs to figure out internal circulation
- Delinquent Tax Update – delinquent taxes are quite high, probably because of a lot of forgetfulness; reminder postcards may need to be sent out
- Legal Issues Update –
 - Winston tax sale – Silberberg paid the back taxes
 - Ibey tax sale – **Motion: I move to enter a base bid in the Ibey tax sale.** Made: Mr. Etnier, second: Ms. Swasey **Vote on Motion:** Passed 5-0
 - Re: Sanfacon – Pollock filed interrogatories and discovery request, Environmental Court cases are moving forward
 - Hoiska – the hearing for the 2011 Hoiska appeal of a BCA ruling to the state tax appeals officer was held on May 8th
- Road Foreman and crew will be off on 5/24
- rbTech will be in the Town Offices on 5/28 to discuss website parameters
- Town Clerk is doing well, no timetable for her return

Zoning Administrator Report

4 new permits since last meeting

Motion to adjourn. Made by Mr. Etnier; seconded by Mr. Northrup. Passed 5-0. Meeting adjourned at 9:40 pm.

Respectfully submitted by Kristi Flynn, Recording Secretary