

**East Montpelier Selectboard Meeting APPROVED (06/05/17) MINUTES
May 22, 2017 at the Calais Town Hall, recessed to the East Montpelier Town Office**

Selectboard (SB) members present: Carl Etnier (recording secretary), Seth Gardner, Kim Swasey, Gene Troia, Amy Willis; Bruce Johnson (town and zoning administrator).

Others present: *In Calais:* John Brabant, Rob Richert, Rose Pelchuk, Denise Wheeler (Calais Selectboard); Judy Robert (Calais Town Clerk); Jim Barlow (Town Attorney, Calais); Ty Roland, Toby Talbot (East Montpelier Fire Department); Scott Hess (East Montpelier resident).

In East Montpelier: Scott Hess (entire meeting); Ed Deegan, Rosie Laquerre (East Montpelier residents; town clerk selection committee discussion); EM Animal Control Officer Sandy Conti, Martha & Shane Oakes, Rob & Rhoda Chickering, Jon & Linda Hutchins, Zachary & Helen Sullivan, and Sharon Astle (vicious dog hearing).

A. CALL TO ORDER

At 6:10 pm, Chair Seth Gardner called the Selectboard (SB) meeting to order.

ADDITIONS TO THE AGENDA

VTrans Better Roads Grant Agreement for Roads Inventory

VTrans Paving Grant Agreement for Muddy Brook Road

Templeton Road Fire Station Septic Issue

B. JOINT MEETING WITH CALAIS SELECTBOARD

Calais and East Montpelier have been discussing issues related to their 2013 service agreement with East Montpelier Fire Department (EMFD): two trucks are nearing the end of their useful life; and a fair, viable, and prudent expansion of the ambulance service paid staffing level is in the best interests of all parties. The two main sources of EMFD income are the budget allocations from the towns and the ambulance service revenue. These appear to be insufficient to replace both vehicles and increase staffing.

Mr. Johnson presented a proposed Memorandum of Understanding (MoU) between the towns and EMFD, agreeing to re-open the service agreement, to put the funding of a replacement engine/pumper/tanker before voters in March 2017, and to allow EMFD to fund a replacement heavy-duty rescue/pumper from its capital reserve.

After some discussion, the parties agreed to take the draft under advisement and discuss its approval at their next meetings.

Motion: I move to recess until 7:00 pm at the East Montpelier Town Office. Made: Mr. Etnier. Second: Ms. Swasey. 5-0. 6:40 p.m.

At the East Montpelier Town Office, Chair Seth Gardner called the meeting to order at 7:10 p.m.

C. PUBLIC COMMENT

None.

D. UPDATE ON CHARTER AMENDMENT PROCESS IN VERMONT LEGISLATURE, CREATION OF TOWN CLERK SELECTION COMMITTEE, AND DISCUSSION ON NEXT STEPS

H.527, our charter amendment bill, has been passed by both the legislature. There is still no timeframe for when Governor Phil Scott will sign the bill, but he is expected to sign it. It takes effect July 1, so we need to appoint a town clerk by then.

The charter provides that the SB will chose a candidate from names provided by a selection committee comprised of one SB member, three other Town officers who work closely with the Town Clerk, and three other persons.

The SB will move its June 19 meeting to June 26, to give the committee more time to identify and recommend a candidate or candidates.

Motion: I move to appoint the following people to the Town Clerk selection committee: Amy Willis (SB representative); Rob Chickering, Bruce Johnson, and Denise Johnson (Town officers); Emily Goyette, Rosie Laquerre, and Karen Saudek (other persons). Made: Mr. Troia. Second: Mr. Etnier. 5-0.

Motion: I move to authorize Ms. Willis and Town Administrator Johnson to draft a town clerk job description and advertise the position. Made: Mr. Etnier. Second: Mr. Troia. 5-0.

The charter also provides for an appointed Delinquent Tax Collector. Current Delinquent Tax Collector Karen Gramer will be at the next SB meeting. The SB will at that time discuss terms of her potential continuation with her.

E. ACCESS PERMITS

17-019 Hammer; 1996 Main Street

This is a shift in the lower access at the 1996 Main Street location. The plan is to extend the access drive to a new curb cut further down Main Street. Road Foreman Garand considers it a win-win for the town and the business. It will be easier for vehicles to enter from the south.

Motion: I move to approve access permit 17-019. Made: Mr. Etnier. Second: Ms. Willis. 5-0.

F. VTrans Better Roads Grant Agreement for Roads Inventory

This is the standard VTrans grant agreement; it is for \$8,000 (with a town match, potentially in-kind, of \$2,000) for roads inventory & roads erosion inventory.

Motion: I move to authorize Town Administrator Johnson to sign the VTrans Better Roads Grant Agreement for Roads Inventory. Made: Mr. Etnier. Second: Ms. Swasey. 5-0.

G. VTrans Paving Grant Agreement for Muddy Brook Road

This is the standard VTrans grant agreement; it is for \$102,816 (with 20% town match, or \$25,704) for slump repair and full-length repaving of road.

Motion: I move to authorize Town Administrator Johnson to sign the VTrans Paving Grant Agreement for Muddy Brook Road. Made: Ms. Swasey. Second: Mr. Troia. 5-0.

H. Templeton Road Fire Station Septic Issue

The septic system is clearly aging. The town needs to develop a plan for water use at the station.

Motion: I move to address the septic system at the Templeton Road Fire Station by pumping the existing tank and shutting off the water to the fire station; to authorize Town Administrator Johnson to contact Chase & Chase engineering to look at potential solution; and to offer the East Montpelier Fire Department the opportunity to wash trucks at the town garage, with coordination with the Road Foreman. Made: Mr. Troia. Second: Ms. Swasey. 5-0.

I. SCHAARSCHMIDT/WHITE VICIOUS DOG HEARING

At 8:02 p.m., Chair Gardner convened the hearing. The hearing is in response to a complaint filed May 17, 2017 by Shane & Martha Oakes (172 Boulder Ridge) against "Rigley", a dog owned by Ralf (Goober) Schaarschmidt & Ashley White (189 Boulder Ridge).

The SB heard testimony and examined written and photographic testimony about the dog's attacks on humans and at least one other dog, over a period of years. The owners were not present. All the other households on

Boulder Ridge Road were present. Details of the oral testimony are in the written decision/order from the hearing, dated May 23, 2017.

Motion: I move to close the hearing. Made: Mr. Troia. Second: Ms. Swasey. 5-0. 8:35 p.m.

Motion: I move to enter deliberative session. Made: Mr. Etnier. Second: Ms. Willis. 5-0. 8:35 p.m.

Motion: I move to come out of deliberative session. Made: Mr. Troia. Second: Ms. Willis. 5-0. 8:56 p.m.

Motion: After deliberation and determining Rigley is a potentially vicious dog, we hereby permanently banish Rigley from town and order owners Ralf (Goober) Schaarschmidt & Ashley White to remove the dog from town by May 24, 2017. Made: Mr. Gardner. Second: Ms. Willis. 5-0.

J. WARRANTS

Signed.

K. OTHER BUSINESS

Delinquent Tax Warrant

Principal amount due as of 5:00 p.m. May 15, 2017: \$168,608.07

Last year: \$201,589.07

There was an issue with a payment mailed from Burlington on May 8th. It arrived May 22. All payments are due by 5 p.m. on May 15. The Treasurer brought it to the SB's attention. Mr. Johnson said the treasurer cannot exercise discretion and waive the penalty, but the SB can. The SB decided we don't like the rule, but it's not fair to other taxpayers who worked to follow the rule if we waive the penalty in this case. Also, the taxpayer could have checked to make sure the check was received. The SB committed to examining the rule with an eye to warning a different deadline system for voters to consider at Town Meeting.

Leadership Seminar

Central Vermont Economic Development Corporation is holding a Leadership Seminar on June 7. Mr. Etnier will represent the SB.

Upcoming Meetings

May 31	2:00 pm	Park 'n Ride Construction Bid opening
June 5	6:30 pm	Selectboard regular meeting
June 26	6:30 pm	Selectboard regular meeting

O. ADJOURNMENT

Motion: I move to adjourn. Made: Ms. Willis. Second: Mr. Troia. 9:33 p.m.