

**East Montpelier Selectboard Meeting APPROVED MINUTES (08/04/14)  
July 21, 2014 at the Town Office**

**Selectboard members present:** Carl Etnier (recording secretary), Seth Gardner, Casey Northrup, Steve Sparrow; Bruce Johnson (town administrator).

**Others present:** Jeffrey Green, Tom Hagemann, Emma Hagemann, Ginny Callan, Michael Duane, Jim Shea, Amy Nixon (*Times Argus*), Mike Garand (road foreman)

**A. CALL TO ORDER**

Chair Seth Gardner called the meeting to order at 7:00 pm, after the public hearing on the discontinuance of TH #9 and TH #10 and the reclassification to legal trail of the Class 4 portion of Foster Road.

**B. ADDITIONS TO THE AGENDA**

Fire code violations at Jackie Harmon's North Montpelier apartments

**C. PUBLIC COMMENT**

None.

**D. DISCUSSION ON PROPOSED TH 9 (Barstow Driveway) DISCONTINUANCE**

**Motion: I make a motion to discontinue Town Highway #9 (Barstow Driveway) at 980 Sodom Pond Road effective immediately. Made: Mr. Northrup. Second: Mr. Sparrow. 4-0.**

**E. DISCUSSION ON PROPOSED TH 10 (Johnson Driveway) DISCONTINUANCE**

**Motion: I make a motion to discontinue Town Highway #10 (Johnson Driveway) at 894 Sodom Pond Road effective immediately. Made: Mr. Northrup. Second: Mr. Sparrow. 4-0.**

**F. DISCUSSION ON PROPOSED RECLASSIFICATION OF FOSTER ROAD**

Six members of the public present were interested in this decision. All who spoke were in favor of the reclassification.

**Motion: I make a motion to reclassify to legal trail the Class 4 portion of Foster Road effective immediately. Made: Mr. Sparrow. Second: Mr. Northrup. 4-0.**

**G. CONSIDERATION OF CONTRACTOR BIDS FOR GALLISON HILL ROAD,  
AND QUAKER & VINCENT FLATS ROADS PAVING PROJECTS AND DODGE ROAD  
CULVERT REPAIR PROJECT**

The town has approximately \$294,000 available for paving this year; we also have \$19,500 budgeted for structures grant projects.

*Gallison Hill Road Paving*

This project has a state paving grant for 80% of the project to a maximum of \$110,550. We received bids for both shim & 1¼" top course and shim & 2¼" top course.

The low bid for each was from Whitcomb, at \$89,381.25 and \$125,765.20, respectively.

### *Quaker & Vincent Flats Roads Paving*

The bids were for shim & 1¼” top course, and the low bid was from Whitcomb, at \$198,657.50.

In the discussion, it was noted that Gallison Hill is in relatively good shape compared to Vincent Flats/Quaker Hill. The consensus was to put just a 1¼” top course on Gallison Hill and to use the rest of the paving budget for a thicker top course on Vincent Flats/Quaker Hill.

**Motion: I make a motion to have Whitcomb shim Gallison Hill Road and add 1 1/4” top course and shim Quaker and Vincent Flat Roads plus add 2 1/4” top course, up to a maximum of \$300,000 of town monies, and authorize Bruce Johnson to sign the contract. Made: Mr. Northrup. Second: Mr. Sparrow.**

### *Dodge Road Culvert bids*

Dubois Construction: \$69,286.00

Hebert Excavation: \$71,580.00 plus a possible additional \$3,000.

Road foreman Mike Garand said he was happy to accept the Dubois bid.

**Motion: I make a motion to accept the \$69,286.00 bid from Dubois Construction to repair and reset a 90” metal pipe culvert and construct a new full headwall with 4’ long wingwalls on Dodge Hill Road and authorize Bruce Johnson to sign it. Made: Mr. Etnier. Second: Mr. Northrup. 4-0.**

## **H. ROAD FOREMAN REPORT**

Mr. Garand also reported that the C-13 engines in the two ‘08 trucks are becoming a problem for repairs. They are out of warranty, and the work that needs to be done involves electronics--which the town cannot do. There are widespread problems with this engine, according to an article distributed last meeting, and there is an effort to make a class action suit to force a recall.

## **I. WARRANT TO IMPOUND UNLICENSED DOGS**

This is an annual ritual required by the state. Town Clerk Terri Conti has been calling around to known owners of unlicensed dogs, and the number of outstanding unlicensed dog is 13, which is relatively low.

**Motion: I make the motion to sign the warrant to impound unlicensed dogs, as presented. Made: Mr. Northrup. Second: Mr. Sparrow. 4-0.**

## **J. CONSIDERATION OF RULES OF PROCEDURE AND VARIOUS FORMS FOR VICIOUS DOG HEARING PROCESS**

Mr. Johnson customized for East Montpelier the Vermont League of Cities and Towns’ model rules of procedure for vicious dog hearings and various forms to use in the process.

**Motion: I make the motion to adopt the rules of procedure for vicious dog/wolf-hybrid hearings. Made: Mr. Etnier. Second: Mr. Northrup. 4-0.**

The SB thought the forms looked well suited to the job. There is no need to formally adopt them.

Next meeting will have an informational session for residents about the process for vicious dog complaints under state statute. Mr. Etnier asked about inviting VLCT attorney Garrett Baxter, who designed these rules and forms, to the hearing. The consensus was to invite him.

#### **K. DISCUSSION OF BAN ON TOWN INVESTMENT IN FOSSIL FUEL FIRMS**

The environmental organization 350 Vermont has asked East Montpelier to take a stand on not investing town money in fossil fuel firms. The town holds no stock investments, but 350 Vermont has, in any case, asked for a purely symbolic statement. Mr. Etnier asked that East Montpelier take this stand, as it is an important issue and costs the town nothing.

Mr. Gardner said that, regardless of what SB members think, most people in town would agree with this motion, and that it is important for the SB to represent them.

**Motion: I make the motion to declare that the Town of East Montpelier does not and will not invest in fossil fuel firms. Made: Mr. Etnier. Second: Mr. Northrup. 4-0.**

#### **L. DISCUSSION ON PROPOSED REQUEST TO CALAIS TO ALLOW EAST MONTPELIER RESIDENTS ACCESS TO CURTIS POND ISLAND**

Calais is considering an ordinance that would limit camping on the Curtis Pond island, which is owned by the town, to Calais residents. Mr. Etnier has spoken with Calais SB chair Denise Wheeler and John Rosenblum of the Maple Corner Community Center about the possibility of leaving it open to East Montpelier residents, as well. Mr. Etnier drafted a letter to that effect to the two organizations.

**Motion: I make the motion to sign the letter to the Maple Corner Community Center and the Town of Calais regarding camping on the island at Curtis Pond. Made: Mr. Northrup. Second: Mr. Sparrow. 4-0.**

#### **M. CONSIDERATION OF RESOLUTION FOR TAX ANTICIPATION LINE OF CREDIT**

This is a routine matter to cover town expenses before the first property tax deadline of November 15. What is new this year is that Town Treasurer Don Welch recommends a dual set of 6-month lines of credit (one now for \$700,000 and one in January for, maybe, \$300,000). This provides a better interest rate and limits the tie-up of town credit availability

**I make the motion to sign the Tax Anticipation Note (Line of Credit), adopt the resolution for tax anticipation borrowing (line of credit), and sign the non-arbitrage certificate, tax anticipation borrowing (line of credit). Made: Mr. Northrup. Second: Mr. Sparrow. 4-0.**

#### **N. CONSIDERATION OF COPIER REPLACEMENT PROPOSALS**

The town is ready to replace the large copier/printer/scanner in the small meeting room and the smaller copier in the listers' area. It has received bids from Canon for Canon machines and Office Systems of Vermont (OSV) for Toshiba machines. In both cases, both the larger and smaller machines would operate as copier/printer/scanner.

While the bids vary in quite a few details, the SB was interested that the monthly lease payment for the Toshiba would be less and the town would own the smaller machine, rather than merely lease it.

There is a year and a half left on the five-year lease for the existing large copier/printer/scanner; bids from both firms include buying out that lease.

**Motion: I make a motion to accept the quotation from Office Systems of Vermont for a 60-month lease on an e-Studio 3055 copier/scanner/printer, which includes an eStudio 255 copier/scanner/printer that the town will own. Made: Mr. Etnier. Second: Mr. Sparrow. 4-0**

## **O. WARRANTS**

Warrants were signed.

## **P. MINUTES**

Motion: I make the motion to accept the minutes of July 7, 2014 as amended. Made: Mr. Northrup.

Second: Mr. Sparrow. 4-0.

## **Q. OTHER BUSINESS**

### *Jackie Harmon's apartments in North Montpelier*

The fire department noted code violations when responding to a medical call at the apartments. State Fire Inspector Glenn Moore was brought in. He called Mr. Johnson after the inspection, saying he would issue an immediate sanction and a later report. That day, he issued an order requiring that some things be moved and requiring smoke detectors, etc. Today he sent the final report, requiring a lot more changes, both for the barn and the house.

The reports call for rapidly addressing safety issues; the cost could be high.

While town Health Officer Dave Grundy worked with Mr. Moore in the inspection, there is no formal role for the Selectboard in this process. Nonetheless, some SB members were concerned that too rapid requirements to bring the building up to code would lead the owner to decide to close the apartments, which would displace seven families.

### *Drainage on Lyle Young Road*

At a dip on Lyle Young Road, the downhill side of the culvert has filled with gravel and is wet much of the time. This reduces the effectiveness of the culvert.

Art Montague, owner of the downhill land, is unhappy with the town's proposed resolution, involving excavating in the sedimented area. (He also apologizes for missing the SB's site visit.) Mr. Montague contacted Patrick Ross, ANR river management engineer for our district, and asked him to do another site visit so that he (Mr. Montague) could explain the historic waterway. Mr. Ross agreed to this; no time is set for the meeting as yet.

Mr. Montague is still concerned about a higher (Woodward side) culvert – he wants it removed. Road foreman Mike Garand indicated during the site visit that removing the higher culvert would simply put more water through the lower culvert and increase the probability of water damage to the road.

### *Website Content Question*

Mr. Johnson asked whether we want to post the grand list. It contains assessment information but not tax information. He said quite a few towns post theirs.

Mr. Etnier offered to draft a web policy, based on input received in public forums, and bring it to next meeting for discussion and vote. He will include posting the grand list in the policy.

### *Rubin Bennett, School Board chair, wants town meeting back at East Montpelier Elementary School*

Mr. Bennett told Mr. Johnson it would be an excellent time to show off school after the renovations. He also wonders if school meeting can go first again in 2015, to highlight the school construction to the largest number of attendees possible. Under our every other year routine, school meeting would be second.

*Upcoming Schedule of Events*

August 4th Selectboard regular meeting, 6:30 p.m. at town office  
August 18th Selectboard regular meeting, 6:30 p.m. at town office; main item is Land Use and  
Development Regulation amendments  
Sept 8th Selectboard special meeting (to avoid Labor Day)  
Sept 22nd Selectboard special meeting  
October 6th Selectboard regular meeting

*Zoning Administrator Report*

The Planning Commission has scheduled a public forum for September 18th at the village fire station. They are seeking public comment on the proposed new flood hazard zone and river corridor protection regulations.

The next Development Review Board meeting is August 5th

One hearing – EMES storage shed

Lylehaven subdivisions (3) – sketch plan review

Danforth (County Road) subdivision – sketch plan review

Olmsted (Brazier Road – Bruce Butler property) subdivision – sketch plan review

**R. ADJOURNMENT**

**Motion: I make the motion to adjourn. Made: Mr. Sparrow Second: Mr. Northrup. 4-0.**

**The meeting was adjourned at 9:37 pm.**