

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

### **July 24, 2017 Selectboard Meeting**

**SB Attendance:** Chair Seth Gardner, Amy Willis, Gene Troia, Kim Swasey, Carl Etnier (participating by Skype); Town Administrator Bruce Johnson

**Public Attendance:** Recreation Board Members Bob Fitch and Jan Aldrich; Town Treasurer Don Welch; Kristi Flynn

Chair Gardner called the meeting to order at 6:32 p.m.

#### **Additions to Agenda:**

- **Consideration of Karen Saudek's Recommendations to Alter Town Clerk Job Description**
- **Discussion on Agricultural Use of Old LaPerle Farm Property by Marc Fontaine**
- **Request from CJ Flynn for Selectboard to Provide Reasons Why He Has Been Denied Appointment as Town Clerk**
  - This addition will be handled as part of the "Personnel Matters" agenda item.

**Public Comment: None**

#### **Discussion with Recreation Board**

Bob Fitch, treasurer of the Rec Board, updated Selectboard members on the current status of the potential shift of the Rec Board to a non-profit entity. At this point, the Rec Board is continuing to weigh the costs and benefits of a shift. It expects to have a recommendation on the issue for the Selectboard's consideration in the near future.

On other issues: The Rec Board is investigating options for improving the aesthetics and usefulness of the area between Vincent Flats Road and the recreation field drive. Mr. Fitch and town treasurer Don Welch are continuing to fine tune their procedures for managing the Rec Board's financial transactions. Chair Gardner thanked Mr. Fitch and the entire Rec Board for the recent improvements in communication with both the Selectboard and the general public.

#### **Creation of the Rural Road Vegetation Assessments Project Advisory Committee and Appointment of Members**

At its July 10, 2017 meeting, the board approved the participation of the town in the "Rural Road Vegetation Management Assessments" program offered by the VT Department of Forests, Parks, and Recreation. Joanne Garton, Resilient Right-of-Ways Project Coordinator for the VT Urban & Community Forestry Program, is serving as the project leader. The town's participation will be funneled through a committee whose members are expected to assist in information gathering and provide feedback as the management guidelines are developed. TA Johnson will work with the committee to ensure that it meets the requirements of the VT Open Meeting Law despite the anticipated field work.

**Motion: To create the Rural Road Vegetation Assessments Project Advisory Committee and appoint Jean Vissering, Paul Cate, Jeff Cueto, Seth Gardner, Ken Feld, Jack Pauly, and Guthrie**

**Perry as members of the committee.** Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

### **Updates on Town Position Openings**

- **Road Foreman**
  - Guthrie Perry officially took the reins today.
- **Town Clerk**
  - Three new applications have been received in the past week. The selection committee will meet July 31, 2017, at 4 p.m. to review the applications. The target is to have a new recommendation, if warranted, to the Selectboard for the August 7<sup>th</sup> board meeting.
- **DRB Vacancy**
  - One application for the seat recently vacated by Andrew Greenwald has been received to this point. The board will have consideration of this appointment at its August 7<sup>th</sup> meeting.
- **Tax Policy Committee**
  - Two volunteers have stepped forward. Although a small committee is desired, the board would like at least one more volunteer. The committee creation will be on the August 7<sup>th</sup> meeting agenda.

### **Discussion on Use Of and Potential Improvements To the Town-Owned Hudson Parcel**

The town closed on the 2812 US Rte. 2 property on July 20<sup>th</sup>. The 0.25-acre parcel will be merged into the abutting 2.7-acre town-owned Village Cemetery/Old Town Hall property. The current expectation is that Mr. Perry and his family will move into the house by the end of August. Mr. Perry will be responsible for cleaning out/up the house. Mr. Troia will coordinate elements of the building rehabilitation to ensure the structure is in habitable condition.

A potential 2-3 unit, passive solar, affordable housing project targeted for a portion of the reconfigured property is currently under consideration by the Central VT Habitat for Humanity project board.

### **Consideration of Signpost Article on Personnel Changes**

TA Johnson presented a draft article on the enactment into law of the town-voted amendments to our governance charter along with an update on numerous recent personnel changes. After making a few alterations, the board by consensus authorized the submission of the article to the Signpost for publication in the September/October issue.

### **Additions to Agenda**

- **Consideration of Karen Saudek's Recommendations to Alter Town Clerk Job Description**
  - Ms. Saudek, a member of the Town Clerk Selection Committee, has recommended a few tweaks to the town clerk job description to place a greater importance on the ability to use knowledge and training, rather than just possessing the knowledge and training. The board agreed with the proposed shift in emphasis.
  - **Motion: To adopt the revised town clerk job description.** Made by Ms. Swasey; second by Ms. Willis. Passed unanimously.

- **Discussion on Agricultural Use of Old LaPerle Farm Property by Marc Fontaine**
  - Chair Gardner presented a request from Marc Fontaine to use a portion of the town-owned LaPerle Farm property located at 3035 US Rte. 2. Mr. Fontaine would like to fence in the part of the property abutting his land at 628 VT Rte. 14 N in order to graze his cattle. Board members generally supported the concept, but requested more specifics on the use, such as location of the fencing and size of the area enclosed, expected length of use, and options for in-kind payment, including bush hogging of the property. Chair Gardner will discuss the issues with Mr. Fontaine and bring the request back to the board at a later date.

### Warrants

Board members signed the warrant.

### Minutes

Chair Gardner presented the draft minutes of the July 10, 2017 board meeting. The approved minutes will be used as the board's official written decision for the July 10<sup>th</sup> reconsideration of the board's protective order issued after the June 5, 2017 Adams "vicious dog" hearing.

**Motion: To approve the July 10, 2017 minutes as amended.** Made by Mr. Etnier; second by Ms. Swasey. Passed unanimously.

### Other Business

#### **Town Administrator Report:**

- Concern Regarding Kelton Road Pull-off:
  - There is a belief that the pull-off just north of the Sodom Brook crossing is being used for drug dealing. The situation is being monitored by the VT State Police. VSP is warning that the noticed vehicles (silver Honda; red SUV) should not be approached.
- Volvo Loader Issues:
  - The loader is suffering from loss of power (injector failure). CRW has repaired a number of issues, but has not yet isolated the power problem. Another fix will be attempted in the coming days.
- Update on Roadwork:
  - Pike Industries is back on County Road today doing the shoulders. The work should be done by July 25, 2017.
  - Larry Hebert Excavation has installed the new culvert on Murray Road. Site work continues. The guardrail is expected to be installed early next week. The road should be opened by the end of next week (the window for closure was through August 10<sup>th</sup>).
  - Muddy Brook Road remains in "one lane" condition (the western slump area has eroded at the edge of road). Dubois Construction should be onsite to do the grant-funded slump repairs sometime in August.
  - Our municipal roads grant has been increased to \$9,700 (with a town match of \$1,940). This is the grant the town submitted a letter of intent for back in early June. The town will have a meeting with CVRPC & VTrans on Thursday, August 10<sup>th</sup>, 8 a.m. to select the site(s) for the erosion control work.

- The traffic study for the Gallison Hill, Towne Hill, and Brazier Roads intersection is out for bid (CVRPC is managing). Proposals are due August 4<sup>th</sup>. This project is on a very tight timeline (85% completion by the end of September).
- Meeting Schedule:
  - August 7<sup>th</sup> 6:30 pm Selectboard regular meeting; set tax rates
  - August 21<sup>st</sup> 6:30 pm Selectboard regular meeting
  - Sept. 11<sup>th</sup> 6:30 pm Selectboard special meeting (no September 4<sup>th</sup> or 18<sup>th</sup> meetings)
  - Sept. 15<sup>th</sup> 8:30 am 2017 Municipal Day; VT agency workshops at National Life

**Zoning Administrator Report:**

- Only 1 permit application since July 10, 2017.
- No DRB meeting in August. The next scheduled meeting is on September 5, 2017.

**Personnel Matters**

Ms. Swasey explained that Interim Town Clerk CJ Flynn requested that she provide reasons why he was not appointed as the town clerk. Ms. Swasey responded to Mr. Flynn that it would be up to the full board to decide if a response was warranted and that she would bring the issue to this meeting. By consensus, board members authorized Ms. Swasey to provide Mr. Flynn with a statement that emphasized three facts: the elected town clerk office was eliminated by force of law as of June 30, 2017; the new town clerk position needed to be filled as required by the East Montpelier governance charter, which mandates a fair and open process that does not favor any particular person; and, the town does not provide reasons for declining to hire applicants.

Next, the board discussed the potential extension of the town administrator's contract.

**Motion: To enter Executive Session under 1 V.S.A. §313(a)(3) to discuss employment-related issues.** Made by Ms. Swasey; second by Ms. Willis. Passed unanimously.

Board entered Executive Session at 8:33 p.m.; exited at 9:14 p.m. No action taken.

**Motion: To adjourn.** Made by Ms. Willis; second by Mr. Troia. Passed unanimously. Meeting adjourned 9:15 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

**Approved: August 7, 2017 East Montpelier Selectboard meeting**