

Minutes of the East Montpelier Selectboard

August 20, 2012

Public Hearing on Town Application for the 2012 VTrans Bicycle & Pedestrian Grant Program

SB Attendance: Chair Bruce Johnson, Carl Etnier, Steve Sparrow, Seth Gardner

Public Attendance: Jean Vissering, Elizabeth Killian, Alice Smith, Bob Smith, Bob Morey, Gene Troia, Will Walters (Hardwick Gazette), Mike Garand (Road Foreman), Don Welch

The Chair opened the hearing at 6:40 pm and read the hearing notice:

The East Montpelier Selectboard will convene a public hearing Monday, August 20, 2012 at 6:30 p.m. at the new fire station located at 54 Village Acres in East Montpelier. The purpose of the hearing is to inform the community about the town's application to the VTrans Bicycle & Pedestrian grant program. The application is for a design & construction grant for a sidewalk and shoulder widening project along US Rte. 2 in East Montpelier Village between the VT Rte. 14 south and north intersections. Please contact Bruce Johnson, Town Administrator, at 223-3313x204 or eastmontadmin@comcast.net, with any questions or concerns.

The Chair provided background information: The town received a 2011 VTrans Transportation Enhancement grant for a Rtes. 2 & 14 corridor bicycle & pedestrian safety improvements scoping study. The town hired DuBois & King to conduct the study and produce a report with recommendations. The final version of the report was issued just prior to the hearing and was made available to the participants at the hearing. This report will serve as the substantive backbone of the town's application to the VTrans Bicycle & Pedestrian grant program.

Discussion centered on the grant program specifics, how it differs from the Transportation Enhancement program, and how the timing of the grant would work with the expected 2014 Village Bridge replacement by the state. This is a 90/10 grant as opposed to the TE program's 80/20 split. The town is responsible for a 10% cash match and, as this is a reimbursement-style grant, will need the resources to pay all expenses as the project moves along. Any in-kind contributions will be determined as the project proceeds. It is possible for the town to receive a Bike & Ped grant and still apply for and receive a Transportation Alternatives program grant (the TE replacement program that has not yet been activated). Any grant received would be good for 5 years which should provide sufficient time to work with the Village Bridge project. Since the bridge project includes a sidewalk along VT Rte. 14, traffic signals with pedestrian-crossing wiring available, and a crosswalk with landing across Rte. 2.

Discussion moved to an examination of the scoping study report's recommended alternative design. Concerns were expressed that the town was locked into the chosen design. If the town receives the grant, the design element of the project will reevaluate the recommended design and determine if all the elements are even possible. It may be that certain aspects will need to be redesigned to match the terrain, drainage, right-of-way issues, etc. The consensus was that the recommended design is the best option at this point – any necessary changes will be dealt with when discovered.

Property owners on Rte. 2 expressed concern with the scoping study report comment that the town could require adjacent property owners to maintain the sidewalk in the winter. Mr. Garand explained how Montpelier handles sidewalk plowing, both on residential streets and in the business district. He also explained how neighboring towns hired contractors to maintain the sidewalks. Bottom line is that the town will be responsible for winter maintenance, but whether the town will contract out the work or handle it in-house still needs to be determined. Since this is Route 2, the state will plow the extended shoulder element (up to the curb), but not the sidewalk.

Questions were raised about the aspect of the scoping study report that anticipates a phased project under multiple Transportation Enhancement grants, with the northern elements being constructed first. As discussed earlier, the Village Bridge project needs to be basically complete before the southern elements of the sidewalk project could be constructed. Since the TE program funding limit necessitated at least two grant cycles to fully construct the sidewalk and shoulder improvements, the bridge timetable could be easily accommodated. If the town receives a Bike & Ped grant that fully funds the improvements, construction could still be phased to fit the bridge project or simply delayed to fit the bridge project schedule.

Everyone in attendance agreed that the application should go forward.

The Chair closed the hearing at 7:25 pm.

Regular Meeting of the Selectboard

SB Attendance: Chair Bruce Johnson, Carl Etnier, Steve Sparrow, Seth Gardner

Calais SB Members Present: Chair Denise Wheeler, Mike Garand, Toby Talbot, John Brabant, Scott Bassage, Rose Pelchuck (administrative assistant)

Public Attendance: Jay Copping, Paul Guare, Ty Rolland, Larry Brown, Don Welch, Lt. Paul White

The meeting was called to order at 7:30 pm.

Additions to Agenda: Fireworks Permitting Process

Public Comment: None

Joint Meeting with Calais Selectboard re: EMFD Contracts

The Chair welcomed the Calais board members to the latest in a series of meetings between the boards regarding updates to the current EMFD contracts. The Chair distributed copies of two draft agreements: (1) East Montpelier Fire Department Cost Allocation Agreement between the Towns of Calais and East Montpelier; and, (2) Contract with Respect to Fire Suppression, Ambulance, and Other Emergency Response Services.

Board members focused initially on the cost allocation agreement. All the current agreements between the towns and with EMFD use a one-third (Calais)/two-thirds (East Montpelier) split for capital expenditures and dissolution distribution of EMFD net assets. There appears to be a consensus that this share split continue unchanged. Discussion centered on Clause 4 of the draft agreement: cost allocation of the EMFD operating budget. Currently Calais pays 25% of the firefighting budget and one-third of the ambulance budget; EM's share is 75% and two-thirds, respectively. Various permutations of the available datasets (call volume, population, grand list, business properties, tax-exempt properties, tax-exempt properties serving multiple towns, state roads) were put forth individually and as part of multi-variable equations. Agreement was reached to have the operating budget allocation set at one-third/two-thirds in the next draft.

Discussion shifted to the service contract with EMFD. Board members and EMFD officers discussed specific concerns with the draft contract including combining the ambulance and firefighting contracts into one document (board members found this to be a logical step), a year-by-year approach for the contract term (previous contracts were multi-year; board members recognized that with the removal of multi-year level-funded budget request contract terms, year-by-year may be a better method; this will be revisited), the inclusion of the EMFD operating budget into each town's general fund article at Town Meeting (some members would like to at least leave open the option of a separate article for the EMFD budget), the format of the EMFD capital reserve fund ambulance revenue allocations (some would like this mostly left to the EMFD board's discretion; some would like strict guidelines), and the possibility of the Selectboards appointing a "delegate" to monitor EMFD board meetings (essentially as non-voting members; main concern here is the "why is this wanted" issue; the boards seem to desire some up-front knowledge of major decisions/issues, but not necessarily an active role in the day-to-day concerns). Calais members discussed some Calais-only issues involving mutual aid compacts and "primary provider" designation when a town has two contracted fire departments (Calais also contracts with the Woodbury Volunteer Fire Department).

Members of both boards will forward proposed wording to be included in the next service contract draft to the Chair. The new document will be sent to EMFD for discussion by that board. The two town boards will meet again after receipt of comments or a new draft contract from EMFD.

Lt. Paul White, VT State Police

The Calais Selectboard took part in this part of the meeting.

Lt. White is visiting all 18 towns in his district to give the towns the opportunity to voice opinions on the spate of negative media reports regarding the State Police. Since East Montpelier contracts for extra coverage Lt. White especially wanted to assure the board that he was scrutinizing overtime records to ensure that the town receives the service it pays for. The wide-ranging discussion covered numerous topics including response times (depends on incident), normal coverage (at best 5 officers for the 18 towns per shift; generally around 3), fair expectation of response depending on the incident reported (expect a rapid show of force in situations of violence; perhaps no more than a follow-up call if reporting a lesser event), ticket revenue compared to contract cost (running around 25-30%), regulations regarding constables

(training requirements have been ramped up for constables exercising police powers; EM constables don't have police powers), and the function of the State Police Community Advisory Board (there are 12 such boards, matching the 12 state police divisions; Don & Carol Welch are EM's CAB representatives to the Central VT board; Lt. White would like to see an evaluation of the board's functionality given its purpose to act as a conduit of information from the state police to townspeople).

Larry Brown, on behalf of EMFD, thanked Lt. White for the excellent service and professionalism provided by the state police. Lt. White responded with appreciation for the welcomed availability of the Emergency Service Facility's public area for trooper use.

Road Foreman Report

With the meeting running very late, Road Foreman Mike Garand suggested that his report be postponed until the next SB meeting. SB members gratefully accepted the suggestion.

Addition to Agenda: Fireworks Permitting Process

East Montpelier Fire Department leaders Ty Rolland and Larry Brown discussed the current process for permitting local fireworks displays. Former EMFD Chief Audy handled the process for the town until his resignation as EMFD chief. The EMFD would like the town to develop a permitting process that meets the statutory mandates while protecting both the town and EMFD. EMFD attorney Paul Giuliani advised the EMFD to request that the town adopt an ordinance that sets out the town's chosen permitting process as well as the responsibilities of town and EMFD personnel. SB members agreed to research the issue.

Discussion on Town Application for VTrans Bike & Ped Grant

As part of the application to the VTrans Bike & Ped grant program the town must submit a letter of support that includes acknowledgement of two conditions: (1) The grant includes a 10% local match; and, (2) The town will be responsible for the maintenance of the project.

Motion: To authorize the SB Chair to sign the necessary town letter of support with acknowledgement of conditions for the town VTrans Bike & Ped grant program application.

Made by Mr. Gardner; second by Mr. Sparrow. Passed unanimously.

Land Conservation Fund CD Renewal

The \$22,508.93 Land Conservation Fund CD matures August 20, 2012. Town Treasurer Don Welch asked for permission to renew the CD on the best terms available.

Motion: To authorize the renewal of the People's United Bank Land Conservation Fund CD on such terms as Town Treasurer Don Welch deems appropriate. Made by Mr. Etnier; second by Mr. Gardner. Passed unanimously.

Center Road Paving Agreement with Pike Industries

The Town has received a VTrans paving grant for Center Road. Pike Industries has offered to repave Center Road, including shoulder work, for \$255,665.

Motion: To authorize the SB Chair to sign the Center Road paving agreement with Pike Industries. Made by Mr. Gardner; second by Mr. Etnier. Passed unanimously.

Letter of Support for Erosion Study Grant Application

The Winooski Natural Resources Conservation District and the Central VT Regional Planning Commission are applying for a grant to fund erosion studies and test implementation methods in the North Branch and Kingsbury Branch watersheds. The town has been requested to provide a letter of support.

Motion: To authorize the SB Chair to sign the WNRCD/CVRPC grant application letter of support. Made by Mr. Gardner; second by Mr. Sparrow. Passed unanimously.

Appointments

John Audy officially resigned as town fire warden. Ty Rolland offered to serve as a temporary replacement. The community should continue to contact the East Montpelier Fire Department (225-6245) for burn permits.

Motion: To appoint Ty Rolland as the interim fire warden. Made by Mr. Gardner; second by Mr. Etnier. Passed unanimously.

Warrants

Selectboard members signed the warrant.

Minutes

Consideration of the August 6, 2012 minutes postponed until the September 10, 2012 Selectboard meeting.

Other Business/Town Administrator Report

John Audy has officially resigned as both the EMFD Fire Chief and the town fire warden. EMFD has informed the SB that an election for chief will be held September 4, 2012. During the interim period Ty Rolland, Larry Brown, and Toby Talbot will handle the responsibilities of the position. SB members felt strongly that the town should publicly acknowledge Mr. Audy's long service to the community.

Mr. Etnier will serve as the town's delegate to the annual VLCT business meeting on October 4, 2012.

Mr. Gardner will represent the SB at the 2012 Rally Day assembly prior to the Rusty DeWees show at EMES.

The town office bell is refurbished and ready for installation. Mr. Gardner and Mr. Sparrow will arrange for the placement of the bell on the town office building roof.

FY2013 tax bills are complete and should be in the mail by August 21, 2012.

The Funding Request Study Committee will be coming to the SB meeting on September 10, 2012.

The painting of the town office building should be complete by August 24, 2012.

Park 'n Ride Project Update: Washington Electric Cooperative has allowed the resumption of the Phase II environmental assessment of the WEC utility garage property. The Phase II study is fully funded by grants from the Central VT and Rutland Regional Planning Commissions.

Upcoming Selectboard Schedule:

- August 28th Primary election; 7am – 7pm at EMES; counting 7pm – 8 pm (voluntary)
- September 3rd No meeting
- September 10th Special regular meeting; 6:30 pm, town office
- September 13th Joint PC/SB sponsored geologic survey presentation; 7 pm, EMES
- September 17th No meeting; Farm Contract Study Committee meeting; 7 pm, town office
- October 1st Regular SB meeting; 6:30 pm, town office

Personnel Matters

Motion: To enter executive session for a personnel matter. Made by Mr. Gardner; second by Mr. Etnier. Passed unanimously.

Executive session: entered 10:30 pm; exited 10:45 pm.

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

Meeting adjourned 10:46 pm.

Respectfully submitted by Bruce Johnson, Selectboard

Approved: September 10, 2012 East Montpelier Selectboard meeting