

**East Montpelier Selectboard Hearing and Meeting APPROVED (10/02/17) MINUTES
September 11, 2017 at the 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: Tom Brazier, Sandal Cate, Daniel Currier, David Delcore, Jim Donovan, Roger Dickinson, Paul Erlbaum, Rachel Grossman, Norm Hill, Lindy Johnson, Charles Johnson, Janet Macleod, Jeanne Malachowski, Madeleine Mongan, Michelle McFadden, Jennifer Myka, Sue Racanelli, Norma Raymond, Richard Smith, Ann Stanton, Mary Stone, Martha Trombley-Oakes, Alison Underhill, Janet Connor, Nona Estrin

A. CALL TO ORDER

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

B. ADDITIONS TO THE AGENDA

None.

C. PUBLIC COMMENT

Norma Raymond asked what is going on with the relationship between the Selectboard (SB) and the town administrator (TA). This was the first of many comments and questions on the topic.

Mr. Gardner explained the relationship is ongoing, there are negotiations, and the results will be public after negotiations are concluded.

Charles Johnson said TA Johnson has worked a long time with the town and has been a wonderful ambassador for the town. He said he would hate to lose him; he has rarely met an administrator who is as efficient and kind.

Ann Stanton seconded Mr. Charles Johnson's remarks. She said she didn't want the situation to devolve into what happened in Montpelier. One thing she has always admired about Vermont is that it recognizes its local talent. That's changed in last 15 years, she said, and it's a mistake to think people are replaceable cogs. She believes TA Johnson is irreplaceable, or almost so. If money is a concern, TA Johnson brings in grants.

Madeleine Mongan said that on East Montpelier Trails, Inc. it has been a pleasure to work with TA Johnson. He has been knowledgeable, sends EMTI state grant info, and helped prepare information for town meeting warning.

Mary Stone said she has relied heavily on TA Johnson for his knowledge of land owners and his sense of humor in working with land owners. He does his work with kindness and a sense of humor.

Janet Macleod said she and TA Johnson are part of the Adamant community, and she has tremendous confidence in him.

Jennifer Myka said everyone she has spoken with about Bruce says he's helpful, knows what he talks about, and is a nice guy. She is concerned the town will become a place people don't want to work at. She said the SB should be willing to pay for good personnel.

Nona Estrin said we have a lot of attorneys in town. TA Johnson is like having an extra lawyer on staff.

Rachel Grossman wondered about the role of personalities and egos in the current negotiations. Mr. Gardner replied that it's not about personalities and egos.

Michelle McFadden said TA Johnson is very helpful. She added he is maybe the most qualified TA in the state, with degrees in engineering and law. She noted he brings in a lot of grants, for sidewalks, park and ride, etc.

Sue Racanelli described speaking to TA Johnson from San Diego back when he didn't know who she was. Nonetheless, he guided her clearly through the process she inquired about.

Paul Erlbaum called TA Johnson “a gem” and asked the SB to add a few pennies to his tax rate to pay for a salary increase.

Ms. Raymond said the SB does a good job keeping tax rate down.

Martha Trombley-Oakes said her family had “an intimate experience” with this SB and TA Johnson after two dog attacks. She said TA Johnson walked her through the process compassionately. The dog attacks were a terrible experience; the work with TA Johnson made her proud of the town that she is raising family in.

Ms. McFadden commented she sees Bruce working long hours on her frequent trips past the town office.

The SB thanked so many townspeople for coming in with their comments.

D. MEETING WITH FUNDING REQUEST STUDY COMMITTEE (FRSC)

An application packet will go out to 30+ organizations by September 29th with a due date of October 27, and a committee report will be presented to board in mid-late December.

Last year's funding request article (without Montpelier Senior Activity Center (MSAC) and Central Vermont Home Health & Hospice) was \$21,836. The article size is once again closing in on the \$25,000 “vote on the floor” cap, and there is no obvious organization to move to a separate article.

MSAC has already informed us that the FY19 request will be \$8,000 (up \$1,000 from FY18). MSAC is also requesting answers to two queries: Should it once again follow the FRSC process (fill out the application & provide the relevant documents) despite its separate article status; and, does the SB want MSAC to appear before it to defend the request and secure no-petition warning placement (as it did last year, following the same process the Kellogg-Hubbard Library and Green Mountain Transit have followed for years).

The SB asked the committee to increase the article amount by no more than 10%, if there are no additional organizations. The committee is to return to the SB if that looks difficult or one or more new organizations apply for funding.

The SB will ask MSAC to come directly to the SB from now on, not go through the FRSC. MSAC will be asked to either give the SB all the information on the FSRC application form in their own format or fill out our form.

The SB thanked the committee for its diligent work.

Ms. Johnson said the committee is in much better shape now, including organized historical database and TA Johnson calling organizations. She liked the fact that the appeal process goes to the committee, rather than the SB.

E. REPORT ON CENTRAL VERMONT SOLID WASTE MANAGEMENT DISTRICT

East Montpelier's representative Casey Northrup was unable to attend this SB meeting; his report will be rescheduled for October.

F. CONSIDERATION OF FY2018 MUNICIPAL PLANNING GRANT (MPG) APPLICATION

The Planning Commission is recommending that the town apply for a FY2018 MPG to update the zoning regulations to effectuate the goals included in the soon-to-be-finalized EM Village Master Plan and the in-development 2018 EM Town Plan. The application is for a \$26,000 project with \$20,000 in grant funding and a \$6,000 town match.

Motion: I move to adopt the Municipal Resolution for Municipal Planning Grant. Made: Ms. Swasey. Second: Mr. Troia. 5-0.

G. DISCUSSION ON 2018 DRAFT VERMONT LEAGUE OF CITIES AND TOWNS (VLCT) MUNICIPAL POLICY

The 2017 VLCT Town Fair conference will be held October 4 & 5, 2017 at Killington Resort Grand Hotel; the annual meeting will be at 1:30 p.m. on the 4th with the normal workshops on the 5th.

Mr. Etnier will review the draft municipal policy and send comments in writing to the rest of the SB before the October 2, 2017 regular SB meeting. At that meeting, the SB may formally authorize any proposals for amendment.

H. DESIGNATION OF TOWN DELEGATE TO 2017 VLCT ANNUAL MEETING

Motion: I move to designate Carl Etnier as the town delegate to the VLCT annual meeting. Made: Ms. Swasey. Second: Ms. Willis. 5-0.

I. CONSIDERATION OF WINTER SALT CONTRACTS

The town has for years reserved 609 tons of winter salt from both Cargill and American Rock Salt. The diversified sourcing has been seen as protection against shortfalls in one supplier. This year the prices are \$69.91 from Cargill and \$75.12 (state contract price) from American. Cargill requires a standard contract; American does not require a formal agreement.

Motion: I move to authorize TA Johnson to sign the winter salt contract with Cargill at \$69.91 per ton. Made: Mr. Troia. Second: Ms. Willis. 5-0

J. CONSIDERATION OF REIMBURSEMENT REQUESTS TO VTRANS FOR MURRAY ROAD CULVERT AND COUNTY ROAD PAVING GRANTS

The work is completed on these projects.

Motion: I move to approve submission of Requests for Reimbursement to VTrans for the Murray Road culvert and the County Road paving work. Made: Mr. Troia. Second: Ms. Swasey. 5-0.

K. LISTER ERRORS & OMISSIONS

Parcel #02-032.600

The listers have determined that they failed to properly include a functional depreciation increase of 2% for an oversized dwelling with a quality grade of 2.5 when they processed a reassessment due to an addition constructed during the past year. The correction will drop the property's assessed value from \$212,900 to \$210,000; this \$2,900 change will decrease the 2017 grand list by \$29.

Motion: I move to authorize a reduction in the grand list value of \$29 based on lister errors and omissions for parcel # #02-032.600. Made: Ms. Swasey. Second: Ms. Willis. 5-0.

L. ACCESS PERMITS

17-038; Clark Access Relocation at 820 Dodge Road

The Clark family owns the 74-acre complex on Dodge Road just east of Partridge Run and west of the Dodge Road trail access parking lot. In 2012 the Selectboard approved a curb cut for the family's planned residential development that required the existing "y" access be converted to a single curb cut. The family is now ready to move forward with a recommendation from former road foreman Mike Garand to shift the access point to the east up the hill, right next to the trail access, to improve sight lines and access slope issues. Road Foreman Guthrie Perry has recommended approval of the shift. The existing access points would be closed.

Motion: I move to approve access permit 17-038. Made: Mr. Etnier. Second: Mr. Troia. 5-0.

M. WARRANTS

Signed.

N. MINUTES

Motion: I move to approve the minutes of August 21, 2017 as submitted. Made: Ms. Swasey. Second: Mr. Troia. 5-0.

O. OTHER BUSINESS

Mr. Charles Johnson emailed the SB right before the meeting about an unpleasant encounter with a dog on a town road. TA Johnson sent the information to Animal Control Officer Sandy Conti. Mr. Conti knows the dog in question and will get back to the SB.

Ms. Swasey commented that the increased number of contacts to the town office by townspeople is a sign that people are aware of the good processes and policies the town has in place for handling dog complaints.

Town Administrator Report

2018 Mack 10-wheeler: The new truck arrived at the town garage on August 31st.

Replacement check for a taxpayer:

A taxpayer lost the original \$4,000 tax overpayment refund check that was on a May 25th warrant. The town stopped payment on that check and issued new one September 1st.

Update on BCBS health plan rates for 2018:

Platinum Plan is going up 9.49%; Gold Plan up 8.93%.

Discussion on 2018 health care options will likely be on the October 16th SB meeting

EM Hazard Mitigation Plan’s Renewal/Update Process:

The town is not going to receive the expected assistance from the Central VT Regional Planning Commission, so the town will need to handle the plan’s renewal process on its own. TA Johnson will take the lead with Planning Commission support. The current plan expires March 1, 2018.

Fairmont Dairy Phase 1 Conservation Project:

The VT Land Trust, et al. have closed on the development rights purchase of the Drake Road area portion of the old Lylehaven Farm properties. The separate trails easement deal to benefit the Cross VT Trail is expected to close by the end of September. The request for the town’s \$6,000 Conservation Fund contribution is on this meeting’s warrant.

Meeting Schedule:

Sept. 15th	8:30 am	2017 Municipal Day; VT agency workshops at National Life
October 2nd	6:30 pm	SB regular meeting
October 4th	1:30 pm	VLCT annual meeting at Killington
October 16th	6:30 pm	SB regular meeting; second intersection study forum
October 19th	7:00 pm	EMFD quarterly budget presentation at the ESF

Zoning Administrator Report

2 permit applications since August 21, 2017.

The next scheduled DRB meeting is October 3rd for the Casella biennial review and conceptual review of a master plan for 170 Cherry Tree Hill Road; no hearings are scheduled at this time.

P. PUBLIC FORUM ON TOWNE HILL ROAD INTERSECTION STUDY

Three people working on the project (Dan Currier of the Central Vermont Regional Planning Commission, Jim Donovan of Broadreach Planning & Design, and Roger Dickinson of Lamoureux & Dickinson Consulting

Engineers) and many townspeople providing guidance were in attendance. Mr. Donovan presented a draft report on the existing conditions at the intersection. He added that a new peak traffic count had been conducted last week, too late to include in the current draft.

The study group needs better information about vehicle crashes at the intersection; they were referred to East Montpelier Fire Chief Ty Rolland.

Feedback on the draft included:

- The language about purpose and need is confusing.
- Anything done at the intersection could add more traffic to Wheeler/Schoolhouse Road; the study needs to consider that additional impact.
- It seems like there is more traffic in spring, so a fall traffic count will underestimate spring traffic. There may be more students with permits and licenses in the spring.
- The map presented needs to add driveways near the intersection.
- There's a study at U-32 about starting the school day later. While any change would be some years off, it is worth considering the potential impact on the concentration of vehicles at the intersection.

In looking forward to the continued work on the study, Mr. Donovan said the study group will not make a recommendation. They will spell out alternatives, and the town will make a recommendation to itself.

It was requested that behavior solutions be considered, like getting more students to take the bus rather than driving. The study group will consider it.

It was requested that a solution considered be to make Wheeler and Schoolhouse Roads one way. Mr. Donovan doubts it will be advisable, but he added it to the list.

A meeting is planned for Tuesday, September 12 at the town office with the steering group for the study. After that, different alternatives will be considered and winnowed, and the results will be posted online October 10. The SB will be presented with the alternatives at its regular October 16 meeting. Final recommendations will be issued by November 20.

Q. DISCUSSION ON TOWN & ZONING ADMINISTRATOR POSITION

Motion: I move to find that premature general public knowledge of this discussion of the Town and Zoning Administrator position would clearly place the public body or a person involved at a substantial disadvantage, and it involves labor relations agreements with an employees. Made: Mr. Etnier. Second: Ms. Swasey. 5-0.

Motion: I move to enter executive session. Made: Mr. Etnier. Second: Ms. Swasey. 5-0. 9:00 p.m.

The SB came out of executive session at 10:15.

Motion: I move to sign the five-year contract for TA and ZA with Bruce Johnson starting July 1, 2018 as presented. Motion: Ms. Swasey. Second: Ms. Willis. 3-2. (Mr. Troia and Mr. Gardner voting against)

All five SB members signed the proposed contract.

Motion: I move to adjourn. Made: Mr. Troia. Second: Ms. Swasey. 5-0. 10:16 p.m.