

Minutes of the East Montpelier Selectboard

APPROVED 11/4/13

October 21, 2013

SB Members Present: Seth Gardner (Chair), Kim Swasey, Carl Etnier, Casey Northrup, Steve Sparrow

Others Present: Bruce Johnson (Town Administrator), Kristi Flynn (Recording Secretary), Duane Wells, Ross Hazel, Alex Brown

Call to Order: 6:32pm

Additions to the Agenda: EMFD water softener, Charter Committee update

Public Comment: EMSLI would like to be added to the 11/4 agenda to talk about the letter handed out from Deb Fillion

Discussion with Road Foreman, Mike Garand

The Road Foreman (RF) was not able to come to the meeting, so the majority of the discussion will be postponed to the 11/4 meeting.

Johnson Road – Alex Brown, a resident on Johnson Road, gave the SB some background on the current situation. The residents look at the state of the road annually and re-surfaced the road this spring. At the suggestion of Patrick McCoy, who did the work, they decided to add a new culvert and repair the old one. The residents admittedly did not get buy-in from all the neighbors nor did they get permission from the town. The Obeldobels want both culverts to be removed. Ms. Brown will talk with the other residents about the two main options (have Patrick remove the culvert or wait for the time being) and get in contact with Bruce Johnson. There was some discussion regarding a Class 4 road versus a trail; for both, the maintenance is completely on the residents. The SB asked if the residents had contacted legal help and they have not.

Captain Kidd Road – Duane Wells came to the SB to talk about having his road taken over by the town. The town has received a letter from Tom Anderson from the state, who noted that the road is in good condition but will need general maintenance. A 30-day notice is needed for a public hearing; the SB scheduled a site visit on 11/23 at 10am and the public hearing on 12/2 at the regular SB meeting. The town will need a survey and deed from Mr. Wells before the hearing.

Veteran's Day –

Motion: I move to allow the RF to choose a date certain as a floating holiday for Veteran's Day. Made: Ms. Swasey, second: Mr. Etnier

Vote on Motion: Passed 5-0

Brown/LaClair access – the applicants will need both accesses for their business. The SB interprets permit #13-026 such that the business can use both accesses as long as the residential use is not interfered with.

Factory Street water system – no one currently runs the local water system and one of the pipes is leaking on the Factory Street side. The residents have dug up the pipe and are asking for any diagrams the town might have. The town doesn't have any and the TA sent the residents to the CVCAC.

Access Permit – Orchard Valley Waldorf School

The Orchard Valley School is requesting a curb cut on Coburn Road to access an overflow lot. The flat spot was bush hogged for an as-needed parking lot for special events so that parking will not occur along Route 14.

Motion: I move to approve Permit #13-039 for access for Orchard Valley Waldorf School. Made: Mr. Northrup, second: Mr. Etnier

Vote on Motion: Passed 5-0

Consideration of Maintenance Agreement between Town and VTrans Dealing with Factory Street

The agreement deals with the Factory Street/Route 14 ROW and Singing Bridge project, which is 9.6- foot apron on the side of the road.

Motion: I move to sign the Maintenance Agreement referring to Highway #11. Made: Mr. Northrup, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Relinquishment and Maintenance Agreement for Church Street

VTrans has more clearly defined Area #1 as the area beside the Old Brick Church to Kelton Road. The town will control the area but will not own it.

Motion: I move to sign the Relinquishment Maintenance Agreement regarding Church Street. Made: Ms. Swasey, second: Mr. Sparrow

Vote on Motion: Passed 5-0

Consideration of Revolving Loan Fund Loan to EMSLI

EMSLI needed \$1,000 to start the ROW process. The SB is offering \$20,000 from the Revolving Loan Fund as a loan that may turn into a grant. EMSLI would like a grant that might turn into a loan. The SB postponed the discussion until 11/4.

Consideration of Town Contribution towards Purchase of T. Clark Property Development Rights by Vermont Land Trust and Vermont Housing & Conservation Board

The town promised to pay \$4,685 towards the conservation of land and the Conservation Fund Committee has approved the purchase. The money is already in the Conservation Fund and this supports conserving land in East Montpelier.

Motion: I move to authorize the payment of \$4,685 from the Conservation Fund to be used for Vermont Land Trust staff costs associated with the T. Wayne and Helen Clark conservation project on Wheeler and Codling Roads. Made: Mr. Sparrow, second: Mr. Northrup

Vote on Motion: Passed 5-0

East Montpelier Fire Department (EMFD) Water Softener

The EMFD installed a water softener that probably should have been installed during the initial project. The town has bond money left over for capital costs. The town will reimburse the EMFD.

Motion: I move to use the appropriate amount of money in the bond fund to reimburse the EMFD for the installation of a water softener. Made: Ms. Swasey, second: Mr. Northrup

Vote on Motion: Passed 5-0

Charter Committee Update

Mr. Etnier reported that there were 10-12 people at the public forum. The Committee will review the comments received at their next meeting. Issues discussed:

- Delinquent Tax Collector – appointed not elected
 - Pros – takes special skills, can evaluate if appointed; not many people run for the position; if elected, can't ever combine with other paid town positions to save money
 - Committee response – they have reviewed the remuneration policy, may consider hourly pay; making this an administrative position; discussed importance of the democratic process and checks and balances
 - The Delinquent Tax Collector is an independent party with no checks and balances currently.

Appointments

The Four Corners Schoolhouse Association has a vacant position of SB representative and would like the SB to fill it. The member would report back to the SB.

Motion: I move to appoint Carolyn Shapiro as SB representative to the Four Corners Schoolhouse Association. Made: Mr. Northrup, second: Ms. Swasey

Vote on Motion: Passed 5-0

Warrants

Signed

Review of Minutes

October 7, 2013

Motion: I move to approve the minutes as amended. Made: Mr. Etnier, second: Ms. Swasey

Vote on Motion: Passed 5-0

Other Business

Town Administrator (TA) Report

- Fothergill, Segale & Valley FY2013 audit was received; Jane Burroughs is leaving FSV as of October 31; the town will send out an RFP for audit services directly to targeted firms
- Kellogg Hubbard Library – Lindy Biggs was appointed to the Board
- Town Meeting/Forum location – cafeteria for forum, auditorium for town meeting
- Geologic Mapping – Calais appears to be next in line
- SignPost – reps will be here on 11/4, talking about coordinating with new website
- BCA appeal – Dale Phillips' appeal hearing is scheduled for 12/6
- CVRPC/CVEDC merger – town received letter regarding the failed merger vote

- Upcoming schedule –
 - 10/28 – Mr. Gardner and Mr. Sparrow to meet with Mike Liff at 1pm
 - 11/4 – regular meeting at 6:30pm
 - 11/18 – regular meeting highlighted by Town Manager/TA discussion at 6:30pm at ESF
 - 11/23 – site visit for Captain Kidd Road
 - 12/2 – regular meeting with public hearing for Captain Kidd Road
 - 12/3 – dinner invitation to EMFD Holiday supper at 5:30pm as ESF
 - 12/5 – Joint EM/Calais SB & EMFD meeting re: EMFD FY15 budget at 7pm at ESF

Zoning Administrator Report

- 40 permits for all of 2013
- DRB is now meeting on the first Tuesday of the month, as needed, and special meetings will be called when necessary
- Sanfacon – the settlement agreement was handed out

Motion to adjourn. Made by Mr. Sparrow; seconded by Mr. Etnier. Passed 5-0. Meeting adjourned at 9:45 pm.

Respectfully submitted by Kristi Flynn, Recording Secretary