

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

### **November 21, 2016 Meeting**

**SB Attendance:** Chair Seth Gardner, Casey Northrup, Kim Swasey, and Gene Troia; Town Administrator Bruce Johnson

**Public Attendance:** EM Fire District #1 Prudential Committee Member Steve Gilman; Planning Commission members Jean Vissering, Julie Potter, & Kim Watson; Conservation Fund Advisory Committee members Charles Johnson & Bruce Howlett; Renee Carpenter, Ross Hazel, and Gabrielle Malina

Chair Gardner called the meeting to order at 6:38 p.m.

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

- **Update on Charter Committee**
- **Personnel Matters [Probable Executive Session]**
  - **Update on Road Foreman Position**
  - **Seasonal Part-time Road Crew Position Candidate**

**Public Comment:** None

#### **Update on East Montpelier Fire District #1 Merger Plan**

The fire district's Prudential Committee met November 19<sup>th</sup> and adopted the Plan of Merger of the fire district with the town as presented to both the committee and the Selectboard at the joint meeting on November 7<sup>th</sup>. Prudential Committee Chair Steve Gilman submitted the signed document to the Selectboard for its consideration.

**Motion: To adopt the Plan of Merger of the East Montpelier Fire District #1 with the Town of East Montpelier as presented.** Made by Mr. Northrup; second by Mr. Troia. Passed unanimously.

Board members signed the Plan of Merger document. The plan will be presented to the public at hearings to be held on December 19, 2016 and January 2, 2017, both at 6:00 p.m. at the town office.

#### **Update on Charter Committee**

The Charter Committee is currently working on amendments to the East Montpelier Charter that it expects to present to the Selectboard in December. Assuming the process moves forward as expected, the board will need to hold two public hearings on the amendments prior to 2017 Town Meeting. The board decided to set the first hearing for January 16, 2017, 6:00 p.m. at the ESF (the new fire station). The second hearing will be held in conjunction with East Montpelier Town Forum on March 4, 2017, 9:30 a.m. at East Montpelier Elementary School.

The Charter Committee has requested that the board consider adding the unused offices of fence viewer, weigher of coal, and inspector of lumber, shingles, and wood to the list of abolished offices already included in the town's charter. By consensus board members agreed to the request.

### **Update on Old LaPerle Farm Property Committee**

Chair Gardner, who also chairs the Old LaPerle Farm Property Committee, gave a brief progress report as the committee continues its effort to evaluate the potential uses for the property. Wastewater capacity is a prime concern, as the property has limited septic potential. The committee is looking at adjacent parcels to see if there might be some options for increasing available capacity. Board members gave support for the concept of researching a couple of adjoining lots that appear suitable.

### **Discussion on Next Steps after Land Conservation Summit** **Joint Discussion with Planning Commission and Conservation Fund Advisory Committee**

Chair Gardner gave a brief synopsis of the October 10<sup>th</sup> summit and directed participants to stay focused on the purpose of the meeting: to develop actions that will move the town forward in its effort to formulate updated land conservation and development goals and guidelines.

Planning Commission Chair Vissering presented a compilation of concepts outlining the PC's perceived role in helping find the desired balance between conservation and development.

A variety of concerns were expressed regarding issues dealing with the diversity of agricultural uses, the land needs of modern family farms, the industrialization of dairy farms, organic v. inorganic farming techniques, clustered housing v. small individual lot zoning standards, the affordability of land for both housing and agricultural interests, the diversity of recreational interests, and the need for balanced, reliable information on the effects of land conservation and housing programs on taxes.

The Planning Commission will combine forces with the Conservation Fund Advisory Committee to define conservation goals and review/revise the criteria for evaluating proposed uses of the town's conservation fund. Research will be done on the possibility of forming a town conservation commission or, in the alternative, a housing and conservation commission.

Chair Gardner thanked everyone for another stimulating and productive discussion on the land conservation and housing topics.

### **East Montpelier Gully Jumpers Snowmobile Club Request for Designated Town Road Usage for Trail Crossings**

Annually the Gully Jumpers present a request for use of designated, short stretches of town roads to allow snowmobiles to traverse difficult areas in town where direct road crossings are unavailable/unadvisable.

**Motion: To allow the East Montpelier Gully Jumpers Snowmobile Club use of town roads as requested.** Made by Mr. Troia; second by Ms. Swasey. Passed unanimously.

### **Legal Matters: Update on Hudson Adverse Possession Lawsuit**

Earlier this year the Hudson family filed suit against the town to gain possession of the parcel on US Rte. 2 in East Montpelier Village where the town hall was once located. That lawsuit has now moved beyond the preliminary discovery phase and is likely headed for trial early next year. The court

previously ordered the parties to attempt mediation, but attorneys for the parties are now convinced that the mediation process will serve no purpose and have so informed the court.

### **Discussion on Murray Road Culvert Project Options**

At the SB's November 7<sup>th</sup> meeting board members asked Doug Newton, the design engineer for the Murray Road culvert project, to determine if there was any feasible way to use timber rail in a conforming manner. Mr. Newton found that by extending the rail some 200 feet, it could be used in a conforming manner. The estimated cost of the 488-foot rail plan is \$34,648. Steel guardrail, which would only need to cover 283 feet, is estimated at \$7,200.

By consensus board members decided to move forward with the steel guardrail. The board also reiterated its desire to avoid a wetlands permitting process by eliminating the planned installation of an access drive for the Cueto family onto their property at the southeastern corner of the project. The steel guardrail will not interfere with the Cueto's existing access slot.

### **Personnel Matters**

➤ **Update on Road Foreman Position:**

Road Foreman Mike Garand plans to retire next summer. The town will continue to advertise for the position, but board members will also approach potential candidates directly to gauge interest and encourage applications.

➤ **Seasonal Part-time Road Crew Position Candidate:**

Board members agreed to bring on Peter Hill as a part-time winter road crew member at a rate of \$18.00/hour.

### **Appointments**

**Motion: To appoint Ed Deegan to the Capital Improvement Committee for a term ending March 2017 and Gabrielle Malina to the Revolving Loan Advisory Committee with an open-ended term.** Made by Ms. Swasey; second by Mr. Northrup. Passed unanimously.

### **Warrants**

Members reviewed and signed the warrant.

### **Minutes**

The Chair presented the minutes of the November 7, 2016 Selectboard meeting for consideration.

**Motion: To approve the November 7, 2016 Selectboard meeting minutes as presented.** Made by Mr. Troia; second by Mr. Northrup. Passed unanimously.

**Other Business****Town Administrator Report:**

- Update on the Traffic Ordinance:
  - The deadline for petitions calling for a town vote on the amendments adopted by the Selectboard on October 3<sup>rd</sup> has passed with no petitions submitted. The amended ordinance will take effect on December 2, 2016.
- Update on Property Taxes:
  - \$121,653 (3.3%) in first installment tax payments were late after the November 15<sup>th</sup> deadline compared to \$136,375 (3.7%) last year. Overall we're running approximately \$122,000 in collections ahead of last year, including payments for part/all of the second installment (net of the taxes billed difference). 40% is still due compared to 42% last year at this time.
- Update on North Montpelier Historic District Sign:
  - The sign, placed in 2012 at the southwest side of the new "Singing Bridge" on VT Rte. 14 N, has not aged gracefully and has been removed for rehabilitation by the state. The intent is to have the sign back in place by spring 2017.
- Update on Park 'n Ride Facility:
  - It appears that the recent environmental and access reviews are nearing completion without any changed expectations for the project or town. We will likely have to remove some trees this winter to avoid any summer tree removal in a known bat area.
  - Final plans should be available in the near future with the hope of putting the project out to bid by spring 2017.
- Liability Claim for Damage to Auto:
  - The November 7, 2016 claim for vehicle damage caused when a car bottomed out dropping onto Snow Hill Road from the Four Corners intersection has been denied by the town's insurer, the VT League of Cities and Towns.
- Upcoming Meeting Schedule:
  - December 1<sup>st</sup>      7:00 pm      Joint meeting with EMFD & Calais at ESF
  - December 5<sup>th</sup>      6:30 pm      Selectboard regular meeting/joint meeting with Calais
  - December 16<sup>th</sup>     5:00 pm      Town Volunteer Appreciation Party
  - December 19<sup>th</sup>     6:30 pm      Selectboard regular meeting

**Zoning Administrator Report:**

- 1 permit application since the last board meeting
- No DRB meeting is currently scheduled

**Motion: To adjourn.** Made by Ms. Swasey; second by Mr. Troia. Passed unanimously.  
Meeting adjourned 9:07 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

**Approved:      December 5, 2016 East Montpelier Selectboard meeting**