

**East Montpelier Selectboard Hearing and Meeting DRAFT MINUTES
May 14, 2018 at the Town Office**

Selectboard (SB) members present: Carl Etnier (recording secretary), Seth Gardner, Amy Willis; Bruce Johnson (town and zoning administrator).

Others present: Planning Commission members Scott Hess, Julie Potter, and Jean Vissering.

**PUBLIC HEARING PURSUANT TO 24 V.S.A. §§4385 ON THE PROPOSED 2018 EAST
MONTPELIER TOWN PLAN.**

Chair Gardner called the hearing to order at 6:33 p.m.

No members of the public appeared; three members of the Planning Commission (PC) attended.

Mr. Johnson corrected a statement on p. 79 about the timing of the town's assumption of the responsibilities of a now defunct water supply district (Fire District).

At 7:30 pm, the hearing was closed.

SELECTBOARD MEETING

Selectboard (SB) members present: Carl Etnier (recording secretary), Seth Gardner, Amy Willis; Bruce Johnson (town and zoning administrator).

Others present: Planning Commission members Scott Hess, Julie Potter, and Jean Vissering.

A. CALL TO ORDER; ADDITIONS TO THE AGENDA; PUBLIC COMMENT

Chair Gardner called the meeting to order. There were no additions to the agenda or public comment.

B. DISCUSSION OF PROPOSED TOWN PLAN

The SB noted the lack of further input on the town plan and congratulated the PC members on their work incorporating comments from the well-attended hearing the PC held. The next SB hearing will be June 4.

C. OTHER BUSINESS

The SB discussed a lawsuit recently filed against the Town by residents, over response protocol in the event of an emergency call from the residence. As no claim for monetary damages has been filed, the town's insurers at Vermont League of Cities and Towns (VLCT) will not cover defending the lawsuit. The SB decided to leave the initial response to attorneys enlisted by the Town, Bruce Bjornlund and Paul Giuliani.

Mr. Etnier reported on a discussion and email exchange with Sarah Jarvis of the VLCT about the legal status of the town's conflict of interest ordinance. Ms. Jarvis noted that while East Montpelier's ordinance was drafted based in part on an interest in allowing a majority of a town body to vote to disqualify a conflicted member who does not voluntarily recuse him- or herself, Vermont case law does not permit municipal elected officials to overrule other municipal elected officials. If the town charter were amended to include the provision that a majority of a town body could vote to prevent a conflicted member from voting, then the provision would be on much more solid ground. Mr. Etnier will forward the correspondence to Charter Committee Chair Edie Miller for consideration the next time the committee convenes. (No date or even year has been set for the Charter Committee to reconvene.)

D. Adjournment

Motion: I move to adjourn. Made: Ms. Willis. Second: Mr. Etnier. 3-0. 7:32 p.m.