

**East Montpelier Selectboard Meeting APPROVED (10/01/18) MINUTES
September 10, 2018 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, collector of delinquent taxes).

Others present: Pam DeAndrea, Central Vermont Regional Planning Commission (CVRPC); Andres Torizzo and Kerrie Garvey, Watershed Consulting Associates; Road Foreman Guthrie Perry; Paul Winters and Jack Zeilenga, East Montpelier Recreation Board; Rob Townsend, American Consulting Engineers & Surveyors; Lindy Johnson, Sandal Cate, Sue Racanelli, Paul Erlbaum, Jeanne Malachowski, Ann Stanton, and Kate Rader, East Montpelier Funding Request Study Committee

A. CALL TO ORDER

Chair Seth Gardner called the meeting to order at 6:02 p.m.

Additions to the agenda

Yes. Discussion on Gould Graveyard; Discussion on Quaker Road Culvert Project; Discussion on EM Village Sidewalk Project.

Review of Minutes

Motion: I move to approve the August 20, 2018 minutes as presented. Made: Mr. Troia. Second: Ms. Willis. 5-0.

Public comment

None

B. DISCUSSION ON PRELIMINARY LIST OF POTENTIAL PROJECTS FOR THE TOWN'S STORMWATER MASTER PLAN

The board heard a presentation by Pam DeAndrea, CVRPC Senior Planner, plus Andres Torizzo (Principal Hydrologist) and Kerrie Garvey (GIS Manager) of Watershed Consulting Associates (WCA). WCA drove town roads and developed a list of 36 road areas to potentially be included in the town's stormwater master plan. The top five on the list are eligible for funding for designs that are 30% finished, and the top 20 will be included in the stormwater master plan. The purpose of the meeting was to review the sites with the SB and determine, based on WCA's review and the SB's town-specific knowledge, which of the 36 would be in the top five and top 20.

The SB came to a consensus on the top five and top 19, and asked WCA to investigate lower North Street for adding to the top 20.

C. DISCUSSION WITH RECREATION BOARD ON RECREATION FIELD PROJECT

Members of the Recreation Board (RB) attended to continue the discussion on possible options for the improvement, both aesthetically and for drainage purposes, of the recreation field's entrance area. [RB Chair Jack Zeilenga was present at the meeting initially, but left before this item came up.]

Rob Townsend presented plan for drainage ditch clearance and landscaping that would solve drainage problems without constructing culverts across Vincent Flats Road, an option that would involve negotiations around rights of way. Rebuilding or moving a storage shed would be part of the project, too. The very preliminary cost estimate for the project was \$15,000 - \$25,000, depending on how much of the work was done by the town road crew.

Mr. Townsend and Mr. Winters will work on getting more precise cost numbers and come back for the SB's October 1 meeting.

The SB assented to paying Mr. Townsend for further work on the project.

D. CONVERSATION WITH FUNDING REQUEST STUDY COMMITTEE (FRSC)

Lindy Johnson, Ann Stanton, Sue Racanelli, Paul Erlbaum, Jeanne Malachowski, Sandal Cate, and Kate Rader of the FRSC came to discuss this year's process of preparing a funding request article for town meeting.

An application packet will go out to 35+ organizations by September 28 with a due date of October 26, and the committee report will be presented to board at its December 17 meeting.

The total for this article last year, without Montpelier Senior Activity Center (MSAC) and Central Vermont Home Health and Hospice (CVHHH) was \$22,691. The total continues to creep up on the \$25,000 “vote on the floor” cap. There is no obvious organization to move to a separate article, and there are two new organizations already expected to apply for FY20 funding.

The SB directed the committee to keep the article to no more than \$25,000, with no new organizations broken out into separate articles.

Last year the SB decided to remove MSAC from the committee process and have it present its request directly to the board. This year, the board decided to do the same for CVHHH.

E. CONSIDERATION OF VTRANS STRUCTURES GRANT AMENDMENT FOR QUAKER ROAD CULVERT PROJECT & DISCUSSION ON PROJECT STATUS

TA Johnson provided a status report on the culvert replacement project. The contractor, Gravel Construction, is in the midst of completing some minor items, such as sealing the exposed concrete and seeding/mulching the road slopes. The project should be fully complete by the end of the week.

Two issues of concern were raised. The contractor provided only 18” of dense grade material above the fill rather than the 24” called for in the plans. There were a number of legitimate reasons that the full depth was not provided and there are no structural concerns. The issue is that the choice to go with 18” saved the contractor approximately \$4,000. On the other hand, the contractor provided the town and abutting landowners with significant benefits not included in the contract. The contractor offered \$1,000 off the contracted price (\$106,492 instead of \$107,492). By consensus the board agreed to accept the credit as a fair compromise.

The other issue was more of a concern: the guardrail subcontractor mistakenly used an 8’ post in the area directly above the culvert instead of the planned 6’; the post was driven down into the culvert, causing a significant dent. Road Foreman Perry and the town’s technical advisor, Doug Newton, both reviewed the damage and determined that the best fix would be to replace the post with the shorter version (already accomplished by meeting time) and leave the dent alone for fear of making the situation worse. The contractor has agreed to sign a contract amendment requiring a review of the culvert in late winter/spring 2019. If conditions warrant, the culvert will be repaired at no cost to the town. By consensus the board agreed to this amendment with the understanding that the \$106,492 would not be released until the amendment is formally executed.

VTrans has awarded the town a requested amendment which will drop the net cost to the town back down to 10% of the project cost (\$14,000).

Motion: I move to authorize the Town Administrator to sign the VTrans Structures Grant Amendment for the Quaker Road culvert project (BC1773, amendment 1). Made: Mr. Troia. Second: Mr. Etnier. 5-0.

F. CONSIDERATION OF PAYMENTS FOR THE VILLAGE SIDEWALK PROJECT

One property owner in the village has signed two easement agreements, for which the town will pay \$2,900. The owners of two other properties are currently reviewing easements. If signed, the total payment for those two easements would be \$2,050. The town will be reimbursed as part of the sidewalk project.

Motion: I move to authorize the chair to sign a special warrant for the four right-of-way payments. Made: Ms. Swasey. Second: Ms. Willis. 4-0-1, with Mr. Gardner recusing himself.

G. PARK AND RIDE

The contractor is under order to seal off holes and re-open the facility until VTrans and construction inspection can agree on the scope of repairs. The order went out Friday; the facility is still closed.

H. CONSIDERATION OF FY2019 MUNICIPAL PLANNING GRANT (MPG) APPLICATION

The Planning Commission (PC) is recommending that the town apply for a FY2019 MPG to provide funding to take the anticipated draft regulations currently under development (led by consultant Brandy Saxton of PlaceSense operating under our \$26,000 FY2018 MPG) through to the finish line – essentially providing the PC and SB an additional year of consultant assistance with the zoning update process. The application is for an \$8,000 project, with \$7,200 in grant funding and an \$800 town match.

Motion: I move to adopt the “Municipal Resolution for Municipal Planning Grant.” Made: Mr. Troia. Second: Mr. Etnier. 5-0. All board members signed the resolution.

I. DISCUSSION ON CAI TECHNOLOGIES WEB MAP SERVICE

Board members and employees have theoretically had access to all functions on the web map, which gives detailed listers information for each parcel in town, for over a month. Mr. Johnson asked for feedback.

Technical issues prevented some board members from accessing the map.

Does the board wish to make all public records information on the web map publicly accessible? All of the information that would be publicly accessible is subject to public records requests; the web map just makes it more conveniently accessible. The board discussed convenience to residents and people they hire versus possible downsides of making information easily harvestable. The board decided to authorize the town administrator to make all public records information accessible to the public.

J. DISCUSSION ON 2019 DRAFT VLCT MUNICIPAL POLICY

Mr. Etnier flagged three items on the draft policy that the board may wish to object to in the draft Vermont League of Cities and Towns (VLCT) legislative policy:

- VLCT opposition to using dollars from the Transportation Fund to pay for Agency of Natural Resources projects
- moving all renewable energy generation projects to Act 250 jurisdiction
- removing protections of a “waters of the state” designation from reservoirs and sources of public water supplies

The board agreed to ask Mr. Etnier to investigate the reasoning behind these proposals, for the purposes of possibly opposing them at the 2018 VLCT annual meeting.

K. DESIGNATION OF TOWN DELEGATE TO 2018 VLCT ANNUAL MEETING

Motion: I move to designate Carl Etnier as the town delegate to the 2018 VLCT annual meeting. Made: Mr. Troia. Second: Ms. Swasey. 4-0-1, with Mr. Etnier recusing himself.

L. CONSIDERATION OF DRAFT TOWN PURCHASING POLICY

The town was recently notified by the Vermont Department of Public Safety (DPS) that the FEMA and state funds already obligated for the town’s benefit for the October 2017 wind storm (a total of \$13,060.77) are being withheld until the town has a formal purchasing policy. Apparently DPS adopted a new protocol a couple of months ago to hold towns to a Code of Federal Regulation rule that’s been in place for years. A number of towns have been caught by this requirement that came completely out of the blue – the half-year long FEMA process was completed in June (and the funds obligated) with no mention of this expectation.

Mr. Johnson presented a draft policy based on the standard VLCT template, the Cabot policy, and the Fair Haven policy.

Motion: I move to approve the town purchasing policy. Made: Mr. Etnier. Second: Mr. Troia. 5-0.

M. CONSIDERATION OF REAL ESTATE PROPOSAL FOR HODGEMAN PARCEL

The board discussed a potential real estate transaction; no action was taken.

N. DELINQUENT TAX COLLECTOR REPORT

The proposed tax sales are on hold, since three of the six targeted parcels are now paid up, one is under a payment agreement, one is still tied up in probate, and the remaining parcel is actively for sale.

As of September 10, the delinquent tax amount stands at \$124,677.52, compared to same date totals in: 2017 of \$139,513.12; 2016 of \$146,867.46; 2015 of \$151,993.09; and 2014 of \$149,632.76

O. LISTERS ERRORS AND OMISSIONS

As the discussion involved property owned by Mr. Gardner, he recused himself from the board for this agenda item and Mr. Troia took the gavel.

Parcel #07-038.500 (375 Old Trail Road) was both combined with contiguous Parcel #07-038.000 (the master lot; 440 Snow Hill Road) and left active, so it was counted twice in the grand list.

Motion: I move to correct an error by the listers by making parcel # 07-038.500 inactive, reducing the grand list value by \$6,031. Made: Ms. Swasey. Second: Mr. Etnier 4-0-1, Mr. Gardner recused.

P. APPOINTMENTS

Central Vermont Internet (CVI)

Rebecca Schrader is requesting that her appointment as an alternate town representative to CVI be rescinded; she is running for CVI treasurer and cannot be a town representative.

Motion: I move to rescind the appointment of Rebecca Schrader as an alternate town representative to Central Vermont Internet. Made: Mr. Etnier. Second: Mr. Troia. 5-0.

Q. DISCUSSION ON GOULD GRAVEYARD

The Cemetery Commission is dealing with a challenging situation on Lot 7 of the 1998 Sparrow Farm subdivision (the pond lot next to the original farmhouse lot at 740 Sparrow Farm Road). Gravestones have been uncovered by construction activity. The stones are thought to be part of a larger group of stones known to have been moved off the original site of the Gould Cemetery. The exact location of the cemetery is unknown, leading to the extreme concern of the commission and members of the public regarding potential development of the lot.

The Cemetery Commission is taking the lead on this issue. The Selectboard will monitor the situation and provide assistance as needed.

R. WARRANTS

Signed.

S. OTHER BUSINESS

Meeting Schedule

October 1	6:30 pm	Regular Selectboard meeting
October 3-4		VLCT Town Fair
October 15	6:30 pm	Regular Selectboard meeting
October 26	8:30 am	2018 State Government Municipal Day at National Life

Zoning Administrator Report

There have been 2 new applications since the August 20, 2018 SB meeting; 37 total so far this year.

T. ADJOURNMENT

Motion: I move to adjourn. Made: Ms. Willis. Second: Mr. Troia. 5-0.

The meeting adjourned at 10:03 pm.