

**East Montpelier Selectboard Meeting APPROVED (06/03/19) MINUTES
May 20, 2019 at the Town Office**

Selectboard (SB) members present: Carl Etnier (recording secretary), Seth Gardner, Kim Swasey, Gene Troia, Amy Willis (until 7:55, item C); Bruce Johnson (town and zoning administrator).

Others present: Bonnie Waninger, Central Vermont Regional Planning Commission (CVRPC) executive director; Jonathan DeLaBruere, CVRPC assistant planner; Sandy Conti, town constable and animal control officer; Terry Conti; Jean Vissering and Kim Watson, planning commission

A. CALL TO ORDER

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

Additions to the agenda

Special Event Liquor Permit for Twin Valley Seniors

Review of Minutes

Motion: I move to approve the May 6, 2019 minutes as amended. Made: Mr. Troia. Second: Ms. Swasey. 5-0

Motion: I move to approve the May 13, 2019 minutes as presented. Made: Ms. Swasey. Second: Mr. Etnier 5-0

Public comment

None

B. HAZARD MITIGATION PLAN DEVELOPMENT

While Bonnie Waninger and Jonathan DeLaBruere from CVRPC were on the agenda to discuss progress in developing the new version of the hazard mitigation plan, the discussion began with road washouts stemming from the previous day's storm. With five towns in the region reporting major road damage, CVRPC is tallying accounts of damage to see if they exceed the county-wide threshold of approximately \$233,000 to qualify for a presidential disaster declaration. Mr. DeLaBruere said it looks like the county will be close to that. Mr. Johnson reported that the road damage in East Montpelier was estimated at \$5,000 – \$7,000.

Ms. Waninger and Mr. DeLaBruere guided the board through the actions necessary to finalize the mitigation strategies table (the list of projects to accomplish over the next five years), including determining target timelines and grant options for the chosen projects. The group also reviewed the 2010 Winooski River Corridor Plan to gauge whether any of the suggested actions in the plan should be incorporated into our hazard mitigation plan, as they were for the 2013 HMP. There are a few projects contained in the plan that could be relevant. Mr. Johnson will nominate priorities from the plan and email them to CVRPC and SB members; the SB will review the choices at its next meeting.

The SB reviewed the latest draft hazard mitigation map and made suggestions for improvements. The map contains a lot of detail, and can be hard to read even when printed full size, but the thought is that in PDF format, it will be easy to zoom in when viewing on a screen and to read the details.

Mr. DeLaBruere will return to the SB July 1, for a review of a draft plan to be written by then.

C. CONVERSATION WITH TOWN CONSTABLE SANDY CONTI

Mr. Gardner had met with Mr. Conti after last meeting's discussion of a complaint from a resident who described Mr. Conti blocking her parked car in, with his truck's blue light flashing, and aggressively approaching her and seeming to threaten her with a ticket – despite the town constable's lack of police powers. Mr. Gardner reported he showed the letter from the resident to Mr. Conti and asked for his version of events, which was quite similar

to the resident's. He said Mr. Conti also described a number of other incidents where he stopped motorists or otherwise apparently acted as if he had law enforcement powers.

Mr. Conti said he felt he could no longer serve as constable, for liability reasons. He submitted a letter resigning as constable and animal control officer. Mr. Gardner signed to accept the resignation. The SB helped Mr. Conti unload his truck of cages, traps, and various other equipment related to the offices, and brought the items into the town office.

D. CONSIDERATION OF CONTRACT WITH BRANDY SAXTON/PLACESENSE

The planning commission (PC) would like to use the town's 2019 municipal planning grant to hire consultant Brandy Saxton, essentially as a continuation of her service as consultant under the current 2018 municipal planning grant. This contract is for \$8,000 – the existing contract is for \$25,750 and has been fully expended.

Motion: I move to authorize the Town Administrator to execute the contract with Brandy Saxton/PlaceSense for additional consulting services on the zoning rewrite project funded by municipal planning grants. Made: Mr. Troia. Second: Mr. Etnier 4-0.

E. DISCUSSION ON PLANNING COMMISSION'S ZONING UPDATE PROJECT

Jean Vissering and Kim Watson of the PC appeared to hear input from the SB on the draft zoning update. This is ahead of three open houses the PC will hold in June, targeting the zoning district changes in specific areas:

- June 6 on village/neighborhood zones;
- June 20 on rural zones; and
- June 27 on business districts.

All the June open houses will be held at the village fire station, starting at 7 pm.

The SB appreciates the outreach from the PC at this stage, well before draft regulations are completed. The SB plans to address the zoning update in working sessions at every subsequent SB meeting, until otherwise decided. For next meeting, the topic will be chapter 1 of the proposed regulations.

F. DELINQUENT TAX REPORT AND DISCUSSION ON COLLECTION PROCESS

May 15 was the deadline for Tax Year 18/19 tax payments. Delinquent tax collector Bruce Johnson reported the delinquent tax warrant prepared by Town Treasurer Welch shows \$183,043 remained unpaid at the deadline, up somewhat from \$152,000 last year and \$168,607 in 2017. Current status as of May 20 is \$166,128 outstanding principal for Tax Year 18/19.

The total delinquent tax for all years, including interest and fees, as of May 15 is \$243,280. This is on a par with the previous two years on that date; in it was \$229,590, and in 2017 it was \$243,623.

The town annually adopts a delinquent tax collection policy. Mr. Johnson proposed a text identical to the previous year's.

Motion: I move to adopt the delinquent tax collection policy as presented. Made: Mr. Etnier. Second: Mr. Troia. 4-0

Mr. Johnson guided the SB through a list of delinquencies that were particularly challenging; the SB will discuss in June which properties to take to tax sale.

G. DISCUSSION ON TOWN EMPLOYEE NORTHEAST DELTA DENTAL PLAN

The dental plan is run on a fiscal year, so the new plan starts July 1. Mr. Johnson reported there are no major changes this year. The cost is going up 3.39% to \$37.19/employee from \$35.97. The SB is fine with letting the contract auto-renew.

H. CONSIDERATION OF HEALTH REIMBURSEMENT ACCOUNT (HRA) DOCUMENTS

The town's HRA is managed by Northeast Benefits Management LLC. Since the town's plan was new in 2019, the formal documents were not in place prior to the plan start. Mr. Johnson said that presents no reason for concern.

The following resolution and motion complete the process of adopting the HRA.

Resolution: RESOLVED, that the Town of East Montpelier, Vermont HRA plan effective January 1, 2019, presented to this meeting is hereby approved and adopted. Moved: Ms. Swasey. Second: Mr. Troia. 4-0.

Motion: I move to authorize and direct the town administrator to execute and deliver to the administrator of the plan one or more counterparts of the plan. Made: Mr. Etnier. Second: Ms. Swasey. 4-0.

I. DISCUSSION ON TOWN OFFICE MAINTENANCE AND POTENTIAL UPGRADES

The board discussed this at a previous meeting and wanted an opportunity to revisit the issue. The last building upgrades, done in the late '80s, were designed to give the town 15 more years of building use; it's now been over 30 and the building is showing its age.

The board discussed a possible new HVAC (heating, ventilation, and air conditioning) system, replacing old carpet and old paint, and more. Mr. Troia will work on developing a list of priorities and prices for the board to consider.

J. DEVELOPMENT OF SELECTBOARD'S SUMMER SCHEDULE

The SB will meet as usual on the first and third Mondays in June and August. In July, the meetings will be July 1 and 22, with the latter a joint meeting with the Calais SB to discuss fire department business. To avoid the Labor Day holiday weekend, September meetings will be on the 9th and 23rd.

The SB authorized closing the town offices July 5 (a Friday) and giving a holiday that day to all town employees.

K. DISCUSSION ON BLACK ROCK QUARRY PROPOSAL

The SB remains supportive of owning a quarry near town to lock in prices for local gravel for decades, but the owner's proposed price is seen as too high to be advantageous to the town. The board directed Mr. Johnson to invite the owners to a meeting to discuss the proposal further, if the price is negotiable.

L. PERSONNEL MATTERS

No action taken.

M. CONSIDERATION OF SPECIAL EVENT LIQUOR PERMIT FOR TWIN VALLEY SENIORS

The Twin Valley Senior Center is requesting a liquor permit for a donor recognition open house June 21, 2019, 5-7 pm, with 40-50 people in attendance. The SB is fine with the town clerk approving the application.

N. WARRANTS

Signed.

O. OTHER BUSINESS

Representative Kimberly Jessup's update on association health plans

Ms. Jessup followed up on a topic the SB brought up with her at a previous SB meeting, the town's association health plan. While the type of plan saves money for the town, a federal judge struck down the Trump administration rule allowing the plans as an "end run" around the Affordable Care Act. Ms. Jessup reported the Vermont legislature voted to continue allowing the plans, so it appears that the town's association health plan through BRS will be an option in 2020, so long as there isn't a shift in the federal regulatory scheme.

Update on 2019/20 Tax Rate Setting

There is doubt as to when we will know the education rates for Tax Year 2019/20. If the Washington Central Unified Union School District continues on track (budget vote in late June; budget approved; no petition for revote), the earliest the state would have approved tax rates for our use is mid-to-late August; all other scenarios are complete unknowns at this time due to legislative and judicial uncertainties.

East Montpelier's first tax installment due date is November 15. Statute requires a minimum of 30 days between tax bill availability and due date, so we have enough lag time built into our process to manage an early-to-mid September tax rate determination.

Meeting Schedule

May 21, 2019	7am – 7pm	Washington Central Unified Union School District (WCUUSD) board member election at East Montpelier Elementary School (EMES)
June 3, 2019	6:30 p.m.	Selectboard regular meeting
June 17, 2019	6:30 p.m.	Selectboard regular meeting
June 25, 2019	7am – 7pm	Tentative date for WCUUSD budget vote at EMES

Zoning Administrator Report

There have been five new applications since the May 6 SB meeting; 26 applications so far in 2019. Two are on the report printout; the three awaiting Municipal Assistant Sparrow's return from vacation are two access permit applications for Cummings Road (a possible subdivision of Bill Kaplan's 7-acre lot on the east side of Cummings against County) and a home demolition/new home construction at 1975 VT Rte. 14 S.

The next development review board meeting will be held June 4, 2019; the warned hearing is for a planned residential development (PRD) and master plan for the Leonard/Walrafen All Together Now complex on Cherry Tree Hill Road.

R. ADJOURNMENT

Motion: I move to adjourn. Made: Ms. Swasey. Second: Mr. Troia. 4-0.

The meeting adjourned at 10:17 pm.