

**East Montpelier Selectboard Meeting APPROVED (07/01/19) MINUTES
June 17, 2019 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).

Others present: Rosie Laquerre (town clerk); Don Welch (town treasurer); Virginia Burley (town health officer); Emily Goyette and Elliott Morse (cemetery committee); Florence Morse; Keith Van Iderstine and Graham Streeter (Boy Scout Troop 709); Julie Potter and Jean Vissering (planning commission).

A. CALL TO ORDER

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

Additions to the agenda

Consideration of Class 2 Liquor License for Twin Valley Seniors, Inc.

Discussion on Draft Fraud Policy

Consideration of Transfer of Funds from General Fund to Capital Reserve Fund

Board Signing of Revolving Loan Fund Policies and Procedures

Review of Minutes

Motion: I move to approve the June 3, 2019 minutes as amended. Made: Mr. Troia. Second: Ms. Willis. 5-0

Public comment

Graham Streeter presented a new map of Cate Cemetery, which he created as his Eagle Scout project. He worked with 13 volunteers and Dan Currier at Central Vermont Regional Planning Commission (CVRPC) to collect mapping data from Cate Cemetery and create a map showing the location of the graves and who is buried there, with date of death and other information. The map includes information on the burial sites from paper records, going beyond what is visible on the markers at the cemetery.

Motion of appreciation:

Whereas Graham Streeter and his coterie of volunteers have collected and organized invaluable information about Cate Cemetery, and

**Whereas Mr. Streeter has worked with Dan Currier at CVRPC to create a map of the cemetery, and
Whereas Mr. Streeter has hereby taken an important step towards completing his Eagle Scout requirements,**

Be it therefore resolved that the East Montpelier Selectboard, on behalf of the whole town, commends and thanks Mr. Streeter, Montpelier Boy Scout Troop #709, and all the others who worked to create this addition to the town's understanding of itself. Made: Mr. Etnier. Second: Mr. Troia. 5-0.

B. TOWN CLERK ITEMS: Rosie Laquerre, Town Clerk

Annual Reporting on Records Management and Records Retention

Last year, the selectboard approved a records management policy along with a records retention plan and asked to be updated annually. Ms. Laquerre reported the following accomplishments over the past year:

- SecurShred came to the storage unit to destroy 63 boxes of records. Special thanks to Mr. Johnson and road foreman Guthrie Perry for cleaning out the space and relocating the metal rack system. Four boxes have been retained and are stored in Treasurer Welch's office. The town has ended its lease of the storage unit.
- Over the course of the year, six large totes of materials were removed from the vault and destroyed by SecurShred.
- The general files are in the process of being moved from the vault to the bookcase in the office.
- The file cabinet in the vault has been cleared out and will be used to store financial records until they need to be purged.

Disposition logs of all documents destroyed and recycled have been created and maintained; they are in the records management notebook in the clerk's office.

Ms. Laquerre said there is a long way to go, so this is an ongoing project. She does not have any recommendations for changes to the retention plan at this time. All election materials (including ballot bags) have notes/tags that describe the destroy date based on the policy and plan.

While not a part of the records retention plan, there were a number of outdated and/or unwanted electronic components and other items accumulating in the building. In February, hard drives were destroyed through SecurShred and electronics and other items were recycled through ReSource in Barre.

Discussion on Vital Records Law (Act 46 of 2017)

In an effort to prevent fraud and provide better protection against misuse of certified documents, the legislature passed Act 46 in May 2017. When it takes effect July 1, 2019, it will significantly change the way town clerks generate and store birth and death certificates.

Birth and death certificates for any town will be available to all town clerks on a statewide database as of July 1, 2019. Requestors will be required to complete a form, state their relationship to the person, and pay the same \$10 fee as is currently in effect.

Since the state is now maintaining all records in their secure database, vault copies are no longer required. Some clerks are concerned about the lack of having a paper copy and wish to continue to maintain paper copies as they are generated. Ms. Laquerre recommended that East Montpelier not continue to keep vault copies of these documents going forward for the following reasons:

- Vault storage space is limited;
- Many documents are readily available for informational viewing and printing on sites like Ancestry and FamilySearch;
- Informational and certified copies can be requested from any town clerk or from the state archives in Middlesex.

After duly considering the recommendation, the SB decided to both retain the current paper copies and to add new paper birth and death certificates to the files as they are generated. The SB felt the added security of maintaining paper records for such important documents was worth the space in the vault of a few dozen added sheets of paper per year. Ms. Laquerre asked the SB to revisit the decision in a year, which the SB is willing to do.

Discussion on Land Records Fee Structure and Reserve Fund

The legislature has changed fees for land records and required establishment of a records preservation fund in each town. General recording fees go up on July 1 from \$10 per page to \$15 per page. For each page recorded, \$4 will be retained in the preservation fund for preserving, restoring, and/or digitizing documents. Other fee changes include:

	Current Fee	New Fee
Property transfer tax returns	\$10	\$15
Recording of plats/maps	\$15	\$25
Vault time (examination of records)	\$ 2/hour	\$4/hour

Beginning in January, 2020, land owners creating a new subdivision or property line change will be required to file a map with the Town Clerk. Current fees have been in place since 2008.

Notary Public Changes

To prevent fraud and enhance credibility, the legislature last year created a new process for appointing notaries public through the Office of Professional Regulation. Beginning in 2021, every renewing notary will be required to perform two hours of online training. Log books must also be kept (which we already do). Some clerks will

only notarize town documents due to these restrictions. Others refuse to notarize wills and powers of attorney. As Ms. Laquerre and assistant town clerk Denise Sparrow do not restrict by document type, the town office has seen a slight uptick in requests for this service.

C. CONSIDERATION OF WARRANT TO IMPOUND UNLICENSED DOGS

Annually in June the board issues the statutorily-mandated warrant to the animal control officers.

Motion: I move to approve the 2019 Warrant to Impound Unlicensed Dogs. Made: Mr. Etnier. Second: Ms. Swasey. 5-0.

D. CONVERSATION WITH TOWN HEALTH OFFICER GINNY BURLEY

Ms. Burley gave a written and oral report on her tenure as health officer since 2018. She noted she serves as the sole health officer in town, as is the case with most of her colleagues in the state. She works closely with the VT Health Department, the local health office in Barre, and the Public Safety Department, including fire marshals. She spoke highly of the training and support available to town health officers.

She reported a call on average once a month, with most of her work being animal bites and rental inspections.

Her first case involved a large number of rats in a trailer where they had never been seen before. At the time she was called in, the situation was dire enough that the next step would have been declaring a health order or emergency. However, the owners of the neighboring home whence the rats originated made rapid enough progress in controlling the rat population that the declaration was not necessary. Residents reported the rats had not returned this spring.

Other calls included two prospective buyers who wanted to know how to find out if land they were interested in had been chemically farmed and how to get soil and/or water tests for the land.

Ms. Burley has been called for six animal bites. Of those, one was referred to Montpelier, two had current rabies shots, and three were required to be quarantined because they lacked documentation of current rabies shots.

She worked with the animal control officer to identify the owner of a dog intimidating pedestrians on Murray Road last year, and she testified at a SB hearing regarding that same dog this year.

Complaints about rental housing codes and suspected violations take up the largest amount of her time. On several inspections, the issues were resolved without her taking any further steps. She has also performed or scheduled three full housing code inspections on buildings owned by David and Mary Rogers in North Montpelier. Numerous violations have been found in those cases, and the landlords and the property manager, Wendy Fuller, have been uncooperative. She has called in the state fire marshal and the state lead abatement official for assistance.

Ms. Burley noted that the Rogers own many buildings in North Montpelier and are a major provider of low-income housing in town. When landlords are found in violation of codes and miss deadlines for compliance, the Health Department can enjoin rental of the buildings, which would evict current tenants. She warned this could have a serious impact on housing availability in town.

E. TOWN TREASURER ITEMS

Treasurer Don Welch reported the town is on track to have a modest fund balance when fiscal year (FY) 2019 ends on June 30.

The SB discussed allocating a portion of the general fund balance to capital reserve fund, adding a line to the capital reserve budget for the town garage, and using the allocation from this year's balance in lieu of assessing future taxes to fund the town garage portion of the capital reserve fund. There was also discussion on allocating the pre-FY2019 fund balance to the capital reserve fund. However, Mr. Johnson asked the board to hold off until

he and Mr. Welch could get legal advice on such a move.

Motion: I move to assign the current FY2019 budget surplus in the following manner:

- **\$5,000 to be added to the funds set aside to cover the future costs of allowable leave reimbursements at the time of employee termination, and any audited fund balance to the capital reserve.**

Made: Ms. Swasey. Second: Mr. Troia. 5-0.

Motion: I move to transfer \$431,484 from the General Fund to the Capital Reserve Fund. Made: Ms. Swasey. Second: Mr. Troia. 5-0.

F. CONSIDERATION OF AMENDMENT TO GROUNDS CARE CONTRACT

When the 2017-2019 lawn maintenance contract with Creative Visions LLC (Tim Frazier) was developed, a clause in the contract provided an opportunity to add to the value if the need for mowing the park and ride became a reality. It has, so the proposed amendment increases payment by \$30/mowing, which under the contract terms equals \$120/month.

Motion: I move to authorize the town administrator to complete the contract amendment with Creative Visions LLC. Made: Ms. Swasey. Second: Ms. Willis. 5-0.

G. DELINQUENT TAX COLLECTOR REPORT

Mr. Johnson identified a number of parcels whose taxes were sufficiently delinquent that he recommended starting the tax sale process. The SB authorized him to start the process for tax sales on all those he identified:

03-016-000

09-011-100

09-061-000

06-045-000

H. APPOINTMENTS

Mr. Johnson presented a list of annual charter-based appointments.

Motion: I move to appoint officers as detailed:

Rosie Laquerre at Town Clerk for the term July 1, 2019 – June 30, 2020;

Don Welch as Town Treasurer for the term July 1, 2019 – June 30, 2020;

Don Welch as Collector of Current Taxes for the term July 1, 2019 – June 30, 2020;

Denise Sparrow as Assistant Town Clerk for the term July 1, 2019 – June 30, 2020;

Denise Sparrow as Assistant Town Treasurer for the term July 1, 2019 – June 30, 2020;

Bruce Johnson as Zoning Administrator for the term July 1, 2019 – June 30, 2020;

Bruce Johnson as Collector of Delinquent Taxes for the term July 1, 2019 – June 30, 2020;

Gene Troia as Acting Zoning Administrator for the term July 1, 2019 – June 30, 2020;

Seth Gardner as Road Commissioner for the term July 1, 2019 – June 30, 2020;

Bruce Johnson as Road Commissioner for the term July 1, 2019 – June 30, 2020.

Made: Mr. Etnier. Second: Ms. Swasey. 3-0-2, with Mr. Troia and Mr. Gardner abstaining.

Motion: I move to appoint Carl Etnier as animal control officer. Made: Mr. Troia. Second: Ms. Swasey. 4-0-1, with Mr. Etnier abstaining.

I. PLANNING, ZONING AND GRANT-RELATED ITEMS

Consideration of Dry Hydrant Application to Development Review Board (DRB)

East Montpelier Fire Department would like to move forward with the dry hydrant on the unclaimed Codling Road lot at the SW corner of the Codling/US Rte. 2 intersection. The town is pursuing control of the lot. The parcel is fully within the flood zone, necessitating approval by the DRB for any fill. An application (19-031) has been submitted for a July 2nd hearing.

The board is hesitant about any project in the flood zone, even if it is permitted to carry it out by using materials local to the site. While reserving the prerogative to withdraw the application to the DRB later, the SB approved the application.

Motion: To authorize the town to move forward with application 19-031 to the DRB. Made: Ms. Willis. Second: Ms. Swasey. 4-1 with Mr. Troia voting no.

Consideration of Grant Amendment Application for East Montpelier Village Sidewalk Project

The current construction estimate for the sidewalk project is \$511,000, nearly \$100,000 more than the estimate we used last year when applying for the \$200,000 amendment we were granted. VTrans' Ande DeForge, our project supervisor, recommends a \$150,000 request, coupled with a construction bid target of early January 2020 for late spring/early summer 2020 construction. If the board agrees, it should authorize Chair Gardner to sign letter of support and authorize TA Johnson to submit grant application.

Motion: I move to authorize the SB chair to sign a letter of support for the grant application regarding the village sidewalk project and to authorize the town administrator to submit the grant application. Made: Mr. Troia. Second: Ms. Swasey. 5-0.

Consideration of VTrans County Road Culvert Grant Agreement

VTrans has awarded the town the requested \$124,200 structures grant for replacing the damaged and undersized Morse Farm County Road culvert. If comfortable, board should authorize TA Johnson to complete agreement.

Motion: I move to authorize the town administrator to execute the agreement with VTrans for a structures grant for the Morse Farm County Road culvert. Made: Mr. Troia. Second: Mr. Etnier. 5-0.

Consideration of Notice of Intent to Participate in the FY2020 Municipal Roads Grants-in-Aid Program

This is the third year of the program. Last year's grant paid for an erosion control/drainage improvement project on Towne Hill Road. East Montpelier is eligible for \$10,400 in funding (plus a 20% town match, so total value of \$13,000) to implement best management practices on hydrologically connected segments of municipal roads. To participate, the board must submit a letter of intent by July 3, 2019; the letter must be signed by all board members.

Motion: I move that it is the intent of the town to participate in the FY2020 Municipal Roads Grants-in-Aid Program. Made: Mr. Etnier. Second: Ms. Willis. 5-0.

Continuation of Discussion on Chapter One of Draft Zoning Regulations

The SB is devoting time each meeting to discussing the draft zoning regulations produced by the PC. Chapter one was the assigned reading this week. Board members raised questions and comments about the proposal. The SB will continue discussing chapter one at its next meeting.

J. DISCUSSION ON TOPICS FOR JULY JOINT MEETING WITH CALAIS BOARD

The Selectboard will be hosting a joint meeting with the Calais board on July 22 at 6:00 p.m. The general topic of the joint meeting is preparation for the August 9 meeting with the East Montpelier Fire Department. The focus remains on how to manage ambulance service staffing costs, with a broader concern being the best paths forward for the two towns, either jointly or individually, to provide emergency services to their communities.

K. ACCESS PERMITS: 19-024 and 19-025; Cummings Farm LLC, Cummings Road

The Kaplan/Buni family is considering a subdivision of their 6.75-acre lot across Cummings Road from their 145 Cummings Road home. Road Foreman Perry recommends approval of both, with 19-025 conditioned on clearing the sight line to the south (toward County).

Motion: I move to approve access permits 19-024 and 19-025 with the noted conditions. Made: Mr. Etnier. Second: Ms. Willis. 5-0.

L. CONSIDERATION OF EMPLOYEE PAY RATES FOR FY2020

The board reviewed the employee pay rates it considered when crafting the FY2020 budget.

Motion: I move to implement the FY2020 employee pay rates as proposed beginning July 1, 2019. Made: Mr. Troia. Second: Ms. Willis. 5-0

M. CONSIDERATION OF FIRST CLASS LIQUOR LICENSE FOR TWIN VALLEY SENIORS, INC.

The senior center applied for a license to sell beer and wine for consumption on site.

The SB approved the application.

N. WARRANTS

Signed.

N. OTHER BUSINESS

Town Administrator Report

An abutting neighbor has raised concerns with the East Montpelier Trails Association regarding use of the Dodge Road Trailhead area. The Selectboard will monitor the situation.

Update on Health Insurance Options for FY2020:

Contrary to earlier reports, association health insurance plans are no longer allowed. The town will need to return to the standard Blue Cross/MVP Exchange plans for FY2020.

There is a potential neighborhood petition effort to request a decreased speed limit to 25 mph on Barnes Road.

Meeting Schedule

June 25, 2019	7am – 7pm	WCUUSD budget/articles amendments vote at EMES
July 1, 2019	6:30 p.m.	Selectboard regular meeting
July 22, 2019	6:00 p.m.	Selectboard special joint meeting w/ Calais board

Zoning Administrator Report

Four new applications since June 3 SB meeting; 33 applications so far in 2019.

Next DRB meeting will be held July 2, 2019; hearings include the continuation of the Leonard/Walrafen PRD proposal at 170 Cherry Tree Hill Road, two houses on one lot at 670 Cherry Tree Hill Road, and consideration of the EMFD dry hydrant project.

R. ADJOURNMENT

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

The meeting adjourned at 10:48 pm.