

**East Montpelier Selectboard Meeting APPROVED (10/21/19) MINUTES
October 7, 2019 at the Town Office**

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

Others present: Zachary Maia, Planner, Bonnie Waninger, Executive Director (Central Vermont Regional Planning Commission, CVRPC); Sandy Conti, Albert Petrella, Ty Roland (East Montpelier Fire Department, EMFD); Richard Brock, Nona Estrin, Mary Stone, (East Montpelier Trails, Inc., EMTI); Bruce Howlett, Charles Johnson (Conservation Fund Advisory Committee, CFAC).

A. CALL TO ORDER

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

Additions to the agenda

Update on Cross Vermont Trail Conservation Fund request from the Conservation Fund Advisory Committee

Review of Minutes

Motion: I move to approve the minutes of September 23, 2019 as amended. Made: Mr. Troia. Second: Mr. Etnier.

Public comment

Mr. Bruce Johnson thanked Mr. Maia for his work leading to the designation of North Montpelier Village as a Village Center.

B. CONSIDERATION OF FEEDBACK ON DRAFT HAZARD MITIGATION PLAN

Bonnie Waninger and Zachary Maia presented an updated draft of the plan that reflects changes/additions in light of feedback from Vermont Emergency Management on an earlier draft. Mr. Maia has taken over from Jonathan DeLaBruere, who developed the first draft but has since left CVRPC. The SB gave feedback on his suggestions, which Mr. Maia will incorporate.

Motion: I move to submit to Vermont Emergency Management the Draft Hazard Mitigation Plan revision for final review and transmission to FEMA, the Federal Emergency Management Agency. Made: Ms. Willis. Second: Mr. Troia. 4-0.

C. CONSIDERATION OF EMFD AMBULANCE PROPOSAL

The East Montpelier Fire Department is requesting the use of up to \$136,000 plus associated loan costs from the EMFD Capital Reserve Fund to purchase a 2016 demo ambulance from FESCO Emergency Sales to replace Rescue 3. The demo cost is \$175,000 (approximately \$50,000 off list), including lettering and delivery, with a total \$39,000 trade-in credit for both Rescue 3 and 4. FESCO is also offering to pay \$1,000 towards EMFD personnel traveling to Baltimore to pick up the demo and to re-letter the ambulance, a \$4,500 expense. This proposal will also come before the Calais Selectboard on October 14.

Rescue 3, a two-wheel drive vehicle of model year 2009, was purchased used 5-6 years ago. EMFD just invested in a new exhaust regeneration system after noticing very dirty exhaust. The 2016 proposed replacement has four-wheel drive.

Mr. Rolland said there is typically a 10-year rotation for ambulances. The EMFD Capital Reserve Budget posits a 20-year rotation.

This purchase would come on the heels of the currently in progress replacement of Rescue 4. The net cost of two used ambulances, however, is somewhat less than what is in the EMFD Capital Reserve Budget for an ambulance purchase now. In addition, Mr. Rolland said EMFD would keep expenditures down by foregoing a

power loading systems in both vehicles; at the August 19, 2019 meeting, he had put the cost of such a system at \$47,000 for Rescue 4.

In the discussion, the SB broadly commented that it understands the need to replace the vehicle; it is also concerned about the ability of EMFD to keep within the parameters of its Capital Reserve Fund over the long run. There was also discussion about the wisdom of investing in upgrades for existing vehicles immediately before swapping them out.

Motion: I move to authorize EMFD to commit up to \$136,000 plus associated loan costs from the EMFD Capital Reserve Fund to purchase a 2016 demo ambulance from FESCO Emergency Sales to replace Rescue 3, paying off the existing loan on Rescue 2 and consolidating loans for Rescues 2 and 3 into payments of approximately \$62,500 annually for five years, as requested. Made: Mr. Troia. Second: Mr. Etnier. 4-0.

D. DISCUSSION ON EAST MONTPELIER CONSERVATION COMMISSION PROPOSAL

Conservation Fund Advisory Committee members Charles Johnson and Bruce Howlett have developed a proposal for the establishment of a town conservation commission, which would then take over the management of a variety of committees focused on natural resource type issues, including the Conservation Fund Advisory Committee, the Rural Road Vegetation Assessments Committee, the Old LaPerle Farm Property Committee, and the Forest Committee. This proposal might also lead to an independent non-profit, East Montpelier Trails, Inc., to either dissolve or spin off its trails maintenance responsibilities to town management.

Mr. Charles Johnson and Mr. Howlett presented the original proposal at the Selectboard's August 5 meeting, and the SB reviewed a revised version at its August 19 meeting. The changes, other than minor edits, are in the "Recommendations" area at the end – this has been expanded as a result of feedback. Mr. Howlett and Mr. Johnson were not at the August 19 meeting; board members had a number of questions regarding the revisions. Establishment of a conservation commission is possible by town vote or through a charter provision (which also requires a town vote).

The SB sought to clarify whether the current version of the proposal would continue decentralized work by the various committees, with the Conservation Commission primarily a place for the committees to discuss and coordinate their work, or would it create a Conservation Commission that would supplant most or all of the committees work.

The SB is generally willing to give its blessing to any organizational structure that would best support the various committees in their work; it would like to see a more specific proposal and hear input from townspeople on it.

The presenters will draft proposed rules and procedures for the Commission, so the SB and townspeople have a better idea of how the proposed Commission would work. The SB will review the draft at its November 4 meeting.

E. UPDATE ON CROSS VERMONT TRAIL CONSERVATION FUND USE REQUEST FROM THE CONSERVATION FUND ADVISORY COMMITTEE

Mr. Charles Johnson reported that the CFAC had just met and will recommend expending \$5,000 from the fund to leverage \$20,000 from the Vermont Housing and Conservation Board for a portion of the Cross Vermont Trail: 4,560 linear feet of corridor, amounting to 3.74 acres, on the Lylehaven Road parcel of Fairmont Dairy. Mr. Howlett characterized the trail segment as a key piece to making the whole trail work, while acknowledging that other segments still would need to be filled in.

Mr. Charles Johnson will put the recommendation in writing for the SB to consider at its October 21 meeting.

F. REPORT FROM THE VERMONT LEAGUE OF CITIES AND TOWNS ANNUAL MEETING

Mr. Etnier attended the Annual Meeting and Town Fair in Killington last week on both days. He reported that at the annual meeting, the work on strengthening municipalities ability to self-govern received strong support from all who spoke up.

Cyber security was a prominent issue, with both a keynote and workshop devoted to it. While Mr. Etnier expressed confidence in the system Mr. Bruce Johnson and rb Tech have set up for the town, he thinks this is an important area for the SB to exercise due diligence. He will attend a VLCT webinar on cyber security October 15 and work with Mr. Bruce Johnson to make a report to the rest of the SB.

Another workshop was on the many activities municipalities and their libraries can use to support each other. Carolyn Brennan, a new co-director of the Kellogg-Hubbard Library, is willing to share some ideas along those lines. Since she is scheduled to attend a December SB meeting to make the librarys annual funding request, the SB will invite her to extend her visit to discuss this topic.

Gwynn Zakov, one of VLCTs lobbyists, told town fair participants that the legislature has made substantial progress on a bill to legalize commercial cannabis growing, processing, and sales, and they hope to finalize it early in the next legislative session. Issues of particular relevance to municipalities include: 1) Will towns have to opt *in* to allow growing, processing, and sales? Such a process gives them the most control and requires public discussion before making the change at the local level. The current bill gives towns no say over growing or processing and allows retail sales unless the town votes to opt *out*. 2) Will the towns have a dedicated sales tax revenue stream from retail sales? VLCT proposes a 5% tax be dedicated to towns, with 3% going to the town with the retail store and 2% distributed to other towns. 3) What state restrictions on zoning will the bill incorporate? The current bill says that if voters allow retail sales, zoning cant be used to exclude it. But what about places like Brookfield, where retail is currently not a permitted use in town? Will they be required to alter zoning to find a place to permit retail sales?

Mr. Etnier proposed working with other towns and VLCT to have a county-wide discussion including our senators and representatives. The SB agreed to support the initiative.

G. ACCESS PERMITS

The Sikoras have requested (permit application # 19-055) a second curb cut at their property at 975 Sanders Circle to allow access down to a large landing to the north of their house, where a garage/barn for large equipment will be constructed. There is no way to easily access the site, especially by trucks, from the south part of the parcel, because the top slot (between the house and the road) is blocked by a new septic tank and sharp slope and the lower slot (between the house and the brook) is blocked both by moist soils and an uphill climb. The proposed curb cut is at the location of an existing trails/agriculture access, and the slot has recently been improved to allow the Sikoras to replace a failed septic system. The application is to leave the improvements in place.

Under East Montpelier Land Use and Development Regulation Section 3.3(D)(1)(d), a second curb cut may be allowed due to unusual circumstances, as determined by the selectboard.

Motion: I move to approve access permit 19-055. Made: Mr. Etnier. Second: Ms. Willis. 4-0.

H. WARRANTS

Signed.

I. OTHER BUSINESS

EMFD Chief Rolland has provided information regarding CARE, the Citizens Assistance Registry for Emergencies. This is a voluntary registry designed for elders or for people with certain disabilities for whom emergency events, if prolonged, can become life-threatening if no one is available to help. See e911.vermont.gov/care for information on the registry and how to register. Emergency responders can access the

registry, e.g., in case of a natural disaster that could cut people off from the world for an extended period.

Zoning Enforcement Concerns

Earlier this year, a townspeople complained about a property on a Clark Road as a potential junkyard. Mr. Etnier reported on his recent windshield survey of the property. He said outdoor items like a grill and a patio umbrella were consolidated around the base of a tree near the house. While noting that many people would store such items in a shed or a basement, he said keeping such items outdoors is consistent with town character and the practice of many other townspeople. The collection was easily visible from the road but unobtrusive enough that he missed it the first time he drove down the road looking for it.

The SB directed Zoning Administrator Johnson to take no action against the property owner.

Recreation Field Project Update

The Development Review Board (DRB) has issued the zoning permit for the replacement of the concession stand/shed; expect to see the new shed in place within a month.

Meeting Schedule

October 21, 2019	6:30 p.m.	Selectboard regular meeting
October 25, 2019	All day	State Government Municipal Day event
November 4, 2019	6:30 p.m.	Selectboard regular meeting
November 5, 2019	7 a.m. – 7 p.m.	Special school district vote at EMES

Zoning Administrator Report

There have been 7 new applications since the September 23 SB meeting, for a total of 59 applications so far in 2019.

The next DRB meeting is November 5, 2019; the meeting will include the biennial compliance review of the Casella transfer station permit. There is also a hearing for a two-lot subdivision of the Clemons 435 Guyette Road parcel; more applications for hearings are anticipated.

K. ADJOURNMENT

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

The meeting adjourned at 9:31 pm.