

**East Montpelier Selectboard Meeting APPROVED (11/19/19) MINUTES  
November 4, 2019 at the Town Office**

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

**Others present:** Cathleen Gent (Central Vermont Solid Waste Management District, CVSWMD); road foreman Guthrie Perry; Greg Western (Cross Vermont Trails Association); Paul Cate (Forest Committee); Sandal Cate; Rick Hopkins (East Montpelier Trails, Inc.); Bruce Howlett, Charles Johnson (Conservation Fund Advisory Committee); Tom Fisher, Tom McMurdo (CVFiber).

**A. CALL TO ORDER**

Chair Seth Gardner called the meeting to order at 6:40 p.m.

*Additions to the agenda*

Consideration of Cacicio's Heating Proposal for Town Office Heat Pump

Revision of Health Insurance Options Decision

Opioid Class Action

Emerald ash borer outreach materials

*Review of Minutes*

**Motion: I move to approve the minutes of October 21, 2019 as presented. Made: Ms. Willis. Second: Mr. Etnier. 3-0**

*Public comment*

None.

**B. CONVERSATION WITH CENTRAL VERMONT SOLID WASTE MANAGEMENT DISTRICT'S  
INTERIM GENERAL MANAGER CATHLEEN GENT**

Ms. Gent presented CVSWMD programs and its FY2021 budget.

She reported the organizations general manager, Bruce Westcott, left in June, and they are still searching for another GM.

The district is working with kids, helping them learn about solid waste. East Montpelier Elementary School used an EPA grant to reduce food waste in cafeteria and successfully reduced it by quite a bit.

At the ARCC (Additional Recyclables Collection Center) in Barre, the number of visitors grows 20-25% annually, with over 6,000 in 2018, of which 400 were from EM. The ARCC collected 300 tons of material in 2018.

The district is also seeing increased participation in household hazardous waste collections, with 650 people bringing material to five events in 2018.

MSP (Municipal Services Program) grants are available, and they encourage member towns to apply for them. East Montpelier used one three years ago to fund a composting event.

The district needs a new board member from East Montpelier; Gabrielle Molina resigned as the towns representative when she moved out of town.

The annual budget for the district is \$1.8 million, with 10 full-time and 5 part-time staff. Its primary source of income is a surcharge on trash. Other income sources include per-capita fees (\$1/resident for each member town), recycling and hazardous waste programs, and sales of materials.

The district held a hearing on October 23 hearing on its FY2021 budget; no members of the public attended.

The district plans to build a \$1.4 million facility for collection of household hazardous waste, to replace the occasional collection events. This would fulfill a long-held goal of the district. They have applied for 60% funding from the state and expect to hear by November 22 about the grant. If it is approved, they will begin looking for property to build it on. The district is capable of financing its \$590,000 match without bonding. They expect to staff the facility one day a week, to begin with.

### **C. ROAD FOREMAN REPORT**

Mr. Perry presented a number of issues.

#### *Consideration of Winter Operations Plan*

The winter operations plan is unchanged since last year. It is adopted annually by the SB.

**Motion: I move to adopt the 2019-20 Winter Operations Plan. Made: Mr. Etnier. Second: Ms. Willis. 3-0.**

#### *Consideration of East Montpelier Gully Jumpers Snowmobile Club Road Use Request*

The snowmobile club has submitted its annual request to use town roads for short distances in specified places, to connect segments of trails.

**Motion: I move to grant the East Montpelier Gully Jumpers use of town roads as requested. Made Mr. Etnier. Second: Ms. Willis. 3-0.**

#### *Updates*

The shed at the recreation field is almost completed.

The crew has been repairing damage from the storm Friday, Nov. 1. Road washouts are repaired; tomorrow the crew will be cleaning up with a truck and chipper.

The capital plan calls for a grader purchase two years ago, which has been delayed. While the current grader runs well, maintenance expenditures have become more frequent. Mr. Perry has begun soliciting quotes on purchasing a replacement.

#### *Road Issues*

The Class 4 section of Johnson Road has been maintained by residents working together and financing the work together. The results have been unsatisfactory both to residents and to the road foreman. Mr. Perry would like to work with a contractor to do some maintenance, specifically, to power rake it and add gravel. The SB agrees. Residents will continue to be responsible for snow plowing.

In 2018, the SB approved a multi-residential curb cut on Daggett Road for the then-current subdivision of two parcels. Now there will be a third lot off the road. TA Johnson asked whether the SB wished to require an additional curb cut approval when the third lot is developed. The SB said no, the existing multi-residential approval is fine for three parcels.

#### *Grant applications under the Better Roads Program*

The town is developing applications for a Category D (\$60,000) culvert replacement grant for a 36" culvert on County Road--just north of Barnes Road--and a Category C (up to \$40,000) culvert rehabilitation grant for the large culvert on Codling Road--just below the Malone parcel.

### **D. MEETING WITH GREG WESTERN, EXECUTIVE DIRECTOR OF THE CROSS VERMONT TRAIL ASSOCIATION (CVTA)**

Mr. Western has appeared multiple times to update the SB on CVTAs project to build a bicycle and pedestrian

bridge over the Winooski River, in East Montpelier. This time he reported the projected cost has increased from \$1.3 million to \$1.6 million, because tariffs have increased the price of steel. The organization is applying for a grant to make up the difference, under the VTrans Transportation Alternatives Program, and they would like a letter of support from the SB. The SB asked TA Johnson to draft a letter for consideration at its November 18 meeting.

Funding for the local match (\$60,000) for this grant is still needed, so Mr. Western is approaching towns in the area that have contributed in the past. East Montpelier voters approved \$7,500, based on the Selectboard authorizing a warning article for that amount at the 2017 Town Meeting. The SB agreed to include an article for an additional \$7,500 in the warning for the 2020 Town Meeting.

#### **E. DISCUSSION ON EAST MONTPELIER CONSERVATION COMMISSION PROPOSAL**

As requested at the October 7, 2019 board meeting, conservation fund advisory committee members Charles Johnson and Bruce Howlett have further developed a proposal for a town conservation commission. The commission would take over the work 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 the independent East Montpelier Trails, Inc. either dissolving or splitting off part of its responsibilities (specifically the trails maintenance) in favor of town management. The town may establish a conservation commission by town vote or through a charter provision (which also requires a town vote).

While Mr. Johnson and Mr. Howlett indicated the conservation fund advisory committee supports the proposal, and Rick Hopkins said East Montpelier Trails, Inc. is generally positive, representatives of the other committees said their committees had not discussed the proposal. Speaking for himself, Paul Cate said he is against it, because committees that are specialized attract people who are interested in those issues. He argued that it may be convenient to mold things into one organization, but hes not sure its the best thing to do, and down the road there may be even fewer people interested in serving on the larger organization than on todays more specialized committees.

Mr. Howlett countered that he expects there wouldnt be a problem recruiting volunteers to a conservation commission. He said that in other towns, they are big deal, like planning commissions, and East Montpelier has many conservation-minded people.

With todays committees perhaps continuing as standing committees under a conservation commission, there was a question about the independence of the committees. The rules of the conservation commission could be written to give more or less independence to the committees. If the town desires a different arrangement than is provided for by statute, a charter change could create a commission according to a different blueprint.

Ms. Cate said it would be easier to understand the alternatives if a graphic showed various alternative structures for the relationship between the committees and a commission.

The SB decided to hold an informational meeting at its December 2 meeting, and to especially invite all committees to weigh in on the proposal.

#### **F. DISCUSSION ON CVFIBER'S ANNUAL REPORT AND PROPOSED BUDGET IN ADVANCE OF CVFIBER'S NOVEMBER 12, 2019 PUBLIC HEARING**

Mr. Fisher and Mr. McMurdo presented the draft annual report and 2020 budget for CVFiber, the communications utility district the town helped create to bring fiber-borne internet throughout the region. They said CVFiber continues to be run by an all-volunteer board, and it has \$7,500 in the bank. The 2020 budget is nearly \$350,000. The plan for 2020 is to do a feasibility study by March, a business plan by May, and to start to build the network by the end of 2020. The November 12 public hearing will probably be at Berlin Elementary School, beginning at 6 pm, they said.

#### **G. CONSIDERATION OF NEW BANK ACCOUNT FOR RECREATION BOARD**

The recreation board is hoping to utilize a registration system (through Blue Sombrero/Dick's Sports) that would enable the board to have participants register and pay online. The system requires bank account access (to send funds and then, potentially, to pull funds for approved refunds). Neither Treasurer Don Welch nor People's Bank likes the idea of linking such a system to the towns main account, so a secondary account has been proposed.

**Motion: I move to adopt the business deposit account certified resolutions and authorize the board chair to sign the resolutions, with the town treasurer, assistant treasurer, and town administrator as signatories. Made: Mr. Etnier. Second: Ms. Willis. 3-0.**

#### **H. DISCUSSION ON POTENTIAL SALE OF LAPERLE FARM PROPERTY**

Marc Fontaine of Fontaine Forestry & Millworks has submitted an offer of \$200,000 for the undeveloped 45 acres of the LaPerle Farm property that the town purchased at a foreclosure sale. The town paid \$240,000 for the property, a portion of which has already been used in constructing the park and ride facility, and the 45-acre purchase would keep 3 acres in town ownership. At the intersection of Routes 2 and 14, the remaining 3 acres are well situated for a future municipal building.

**Motion: I move to conditionally accept Marc Fontaines offer, subject to results of the statutory notice process and the request for alternative proposals. Made: Mr. Etnier. Second: Ms. Willis. 3-0.**

#### **I. DISCUSSION ON UPCOMING HOLIDAY AND MEETING SCHEDULES**

On November 11, Veterans Day, the town office will be closed, and the road crew will do a split, with two on duty and two using it as a floating hunting season day. With Christmas and New Years both on Wednesdays, the office staff would like to close at 12:00 p.m. on December 24 and 31; they will be working a full day plus on Friday, November 15 for tax payments.

December is a busy month, with expected meetings on the 2nd, 5th, 9th, and 16th, plus the volunteer appreciation gala.

The SB agreed to close the office at noon on December 24 and 31, and to hold the volunteer appreciation gala on December 13 from 5 to 7 pm.

#### **J. CONSIDERATION OF EMERALD ASH BORER OUTREACH MATERIALS**

A working group of the rural road vegetation assessments committee has been developing a plan for addressing the effects of the emerald ash borer on trees in town road rights of way. They would like to spend up to \$500 of their grant money on outreach materials.

**Motion: I move to authorize up to \$500 for outreach materials on the emerald ash borer and plans for addressing its effects on trees in the town roads right of way. Made: Mr. Etnier. Second: Ms. Willis. 3-0.**

#### **K. CONSIDERATION OF CACICIO'S HEATING PROPOSAL FOR TOWN OFFICE HEAT PUMP**

Cacicios Heating has submitted a quote of \$11,950 for a heat pump system with four internal units. There appear to be rebates available from both Efficiency Vermont and Green Mountain Power, totaling \$1,000 or more. The SB asked town administrator Johnson to send the proposal to a couple townspeople with expertise in the units for feedback, to discuss it at the November 18 meeting.

#### **L. REVISION OF HEALTH INSURANCE OPTIONS DECISION**

At the October 21 meeting, the board approved health insurance options for town employees. In retrospect, the motion did not fully reflect the boards intent to offer many choices to employees, and it neglected to specify the funding level for the stipend in lieu of health insurance, for those employees who choose not to enroll. The stipend has been set at \$1,600 for the past few years.

**Motion: I move to fund the employee health benefit at up to 90% of the premium cost of the Blue**

**Cross/Blue Shield (BCBS) Platinum plan, to let employees chose among MVP or BCBS Gold HDGP, Gold Standard or Platinum Standard plans, and to fund the stipend in lieu of health insurance at 25% of the town's share of the single person premium cost. Made: Mr. Etnier. Second: Ms. Willis. 3-0.**

#### **M. OPIOID CLASS ACTION LAWSUIT**

A consolidated federal class action lawsuit, *In re: National Prescription Opiate Litigation*, aims to gain reimbursement for monies spent addressing the opioid crisis on behalf of all county/city/town entities. If the town doesn't choose to opt out of the class, we are bound by the result. The deadline for opting out is November 22, 2019. Town Attorney Bruce Bjornlund sees no down side to remaining in the class; today, Vermont Attorney General TJ Donovan sent out a letter recommending cities/towns stay in the class.

The SB took no action, thus remaining in the class.

#### **N. APPOINTMENTS**

There are vacancies or potential vacancies on the selectboard, Central Vermont Regional Planning Commissions Transportation Advisory Committee (CVRPC TAC), CVSWMD, and Wrightsville Beach Recreation District (WBRD)

For the SB seat, the board will keep the search open.

CVRPC TAC: Frank Pratt has represented the town for years, and he is willing to give up the seat if someone else is willing to do it. The town will advertise it. This is a time when many interesting transportation alternatives are being considered.

The town will also advertise the CVSWMD and WBRD positions.

**Motion: I move to approve the following appointments.**

**2020 Green Up Day Coordinator: Chris Racanelli**

**Conservation Fund Advisory Committee: Nora Duane; Hannah Phillips**

**Made: Mr. Etnier. Second: Ms. Willis. 3-0.**

#### **O. ACCESS PERMITS**

Jim and Joni Clemons are splitting off a building lot (Lot 2) on 435 Guyette Road from the developed portion of their property (Lot 1); Lot 2 will be served by an access easement from Guyette Road over the north end of Lot 1. This will be an upgrade of an existing agricultural access to a residential curb cut. Road Foreman Perry recommends approval.

**Motion: I move to approve access permit 19-051. Made: Mr. Etnier. Second: Ms. Willis. 3-0.**

#### **P. WARRANTS**

Signed.

#### **Q. OTHER BUSINESS**

##### *Meeting Schedule*

November 5, 2019	7 a.m. – 7 p.m.	Special school district vote at EMES
	7:00 p.m.	Board of Tax Abatement meeting at EMES
November 18, 2019	6:30 p.m.	Selectboard regular meeting
December 2, 2019	6:30 p.m.	Selectboard regular meeting
December 5, 2019	7:00 p.m.	Joint budget meeting with Calais & EMFD at ESF
December 9, 2019	7:00 p.m.	[Tentative] Joint EMFD budget meeting with Calais
December 13, 2019	5:00 p.m.	[Tentative] Town volunteer appreciation event
December 16, 2019	6:30 p.m.	Selectboard regular meeting

*Zoning Administrator Report*

There has been one new application since the October 7 SB meeting; 61 applications so far in 2019.

The next development review board meeting is November 5, 2019; the meeting will include the biennial compliance review of the Casella transfer station permit, a hearing for a two-lot subdivision of the Clemons 435 Guyette Road parcel, and a sketch plan review of a two-lot subdivision of the Coburn 139 Daggett Road parcel.

**K. ADJOURNMENT**

**Motion: I move to adjourn. Made: Ms. Willis Second: Mr. Etnier. 3-0.**

The meeting adjourned at 9:39 pm.