

Minutes of the East Montpelier Selectboard

DRAFT

December 7, 2020 Selectboard Meeting

This meeting was conducted remotely using the Zoom conferencing platform. Participation options were provided to the public.

SB Attendance: Chair Seth Gardner, Jon Jewett, Carl Etnier, Judith Dillon and Amy Willis; Town Administrator Bruce Johnson

Calais SB Attendance: Chair Denise Wheeler, Sharon Winn Fannon and Rose Pelchuck; Recording Secretary Katie Lane-Karnas

Public Attendance: Paul Cate, Town Tree Warden; Jeff Cueto, Resilient Roads Committee; David Delcore, Times Argus; Rosie Laquerre, Town Clerk; Michael Duane, Town Moderator; Kimberly Jessup, State Representative; Susan Clark, Middlesex Town Moderator; Ginny Burley, Ginny Callan, Betsy Simard, Cindy Thompson, Bill Powell

Chair Gardner called the meeting to order at 6:32 p.m.

Additions to Agenda:

- **Update on Proposed AT&T Cell Tower Facility**

Minutes:

Chair Gardner presented the draft minutes of the November 16, 2020 board meeting.

Motion: To approve the November 16, 2020 minutes as amended. Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.

Chair Gardner presented the draft minutes of the December 3, 2020 board meeting.

Motion: To approve the December 3, 2020 minutes as presented. Made by Ms. Dillon; second by Ms. Willis. Passed unanimously.

Public Comment: None

Consideration of Letter of Agreement for Partnership with VT Urban & Community Forestry Program on Development of Shade Tree Preservation Plan

The VT Urban & Community Forestry Program has offered East Montpelier the opportunity to be a pilot town for the development of a shade tree preservation plan. The existence of such a plan is a new requirement if the town wants the tree warden to have authority over any road right-of-way trees.

The agreement does not envision any monetary exchange. The town simply needs to work with the UCFP on the development of a plan with the goal of bringing the plan to the Selectboard for approval. The town needs to commit to a minimum of 50 volunteer hours. The project will be handled by the Resilient Roads Committee. Mr. Cueto, chair of the committee, and Tree Warden Cate are very much in favor of accepting this opportunity.

Motion: To authorize TA Johnson to complete the Shade Tree Preservation Plan agreement with the VT Urban & Community Forestry Program. Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.

Consideration of EM Gully Jumpers Snowmobile Club Road Use Request

Every year the Gully Jumpers club requests that the town allow the use of a few short sections of town roads for non-direct road crossings to allow snowmobilers to fully access the Gully Jumpers' trail network. The club, as it has for the past few years, is asking permission to utilize:

- Coburn Road – crossing requires the use of Coburn covered bridge to cross the river;
- Snow Hill Road – crossing is a 45-degree crossing over Sodom Pond Brook;
- Center Road – crossing utilizes the bridge to cross Bennett Brook; and,
- Haggett/County Road – crossing utilizes the very end of Haggett Road, then crosses County Road at the intersection of Haggett Road.

Motion: To authorize the limited use of town roads as requested by the East Montpelier Gully Jumpers. Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

Update on Proposed AT&T Cell Tower Facility

AT&T has requested postponement of the December 14, 2020 informational meeting on the proposed cell tower at 750 Jacobs Road until an agreeable time in mid-January. The reason given by AT&T's attorney, Will Dodge:

[S]o we can use the time to chase down what appears at first glance to be a viable alternative location to provide AT&T / FirstNet service in the same area. While I [Attorney Dodge] can't provide all the details regarding the alternative, I can confirm that the alternative is not located within the East Montpelier town limits, nor on land adjacent to the East Montpelier municipal boundary.

Dan Burke, the Public Service Department attorney working with the town on this project, states that this is a normal occurrence. With his assistance the town has reached an agreement with AT&T to extend the minimum advance notice period (the window of time before a formal certificate of good application can be filed with the Public Utility Commission) from the original 60 days to 120 days from the November 12, 2020 advance notice filing date.

Board members agreed by consensus to postpone the public information meeting until January 14, 2021.

Consideration of Transfer of Funds from General Fund to Other Town Funds as Budgeted

Each year the board is required to authorize Treasurer Don Welch to move the budgeted funds targeted for the Recreation Board (\$3,500), Cemetery Committee (\$20,000) and Capital Reserve Fund (\$446,634) from the general fund to the individual small accounts in order for the funding to be utilized as planned.

Motion: To authorize Treasurer Welch to move the full amount of the three requested FY2021 budget lines from the general fund to the affiliated small accounts when he deems it appropriate, but prior to the close of FY2021 on June 30, 2021. Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.

Special Joint Meeting with the Calais Selectboard to Discuss EMFD FY2022 Ambulance & Emergency Services Budget Request

The two boards considered the East Montpelier Fire Department's FY2022 budget request:

Service	Calais		East Montpelier		Total	
	FY2022 Request	% Increase over FY21	FY2022 Request	% Increase over FY21	FY2022 Request	% Increase over FY21
Fire	\$ 61,038	-5.9%	\$122,076	-5.9%	\$183,114	-5.9%
Ambulance	\$111,580	17.3%	\$223,159	17.3%	\$334,739	17.3%
Town Total	\$172,618	7.9%	\$345,235	7.9%	\$517,853	7.9%

The ambulance service budget includes other revenue items: contracted amounts from Plainfield (\$53,624, up 3% from FY2021) and Marshfield (\$43,709, up 3%) but nothing from off-the-top EMFD ambulance service revenue (down \$15,000).

Total FY2022 Ambulance Service Budget:	\$432,072 (up 9.4% from FY2021)
Total FY2022 All Services Budget:	\$615,186 (up 4.3% from FY2021)

Last year the two boards agreed on a plan to increase funding to support full per diem, 24/7, 2 employees/shift staffing for the ambulance service. The agreement anticipated a staffing line budget increase of \$37,500 (\$25,000 from EM; \$12,500 from Calais) for FY2022. Absent that increase, the combination of the fire and ambulance budget requests from the two towns is essentially level funded, with an approximately \$12,000 increase on the ambulance side essentially offset by an equivalent decrease on the fire side.

The boards were generally comfortable with the budget request. The Calais board, however, continues to be concerned with the growing disparity in service cost between the host towns (Calais and EM) and the neighboring contract towns. The Calais board also expressed interest in reworking the formal service agreement between the two towns and EMFD. Due to these issues of concern the Calais board decided it was not ready to approve the budget request.

After the Calais board exited the meeting the EM board discussed the possibility of approving the EMFD budget request since there didn't appear to be any EM board concerns, but decided to table the issue until a later meeting to give Calais some time to consider its course of action.

Preliminary Discussion on 2021 Town Meeting

- **Conversation with Michael Duane, East Montpelier Town Moderator, and Susan Clark, Middlesex Town Moderator, on Town Meeting During the COVID-19 Pandemic**
 - Mr. Etnier opened the discussion with a synopsis of the town meeting issues brought on by the pandemic as well as an update on the current legislative efforts to provide more options for 2021 town meeting. He then introduced Moderators Clark & Duane before giving them the floor.
 - Ms. Clark put forth what she sees as the two viable methodologies for 2021: utilize the legislatively-authorized option to hold an all-Australian Ballot town meeting or plan for a hybrid event with some elements held on town meeting day (perhaps the school component) and other aspects held later in the year (May or early June). This later part could include a somewhat normal floor event fully outdoors or under a tent and an Australian Ballot element. This hybrid option is not yet legal, but Ms. Clark expects that the legislature will pass some enhanced town meeting options, including the ability to shift town meeting to a later date, by early-to-mid January. Required informational meetings would need to be held using remote conferencing services. She emphasized the need to assure the public that any Selectboard-voted change to town meeting is only for 2021.
 - Mr. Duane would prefer to hold a close-to-normal town meeting if at all possible and is intrigued by the tent concept, but is concerned that any May/June event is too late for budget purposes. He does not want to see a dependence on remote meeting technology. Any legislative change, such as the new power for Selectboards to shift to an all-Australian Ballot town meeting, should sunset with the end of the pandemic. He would be comfortable, given the circumstances, with a one-year-only all-Australian Ballot town meeting on town meeting day.
 - Conversation shifted to the specifics of an all-Australian Ballot town meeting, such as whether to send ballots to all registered voters (like the state did for the general election) or to send postcards to voters prompting absentee ballot requests (the method used for the August primary). Timing is much tighter for town meeting as the ballot isn't finalized, much less printed, until 5 weeks before town meeting day. Some suggested that controversial topics be left off the warning since there wouldn't be the usual opportunity for discussion before floor votes.
 - Chair Gardner thanked everyone for the robust discussion.
- **Discussion on 2021 Town Meeting Warning**
 - After the conclusion of the conversation on the options for holding 2021 Town Meeting, the board briefly discussed specifics of the warning for town meeting. In particular, the board debated whether the warning should be limited to the standard elected official, budget, funding appropriation and tax articles, avoiding any new or potentially controversial elements. Given the variety of board member opinions on the topic, the board decided to hold off making a decision at this time.

Preliminary Discussion on FY2022 Budget Development

The SB reviewed the revised draft budget, which included updated numbers for employees, insurances, capital reserve, EMFD and the funding request article. This current version anticipates a sub-2 cent tax increase.

Work on the budget will continue at all the meetings through January 2020, with a focus on the highway lines at the January 11, 2020 meeting.

Consideration of NEMRC Software Support Agreement and End-User Software License Agreement

In late fall 2019 NEMRC notified towns that the cost of the annual support agreement, which covers the maintenance, IT support and updates for the various NEMRC modules the town utilizes, would jump to \$5,000 this year due to the need to upgrade the security components of and otherwise modernize the modules. That amount was included in the FY2021 budget and the invoice for that amount is on this meeting's warrant. NEMRC is also requesting new versions (updated to this year but otherwise identical to the originals) of the software support and end-use software license agreements that the town currently has with NEMRC. The company is under a new audit and insurance requirement to have these agreements redone annually.

Motion: To authorize TA Johnson to sign the NEMRC software support agreement and end-user software license agreement. Made by Ms. Willis; second by Ms. Dillon. Passed unanimously.

Consideration of Amendment Request for VTrans Mallory Brook/Center Road Culvert Replacement Study Grant

The engineering study grant awarded in July 2017 expires December 31, 2020. Our VTrans district project manager, Shauna Clifford, has already agreed to extend the time period an additional 6 months, to June 30, 2021, due to the delays in finalizing the plans caused by the COVID-19 pandemic. Although the design is nearing preliminary approval by the relevant regulatory bodies, the formal permits and necessary easements still need to be procured.

Motion: To authorize TA Johnson to sign and submit the time extension request for the VTrans study grant. Made by Ms. Willis; second by Ms. Dillon. Passed unanimously.

Discussion on Town Management in Light of Covid-19

As they do at every meeting, board members discussed possible updates to the town's current emergency order. With no sign that the pandemic will retreat any time soon, the board had no interest in altering the current protocol. The board will revisit the issue at its December 21, 2020 meeting.

Warrants

- **November 23, 2020 Special Warrant for Review**
 - As required by board policy, the special warrant approved by Chair Gardner was presented to board members for review. No action was necessary.
- **December 7, 2020 Payroll & Payroll Vendor Warrants**
 - Board members reviewed the two warrants. Following a protocol developed at the board's April 13th meeting to deal with the difficulties inherent in individually
- **December 7, 2020 Regular Warrant for Approval**
 - Board members reviewed the two warrants. Following a protocol developed at the board's April 13th meeting to deal with the difficulties inherent in individually

signing warrants during a remote meeting, board members decided to approve the warrants by motion and have TA Johnson sign the warrants as certification of the board approval.

- **Motion: To approve the December 7, 2020 expense, payroll and payroll vendor warrants and authorize TA Johnson to sign the warrants on behalf of the board.** Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.

Other Business

Town Administrator Report

- Jan/Feb SignPost Issue Submission:
 - The SignPost is holding space for a brief 2021 Town Meeting update. Mr. Etnier will work with the SignPost's Managing Editor Edie Miller on the article.
- VTrans Better Roads Grant Applications:
 - The town is moving forward with the resubmission, with updated cost estimates, of the grant applications filed last December that VTrans did not award, despite favorable reviews, due to the Covid-19 pandemic-driven decision to not fund any Category C & D applications. The Category C application is to reconstruct the inlet area and put in a concrete floor at the large cross-culvert at the base of Codling Road (the requested grant is for approximately \$20,000). The Category D application is to replace/upsue the failing cross-culvert on County Road just north of Barnes Road (\$60,000 maximum award for a \$130,000 project). This will be part of the major road project along County Road next summer.
- Possibility of Shifting January Meeting Schedule:
 - The January 4th meeting is right after a 4-day holiday weekend, which makes it difficult to effectively set up the meeting. Board members agreed to move the meeting to January 11th.
- Meeting Schedule:
 - December 21, 2020 6:30 pm Selectboard regular meeting
 - January 11, 2021 6:30 pm Selectboard "special" regular meeting
 - January 18, 2021 6:30 pm Selectboard regular meeting
 - January 25, 2021 6:30 pm Selectboard special meeting

Zoning Administrator Report

- There have been no new applications since the November 16th SB meeting. There have been 51 zoning permit applications in 2020.
- The next DRB meeting is scheduled for January 5, 2021. There is one anticipated application for a 2-lot subdivision of the Brown property located at 3205 VT Rte. 14 N.

Motion: To adjourn. Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.
Meeting adjourned at 8:49 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator