

## Minutes of the East Montpelier Selectboard

# DRAFT

### December 21, 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, Amy Willis (after 12/7 minutes motion) and Judith Dillon (during GMT/RCT presentation; Town Administrator Bruce Johnson

**Public Attendance:** Jenn Wood, GMT; Lila Bennett, RCT; Sandy Rouse & Kim Farnum, CVHHH; Janna Clar, MSAC; Carolyn Brennan & Jennifer Myka, KHL; Susan Crampton, TVSC; Lindy Johnson, Funding Request Study Committee; Don Welch, Town Treasurer

Chair Gardner called the meeting to order at 6:31 p.m.

#### **Additions to Agenda:**

- **Discussion on January 7, 2021 Delinquent Tax Sale**

#### **Minutes:**

Chair Gardner presented the draft minutes of the December 7, 2020 board meeting.

**Motion: To approve the December 7, 2020 minutes as presented.** Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

**Public Comment: None**

#### **Budget Discussion: Green Mountain Transit (GMT) and Rural Community Transportation (RCT) Commuter Bus Routes**

**Jenn Wood, GMT Public Affairs & Community Relations Manager**

**Lila Bennett, RCT Community Relations Manager**

Ms. Wood and Ms. Bennett explained that the relationship between the two organizations with regard to how bus service is provided to and through East Montpelier has changed over the past year. RCT has taken on more responsibility for the US2 Commuter service that runs between Montpelier and St. Johnsbury while maintaining the Route 14/15 Commuter bus service that links Morrisville, Hardwick and Barre. Transfer service between routes continues to be available at the East Montpelier Park 'n Ride. As a result of this change in service responsibility, the majority of the funding for the US2 Commuter will go to RCT. The \$1,000 the town provided previously for the Route 14/15 Commuter through the annual joint social organization funding article will continue to go to RCT, but now as part of a new stand-alone funding article to benefit RCT.

The total request from GMT and RCT is level-funded at \$9,333.

By consensus board members agreed to place an article for \$1,499.94 for the GMT share of the town's support for the US2 Commuter Bus on the draft 2021 Town Meeting Warning.

By consensus board members agreed to place an article for \$7,833.06, split between \$6,833.06 for the RCT share of the town's support for the US2 Commuter Bus and \$1,000 for support of the RCT Routes 14/15 Commuter Bus on the draft 2021 Town Meeting Warning.

**Budget Discussion: Central VT Home Health & Hospice**

**Sandy Rouse, CVHHH President & CEO**

**Kim Farnum, CVHHH Director of Community Relations & Development**

Ms. Rouse provided a presentation on how CVHHH has managed to continue to provide its vital services in spite of the various restrictions imposed by the pandemic. A year like 2020 truly highlights her oft-mentioned thanks for funding sources like town appropriations that provide the financial flexibility to allow the CVHHH staff to do what should be done, not just what must be done.

The CVHHH request is level-funded at \$6,000.

By consensus board members agreed to place an article for \$6,000 for support of Central VT Home Health & Hospice on the draft 2021 Town Meeting Warning.

**Budget Discussion: Montpelier Senior Activity Center**

**Janna Clar, MSAC Director**

Ms. Clar reported that despite the pandemic the senior center has continued to provide its regular meals (curbside "to go" service) and a wide variety of courses (online). She sees the changes forced by the pandemic as a learning opportunity for developing the means to provide desired services in more ways to a wider audience.

The MSAC request is level-funded at \$9,000.

By consensus board members agreed to place an article for \$9,000 for support of the Montpelier Senior Activity Center on the draft 2021 Town Meeting Warning.

**Budget Discussion: Kellogg-Hubbard Library**

**Carolyn Brennan, KHL Co-Director, Library Director**

**Jennifer Myka, Town Representative to the KHL Board of Trustees**

Ms. Brennan provided a general update on the library, with the focus on how services have shifted during the pandemic. Online service use is surging and the offerings continue to increase. KHL has taken advantage of limited in-person library use to complete some planned facility improvements.

The library request is once again level-funded at \$42,022.

By consensus board members agreed to place an article for \$42,022 for support of Kellogg-Hubbard Library on the draft 2021 Town Meeting Warning.

**Budget Discussion: Twin Valley Seniors, Inc.**

**Susan Crampton, Member of the Twin Valley Senior Center Board of Directors**

Ms. Crampton described how, in spite of all the service disruptions caused by the pandemic, this has been a banner year for Twin Valley Seniors. The organization now owns its building in East Montpelier and has plans to add facility space and expand offerings in 2021. Ms. Crampton explained that the Twin Valley Senior Center request continues to be based on the cost of the Meals on Wheels program provided by the organization to its six member towns.

The Twin Valley Senior Center request is level-funded at \$5,000.

By consensus board members agreed to place an article for \$5,000 for support of Twin Valley Seniors, Inc. on the draft 2021 Town Meeting Warning.

**Presentation of Funding Request Study Committee Report**

Ms. Johnson explained that the report reflects some changes from the FY2021 appropriations:

- Project Independence (closed its doors June 1, 2020) and RCT (separate article) are removed from the article and there are no new organizations this year.
- The committee directed extra funding to three organizations on the front lines of the pandemic: Good Samaritan Haven (up \$150 to \$900); Onion River Food Shelf (up \$200 to \$1,200); and, People's Health & Wellness Clinic (up \$500 to \$1,750; \$250 was requested and an extra \$250 added).
- Central VT Habitat for Humanity (to \$350) and Winooski Natural Resources Conservation District (to \$600) both received \$100 increases.

The committee recommends the funding request article be set at \$21,466, down 0.3% from last year's \$21,541, with the understanding that this is a somewhat deceptive decrease since the \$1,000 RCT received last year is now incorporated into a separate article.

By consensus board members agreed to place the joint social organization funding request article for \$21,466 on the draft 2021 Town Meeting Warning.

**Presentation of FY2022 Capital Improvement Committee Plan**

Treasurer Welch, on behalf of the Capital Improvement Committee, presented an updated, for FY2022, plan for anticipated capital expenditures over the foreseeable future. Despite increased annual cost expectations over time (\$8,900/yr), the committee recommends no increase to the Capital Reserve Fund budget line (\$446,634) for FY2022. The plan anticipates adding that \$8,900 to the budget line starting in FY2023.

**Motion: To adopt the FY2022 Capital Improvement Plan as presented.** Made by Ms. Dillon; second by Ms. Willis. Passed unanimously.

**Presentation of FY2020 Financial Audit**

Sullivan, Powers & Co., P.C. has completed the town's FY2020 financial audit. The audit reflected the town's solid financial condition, with a comfortable general fund balance and healthy rainy day and capital reserve funds. Two "material weakness" items were noted, dealing with how the town presented information to the auditors revolving around timing elements of grants with respect to invoices and deferred revenue. The company again recommended the town enact stronger internal control procedures and conduct a fraud risk assessment.

By consensus board members accepted the FY2020 audit.

**Discussion on FY2022 Budget Development**

The SB reviewed the draft budget which currently anticipates a 2.9% increase overall (1.67 cent increase in the municipal tax rate). Projected revenues are down just under 1% due to the normal decrease in the Calais emergency services facility bond interest payment and a decrease in expected interest income (drop from \$3k to \$1k). Anticipated expenses are up 2.2%, driven by the \$25,000 net increase in the EMFD lines, \$15,000 for ash tree management expenses and a 7.4% increase in the funding request articles. There remain some unknowns, such as the Washington County dues, the Recreation Board & Cemetery Committee requests, and the highway lines.

The Calais Selectboard has not yet approved the proposed EMFD FY2022 operating budget requests for fire and ambulance service. It appears this will be taken up at its December 28, 2020 board meeting. EM board members directed TA Johnson to monitor the situation and reach out to Calais if there is no resolution after that board's December 28<sup>th</sup> meeting.

Work on the budget will continue at all the meetings through January 2021, with a focus on the highway lines at the January 11, 2021 meeting.

**Discussion on 2021 Town Meeting Warning**

Other than a possible land conservation fund request, the secondary financial warning agenda items are now set. Board members focused the discussion on the two issues dominating the conversation for 2021 town meetings across the state: (1) how to hold town meeting during a pandemic; and, (2) whether to bring forward potentially controversial items this year given the confused procedural setting.

Currently the leading option for holding 2021 Town Meeting is to have the entire slate of warning items decided by Australian Ballot on March 2, 2021. At least one informational meeting held utilizing Zoom remote conferencing services would be held in advance of the vote. The state legislature is expected to take up legislation in early-to-mid January that would enable other options, such as moving town meeting to a date in late spring when less restrictive in-person gatherings might be possible. The board decided to hold off on any decision until at least its January 11, 2021 meeting when there should be greater clarity on what options will actually be available to the board.

The two non-financial agenda items still under consideration are the possibility of shifting from an elected to an appointed constable and a conceptual item designed to set the tax payment protocol, including penalties for late payment and possible grace periods, for future tax years. There is some interest in having a vote on the constable question this year if the town meeting structure is resolved in a way that will enable a fair and robust discussion on the concept in advance of the actual vote. The board will revisit this issue at its January 11, 2021 meeting. Board members expressed no interest in bringing forward the tax payment protocol item.

Work on the warning will continue at all the meetings through January 2021.

### **Consideration of Ash Tree Management Grant Agreement**

The town applied for a second round of funding from the VT Department of Forests, Parks & Recreation grant program designed to fuel proactive ash tree management to deal with the threat of the emerald ash borer. The town received \$15,000 for a pilot project around U-32 and the Gallison Hill Road area earlier this year. For the second round the town requested \$15,000 for a tree removal project along County Road. The town was awarded \$5,000 due to the limited funds available and the much larger pool of applicants this time around. At the request of the program administrator, due to the smaller-than-requested award, the Resilient Roads Committee tweaked the scope of work to encompass a smaller section of County Road.

**Motion: To accept the 2021 Ash Tree Management Grant and authorize TA Johnson to complete the necessary paperwork.** Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.

### **Consideration of Recreation Field Ice Rink Operations Policy**

At its November 16, 2020 meeting the board conditionally authorized the Recreation Board to move forward with the installation of an ice rink at the recreation field, with the proviso that the Rec Board develop and present to the Selectboard a set of procedures and rules to govern the rink's operations and use. The rink structure is now in place and the management document is ready for review.

After removing an unnecessary section and refining the language of some of the rules, the board split the document so that the focus is squarely on the procedures for managing the rink operations. The ice rink rules, which will be posted at the rink along with COVID-19 guidance, were shifted to the appendix. Once comfortable with the language and formatting, board members approved the policy document by consensus.

### **Discussion on Town Management in Light of Covid-19**

As they do at every meeting, board members discussed the state of the pandemic and whether there was a need to alter 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 January 11, 2021 meeting.

### **Discussion on January 7, 2021 Delinquent Tax Sale**

The tax sale for the Thomas property is scheduled for January 7, 2021. The town needs to decide whether it intends to be the default bidder for this property. If so, the board should formally authorize TA Johnson, as delinquent tax collector, to bid.

The unusual aspect with this sale is that the property in question is an unlanded 1987 Skyline Cameron mobile home located at 127 Sandy Pines Road in the Sandy Pines Mobile Home Park. When this issue was discussed the last time the Thomas property came up for tax sale in January 2018, the board authorized the town to bid despite the likelihood that the town would lose money if the home was not redeemed. The board felt it was important to send a clear message that the town wants to be fair to all its taxpayers by ending situations of chronic non-payment. In 2018 the delinquency was satisfied prior to the sale date.

Board members discussed the possible financial cost to the town if we end up with ownership. As it did in 2018, the board determined that the taxpayer fairness principle outweighed the potential cost.

**Motion: To authorize TA Johnson to make the minimum bid on the Thomas property at the January 7, 2021 tax sale if there are no other bidders.** Made by Mr. Jewett; second by Mr. Etnier. Passed unanimously.

### **Access Permits: 20-053, Curb Cut, Brown Subdivision Lot 2, Factory Street**

Laura Brown, long-time resident at 3205 VT Rte. 14 N, is subdividing her 16.15-acre parcel on the north side of North Montpelier Pond. The intent is to sell Lot 1 of 11.5 acres and existing house while retaining a 4.65-acre building lot along Factory Street.

Road Foreman Perry reviewed the site and recommends approval with the understanding that he be allowed to review the access installation plans prior to construction as there may be an opportunity for the town to work with the landowner to create a better drainage scheme for that part of Factory Street.

**Motion: To approve Access Permit 20-053 as presented and authorize Chair Gardner to sign the permit on behalf of the board.** Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

### **Warrants**

- **December 21, 2020 Regular Warrant for Approval**
  - Board members reviewed the warrant. Following a protocol developed at the board's April 13<sup>th</sup> meeting to deal with the difficulties inherent in individually signing a warrant during a remote meeting, board members decided to approve the warrant by motion and have Chair Gardner sign the warrant as certification of the board approval.
  - **Motion: To approve the December 21, 2020 expense warrant and authorize Chair Gardner to sign the warrant on behalf of the board.** Made by Ms. Willis; second by Ms. Dillon. Passed unanimously.

**Other Business**

**Town Administrator Report**

- Update on Highway Equipment:
  - The sidewalk tractor/snowblower apparatus has successfully handled sweeping of two small, dry snowfalls, and snowblowing of the 4” snow event last week and yesterday/today’s slush cleanup.
  - The town’s International 6-wheeler, utilized for paved road plowing and salting, is still undergoing tests after suffering a blown head gasket late last week. There is currently no set timeline for the truck’s return to service. Road Foreman Perry continues to look for alternatives in advance of the expected Christmas storm (anticipated icing issues).
- Update on AT&T Cell Tower Proposal:
  - AT&T has formally submitted into the Public Utility Commission record the agreement with the town for a minimum 120-day advance notice period from the November 12, 2020 initial filing of the advance notice for the proposed cell tower facility off of Jacobs Road.
  - The public information meeting hosted by the town has been rescheduled to Thursday, January 14, 2021 at 7:00 p.m.
  - The Public Utility Commission approved the 30-day advance notice extension requested by the town – rendered somewhat unnecessary by the subsequent agreement with AT&T.
- Meeting Schedule:
  - January 11, 2021      6:30 pm      Selectboard “special” regular meeting
  - January 14, 2021      7:00 pm      AT&T cell tower public information 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 2 new applications since the December 7<sup>th</sup> SB meeting. There have been 53 zoning permit applications in 2020.
- The next DRB meeting is scheduled for January 5, 2021. There is one warned hearing for a 2-lot subdivision of the Brown property located at 3205 VT Rte. 14 N.

**Motion: To adjourn.** Made by Ms. Dillon; second by Ms. Willis. Passed unanimously. Meeting adjourned at 9:52 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator