

Selectboard Memo
May 3, 2021 SB Meeting

Consideration of ANR Corrective Action Plan for EM Village Remediation Site

Matt Becker, DEC Waste Management Division Hazardous Site Manager

- This corrective action plan for the active remediation site at Dudley's Store over to the Lamb property; although we received the mailed notice on April 19th (as did other abutters), the CAP was actually "noticed" March 16th, so the 30-day notice period for comments had already run and the CAP was final when this was discussed at the April 19th board meeting
- We received the notice not as the municipal governing body but rather as an abutting landowner (the emergency services facility lot)
- Mr. Becker will be here to answer any questions board members may have

Consideration of VTrans Structures Grant Application for Center Road Culvert Replacement Project

- This is for the Center Road/Mallory Brook culvert relocation project that will leave the existing historic stone culvert in place; the intent was to apply for this next year in order not to jeopardize the grant applications benefitting the County Road project, but new information was recently received altering the dynamic – the town is shifting back to VTrans District 6 and away from D7, the district that has been working with us for the past 5 years to get this culvert project successfully developed; there is concern that the new D6 personnel will not be fully in tune with the tortured backstory to this project; our D7 project manager, Shauna Clifford, requested that we submit the application now so that the grant could be locked in place before D7 loses control of the grant program
- There is no Complete Streets concern with this project as it is on an unpaved road
- The shift back to D6 took effect on April 28th; D6, the central VT district headquartered in Berlin, was eliminated in 2015 and its towns parceled out to neighboring districts; we ended up in D7 out of St. Johnsbury; although we are back in D6, there will be a transition period of an unknown, at this point, length where we'll still be serviced/managed by D7 to allow D6 time to recreate itself

Consideration of Letter of Support for CVSWMD Application to Northern Borders Regional Commission Grant Program

- The Central Vermont Solid Waste Management District is submitting a proposal for additional funding for construction of a permanent household hazardous waste facility in our region; CVSWMD already has received \$500,000 from the Department of Environmental Conservation's 2019 Household Hazardous Waste (HHW) Facility Grants program; this additional funding would be from the Northern Borders Regional Commission's State Economic & Infrastructure Development Investment Program, the same program Cross VT Trail Association applied to in 2019 that we supported; CVSWMD has requested a letter of support for its application; see draft letter
- If comfortable, board should authorize Chair Gardner to sign letter

Consideration of Vermont Urban & Community Forestry Program 2021 Arbor Day Tree Planting Grant Agreement

- The town applied for funding from the VT Urban & Community Forestry Program 2021 Arbor Day Tree Planting grant program to plant some trees in EM Center; the town was awarded \$1,100 (\$100 more than requested/expected due to fewer than anticipated

awardees); the Resilient Road Committee's intent is to buy/plant 7 maples (2 more than originally planned and required under the grant's scope of work)

- If the board is comfortable with the grant as awarded, it should authorize TA Johnson to complete the acceptance paperwork

Discussion on Revisions to Zoning Permit Fee Schedule

- The current fee schedule was developed in 2008/2009 to line up with the adoption of the completely revised zoning regulations; the schedule was tweaked in 2011 to the current version to fit with our shift to a DRB model; the original intent was to bring a proposal for schedule alterations forward when the Planning Commission completed its 2018 zoning update project; with that project now downsized and no targeted completion date, it may be time to review the fee schedule as a standalone effort
- This is a ZA-driven effort to clean up a few areas that are inconsistent or confusing:
 - Make it clear that new agricultural curb cuts need a permit and will be charged a fee
 - Add a PRD/PUD line to give structure to the fees charged for this category
 - Split enclosed home additions, which can be sizeable projects requiring significant work on the ZA's part, from simple porch/deck permitting
 - Add a clear fee for detached accessory dwellings and a per unit charge for new residential structures
 - Remove accessory units (which is a confusing term) from the outbuilding options
 - Add "alterations" to the commercial section as a consistency measure
 - Raise base fee for permits to \$50 and other small increases to better match the time involved and the foregone recording fees (we absorb the recording fees into our permit fees, except for mylars)
 - There continues to be no "after-the-fact-permitting" penalty

Discussion on Upcoming Selectboard Meeting Schedule

- This is the normal rearranging to avoid direct holiday conflicts (Labor Day and Independence Day this year) as well as, perhaps, skipping a meeting or two during slow summer periods; a special concern this year is the County Road project's bid process, which would work best if the board shifted its second May meeting to May 24th
- Potential schedule:
 - May 24 special meeting, in place of May 17
 - June 7 regular meeting
 - June 21 regular meeting
 - July 12 special meeting, in place of July 5 & 19
 - August 2 regular meeting
 - August 16 regular meeting
 - August 30 special meeting, in place of September 6
 - September 13 special meeting, in place of September 20
 - October 4 regular meeting – back to normal schedule
- There is also the option of having a single August 23 meeting in place of the August 16 & 30 dates (this option was chosen last year)
- There will likely be an August 12 (tentative date) EMFD budget/service status meeting; conceivably there will also be special meetings for the EMFD service agreement issues

Discussion on Town Management in Light of COVID-19

- Standard statement: There have been no changes since the board's last meeting; the town office remains closed to the public, with researchers/attorneys allowed to access vault materials under the terms originally set up before all in-person actions were banned – one at

- a time and only by appointment from Town Clerk Laquerre; mandated protocols (masks; health survey; etc.) are in effect for such appointments
- Municipal operations have moved to Universal Guidance (stay home if sick; wear mask; six-foot spacing & uncrowded places; practice good hygiene; think before traveling); baseline indoor requirements include masks and physical distancing with a limit of 1 unvaccinated person per 100 square feet; the Vermont Forward Plan does not alter the ability of towns to chart a more protective course; as of April 30th the outdoor mask mandate has been relaxed so that masks are only required for prolonged close contact in line with the two out of three concept – outdoors, socially distanced, masks
- As of July 4, 2021, there are no capacity restrictions and Universal Guidance elements become encouraged rather than mandated

Discussion on Calais Notice of Non-Renewal of the EMFD Service Agreement

- Calais submitted notice of non-renewal on March 30, 2021, seeking to negotiate a new emergency services agreement prior to the expiration of the current agreement on September 1, 2021; no specific reason for the non-renewal has been provided; the Calais board is meeting May 10th to continue internal discussions on the topic; no timeline has been provided for communications to East Montpelier or EMFD
- If the board desires executive session: 1 V.S.A. §313(a)(1)(A) contracts; requires specific finding that premature general public knowledge would clearly place the public body at a substantial disadvantage

Warrants

- **May 3, 2021 Regular Warrant for Approval**
 - Just like other recent warrants, this evening's regular warrant needs to be approved as normal, which generally is shown by a quorum of board member signatures; given our current limitations, the board should approve the warrant and authorize Chair Gardner to sign to that effect

Town Administrator Report

- Update on CVRPC Town Representative:
 - As expected, Julie Potter has resigned effective at the end of May
- Update on County Road Project:
 - The request for bids will be released by Wednesday with a deadline of May 24th; the bid formatting will provide figures for all three project elements (the paving, the Morse Farm culvert replacement and the “north of Barnes” culvert replacement) and a composite bid for those contractors willing to take on the entire project; project target window is mid-July to end of October
 - We're still working on procuring easements for the two culvert projects; formal easements are necessary to get the relevant wetlands and stream alteration permits
- Green Up Day a Success:
 - 3,400 pounds of trash and 131 tires dropped off at Casella's today, more than the normal levels; as has happened for the past couple of years, it appears Casella has generously absorbed the entire cost so we won't need to submit a CVSWMD reimbursement request
- Update on Installment 2 Property Tax Payment Status:
 - As of May 3rd 27.6% of billed property tax remains to be collected for Tax Year 2020/21, including \$86,457.41 in late principal from Installment 1; last year at this time we were sitting at 35.7% remaining, including \$76,852.87 in late principal

- Alan Goldman called today to say that the anticipated closing he had told us about is going through and he expects to make a payment by the end of the week; he again thanked the board for its patience
- Meeting Schedule:
 - May 24, 2021 6:30 pm Tentative Selectboard “special” regular meeting
 - June 7, 2021 6:30 pm Selectboard regular meeting
 - June 21, 2021 6:30 pm Selectboard regular meeting

Zoning Administrator Report

- 2 new applications since the April 19th SB meeting; 27 total so far in 2021
- The next DRB meeting is scheduled for May 4, 2021; two warned hearings, the first for a 2-lot subdivision of the McCoy/Gibson property at 964 Bliss Road and the second for setback waivers necessary to allow a garage addition at 61 Pauls Square