

Minutes of the East Montpelier Selectboard

April 5, 2021 Selectboard Meeting

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

SB Attendance: Chair Seth Gardner, Judith Dillon, Jon Jewett, Amy Willis (intermittently absent between 6:34 p.m. and 6:43 p.m.) and Carl Etnier (joined at 7:03 p.m.); Town Administrator Bruce Johnson

Public Attendance: EM Road Foreman Guthrie Perry; EM Tree Warden Paul Cate; Resilient Roads Committee Chair Jeff Cueto; Doni Cain; Toby Talbot

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

Additions to Agenda: None

Minutes:

Chair Gardner presented the draft minutes of the March 15, 2021 board meeting.

Motion: To approve the March 15, 2021 minutes as presented. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Public Comment: None

Consideration of Bids for Contractor to Handle County Road Ash Tree Management Project

The County Road ash tree management project is operating under a \$5,000 federal funds grant from VT Forests, Parks & Recreation, so a formal contractor bid process is required. The town put the RFP out in mid-March, with a bid deadline/opening on April 2nd and a targeted June 4th project completion date. The town received two bids for the project, both of which include outside (non-town road crew) traffic control:

- Foxfire Tree Care LLC: \$17,900
- VT Arborists: \$29,250

Mr. Cueto explained the bid process and expressed the recommendation from Resilient Roads Committee members that Foxfire Tree Care LLC, owned and operated by East Montpelier resident Nate Ebert, be awarded the bid.

Road Foreman Perry described the struggles any contractor would have along certain stretches of County Road due to the somewhat heavy traffic load combined with both sight lines. He recommended that the town arrange targeted road closures to assist the contractor when warranted. Board members were comfortable with the concept.

Motion: To award the County Road ash tree management project contract to Foxfire Tree Care LLC and authorize TA Johnson to complete the necessary contract documents. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Discussion on Size Decrease of Resilient Roads Committee

The committee currently has nine listed members, with only five actively participating, resulting in quorum challenges for meetings. The Selectboard has never established a set number of members for the committee and all appointments are open-ended. The committee would like to shrink to five members for the time being (Jeff Cueto, Paul Cate, Steve Justis, Mark Lane and Guthrie Perry) with the possibility of expanding again when volunteer availability and committee need align. Mr. Cueto explained that he had reached out to all members earlier in the year regarding the possibility of removing inactive members and received no negative feedback.

Motion: To remove Carl Etnier, Jean Vissering, Jennifer Boyer and Jack Pauly from the Resilient Roads Committee with thanks for all their past contributions. Made by Ms. Willis; second by Mr. Jewett. Passed unanimously.

Mr. Etnier joined the meeting.

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.

On April 8, 2021 EMFD will be providing a service and budget update. Normally the board does not warn the EMFD updates as board meetings. Given the circumstances and the likelihood of discussion on substantive matters outside of the normal dissemination of information from EMFD, the board decided to formally warn the April 8th event as a board meeting.

Consideration of Local Emergency Management Plan (LEMP)

Towns are required to adopt updated local emergency management plans annually by May 1st. The 2021 East Montpelier LEMP has the same basic framework and information as the 2020 plan, updated for changes in personnel and reporting format alterations. Mr. Etnier recommended a shift to listing full 10-digit phone numbers to get ahead of the mandated switch to full number dialing in October 2021. Board members agreed to the shift.

Motion: To adopt the 2021 East Montpelier Local Emergency Management Plan. Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Consideration of NEMRC Annual Disaster Recovery Contract

This is the annual renewal of the main off-site back-up program for our NEMRC modules. The cost last year was \$734.27; this year is \$756.30, the standard NEMRC 3% increase.

Motion: To accept the 2021 NEMRC annual disaster recovery contract. Made by Ms. Willis; second by Mr. Jewett. Passed unanimously.

Discussion on rbTechnologies Solar Facility Certificate of Public Good Application

rbTechnologies (1970 VT Rte. 14 S) has filed the formal PUC application for a proposed 2-array, ground mounted, net-metered 44.2 kW solar project on the field north of its parking lot, across Carleton Blvd from NorthCountry FCU. The Selectboard and Planning Commission have standing to challenge this project. The PC will be considering formal intervention at its April 15th meeting to push for condition imposition to ensure removal at end of service life and to require some form of visual impact screening.

Board members decided to revisit this issue at its April 19th meeting with an eye toward considering formal support of whatever action the PC decides to pursue, if any.

Consideration of Liquor License Applications

➤ Fox Market LLC: First Class, Second Class, & Outside Consumption

- Doni Cain is proposing to turn the old Video Box Office location, 3070 US Rte. 2, into a combination market and restaurant, with beer & wine sales from both. The First Class and Outside Consumption permits are for the restaurant use to serve beer & wine. The Second Class permit is for the sale of beer and wine from the market for off-premises consumption. The business use of the parcel is the subject of a hearing before the Development Review Board on April 6, 2021.
- **Motion: To approve the requested First Class, Second Class and Outside Consumption permits; to authorize Chair Gardner to sign the First Class and Second Class license application acknowledging approval by all board members; and, to authorize Town Clerk Rosie Laquerre to sign the Outside Consumption permit application signifying approval of the permit.** Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

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. Although the board once again decided not to alter the current protocol, it was noted that, despite a stubbornly high caseload, the state is moving forward with reopening plans and the board will need to consider its own reopening options in the near future. The board will revisit the issue at its April 19, 2021 meeting.

Appointments

➤ Revolving Loan Fund Advisor: Rebecca Schrader

- **Motion: To appoint Rebecca Schrader as the Revolving Loan Fund advisor for a term ending March 2022.** Made by Ms. Willis; second by Ms. Dillon. Passed unanimously.

Warrants

➤ March 24, 2021 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.

➤ **April 5, 2021 Regular Warrant for Approval**

- Board members reviewed the warrant. Following a protocol developed at the board's April 13, 2020 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 April 5, 2021 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

- 2021 American Rescue Plan Act Funding for Local Governments:
 - Details remain sketchy but it now appears the town will receive around \$750,000 in funding. The program guidelines are still being developed. The expectation is that the funds will be sent in two equal parts, the first \$375,000 arriving in June, the second a year later. Funds need to be utilized by the end of 2024.
- Meeting Schedule:
 - April 8, 2021 7:00 pm EMFD budget/service update
 - April 19, 2021 6:30 pm Selectboard regular meeting
 - May 3, 2021 6:30 pm Selectboard regular meeting

Zoning Administrator Report

- There were 4 new zoning permit applications since the March 15th SB meeting. There have been 16 applications so far in 2021.
- The next DRB meeting is scheduled for April 6, 2021. There is one warned hearing (the Doni Cain proposal for 3070 US Rte. 2 discussed above) and two sketch/conceptual reviews, one for a 2-lot subdivision of the 964 Bliss Road parcel and the other for an 8-home planned residential development of the Old LaPerle Farm parcel the town sold to Pat Malone in 2020. On April 5th the Malone Properties item was removed from the agenda to allow the applicant more time to refine the proposal.

Motion: To adjourn. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.
Meeting adjourned at 7:54 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: April 19, 2021 East Montpelier Selectboard meeting