

Minutes of the East Montpelier Selectboard

April 19, 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 and Carl Etnier; Town Administrator Bruce Johnson

Public Attendance: EM Town Treasurer Don Welch; EM Auditor Ed Deegan; Edie Miller

Chair Gardner called the meeting to order at 6:30 p.m.

Additions to Agenda: None

Minutes:

Chair Gardner presented the draft minutes of the April 5, 2021 board meeting.

Motion: To approve the April 5, 2021 minutes as presented. Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Chair Gardner presented the draft minutes of the April 8, 2021 special board meeting.

Motion: To approve the April 8, 2021 minutes as presented. Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

Public Comment: None

Town Treasurer Monthly Financial Report

Treasurer Welch presented the first monthly report produced in accordance with the new Accounting, Auditing and Financial Reporting Policy. The town remains on solid financial footing with FY2021 revenues and expenditures in line with expectations.

Discussion on Capital Improvement Committee Structure

Gene Troia, a founding member and only chair of the committee originally formed in 2013, has decided not to continue on the CIC. The 5-person committee is comprised of the town treasurer, a Planning Commission member, a Selectboard member and two at-large members with an at-large slot now vacant. The balance between PC, SB and at-large slots has fluctuated over the years, with each having the 2-member position at times. PC member Scott Hess has volunteered to replace Mr. Troia. Board members saw no issue is shifting the committee balance to include two PC members.

Motion: To appoint Scott Hess to the Capital Improvement Committee for a term ending March 2022. Made by Mr. Etnier; second by Mr. Jewett. Passed 4-0. Ms. Willis, spouse of Mr. Hess, recused herself.

Delinquent Tax Collector Report

The town continues to run on the high side both for current delinquencies (\$132,500) and current late (\$95,200) property taxes. The total of \$227,700 compares to a running 5-year average of approximately \$135,000. Given that 64% of the current total is from one business owner of five properties who expects to pay off the arrearage by mid-May, there appears, at this point, to be no significant pandemic effect on collections.

Discussion on Tax Collection Policy

The current (adopted May 20, 2019) policy is relatively general, providing the board and delinquent tax collector flexibility in managing delinquencies. A few taxpayers have become habitual late payers, only paying under threat of tax sale. The board discussed a variety of methods to encourage better payment habits, including financial education outreach, shortening the terms of payment agreements, and limiting the length of delinquency before moving forward with tax sales. In general, however, the level of delinquency stays reasonably consistent year-to-year, so there is no pressing need for a policy amendment or shift in collection methodology.

With the state of emergency still in place and economic effects of the pandemic remaining a major concern, the board will leave the current delinquent tax policy in effect for another year.

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 has formally filed notice of intervention and submitted a comment letter pushing for condition imposition dealing with decommissioning and long-term maintenance of screening. The board has until April 29, 2021 to intervene or submit comments. Board members reviewed the PC's submission, found it to be a reasonable response on the part of the town and decided to forego active participation.

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

The East Montpelier Volunteer Fire Department, an independent entity, provides emergency services to the towns of Calais and East Montpelier in accordance with an interlocal agreement between the towns and EMFD signed on September 2, 2013. 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, although the Calais board is expected to provide its reasoning in the near future.

The board decided to enter executive session to discuss matters related to contractual arrangements for the provision of emergency services to the town due to the sensitive nature of the topic.

Motion: To find that premature general public knowledge of the board's discussion would clearly place the Selectboard at a substantial disadvantage. Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

Motion: To enter executive session under 1 V.S.A. §313(a)(1)(A) for discussion on contractual matters related to the provision of emergency services to the town. Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.

Executive session entered at 7:34 p.m. and exited at 7:50 p.m. No action taken.

WEC Annual Meeting Voting Authorization

The town is a corporate member of Washington Electric Cooperative. In order to submit a ballot for the May 6, 2021 WEC annual meeting, the board needs to authorize a representative to formally cast the ballot. There is no competition for the three slots on the WEC board up for election and there are no special items.

Motion: To vote for the three listed WEC board candidates and authorize TA Johnson to cast the town's ballot for the 2021 WEC Annual Meeting. Made by Mr. Etnier; second by Ms. Willis. 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. Governor Scott has extended the state of emergency through May 15, 2021 and instituted the Vermont Forward Plan. Under that plan low contact governmental operations, like normal town clerk office activities, fall under Group A and thus as of April 9, 2021 are mandated to follow Universal Guidance. Activities like board meetings fall under Group B, moving to Universal Guidance as of May 1, 2021. Universal Guidance requirements include masks and physical distancing with a limit, starting on May 1st, of 1 unvaccinated person per 100 square feet of indoor meeting space. As of July 4, 2021, there are no capacity restrictions and Universal Guidance elements become encouraged rather than mandated. The Vermont Forward Plan does not alter the ability of towns to chart a more protective course.

Board members discussed the advisability and mechanics of shifting either to fully in-person meetings or to a hybrid remote & in-person meeting style. The combination of the inherent limitations of the municipal office meeting room coupled with significant concerns regarding the safety of indoor meetings in general, the process for and propriety of vaccination status determinations, and how to manage public attendance led the board to stick with the status quo for the time being. The board will revisit the issue at its May 3, 2021 meeting.

Appointments

- **CVRPC Transportation Advisory Committee: Frank Pratt**
 - **Motion: To appoint Frank Pratt as the town's representative to the CVRPC TAC for a term ending March 2022.** Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

Access Permits

- **Access Application #21-025; 964 Bliss Road**
 - This residential curb cut request is in support of a 2-lot subdivision that will be the subject of a May 4th DRB hearing. A non-permitted all-purpose curb cut and drive

already exists at the proposed location. The drive was recently upgraded to form a “T” at the access point. A drive culvert is in place just outside of the road right-of-way.

- Road Foreman Perry recommends approval without conditions.
- **Motion: To approve Access Application #21-025 and authorize Chair Gardner to sign the permit on behalf of the board.** Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.

Warrants

➤ **April 19, 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 19, 2021 expense warrant and authorize Chair Gardner to sign the warrant on behalf of the board.** Made by Ms. Dillon; second by Mr. Jewett. Passed unanimously.

Other Business

Town Administrator Report

- ANR Notice Regarding Planned Action on EM Village Remediation Site:
 - On April 19, 2021 the town received a notice of draft corrective action plan for the active remediation site running from Dudley’s Store over to the Lamb property. If the town wants to respond to the plan, comments are due within 30 days.
 - The board decided to place the issue on the May 3rd board agenda to give members and others in the community an opportunity to review the plan.
- Meeting Schedule:

○ May 3, 2021	6:30 pm	Selectboard regular meeting
○ May 17, 2021	6:30 pm	Selectboard regular meeting
○ June 7, 2021	6:30 pm	Selectboard regular meeting

Zoning Administrator Report

- There were 9 new zoning permit applications since the April 5th SB meeting. There have been 25 applications so far in 2021.
- The next DRB meeting is scheduled for May 4, 2021. There are 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.

Motion: To adjourn. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.
Meeting adjourned at 8:20 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: May 3, 2021 East Montpelier Selectboard meeting