

**Selectboard Memo
June 21, 2021 SB Meeting**

Amy Willis is on vacation and is not expected to attend the meeting

Town Clerk Report: Rosie Laquerre, Town Clerk

- **Annual Reporting on Records Management and Records Retention**

Consideration of Warrant to Impound Unlicensed Dogs

- Standard statutory warrant with the gentler language as developed last year on ACO Carl Etnier's recommendation; if comfortable, the board should approve the warrant and authorize Chair Gardner to sign

Town Treasurer Report: Don Welch, Town Treasurer

- **Monthly Financial Report & Near End of Fiscal Year Budget Status Report**
 - Treasurer Welch will present both the standard monthly report for the period ending May 31st plus a second report showing the current, near fiscal year end, budget status
- **End of Fiscal Year Fund Balance Policy Determinations**
 - **Assign Current FY2021 Budget Surplus: Leave Payoff Responsibilities**
 - This is an audit "requirement" – essentially a fund to pay for allowable leave reimbursements at the time of employee termination; the fund sits at \$45,000 now; adding \$10,000 would be prudent this year
 - **Assign Current FY2021 Budget Surplus: Treasurer Transition**
 - There is no funding for a potential treasurer transition period in the FY2022 budget; assigning \$25,000 should cover all contingencies
 - **Assign Current FY2021 Budget Surplus: Capital Reserve Fund**
 - For the past few years the board has been assigning portions of the general fund surplus to the capital reserve fund; assigning \$50,000 is reasonable
 - **Use of Current Unassigned Fund Balance: FY2022 Budget**
 - The FY2022 budget contains a fund balance allocation of \$100,000; formally setting this usage allows us to prepare for the upcoming tax rate determinations and enables the amount to be carried as a set line item in our financial modules

Consideration of FY2021 Audit Sullivan Powers Agreement

- In December 2019 the town signed an agreement with Sullivan, Powers & Co., P.C. to do the town's financial audits for FY2020, 2021 & 2022; the company likes to "certify" the individual year components, when they come up, for multi-year agreements and so has presented an agreement for the town's FY2021 financial audit; the agreement's boilerplate language has changed slightly, due to accounting standard shifts, since the town signed off on the 3-year agreement in 2019; the actual terms remain the same
- If comfortable, the board should authorize Chair Gardner to sign the agreement

Discussion on American Rescue Plan Act Funding Process

- The town is in line for \$133,529 in this first round with the same amount next year; there is no final determination as yet whether any or all of the county funds will be coming to municipalities
- The deadline to request the funding is phrased as 30 days after the state requests funding; VLCT believes the deadline is likely to be on or around July 23rd
- The board must agree to the Treasury Department's terms and conditions and to comply with Title VI of the Civil Rights Act of 1964 (an element that appears to be covered by the terms & conditions document at clause 9(c).(i.))
- The board should designate TA Johnson as the authorized representative to handle the documentation necessary to secure the funding

Consideration of Contracts for Shift of Employee Life & Disability Insurance to Madison National Life

- As part of the move of the VLCT-sponsored employee life & disability insurance coverages from Lincoln Financial to Madison National Life taking effect on July 1, 2021, MNL has crafted contracts (one each for life, long-term disability and short-term disability) that each municipality needs to sign; the contracts are boilerplate with the individual specifics for each town listed on the first page
- If the board is comfortable, it should authorize TA Johnson to complete the agreements

Appointments: Annual Charter-based Appointments

- The sheet detailing the annual fiscal year appointments is currently set up with the existing appointees, all of whom desire reappointment
 - Town Clerk Rosie Laquerre & Assistant Town Clerk Denise Sparrow
 - Along with the appointments, the board should authorize Chair Gardner to sign the associated certifications for these positions
 - Town Treasurer Don Welch & Assistant Town Treasurer Denise Sparrow
 - Zoning Administrator Bruce Johnson & Acting Zoning Administrator Gene Troia
 - Collector of Delinquent Taxes Bruce Johnson & Collector of Current Taxes Don Welch
 - Road Commissioners Seth Gardner & Bruce Johnson

Consideration of Employee Pay Rates for FY2022

[Potential Executive Session]

- See proposed pay chart; if executive session is desired, it should be under 1 V.S.A. § 313(a)(3)

Discussion on Emergency Services Agreement

[Potential Executive Session]

- 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 at midnight on September 1, 2021; a letter dated May 25, 2021 and received by email May 30, 2021 provided reasoning for the notice and proposed agreement changes
- If the board desires executive session: 1 V.S.A. §313(a)(1)(A) contracts; requires a specific finding that premature general public knowledge would clearly place the public body at a substantial disadvantage; if such a finding is made, a second motion is then necessary to formally enter executive session
- Calais has presented a draft agreement that includes changes to current terms:
 - Article 1 has two changes:
 - Notice of non-renewal needs to be submitted no later than 3 months in advance of the agreement's renewal date; current agreement requires 5 months advance notice
 - The agreement term shifts from successive 1-year rollovers to a maximum length of three years
 - Article 6 is completely rewritten:
 - The existing methodology mandates different protocols for EMFD annual operating budgets, which are supposed to be presented as part of the town's general fund budget, and EMFD capital expenses, which are handled in a manner at the discretion of the individual town's Selectboard
 - The new language eliminates the distinction and leaves presentation of both to the discretion of the individual town's Selectboard
- At its June 7th meeting, the board decided to begin review of the Calais proposal, now codified in a draft agreement, at this meeting with the intent of responding to the proposal and then setting up joint sessions with Calais to work on the agreement before reaching out to EMFD

Discussion on Town Management in Light of COVID-19

- As municipalities and other organizations continue to make the move toward resuming in-person meetings, the board may want to once again consider revising its municipal operations order; the town office building is now functionally ready to reopen, with the meeting room set up for use and the front vestibule & lobby back in shape for public accessibility; continuing the limited access protocol for public flow through the building remains of value to protect the safety of the public and town employees; the board may, however, want to free up the building for in-person meeting use
- Proposed revised order:

March 16, 2020 East Montpelier Selectboard Order Regarding Municipal Operations During Covid-19 Pandemic

As Amended June 7, 2021, and Revised June 15, 2021 and Further Revised June 21, 2021

By motion made by _____, seconded by _____, and passed unanimously, in response to the Covid-19 pandemic, for the health and safety of town residents and the community at large the East Montpelier Selectboard orders the following:

As of June 16, 2021 June 22, 2021, the March 16, 2020 East Montpelier Selectboard order and subsequent amendments are replaced by the following order designed to guide municipal operations moving forward:

- The town office building will be open for limited access to the public until further notice; unless all persons present in a room are known to be fully vaccinated, mask use and social distancing are required.
- The town office staff will continue to maintain the normal office schedule, will provide services to the public by email, telephone and, on a limited access basis, in person, and will allow limited, one-at-a-time access to the land records.
- The front door of the town office building will be unlocked during normal business hours; ~~the public may enter the vestibule and request service from the temporary front counter;~~ movement within the town office remains restricted; the back door will remain locked.
- The road crew will continue to provide necessary services while limiting contact with the public.
- The town office building **is open for** ~~will remain off limits for~~ fully in-person town committee/commission/board meetings and public events; town committee/commission/board meetings and public events may be held at other facilities, subject to the rules of those facilities, and may be held outdoors without limitation.
- Remote meetings in compliance with the Vermont Open Meeting Law may be hosted at the town office building; further, the town office building can serve as the required physical meeting location for members of the public to attend and participate in a remote meeting.

Access Permits

- **21-041; Work in ROW Request for 1320 Horn of the Moon Road**
 - This application is to direct bore under the road from the utility pole on the south side of the road to the north side and then on to a new meter location by the house for the installation of conduit with power line; this is in support of a new solar array being installed on the Anderson property at 1320 Horn of the Moon Road
 - Road Foreman Perry recommends approval; the conduit will be more than 3 feet below the surface of the road
 - If comfortable, the board should approve the permit and authorize Chair Gardner to sign the permit on behalf of the board
- **21-038 & 21-039; Cummings Farm LLC Curb Cuts for Proposed Subdivision**
 - These applications are for new curb cuts, with 21-038 for Lot 1 on Cummings Road and 21-039 for Lot 2 on County Road; Lot 1 is a building lot while Lot 2 will likely remain undeveloped; any Lot 2 approval will need to come back to the board if development is intended
 - Road Foreman Perry recommends approval; the existing curb cuts on this parcel, approved in 2019, were never developed and the permits will be voided by the approval of 21-038
 - If comfortable, the board should approve the permits and authorize Chair Gardner to sign the permits on behalf of the board

Warrants

- **June 21, 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

- Notice of Central VT Cycling Tour Event on June 27, 2021:
 - The Cross VT Trail Association has provided notice detailing its annual fundraising event operated out of Morse Farm and utilizing a number of local roads
- Delinquent Tax Update:
 - The current unpaid property tax stands at \$137,138 compared to \$220,011 in 2020, \$160,980 in 2019, \$173,200 in 2018, \$172,365 in 2017 and \$204,839 in 2016
- Meeting Schedule:
 - July 12, 2021 6:30 pm Selectboard "special" regular meeting
 - August 2, 2021 6:30 pm Selectboard regular meeting
 - August 12, 2021 7:00 pm Tentative – EMFD update at ESF

Zoning Administrator Report

- 5 new applications since the June 7th SB meeting; 41 total so far in 2021
- The next DRB meeting is scheduled for July 6, 2021; two warned hearings, including a 2-lot subdivision of the Cummings Farm LLC parcel between Cummings & County Roads and a building & business expansion at 1528 US Rte. 2 (Demers Auto & Green Mountain Day Spa)