

Minutes of the East Montpelier Selectboard

May 24, 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 and Amy Willis; Town Administrator Bruce Johnson

Public Attendance: Treasurer Don Welch; Road Foreman Guthrie Perry; Planning Commission Chair Zach Sullivan; Doug Newton, Newton Technical Services

Chair Gardner called the meeting to order at 6:33 p.m.

Additions to Agenda: None

Minutes:

Chair Gardner presented the draft minutes of the May 3, 2021 board meeting.

Motion: To approve the May 3, 2021 minutes as presented. Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.

Public Comment: None

Consideration of Engagement Letter for Special Audit of FY2020 VMERS Contributions by Sullivan, Powers & Co., P.C.

The state has contracted with two firms to do an audit of the FY2020 VMERS, the state-managed municipal employee retirement system, contributions. East Montpelier was selected to be included in the audit. The town will be working with Sullivan, Powers & Co., who are coincidentally our normal external auditors. This will be essentially an audit of documentation to verify that the town's certification, which is done annually and was done last month for the FY2020 cycle, of the town's contributions is accurate. The town is responsible for providing the requested documentation of our contributions. There is no cost to the town for this audit.

Motion: To accept the terms of the Sullivan, Powers & Co., P.C. engagement letter and authorize Chair Gardner to sign on behalf of the board. Made by Mr. Jewett; second by Ms. Dillion. Passed unanimously.

Town Treasurer Monthly Financial Report

Treasurer Welch presented the monthly report for the period ending April 30, 2021. The town remains on solid financial footing with FY2021 revenues and expenditures in line with expectations.

Discussion on Property Tax Collection**➤ Update on Tax Collection for Tax Year 2020-21**

- May 17, 2021 was the deadline for Tax Year 2020-21 tax payments. The delinquent tax warrant shows \$182,087.79 in unpaid 2020-21 taxes, compared to \$259,068 last year, \$183,043 in 2019 and \$147,313 in 2018.
- Total due for all years of delinquency and including fees & interest as of May 17th was \$223,239.17, compared to \$294,439 last year (which did not include Tax Year 2019-20 fees & interest due to the delayed imposition under the SB's pandemic protocol), \$243,280 in 2019 and \$229,590 in 2018.
- The current tax delinquency after accounting for payments made since May 17th stands at \$188,000.19.

➤ Delinquent Tax Collector Report

- As of May 17th there were 10 properties still owing taxes for Tax Year 2019-20, including one (Estate of Reed) with taxes owed for Tax Years 2017-18 and 2018-19. Five of the properties are struggling with probate issues (Estate of Hawkins; Reed; and three in the Estate of Rogers). One is for a miniscule amount (Witzenberger property on Maplewood, which has only a small amount of land and no structures in East Montpelier). One is in an informal agreement (Hedding). Two (Campbell and Corliss) owe less than the entire amount for Tax Year 2019-20 and are making intermittent payments. The final one is the Holt property, which is two full years behind.
- Total current delinquency for past years (covering Tax Years 2017-18, 2018-19 and 2019-20 in this situation) is \$23,058, compared to \$34,371 last year, \$39,570 in 2019, and \$66,985 in 2018.
- The board will review the delinquent tax collection status in early August to determine if any properties will be taken to tax sale.

Discussion on Town Employee Northeast Delta Dental Plan**➤ Northeast Delta Dental Plan Renewal**

- The dental plan, purchased through VLCT, is run on a fiscal year basis, so the new plan starts July 1, 2021. No changes in terms are proposed this year. The contract auto-renews unless board decides to make alterations. Northeast Delta Dental is offering a two-year rate lock that drops the monthly town contribution to \$35.98/month/employee, down from \$37.19/employee for the past two years.
- Board members agreed to allow the plan to auto-renew without changes.

➤ Life & Disability Plan Shift to New Vendor

- VLCT has changed its life & disability insurance vendor from Lincoln Financial to a partnership with National Insurance Services and Madison National Life Insurance Company. The town's rate schedule will drop 10% from the current cost sheet and hold constant for the next four years. Our annual costs will drop for FY2022 and then rise slowly due to wage increases. The current total cost for the seven eligible employees is \$294.94/month. The projected cost for FY2022 is approximately \$270.

Consideration of Bids for County Road Project

The contractor bids for the planned County Road project to reclaim/pave the southern 3.83 miles of the road and replace two major culverts were due May 24th at 2:00 p.m. Six bids were received, two for each element of the project:

- Paving:
 - Pike Industries \$793,724.50
 - FW Whitcomb \$828,167.30
- Morse Farm Culvert:
 - Blue Mountain Trucking \$120,000.00
 - Pike Industries \$147,857.25
- “North of Barnes” Culvert:
 - Blue Mountain Trucking \$138,888.00
 - Pike Industries \$170,065.00

Pike Industries and FW Whitcomb have both worked for the town on numerous paving projects, with Pike handling the northern County Road paving done in 2017. Doug Newton, the town’s consulting engineer on the project, and Road Foreman Perry both expressed support for the bids from Blue Mountain Trucking, a firm the town hasn’t worked with previously. Calais used Blue Mountain for a culvert replacement last summer and highly recommends the firm. Blue Mountain is currently replacing a series of culvert on VT Rte. 113 in advance of a Pike Industries paving job.

Motion: To award the County Road paving project contract to Pike Industries and authorize TA Johnson to complete the necessary contract documents. Made by Ms. Willis; second by Ms. Dillon. Passed unanimously.

Motion: To award the County Road Morse Farm culvert replacement project contract to Blue Mountain Trucking and authorize TA Johnson to complete the necessary contract documents. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Motion: To award the County Road “North of Barnes” culvert replacement project contract to Blue Mountain Trucking and authorize TA Johnson to complete the necessary contract documents. Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.

Discussion shifted to the inclusion of a performance and payment bond element in the bid documents. The concept was that if one firm ended up with the entire project, the bonds would protect the town as there would likely be a number of subcontractors involved. Since the three individual projects were contracted separately, the need for the bonds is significantly diminished. The town has never required bonds for normal culvert and paving projects as those involve one main contractor and payment is done after the project is completed and accepted by the town. There is a likelihood that the cost of the culvert projects would drop by a few thousand dollars by removing the bond requirement.

Motion: To remove the contractor performance and payment bond requirement from the County Road paving and culvert replacement projects. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Discussion on Act 250 Permit for Morse Farm Stormwater/Erosion Control Project

This is the Act 250 draft permit for a stormwater infrastructure project around the Morse Farm Maple Sugarworks lower driveway area at 1168 County Road. The project is not a town project, but the town was mistakenly listed as the lead applicant in the notice and draft permit. That aspect has been corrected, with the Morse Trust listed as applicant/owner. The board has the opportunity to provide comments on the draft permit by May 26, 2021.

Mr. Perry explained that the project is designed to improve the flow of water from the store area down to the pasture south of the store around Barnes Brook. The water will be captured in a catch basin, directed to an improved drainage ditch along County Road between the upper and lower store drives and then funneled down to a constructed gravel wetland. County Road is not a major source of this water as the road is banked toward the west side along the corner above the store, which is on the east side of the road. Board members decided to pass on providing comments regarding the draft permit.

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 announced that he plans to move up the date for removing most pandemic-related mandatory protective measures from his July 4th target date if, as seems likely, the state reaches an 80% vaccination rate for eligible Vermonters. Mr. Sullivan expressed his hope on behalf of the Planning Commission that the Selectboard would remove the impediments to in-person meetings as soon as possible.

Board members debated options before settling on a plan to open the town office to reasonably normal service and usage modes. Although some details remain to be determined, the intent is to reopen soon after the Governor issues the announcement that the state has moved to Step 4 of the Vermont Forward reopening plan.

Motion: To open the town office to the public and remove the prohibition on in-person, indoor meetings as of June 15, 2021 or 10 days after the Governor moves to Step 4 of the Vermont Forward reopening plan, whichever comes later. Made by Ms. Dillon; second by Ms. Willis. Passed unanimously.

The board will continue to work on the plan of action at its June 7th meeting.

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 by the Calais board to this point, with the issue expected to be discussed again at that board's May 24th meeting.

The EM board directed TA Johnson to invite the Calais board to our June 7th meeting in hopes of jumpstarting discussion on the agreement.

Appointments

➤ **Interim CVRPC Town Representative: Clarice Cutler**

- The town's current representative, Julie Potter, is stepping down as expected on May 31, 2021. Ms. Cutler, our current alternate representative, is willing to step up for a short period but does not want, at this point, to serve as the representative long-term. The town will continue to seek out a qualified volunteer for the important position.
- **Motion: To appoint Clarice Cutler as the town's interim representative to CVRPC for a term ending no later than March 2022.** Made by Ms. Willis; second by Mr. Jewett. Passed unanimously.

➤ **Recreation Board Youth Member: Riley Richards**

- The Recreation Board has recommended Mr. Richards to fill the youth member slot for the upcoming year. Mr. Richards, an East Montpelier resident, will be a senior at U-32 for the 2021/22 school year.
- **Motion: To appoint Riley Richards as the Recreation Board's youth member for the term June 1, 2021 to May 31, 2022.** Made by Ms. Willis; second by Mr. Jewett. Passed unanimously.

Warrants

➤ **May 24, 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 May 24, 2021 expense warrant and authorize Chair Gardner to sign the warrant on behalf of the board.** Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Other Business

Town Administrator Report

- Update on Center Road/Mallory Brook Culvert Relocation Project:
 - The town has been awarded a VTrans structures grant for the project. As with all FY2022 grants, the actual paperwork process is still likely a month out. The expectation is that the grant will provide \$175,000 in funding toward the construction cost currently estimated in the \$250,000 - \$275,000 range. Construction is expected to be in either 2022 or 2023.
- Other Highway Project News:
 - The County Road ash tree management project, partially funded by the town's second Emerald Ash Borer program grant, will be ongoing during the last week of May and first week of June. The contractor is Nate Ebert of Foxfire Tree Care.
 - The town has been approved to utilize the FY2021 Municipal Grants-in-Aid funding (currently expected to be \$14,020) on Cherry Tree Hill Road improvements, including a culvert replacement, near the Vincent Flats/Quaker Road intersection. The road crew will be working on that project in the very near future.
 - The town did not receive the requested \$17,000 in Better Roads Category C grant funding for culvert/drainage improvements at the large concrete culvert at the base of Codling Road.

➤ Meeting Schedule:

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|-----------------|---------|---------------------------------------|
| ○ June 7, 2021 | 6:30 pm | Selectboard regular meeting |
| ○ June 21, 2021 | 6:30 pm | Selectboard regular meeting |
| ○ July 12, 2021 | 6:30 pm | Selectboard “special” regular meeting |

Zoning Administrator Report

- There were 7 new zoning permit applications since the May 3rd SB meeting. There have been 34 applications so far in 2021.
- The next DRB meeting is scheduled for June 1, 2021. There is one warned hearing for three applications for the M. Bolduc Leasing LLC commercial property at 4423 US Rte. 2:
- An addition to the western storage building for car part recycling
 - A second motor vehicle service use to benefit VT Auto Spa
 - A new retail use for Peak Hydroponic Garden Supplies

Motion: To adjourn. Made by Ms. Dillon; second by Mr. Jewett. Passed unanimously. Meeting adjourned at 8:09 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: June 7, 2021 East Montpelier Selectboard meeting