

Minutes of the East Montpelier Selectboard

June 7, 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

Calais Attendance: Calais Selectboard members Denise Wheeler, John Brabant, Rick Kehne & Clif Emmons; Katie Lane-Karnas (Calais Recording Secretary), Rose Pelchuck, ORCA Media

Public Attendance: Revolving Loan Fund Advisor Rebecca Schrader; Road Foreman Guthrie Perry

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 24, 2021 board meeting.

Motion: To approve the May 24, 2021 minutes as presented. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Public Comment: None

Discussion on Revolving Loan Fund Program

Rebecca Schrader, Revolving Loan Fund Advisor

Annually in June Ms. Schrader, as the Revolving Loan Fund Advisor, meets with the Selectboard, in its guise as the Revolving Loan Fund Committee, to discuss plans for fund use.

In June 2020, the town committed the bulk of the RLF to the state's Restart VT Loan & Grant Program. It appears that the program never really got off the ground, likely buried under the avalanche of federal funds available for similar programs. In response to a request from the town for an update on the status of the program, Ann Kroll, Director of Grants Management for the Agency of Commerce & Community Development, recommended that the Selectboard remove the commitment to the state program in order to free up the funds for alternative uses.

Motion: To end the town's involvement in the Restart Vermont Loan and Grant Program and eliminate the commitment of a portion of the town's Revolving Loan Fund to that program.

Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Ms. Schrader explained that, with the commitment removed, the RLF will have around \$74,000 in available funds at the end of FY2021. She'd like to come back to the board in the October/November

period to present a plan for potential uses of the RLF. The concept is to give time to see where the gaps are in recovery programs as we emerge from the pandemic.

Consideration of VTrans Center Road Culvert Grant Agreement

The VT Agency of Transportation has awarded the town a \$175,000 town highway structures grant for the replacement/relocation of the historic Center Road/Mallory Brook culvert.

Motion: To accept the FY2022 VTrans Town Highway Structures Program grant for the culvert replacement/relocation project on Center Road and authorize TA Johnson to complete the necessary paperwork. Made by Ms. Dillon; second by Ms. Willis. Passed unanimously.

Consideration of Notice of Intent to Participate in the FY2022 Municipal Roads Grants-in-Aid Program

The FY2022 version of this program, which is aimed at combating road erosion into surface waters, is being administered by the VT Agency of Transportation. Previously the program was managed by the regional planning commissions on behalf of the VT Agency of Natural Resources. Despite the change in administration, the basic process to participate in this program remains the same. Every town is provided with a base offer (East Montpelier's is \$11,000) with a required 20% town match. The town must submit a notice of intent, by June 25th this year, to participate. Once the number of participating towns is known, a new final offer will be calculated.

Motion: To authorize Chair Gardner to sign the letter of intent to participate in the FY2022 Municipal Roads Grants-in-Aid program. Made by Ms. Willis; second by Mr. Jewett. Passed unanimously.

Access Permits

➤ 21-036; 1488 County Road 2nd Residential Curb Cut on One Lot

- This application is connected to the "North of Barnes" culvert replacement project on County Road. The town has offered to reestablish a derelict field access to the north end of the Wilson property. The extended guardrail for the culvert will limit options for accessing this portion of the property.
- Road Foreman Perry recommends approval and will lead the road crew in constructing this access. Under East Montpelier Land Use & Development Regulations Section 3.3(D)(1), approval of a second residential curb cut on one lot requires the board to find that unusual circumstances justify the additional access point.
- **Motion: To find that a second residential access on the Wilson lot is warranted due to circumstances caused by the planned culvert replacement project, to approve the requested access as presented and to authorize Chair Gardner to sign the permit on behalf of the board.** Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.

Appointments:

➤ Funding Request Study Committee

- Jeanne Malachowski declined reappointment for this year, although she expressed a desire to rejoin the committee down the road. The remaining six members request reappointment.

- **Motion: To appoint Ginny Callan, Sarah Kinter, Lindy Johnson, Paul Erlbaum, Sue Racanelli and Kate Rader to one-year terms on the Funding Request Study Committee.** Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.

Warrants

➤ June 7, 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 June 7, 2021 expense warrant and authorize Chair Gardner to sign the warrant on behalf of the board.** Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.

Special Joint Meeting with the Calais Selectboard to Discuss EMFD Service 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 on September 1, 2021. The East Montpelier Selectboard invited the Calais board to this meeting to give the boards an opportunity to discuss the reasoning behind the notice.

As a preliminary matter, the boards discussed the option of conducting the discussion in executive session. EM board members expressed both a concern that executive session could be inappropriate in this situation and a preference to remain in open session. Calais board members were more ambivalent, but willing to remain in open session.

The Calais board explained that the main reason for wanting to alter the agreement is to rework numbered paragraph 6 of the current agreement. The existing language mandates that the EMFD operating budgets be carried as general fund line items in the town budgets while the presentation of capital requests is left to each board's discretion. Calais would like both to be at the board's discretion, which would enable Calais to set the EMFD budget requests as separate town meeting articles. Calais board members emphasized the importance of allowing voters at town meeting to have a direct say on the EMFD funding requests. The two towns operate under different schemes at town meeting. Whereas East Montpelier votes by Australian Ballot on any money article of \$25,000 or more, Calais continues to have floor votes for all financial articles.

The other two items the Calais board would like to see changed involve the first numbered paragraph which sets out the basic timing parameters for the agreement. In particular, Calais wants the minimum 5-month lead time for notices of non-renewal shortened to 60 days and to have the maximum length of the agreement be three years as opposed to the current continuous annual renewal in the absence of a notice of non-renewal. The reasoning provided revolved around the concept that the shorter timeframes would ensure a more regular review of the agreement and provide new board members the opportunity to be directly involved with the arrangements between the towns and EMFD. Calais board members made it clear that they were open to the two towns having separate service agreements with EMFD.

East Montpelier board members settled on a plan to discuss the EMFD agreement along with the Calais board's proposed alterations at the EM board's June 21st meeting. The expectation is that a

response will be developed and provided to Calais. The boards would then hold a joint meeting to discuss the two towns' agreement positions before reaching out to EMFD.

With the plan of action in place, the Calais board exited the meeting.

Discussion on Town Management in Light of COVID-19

At its May 24, 2021 meeting, the board took a major step toward resuming normal municipal operations by passing a motion stating:

- **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.**

TA Johnson explained that there were employee concerns regarding the broad nature of the phrase "open the town office to the public" and requested that the board provide a period of controlled access to the office as a bridge between full closure and full access. After discussion regarding the inherent limitations of the small town office, the board decided to reformat its May 24th motion into a revision to the original March 16, 2020 Selectboard order covering municipal operations during the pandemic.

March 16, 2020 East Montpelier Selectboard Order Regarding Municipal Operations During Covid-19 Pandemic As Amended June 7, 2021

By motion made by Mr. Jewett, seconded by Ms. Dillon, 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 15, 2021, or 10 days after Governor Scott moves to Step 4 of the Vermont Forward reopening plan, whichever comes later, 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 will remain off-limits for 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.**

The board intends to hold its June 21st and July 12th meetings utilizing Zoom remote conference services, with a tentative plan to shift to an in-person or hybrid meeting format in August. In the interim period the board will continue to investigate meeting attendance and participation methodologies that would build on the positive aspects of remote meetings.

The board will revisit the issue at its June 21st meeting.

Personnel Matters [Potential Executive Session]

This item is for updates on personal issues dealing with town employees.

Motion: To enter executive session to discuss personnel matters in accordance with 1 V.S.A. §313(a)(3). Made by Ms. Willis; second by Mr. Jewett. Passed unanimously.

The board entered executive session at 8:06 p.m. and exited at 8:15 p.m. No action taken.

Other Business

Town Administrator Report

- Schedule for Discussion on North Street/Sparrow Farm Road Winter Use Signage:
 - Geoff Beyer, the Dillon Road resident who was the point person for this past winter's Nordic signage discussion, has reached out to see when the board would like to review the 2020/2021 test run and possibly develop a long-term plan. The board targeted the July 12th meeting for a discussion on the signage issue.
- Update on "North of Barnes" VTrans Structures Grant Application:
 - The town has received a grant for the northerly of the two culvert replacements that are part of the upcoming 2021 County Road work. The exact amount of the grant won't be known until the grant agreement is processed, with the expectation that the award will be in the \$20-25,000 range. The town has already secured \$60,000 in Better Roads grant funding for this project.
- Meeting Schedule:
 - June 21, 2021 6:30 pm Selectboard regular meeting
 - July 12, 2021 6:30 pm Selectboard "special" regular meeting

Zoning Administrator Report

- There were 2 new zoning permit applications since the May 24th SB meeting. There have been 36 applications so far in 2021.
- The next DRB meeting is scheduled for July 6, 2021. There are no complete applications as yet, but at least one subdivision and a commercial expansion request are expected for that meeting.

Motion: To adjourn. Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously. Meeting adjourned at 8:27 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: June 21, 2021 East Montpelier Selectboard meeting