Minutes of the East Montpelier Selectboard

DRAFT

September 20, 2021 Selectboard Meeting

This meeting was held in-person at the town office building with a remote participation option using the Zoom conferencing platform.

SB Attendance: Chair Seth Gardner, Amy Willis (remote), Judith Dillon (remote), Jon Jewett and Carl Etnier (remote); Town Administrator Bruce Johnson

In-Person Public Attendance: None

Remote Public Attendance: Ginny Burley, Town Health Officer

Chair Gardner called the meeting to order at 7:35 p.m.

Additions to Agenda: None

A brief informational discussion will be held under "Other Business" on recent documents provided to the board from the East Montpelier Fire Department regarding the emergency services agreement between the towns of Calais & East Montpelier and EMFD.

Public Comment: None

Consideration of COVID-19 Vaccination Mandate for Town Employees

Board members discussed the possibility of imposing a vaccination mandate on town employees. President Biden has ordered such a mandate on federal workers and contractors as well as on large employers. The actual regulatory framework for that order is still being shaped by the federal Occupational Health & Safety Administration (OSHA), with the Vermont OSHA expected to provide guidance to Vermont employers, including municipalities, on the final OSHA rules. The VT League of Cities & Towns will likely develop guidance and related model policy & procedures documents for municipal use soon thereafter. Exactly when all this will play out is still unknown. Governor Scott has instituted a vaccination mandate for state employees that is just now coming online. State employees essentially have the option of attesting to having been fully vaccinated or following a testing/mask wearing protocol. Some employers have instituted a vaccination or termination policy with the possibility of accommodation for health or religious belief reasons. Generally, those allowed accommodations would need to follow a testing/masking protocol.

The advice being provided to the town on this topic has focused on the need to determine what the town is trying to accomplish, who the policy will apply to, whether the endgame involves termination for unvaccinated employees that don't fit whatever accommodations are provided and, if a testing/masking protocol is available, how will that be designed/implemented. Additional suggestions are to be deliberate in developing/instituting this policy, await the anticipated guidance and be sure to have the policy vetted by legal counsel before imposition.

After exploring a variety of options and concerns, board members agreed in principle to the general concept of a vaccination mandate for municipal employees but will delay policy development and a

final decision on imposition of such a mandate until further guidance is received. Discussion on the topic will continue at the board's October 4th meeting.

Other Business

On August 12, 2021, at a joint meeting between the parties, the Calais and East Montpelier Selectboards provided a proposed, and signed by the two towns, new emergency services agreement to the East Montpelier Fire Department for EMFD's consideration. By email on Saturday, September 18, 2021, EMFD provided an alternative proposal for a new emergency services agreement and a letter describing the proposed revisions plus suggestions for a joint meeting. Due to Open Meeting Law concerns, board members felt it would be improper to engage in a discussion on the EMFD proposal at this meeting and set the topic as an agenda item on the October 4th board meeting. In its letter EMFD proposed a late September joint meeting between the parties. Due to the lack of time to discuss the EMFD counter proposal and prepare for a joint meeting, board members by consensus decided to decline the invitation.

Town Administrator Report

- Meeting Schedule:
  - October 4, 2021 6:30 pm Selectboard regular meeting
  - October 18, 2021 6:30 pm Selectboard regular meeting
  - November 1, 2021 6:30 pm Selectboard regular meeting

Warrants

- **September 20, 2021 Regular Warrant for Approval**
  - Board members reviewed the warrant. Due to the fact three members participated in this meeting remotely, the board decided to revert to the procedure utilized for much of the pandemic period whereby the board approves the warrant by motion and authorizes Chair Gardner sign the warrant as certification of the board approval.
  - **Motion: To approve the September 20, 2021 expense warrant and authorize Chair Gardner to sign the warrant on behalf of the board.** Made by Mr. Jewett; second by Mr. Etnier. Passed unanimously.

Motion: To adjourn. Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.
Meeting adjourned at 8:10 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator