

Minutes of the East Montpelier Selectboard

November 15, 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 (remote), Amy Willis, Jon Jewett (remote) and Carl Etnier; Town Administrator Bruce Johnson

In-Person Public Attendance: Town Auditor Deb Fillion; Treasurer Don Welch; Town Listers Ross Hazel & Chris Racanelli

Remote Public Attendance: Rebecca Schrader, Revolving Loan Fund advisor; Renée Carpenter

Chair Gardner called the meeting to order at 6:34 p.m.

Additions to Agenda: None

Minutes:

Chair Gardner presented the draft minutes of the November 1, 2021 board meeting.

Motion: To approve the November 1, 2021 minutes as presented. Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Public Comment: None

Discussion on Use of Revolving Loan Fund

EM Revolving Loan Fund Advisor Rebecca Schrader

Ms. Schrader explained that the fund currently stands at \$79,442.17, with approximately \$2,600 of that due to the state next July, leaving \$76,840 available for use. The fund effectively (after the state share is backed out) grows \$660 per month. At this point there are no holds on the RLF. The \$50,000 commitment put in place in 2020 for the state's Restart VT Loan & Grant Program has been released.

Ms. Schrader provided a list of potential uses of the fund, including:

- Security deposit loan/grant program to ease the upfront costs of rental housing;
- Residential landlord mini grants for energy efficiency improvements to both improve the rental housing stock and lower utilities costs for tenants; and,
- Small business development loan program, likely run by a community development organization due to the administrative burden for operating such a program.

Board members were very interested in learning more about all three of the options. Ms. Schrader agreed to gather specifics from the municipalities and other organizations running such programs. She'll set up another discussion on this topic with the board once she completes the research.

Conversation with Candidates for Lister Vacancy

Two town residents, Deb Fillion and Virginia Farley, have requested consideration for appointment to the vacant lister seat created when Rob Chickering resigned last month. Ms. Farley did not attend this meeting.

Ms. Fillion described her past involvement with the listers, including her time working with them during the 2009 reappraisal. Mr. Hazel and Mr. Racanelli, the remaining elected listers, both expressed a desire to see the position filled soon as the assessment season picks up in February.

Board members thanked Ms. Fillion for her interest in the position. The issue of appointment will be taken up later in this meeting.

Town Treasurer Report**➤ Budget Status Report**

- Treasurer Welch presented the standard monthly update for the period ending October 31, 2021. The town remains in good shape with both revenues and expenses on budget.

➤ Update on Property Tax Collection

- Treasurer Welch provided a preliminary report on Tax Year 2021-2022 first installment tax payments, which are due or postmarked by midnight on November 15th. At this point tax collection seems to be trailing slightly behind the past two years, with approximately \$235,000 remaining to be paid.

➤ Presentation of FY2021 Financial Audit

- The final FY2021 audit has been produced by Sullivan, Powers & Co., P.C. The only changes from the draft audit are the addition of the normal town-provided explanations for budget development and deviations plus the town response to the material weakness finding. The audit is posted as required on the town website:
<https://eastmontpeliervt.org/documents/external-audits/>

Preliminary Discussion on FY2023 Budget Development

Board members reviewed the first draft of the town's FY2023 budget. Anticipated major changes for FY2023 include:

- The ambulance service budget is expected to rise by around \$50,000, due to the final year of a 3-year effort to increase the staffing lines to enable 100% paid professional per diem staffing by FY2023.
- The upcoming recommendation from the Capital Improvement Committee for the FY2023 Capital Plan will likely add \$13,000 to the Capital Reserve Fund line.
- There is the potential for a significant increase in the main employee compensation lines, although specifics remain in flux as the board works on an update to the current town employee framework.

Work on the budget will continue at the December 6th board meeting, and then at all the meetings through January 2022.

Preliminary Discussion on 2022 Town Meeting Warning

Board members reviewed a very preliminary draft warning that included a number of potential articles based on previous discussions of the board. The draft articles do not reflect any current determination by the board, but rather show the likely formatting should the board decide to move forward with any of the topics. The articles potentially under consideration for inclusion in the warning include:

- The purchase of a new fire engine for EMFD;
- Shifting the currently elected constable position to an appointed position;
- Alternative versions of the standard article dealing with the property tax payment schedule; one version allows postmarks and the other does not;
- Possible changes to the tax payment protocol, such as a change in the late payment interest rate and a staggered imposition of the delinquent tax penalty;
- The elimination of the elected town auditors in favor of an annual external audit, which the town already conducts; and,
- The elimination of the elected town listers, with those duties handled by a professional assessor.

There is still a great deal of uncertainty as to whether the state will authorize options for how 2022 Town Meeting will be conducted. For now the warning reflects a “normal” town meeting to be held at EMES on March 1, 2022.

Work on the warning will continue at the December 6th board meeting, and then at all the meetings through January 2022.

Consideration of VTrans Better Roads Grant Extension

VTrans has offered the town a 6-month extension (from June 30, 2022 to December 31, 2022) of the Better Roads grant for the County Road “North of Barnes” culvert replacement. The culvert replacement is part of the overall County Road highway project that was postponed until 2022 due to a delay in delivery of the new culverts. Due to a state permit requirement that in-stream work may only be done between July 1 and October 1, the town needs the extension in order to utilize the grant.

Motion: To accept the time extension amendment to VTrans Better Roads Grant BR0842 and to authorize TA Johnson to complete the agreement. Made by Mr. Jewett; second by Mr. Etnier.
Passed unanimously.

Consideration of Support Letter for EM Trails Grant Application for Trail Across Bobolink Farm

Last February the board provided EM Trails with a letter of support for a VT Recreation Trails Program grant application for construction of the long-planned Bobolink Farm Trail, running from the end of the Mallory Brook Trail to Towne Hill Road. EM Trails did not receive that grant, but is trying again, this time for funding from the VT ERSA (enhancement of recreation stewardship and access) Trail Grant Program.

Board members reviewed a draft letter expressing support for the EM Trails project.

Motion: To authorize Vice-chair Etnier to sign the letter of support for the East Montpelier Trails, Inc. application for ERSA Grant Program funding to construct the proposed Bobolink Farm Trail. Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Discussion on Town Management in Light of COVID-19

The municipal offices continue to operate under the August 12th update of the board's original emergency order. The town office is open to the public, but mask use is mandatory when around others and there is limited access beyond the entry area. The board will continue to monitor the situation.

Appointments [Potential Executive Session]:

➤ Planning Commission Vacancy: Spencer Hardy

- The Planning Commission recommended Spencer Hardy be appointed to the seat vacated last month by Siu Tip Lam. Mr. Hardy, a new town resident living on Dillon Road, is a conservation biologist with the Vermont Center for Ecostudies. Any appointment would be for the remainder of the 2nd year of Ms. Lam's 3-year term. The final year will be up for election at 2022 Town Meeting.
- **Motion: To appoint Spencer Hardy to the Planning Commission through 2022 Town Meeting.** Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.
- Board members agreed to pay Mr. Hardy the remaining one-third share of the standard \$500 PC stipend associated with the vacant seat. Ms. Lam was previously provided with a two-thirds share.

➤ Lister Vacancy

- Board members decided to enter executive session to discuss a possible appointment. Any appointment would be for the remainder of the 2nd year of Rob Chickering's 3-year term. The final year will be up for election at 2022 Town Meeting.
- **Motion: To go into executive session under 1 V.S.A. §313(a)(3) – the appointment or employment or evaluation of a public officer or employee, provided that the public body shall make a final decision to hire or appoint a public officer or employee in an open meeting and shall explain the reasons for its final decision during the open meeting.** Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.
- The board entered executive session at 8:16 p.m. and exited at 8:34 p.m.
- No action was taken. The board will revisit the lister vacancy topic at its December 6th meeting.

Warrants:

➤ November 15, 2021 Regular Expense Warrant

- Board members reviewed the warrant. With only two members attending the meeting in person, the board decided to approve the warrant by motion and have Vice-chair Etnier sign the warrant as certification of board approval.
- **Motion: To approve the November 15, 2021 expense warrant and authorize Vice-chair Etnier to sign the warrant on behalf of the board.** Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.

Other Business

Mr. Etnier brought board members up to date on the research he had agreed to do into the statutory responsibilities of elected auditors in an effort to resolve the uncertainty that was raised at the board's

October 18th and November 1st meetings regarding the appropriate role of the auditors with regard to the town's financial management protocols. His key finding was that the role of the auditors is relatively clear: they conduct an annual audit and report their findings to the townspeople; they have no direct role in day-to-day operations. After discussing the issue with Ms. Fillion and finding that she was in agreement on the scope of the elected auditors' duties, Mr. Etnier decided not to reach out for advice from VLCT. The bottom line is that as the board continues its evaluation of the proper distribution of duties and responsibilities among its employees, the Selectboard could choose to utilize individual auditors, with their agreement, to handle regular reviews of warrants and bank account reconciliations, just as the board could utilize any other employee or volunteer to do those chores. There remains a concern that using auditors to perform routine tasks could compromise the auditors' ability to do their statutory duties.

Town Administrator Report

- Update on ORCA Media:
 - Rob Chapman, ORCA's executive director, will come to the board's December 6th meeting to discuss how ORCA could improve the town's "hybrid" meeting capability and provide access to meeting recordings.
- CVRPC Solicitation for Municipal Representatives to the Basin Water Quality Council:
 - CVRPC is looking for two municipal representatives to serve on the BWQC from among the 49 municipalities in the Winooski Basin. Applications from interested parties are due by Friday, December 17, 2021.
- Meeting Schedule:
 - December 6, 2021 6:30 pm Selectboard regular meeting
 - December 9, 2021 7:00 pm EMFD budget meeting at ESF
 - December 20, 2021 6:30 pm Selectboard regular meeting
- Board members discussed the need for an all-member in-person meeting to move forward with a review of the various roles and responsibilities necessary to provide the desired level of governmental services for our community. The board decided to set a special meeting for the topic on Monday, November 29, 2021 at 6:30 p.m.

Zoning Administrator Report

- There was 1 new application since the November 1st SB meeting. A total of 62 applications have been received so far in 2021.
- The next DRB meeting is scheduled for December 7, 2021. The biennial permit compliance review of the Casella transfer station is on the docket along with hearings for a building expansion at the Demers Auto property on US Rte. 2 and a boundary adjustment between Rubin Bennett's home lot on Carleton Blvd and his Hanger Building/rbTechnologies parcel on VT Rte. 14 S.

Motion: To adjourn. Made by Mr. Jewett; second by Ms. Willis. Passed unanimously.
Meeting adjourned at 8:53 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: December 6, 2021 East Montpelier Selectboard meeting