

Minutes of the East Montpelier Selectboard

January 10, 2022 Selectboard Meeting

This meeting was conducted remotely using the Zoom conferencing platform with the town office building serving as the 1 V.S.A. §312(a)(2)(D) designated physical location. Participation options were provided to the public.

All participants attended remotely unless otherwise noted.

SB Attendance: Chair Seth Gardner, Judith Dillon, Amy Willis, Jon Jewett and Carl Etnier; Town Administrator Bruce Johnson. Ms. Willis, Mr. Etnier and Mr. Johnson were in attendance at the town office.

Calais Attendance: Chair Denise Wheeler, Sharon Winn Fannon, John Brabant, Marc Mihaly, and Rick Kehne; Katie Lane-Karnas (Recording Secretary)

EMFD Attendance: Chief Ty Rolland, Paul Guare, Albert Petrella

In-Person Public Attendance: EM Lister Ross Hazel; ORCA Media

Public Attendance: EM Clerk Rosie Laquerre; EM Road Foreman Guthrie Perry; Travis Shores, David Delcore, Bill Powell, Scott Hess, Renée Carpenter, Michael Duane, Liz Curry, Megan Sullivan, Ashley Moore

Chair Gardner called the meeting to order at 6:03 p.m.

Additions to Agenda:

- **Zoning Application Fee Waiver for Central VT Humane Society**

Special Joint Meeting with the Calais Selectboard to Discuss EMFD FY2023 Budget Request and Fire Engine Purchase Options

EMFD is requesting the following operating budget numbers:

Service	Calais		East Montpelier		Total	
	FY2023 Request	% Increase over FY22	FY2023 Request	% Increase over FY22	FY2023 Request	% Increase over FY22
Fire	\$ 62,837	2.95%	\$125,673	2.95%	\$188,510	2.95%
Ambulance	\$121,083	8.52%	\$242,167	8.52%	\$363,250	8.52%
Town Total	\$183,920	6.55%	\$367,840	6.55%	\$551,760	6.55%

The ambulance service budget includes other revenue items: contracted amounts from Plainfield (\$55,232, up 3% from FY2022) and Marshfield (\$45,020, also up 3%) plus off-the-top EMFD ambulance service revenue (\$15,000, up from zero in FY2022).

Total FY2023 Ambulance Service Budget: \$478,502 (up 10.75% from FY2022)

Total FY2023 All Services Budget: \$667,012 (up 8.42% from FY2022)

Calais had already decided to include the two requested budget figures attributable to Calais as separate articles on its 2022 town meeting warning. EM board members were also comfortable with the requested amounts and decided to include both as line items in the EM FY2023 general fund budget.

Motion: To include in the town's FY2023 general fund budget the EMFD operating budget requests of \$125,673 for the fire service and \$242,167 for the ambulance service. Made by Ms. Dillon; second by Mr. Jewett. Passed unanimously.

Discussion shifted to the proposed plan for the purchase of a new fire engine. The intent is to order the engine sometime in 2022 with hopes of delivery at some point in 2023. The current timeframe for delivery is 12-15 months after order. EMFD is requesting that Calais and EM contribute \$200,000 (split 1/3 – 2/3) to the cost of the new vehicle. The rest of the cost, expected to be around \$225,000, will be covered by the EMFD capital reserve fund. The use of the EMFD capital reserve fund for this purpose will be the subject of a separate joint town board approval process when the purchase details firm up.

Both boards had already inserted placeholder articles for the requested amounts (\$133,333 from EM; \$66,667 from Calais) on their respective draft warnings. Calais expects to take out a loan to fulfill its obligation, whereas EM will utilize existing capital reserve funds. EM board members by consensus agreed to include the funding article on the 2022 warning.

The East Montpelier board had previously raised concerns regarding the lack of a COVID-19 vaccination or testing regimen for EMFD personnel. Chief Rolland announced that on December 29, 2021, EMFD adopted such a policy, with an effective date of February 1, 2022. Chief Rolland then described the various pandemic-driven protocols in place covering EMFD personnel. EM board members expressed their appreciation to Chief Rolland and the EMFD board for implementing the vaccination policy.

At the conclusion of the EMFD COVID-19 protocols discussion the boards ended the joint meeting, the Calais board exited, and the EM board continued with its regular meeting.

Public Comment: None

Minutes:

Chair Gardner presented the draft minutes of the December 20, 2021 board meeting.

Motion: To approve the December 20, 2021 minutes as presented. Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

Town Treasurer Report

Board members reviewed Treasurer Don Welch's standard monthly budget and accounts update for the period ending December 31, 2021. The town remains in good shape with both revenues and expenses on budget.

Road Foreman Report

Road Foreman Perry discussed the current status of his research into planned replacements for the town pick-up and the town's oldest Mack 10-wheeler, both 2013 models. The quotes for the 10-wheeler replacement are below:

- Truck Replacement Options
 - Mack quote (w/ 7-year warranty) \$240,548
 - Western Star quote \$245,948
 - Freightliner quote \$233,358

The town's current 10-wheeler fleet is entirely comprised of Mack trucks and RF Perry would like to keep it that way given the ease of parts management when all the trucks are one brand and the low incidence of out-of-service trucks since we switched to Mack a decade ago. Any truck ordered now will likely not be delivered until early in 2023 and timeframes are getting longer, so time is of the essence. The quotes each include the cost of a Tenco body, plows and accessory elements.

Board members reviewed the quotes and, with no significant disparity in cost, agreed with RF Perry's recommendation to stick with Mack.

Motion: To accept the Sheldon Trucks quote of \$140,900 for the Mack 10-wheel truck chassis coupled with the Tenco quote of \$99,648 for the truck body, plows and accessory elements. Made by Ms. Willis; second by Mr. Etnier. Passed unanimously.

RF Perry provided a discouraging update on the replacement of the town pick-up. The intent was originally to order a state-contract truck, but those are simply not available in the current pandemic-altered purchasing environment. It appears the best option is to design/order a truck online through a local dealership. The cost will be more than expected, but still less than buying off a dealer lot. A further update will be provided shortly.

Discussion on FY2023 Budget Development

➤ Highway Operations

- Road Foreman Perry is requesting a mainly level funded highway operations budget for FY2023 with only three modest increases, totaling \$900, for town garage electricity, trash collection and uniforms.
- Board members supported the highway budget figures proposed by Mr. Perry and agreed to put them into the draft FY2023 general fund budget.

➤ Review of Draft FY2023 Budget

- With all previously missing elements accounted for, the SB reviewed the draft budget which currently anticipates a 4.06% increase overall (2.31 cent increase in the municipal tax rate). Revenues are up 3.66% mostly due to an increase in the state highway aid payment. Expenses are up 5.8%, driven by a \$90,000 increase in direct and indirect payroll lines, \$22,600 for EMFD and \$13,056 for the capital reserve fund plus a 8.7% increase in the funding request articles.
- Board members spent some time discussing the possibility of level-funding the capital reserve fund budget line rather than accepting the recommended increase in the board-adopted FY2023 capital plan of \$13,056 (2.9%). The board chose to

level-fund this line last year despite a recommended increase and decided it would not be prudent to follow that path two years in a row given that the “recommended increase” is actually a formula-derived expectation of the funds necessary to meet the capital needs of the town.

- The board by consensus accepted the draft budget as presented, with a figure of \$2,000,127 to be included in the standard Selectboard budget article on the draft warning. Final adoption of the FY2023 budget will be handled at the board’s January 24th meeting.

Discussion on 2022 Town Meeting Warning

➤ Consideration of Options for Conducting 2022 Town Meeting & Forum

- S.172 has been passed by both the Senate and House. Governor Scott is expected to sign the bill in the near future. The bill allows:
 - Holding remote informational meetings (i.e., town forum);
 - Holding all-Australian ballot town meeting elections; and,
 - Moving town meeting to a “safer” date later in the year
- Board members discussed the options and decided by consensus to move forward with the same town meeting format as last year: an all-Australian ballot election on March 1, 2022 with a Zoom remote town forum on February 28th starting at 7:30 p.m. The board will also hold a less formal forum on the warning articles as part of its February 14th meeting.

➤ Discussion on 2022 Town Meeting Warning

- With the decision made to have a repeat of last year with an all-Australian ballot election at EMES on Town Meeting Day and a remote town forum on February 28th, the board shifted focus to the warning specifics. The current warning draft still included a number of potential articles based on previous discussions of the board. The board reviewed the following draft articles:
 - A proposed shift from electing constables to allowing the board to appoint the constables. By statute, this article would always be handled by Australian ballot, so there was no concern that voters were being deprived of a floor discussion and vote. By consensus board members agreed to include this article on the warning.
 - Alternative versions of the standard tax payment protocol, one allowing for postmarks as proof of timeliness and the other not allowing postmarks. The town had for decades not allowed postmarks, but at 2020 Town Meeting voters amended the protocol by floor vote to allow postmarks. Although board members question whether this is a good policy, the consensus was to wait until the issue could be discussed again on the floor at town meeting.
 - The elimination of elected auditors in favor of an annual external audit. Both this article and the following one dealing with the listers are by statute handled by paper ballot at town meeting, so these two articles are subject to the concern that voters are potentially being deprived of a floor discussion before the vote. This concern is often challenged by others holding the opinion that Australian ballot votes tend to involve significantly higher percentages, by a factor of three or more, of town residents than floor votes. Since the town already has a professional audit

done annually, some board members question the need for the elected auditors. After a spirited discussion, a 3-2 board majority favored including the article on the warning. This decision was reversed a few minutes later as part of the discussion on the lister position.

- The elimination of elected listers in favor of a professional assessor. After another lively discussion, a majority of the board agreed that since there are still people interested in serving as listers and the job is still being done effectively, there's no need to make this shift. As part of the discussion, the same logic was applied to the auditor position, with some board members changing their minds, resulting in the auditor article also being removed from the warning.
- The board will make the final decisions on the warning at the January 24th meeting.

Development of 2021 Selectboard Report for Annual Report

Board members brainstormed topics to be included in the Selectboard report to be included in the town's annual report. A variety of subjects were proposed, including the mask mandate evolution, the progress on land records digitization, the continued town financial support for the social organizations that have provided vital services during the pandemic, the success of the 2021 all-Australian Ballot town meeting voting process, the exceptional work provided by the Resilient Roads Committee, ARPA funding and the upcoming public process to determine the use of the funds, the progress by CVFiber in its mission to provide highspeed internet service to all in our community, and the successful adoption of a revised agreement governing the provision of emergency services by EMFD to Calais and EM.

The report will be finalized at the January 24, 2022 board meeting.

Discussion on Recruitment of Town Treasurer Candidates

Treasurer Welch is retiring on or about June 30th this year. The board has been working away at the steps involved in the process for procuring a new treasurer. The selection committee was officially formed in December. At this meeting the board reviewed and revised a job opening notice for the position. The ad will go out by the end of the week on Front Porch Forum and in the VLCT classifieds as well as being posted on the town website and on the usual notice boards around town. The target date for applications is in mid-February. With the position now ready to be advertised, the selection committee will hold its organization meeting next week.

Discussion on Town Management in Light of COVID-19

➤ Consideration of Extension of Mask Mandate

- The board, under the authorization allowed by 2021 Special Session Act 1, adopted a rule requiring the wearing of face coverings on December 6, 2021. Act 1 included a set of timing expectations if a town adopted a mask mandate. In particular, the initial adoption expires after 45 days unless extended for a 30-day period. The board's next meeting is beyond the 45-day window, so board members focused discussion on the appropriateness of a 30-day extension of the

mandate. With caseloads still at record levels, there was no support for allowing the rule to expire.

- **Motion: To extend for an additional 30 days the Town of East Montpelier's COVID-19 Rule "Wearing Face Coverings Required".** Made by Mr. Etnier; second by Ms. Dillon. Passed unanimously.

Warrants

➤ **January 10, 2022 Regular Warrant for Approval**

- 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 January 10, 2022 expense warrant and authorize Vice-chair Etnier to sign the warrant on behalf of the board.** Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously.

Zoning Application Fee Waiver for Central VT Humane Society

The Central VT Humane Society, located at 855 VT Rte. 14 S in East Montpelier, is expected to submit a zoning application in the near future for a new shed, to be located next to the parking area in front of the cat wing. CVHS is considered a commercial entity for zoning purposes, so the application requires a DRB hearing and the standard fee is \$320.

The town has, since CVHS moved to town, waived zoning fees given that the town is not charged for CVHS services. The last such waiver was in 2015 for the parking lot expansion and external lighting project. Mr. Etnier, speaking in his role as Animal Control Officer, described the valuable services provided to the town by CVHS and express full support for the fee waiver.

Motion: To waive the zoning fees for the forthcoming shed application by the Central VT Humane Society. Made by Mr. Jewett; second by Ms. Willis. Passed 4-0-1 [Mr. Etnier recused himself due to his working relationship with CVHS].

Other Business

Town Administrator Report

- ARPA Update:
 - At the end of last week, the Treasury Department issued the final rule regarding use of American Rescue Plan Act funds. According to VLCT the rule makes significant changes to the interim rules for expenditure categories. VLCT recommends awaiting further guidance, which should be coming soon, before moving forward with any ARPA decision-making process.
- Washington County FY2023 Budget Development:
 - The annual budget meeting will be held Monday, January 31, 2022, 2:30 p.m. at the County Clerk's office (10 Elm Street, behind the Sheriff's building). This will be an in-person meeting.
- Meeting Schedule:

○ January 24, 2022	6:30 pm	Selectboard "special" regular meeting
○ February 14, 2022	6:30 pm	Selectboard "special" regular meeting

- February 28, 2022 6:30 pm Selectboard “special” regular meeting
 7:30 pm 2022 Town Forum

Zoning Administrator Report

- One new zoning permit application has been submitted since the December 20th SB meeting. The town had a total of 64 applications in 2021. There have been no applications in 2022 to date.
- The next DRB meeting is tentatively scheduled for February 1, 2022. Although no applications have been submitted as yet, one is expected by the meeting deadline from Central VT Humane Society for a new shed structure.

Appointments [Potential Executive Session]:

- **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. Etnier; second by Ms. Willis. Passed unanimously.
 - The board entered executive session at 8:39 p.m. and exited at 8:51 p.m.
 - No action was taken.

Motion: To adjourn. Made by Ms. Willis; second by Mr. Jewett. Passed unanimously. Meeting adjourned at 8:52 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

Approved: January 24, 2022 East Montpelier Selectboard meeting