

## **Minutes of the East Montpelier Selectboard**

### **February 28, 2022 Selectboard Meeting including the 2022 Town Meeting Information Forum**

**This meeting was conducted remotely using the Zoom conferencing platform. Participation options were provided to the public.**

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

**Public Attendance:** EM Health Officer Ginny Burley; State Representative Kimberly Jessup; Carolyn Brennan, Kellogg-Hubbard Library; ORCA Media, Scott Hess, Ed Deegan, Terry Allen, Kim Watson, Edie Miller, Jeff Cueto, Erika Zimmerman, Nona Estrin, Lindy Johnson, Carol Dickson, Paul Erlbaum, Tracy Loysen, Rachael Grossman, Paul Cate, Sandal Cate, Florence Morse, Elliott Morse, Don Welch, Michael Duane, Allen Ploof, Barb Ploof, Gene Troia, Deb Fillion, Rick Barstow, Kate Phillips, Charlie Wanzer

Chair Gardner called the meeting to order at 6:30 p.m.

**Additions to Agenda: None**

#### **Minutes:**

Chair Gardner presented the draft minutes of the February 14, 2022 board meeting.

**Motion: To approve the February 14, 2022 minutes as amended.** Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

**Public Comment: None**

#### **Access Permits**

- **22-005; Ritz/Atkin Curb Cut for 2021 Cummings Farm LLC Subdivision Lot 1**
  - This application is for a new curb cut for Lot 1 of the 2021 Cummings Farm LLC subdivision (Lot 1 being the lot with frontage on Cummings Road; Lot 2 has access on County Road). Lot 1 was purchased by Susan Ritz and Ethan Atkin, who intend to construct a single-family residence on the property.
  - Road Foreman Perry recommends approval. The existing curb cut on this parcel, approved in 2021 (21-038, replacing the two issued in 2019), was never developed and the permit will be voided by the approval of 22-005.
  - **Motion: To approve the requested curb cut as presented and to authorize Chair Gardner to sign the permit on behalf of the board.** Made by Mr. Etnier; second by Mr. Jewett. Passed unanimously.

**Consideration of Liquor License Applications****➤ Annual License Renewals: Plainfield Hardware**

- Plainfield Hardware is requesting renewal of its second-class license to sell liquor.
- **Motion: To approve the liquor license renewal for Plainfield Hardware and, due to the constraints imposed by the COVID-19 pandemic, authorize Chair Gardner to sign the application on behalf of the board.** Made by Ms. Dillon; second by Mr. Etnier. Passed unanimously.

**➤ Annual License Renewals: Fox Market**

- Fox Market is requesting renewal of its first class and outside consumption licenses for restaurant use to serve beer & wine and renewal of its second class license to sell liquor.
- Mr. Etnier noted that the Fox Market second class license renewal document was preprinted with Plainfield Hardware information. Board members decided to approve the license with the understanding that Town Clerk Laquerre would work with Fox Market to correct the paperwork.
- **Motion: To approve the first class, second class, and outside consumption liquor license renewals for Fox Market; to, due to the constraints imposed by the COVID-19 pandemic, authorize Chair Gardner to sign the first class application and, once received, the corrected second class application on behalf of the board; and, to authorize Town Clerk Rosie Laquerre to sign the outside consumption application signifying approval of the permit.** Made by Mr. Etnier; second by Ms. Willis. Passed unanimously.

**Discussion on Town Management in Light of COVID-19****➤ Consideration of Mask Mandate Rule Repeal**

- The board extended the town's mask mandate for another 30 days, through March 16<sup>th</sup>, at its February 14<sup>th</sup> meeting. Over the past two weeks case counts and hospitalizations have fallen significantly. There have been requests from citizens to board members and town office staff for the board to consider ending the mask mandate. Using the CDC's community level tool, last updated February 24<sup>th</sup>, Washington County remains at "High". The CDC guidance for that level includes the wearing of masks in indoor public settings. There have been 85 Washington County cases in the past seven days, for a 142/100,000 weekly rate, a marked improvement over the recent rolling weekly averages.
- Board members discussed the possibility of either repealing the mandate immediately or signaling an intent not to further extend the mandate beyond the current March 16<sup>th</sup> expiration date. With the board and public commentators split on the concept of ending the mandate immediately, the board decided to take no action at this time and revisit the topic at the board's March 7<sup>th</sup> meeting. In the meantime, the board intends to carefully monitor the caseload data as well as conduct outreach to get a better sense of the community on this issue.

**Warrants****➤ February 17, 2022 Special Expense Warrant**

- This was a between-meeting warrant for a time sensitive credit card bill that came in right after the February 14<sup>th</sup> warrant. For board review only, with no action necessary as Chair Gardner approved the warrant as authorized by board protocol.

➤ **February 28, 2022 Regular Expense Warrant**

- Board members reviewed the warrant. Following the protocol developed in 2020 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 February 28, 2022 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**

Mr. Etnier suggested that the board set an item on the March 7<sup>th</sup> meeting agenda to plan for the upcoming American Rescue Plan Act funds utilization discussion set for the board's April 4<sup>th</sup> meeting. The purpose would be to develop a general framework for the discussion and determine the degree and manner of public outreach in advance of the April 4<sup>th</sup> meeting.

**Town Administrator Report**

- Election update:
  - 524 town ballots have been received to date along with a few less school ballots. This is about 225 less than last year at this time. Only 70 Career Center ballots, which had to be specially requested, have been received.
- Meeting Schedule:
  - March 1, 2022                      7 am – 7 pm      All-Australian ballot “town meeting”
  - March 7, 2022                      6:30 pm        Selectboard regular meeting
  - March 21, 2022                    6:30 pm        Selectboard regular meeting

**Zoning Administrator Report**

- Two new zoning permit applications have been submitted since the February 14<sup>th</sup> SB meeting. There have been 6 applications to date in 2022.
- The next DRB meeting will be held on March 1, 2022. There are two warned hearings, including the expected one for a new shed structure at the Central VT Humane Society. The other is for a seemingly complex reconfiguration of the three parcels comprising the former 54-acre Ferrada property along County & Morse Roads. The actual effect of the plan is to wash away the four subdivisions/boundary adjustments made over the past 22 years in favor of a simple division of the property into two parcels for the two single-family residences. There are also two sketch plan reviews, one for an internal boundary adjustment of the residential and commercial properties owned by Brian & Tracy Phillips at 2045/2075 VT Rte. 14 S and the other for a proposed 5-lot subdivision of the Wheeler Road property owned by John & Phyllis Sanfacon.

**Conversation with State Representative Kimberly Jessup**

Representative Jessup opened with a crowd-pleasing update on reapportionment: as things stand now, our current house district, a shared seat between Middlesex and East Montpelier, will remain unchanged. Ms. Jessup went on to provide a brief overview of the current legislative session, starting with a recap of the two state constitutional amendments that will be voted on November 8, 2022: Proposition 2, the Prohibit Slavery and Indentured Servitude Amendment,

designed to comprehensively prohibit slavery and indentured servitude of any nature, closing some troubling loopholes in the current constitutional language; and, Proposition 5, the Reproductive Liberty Amendment, ensuring personal reproductive liberty without fear of governmental interference. Other areas of legislative action include funding for municipal building energy resilience (H.518), expansion of the current use program to allow for forest conservation (H.697), expanding telehealth availability (H.655), and various efforts to improve our housing stock, in terms of availability, affordability and climate friendliness.

Ms. Jessup will post an update on the legislative session to the community on her website: <https://www.kimberlyjessupvt.net/>

**East Montpelier Town Forum**

Chair Gardner opened the forum at 7:30 p.m.

**Additions to Agenda: None**

**Public Comment: None**

**Review of & Discussion on 2022 Town Meeting Articles**

Chair Gardner explained that he would read each article and then allow questions and comments on the presented article.

- **Article 2: FY2023 Budget**
  - No public feedback on the article.
- **Article 3: Property Tax Protocol**
  - No public feedback on the article.
- **Article 4: Change Constable to Appointed Position**
  - Discussion on the possibility of adding a provision in the town charter to allow the recall of elected officials.
- **Article 5: Use of Capital Reserve Fund for EMFD Engine Purchase**
  - Discussion on the topic of having separate articles for voter approval of the EMFD fire and ambulance service budgets as opposed to the current practice of having the service costs included as lines in the Selectboard's general fund budget. Some expressed a desire for separate articles to enhance voter understanding of and input on the EMFD appropriations. Others expressed concern about the concept given the necessity of the emergency services and the contractual relationship between the town and EMFD.
- **Article 6: Kellogg-Hubbard Library Appropriation**
  - Ms. Brennan provided a brief update on East Montpelier usage of the library. There were 737 active EM patrons in 2021 and over 12,000 items borrowed, not counting digital use which isn't tracked by town.
- **Article 7: Four Corners Schoolhouse Association Appropriation**
  - No public feedback on the article.
- **Article 8: East Montpelier Signpost Appropriation**
  - No public feedback on the article.
- **Article 9: East Montpelier Trails, Inc. Appropriation**
  - No public feedback on the article.
- **Article 10: Montpelier Senior Activity Center Appropriation**
  - No public feedback on the article.
- **Article 11: Central Vermont Home Health & Hospice Appropriation**
  - No public feedback on the article.
- **Article 12: Rural Community Transportation, Inc. Appropriation**
  - Discussion on why there are two separate articles for the US Rte. 2 Commuter bus service. RCT and GMT are separate organizations that share the responsibility for the service and determine between themselves the appropriate share of the total

\$8,333 appropriation request for the service. The appropriation level has remained the same for the 12 years the bus route has been in existence.

- **Article 13: Green Mountain Transit Appropriation**
  - See note for Article 12.
- **Article 14: Twin Valley Seniors, Inc. Appropriation**
  - No public feedback on the article.
- **Article 15: Funding Request Study Committee Recommendation for Appropriations to Worthy Organizations**
  - Brief discussion on the VT Bar Foundation, the only new organization included in the general funding request article this year. The foundation, which provides access to essential legal services for low-income Vermonters, is a separate organization from the VT Bar Association.
  - Discussion shifted to the democratic nature of the funding request process, from committee vetting of the various organizations through to the, in normal years, town meeting floor discussion, opportunity for amending the individual appropriation levels, and eventual approval of the article by floor vote.

### **Other Business**

Compliments to the Selectboard on the excellent town report (except for the binding, which seems loose). The praise was redirected to the actual developer of the report – our superlative town report editor, elected auditor Deb Fillion.

Chair Gardner expressed thanks, seconded by many, for the years of outstanding service provided by retiring town treasurer, Don Welch.

“Let’s hope we can do this next year in person!”

**Motion: To adjourn the town forum and Selectboard meeting.** Made by Mr. Jewett; second by Ms. Dillon. Passed unanimously. Meeting adjourned at 8:12 p.m.

Respectfully submitted by Bruce Johnson, Town Administrator

**Approved: March 7, 2022 East Montpelier Selectboard meeting**