

Minutes for the East Montpelier Selectboard

February 13, 2023 Selectboard Meeting

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

SB Attendance: Chair Seth Gardner, Carl Etnier, Jon Jewett, Amy Willis, Town Administrator (“TA”) Gina Jenkins

Remote SB Attendance: Judith Dillon

In-Person Public Attendance: Rowan Harple, ORCA Media; Deirdre Connelly; Interim East Montpelier Fire Department (“EMFD”) Chief Albert Petrillo; Town Clerk (“TC”) Rosie Laquerre; Terry Rose

Remote Public Attendance: Scott Hess, Rachael Grossman

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

Additions to Agenda:

TA Jenkins noted the following additions:

- Liquor License application for Plainfield Hardware
- Rachael Grossman requested the Board consider creating a town safety plan for residents in the event for another storm like the one in December 2022
- Listers Certificate- no appeal or suit pending for Selectboard review and approval prior to further submission and processing by Town Clerk Laquerre.

Chair Gardner added that he would like to discuss the parking issues at the elementary school.

Minutes:

The board reviewed the draft minutes of the January 30, 2023 board meeting.

Motion: To approve the January 30, 2023 minutes as submitted. Made by Ms. Willis, second by Mr. Jewett. Passed unanimously.

Public Comment:

Ms. Grossman noted many residents were without power for several days after the December 23, 2022 storm. She suggested the town develop a town safety plan for future weather events and suggested that it might address warming stations, water resources, and places where people can charge devices. Chair Gardner noted that the town does have a safety plan; TA Jenkins added that the existing plan is mainly a list of contacts and addresses and it doesn't really address the points Ms. Grossman raised.

Mr. Jewett pointed out that the town and Vermont State Emergency Management (“VEM”) review the emergency management contacts every year and he wondered where the VEM team was during the December storm. He noted that he and many other town residents reached out to VEM and were told there was nothing VEM could do. TA Jenkins added that Calais's decision to open the elementary school as a warming station was solely the town's decision and VEM was not involved. Mr. Etnier asked if Ms.

Grossman might be interested in working with the Selectboard to develop an emergency plan and she said yes.

Chair Gardner noted that his primary focus has been on power. He is interested in getting someone in to talk about generators and educate townspeople on how to correctly use them. Ms. Grossman agreed that was a good idea, but suggested other steps should be taken as well. Ms. Dillon suggested the town figure out a way to organize East Montpelier into neighborhoods or regions with designated contacts. If a person needs assistance, they could then reach out to their designated contact for help or to connect with a neighbor for resources. Ms. Grossman added that a town emergency plan should also address the dangers of high heat in the summer.

Mr. Etnier suggested this topic be added to the agenda of a future Selectboard meeting. He asked Ms. Grossman if she would be willing to write up a charge for a committee to work on developing a town emergency plan. Ms. Grossman agreed to write up the charge.

Mr. Etnier added that he submitted a complaint to Washington Electric Cooperative (“WEC”) about the difficulties he and many others had accessing the WEC website from a mobile device. WEC has since updated the site to be mobile-friendly.

Board Work Session to Discuss Municipal Assistant Interview Questions

Municipal Assistant Candidate Interview

Board Work Session to Discuss Municipal Assistant Candidate

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. Dillon. Passed unanimously.

The board entered into executive session at 6:45 p.m. and exited at 7:25 p.m.

No action taken.

Motion: To authorize TA Jenkins to hire the candidate interviewed tonight at the current salary, pending satisfactory background check and references. Made by Mr. Etnier, second by Mr. Jewett. Passed unanimously.

Village Center Crosswalk & Traffic Safety Discussion

TA Jenkins noted that Melissa Gorham, the East Montpelier resident who request this discussion, could not attend the meeting. TA Jenkins explained that the main point Ms. Gorham raised was around the poor visibility of the crosswalk sign. TA Jenkins has reached out to the Vermont Agency of Transportation (“VTrans”) and spoken with Jon Kaplan, Bicycle and Pedestrian Coordinator. VTrans will be installing a new, more visible crosswalk sign and Mr. Kaplan suggested a curb to better delineate the space.

Chair Gardner suggested working with the post office and the owner of CP Dudley’s to establish new traffic patterns around the two buildings. He suggested removing parking options from the front of the post office to make the area safer for both pedestrians and cars.

Mr. Jewett commented that there are many options for crosswalk signs at various prices. Mr. Etnier noted low-tech options, like the vertical fluorescent stripe on the signpost that Mr. Kaplan suggested, or baskets

of flags for pedestrians. Mr. Etnier asked TA Jenkins to add this discussion to the agenda for a later meeting.

Consideration of CAI Technologies Tax Map Maintenance Contract for 2023-2024 Update Cycle

TA Jenkins noted that the cost for this maintenance contract has increased slightly, but is otherwise in line with previous years.

The present board members signed the contract.

Consideration of Avenu Contract Renewal for Land Records Management

The Board reviewed the contract. Mr. Etnier expressed concern that Avenu stopped providing supplies midway through the last contract. TA Laquerre explained that the previous contract was with another company called Conduit that was bought by Avenu midway through the contract period. The supplies were the only change, otherwise Avenu has been responsive and good to work with. TC Laquerre added that she appreciates the system and runs into very few issues with it.

Mr. Jewett asked if the land records digitization project was near completion. TC Laquerre explained that it was completed last month, and this contract is just for the ongoing system. Chair Gardner asked if there were other companies that offered land records management software. TC Laquerre explained that she knows of two other companies that offer this kind of software, Kofile and Cott. TC Laquerre likes Avenu for its powerful indexing, and she noted that researchers tend to prefer Avenu.

Motion: To approve the Avenu contract and authorize TA Jenkins to sign the agreement on behalf of the Selectboard. Made by Mr. Jewett, second by Mr. Etnier. Passed unanimously.

Consideration of Planning Commission Energy Committee Appointments

The Planning Commission has identified seven candidates for the relaunch of the Energy Committee. The candidates are Andy Shapiro, Ben McCall, Austin Cate, Emily Levin, Stephen Miracle, Tom Fisher, and Rick Barstow. TA Jenkins noted that Tom Fisher is no longer able to participate on the Energy Committee. Mr. Hess reported that the candidates are engaged and enthusiastic individuals and the Planning Commission unanimously felt this was a good group. Mr. Etnier commented that the town is lucky to have these qualified people willing to participate.

Motion: To appoint Andy Shapiro, Ben McCall, Austin Cate, Emily Levin, Stephen Miracle, and Rick Barstow to the newly reformed Energy Committee. Made by Mr. Etnier, second by Ms. Dillon. Passed unanimously.

Consideration of Tobacco License Application: Plainfield Hardware

Mr. Etnier noted that the Board has never reviewed or approved tobacco licenses before. TC Laquerre reported that the statute changed last year, in part because the Department of Liquor and Lottery created a new online portal for license renewals. As part of these changes, town legislative bodies must now approve liquor and tobacco licenses. TC Laquerre added that the Department of Liquor and Lottery does the leg work on investigating whether an individual or entity is qualified to be licensed.

TC Laquerre noted that a violation is listed on the application with limited information. The state cannot share specifics but reported that the violation does not prohibit the license from being issued.

Mr. Etnier commented that he is comfortable approving this application but he would like to do some research and revisit the Selectboard's role in approving these licenses at a later time. TC Laquerre noted

that some towns give a blanket authorization to the town clerk to handle renewals. If the Board decided to make that authorization, TC Laquerre would still bring new licenses to the Board as they come in. Ms. Dillon asked if there are standards the Selectboard should review in making their determination for these licenses. TC Laquerre clarified that the Board is authorizing, not approving the license. She added that the state does the primary approval process to determine whether a business or individual may get a license.

Mr. Etnier commented that he sees no redeeming social value in tobacco products, given the nearly half-million deaths they cause each year in the US alone. He recognizes that the town has no role in approving tobacco licenses in Vermont law, and said that if it did, he would welcome a discussion of whether we want tobacco sold in town at all.

The Board authorized TC Laquerre to process the Plainfield Hardware tobacco license by consensus.

Consideration of Liquor License Applications: Fox Market (First Class, Second Class, Outside Consumption) and Plainfield Hardware (Second Class)

Fox Market has submitted three liquor license applications:

- First Class – allows an establishment to serve beer and wine
- Second Class – allows an establishment to sell beer and wine to the public for consumption off the premises
- Outside Consumption – allows an establishment to serve alcohol outside the building

Plainfield Hardware has submitted an application for a Second Class liquor license to allow the establishment to sell beer to the public for consumption off the premises.

Motion: To approve Fox Market First Class, Second Class, and Outside Consumption liquor licenses; to approve Plainfield Hardware Second Class liquor license; and to authorize Town Clerk Laquerre to process the Fox Market and Plainfield Hardware applications. Made by Mr. Jewett, second by Ms. Willis. Passed unanimously.

Consideration of EMFD Memorandum of Understanding (“MOU”) for Proposed Radio Communications System

Interim EMFD Chief Petrella explained that Capital Fire Mutual Aid System (“Capital West”) is in the process of upgrading their radio system. They are in the design phase and will go out to bid in the next year. The city of Montpelier will go to bond for the upgrade project. Capital West developed the MOU so all member towns are aware that the fire chief is the designated representative to Capital West, and to reaffirm that role each year.

Ms. Dillon asked whether the MOU was new or a renewal. Mr. Petrella explained that it’s not new, but the information is in statute and as town government turns over that information is easily forgotten. The MOU is intended to keep towns refreshed on the relationship.

Ms. Dillon noted that the MOU references “the Project” but never defines what that term refers to. She also noted that the document refers to the East Montpelier Fire Chief and explained that East Montpelier doesn’t have a fire chief, the East Montpelier Fire Department has a fire chief. Mr. Etnier agreed and pointed out that the first “Whereas” statement refers to statute. However, the referenced statute is unclear as to whether the Town of East Montpelier or the East Montpelier Fire Department is the member. Mr. Etnier said the Capital West bylaws are also unclear. Mr. Jewett noted that if EMFD is the member, the Selectboard does not need to get involved in signing this document.

The Board asked Mr. Petrella to get clarity on whether the town of East Montpelier or EMFD is the member of Capital West, and to clearly define “the Project” in the MOU.

Consideration of County Road Grant Reimbursement Request

TA Jenkins noted this is the last of the four grants for the County Road project. The present Board members signed the reimbursement request.

Listers Certificate

TA Jenkins noted that this document is to certify that there are no suits pending to recover taxes paid under protest relating to the 2022 grant list. The present Board members signed the certificate.

Discussion on Town Management in Light of COVID-19

Using the CDC’s community level tool, Washington County is at “Low.” The latest data is as follows:

- Case Rate per 100,000 population: 23.97
- New COVID-19 admissions per 100,000 population: 5.1
- Staffed inpatient beds in use by patients with confirmed COVID-19: 3.1%

Mr. Etnier commented that he interviewed John Matthews, founder of the Health Center in Plainfield, about their clinics for flu and Covid shots. The Health Center has 11 clinics left on Saturdays from 9 am until noon, and members of the public can also pickup masks and home antigen tests from the clinic. During the interview Mr. Matthews commented on the state of the pandemic in Vermont, noting that only one third of Vermonters are fully boosted and that infections are underreported. Mr. Matthews added that getting vaccinated reduced the death rate from Covid by 90%, and that treatment is available for both Covid and long Covid. Mr. Jewett added that he has heard the recommendation that people talk to their healthcare providers about Paxlovid as soon as they find out they are infected, as Paxlovid can significantly shorten the period of illness.

TA Jenkins noted that the Town Office has Covid tests available and encouraged townspeople to stop in to pick them up as needed.

Warrants: February 13, 2023 Regular Expense Warrant

The present board members signed the warrant.

Town Administrator Report

TA Jenkins noted that Zoning Administrator Brown will be out of the office the weeks of 2/20 and 2/27. He will be available by phone if needed.

WCAX visited the Town Office on Friday, 2/10, to interview TC Laquerre about the town’s approach to Town Meeting. TC Laquerre did an exceptional job in the interview. TA Jenkins will notify the Board when the interview airs.

TA Jenkins reported that Town Meeting ballots went out in the mail today. Central Vermont Career Center ballots are available through the mail by request only.

The DRB held a meeting last week and considered three applications:

- 22-080, Dana & Clara Ayer – Proposed subdivision creating a building lot from Tax Map Parcel #05- 00-30.000 and Tax Map Parcel #05-00-47.100.

- 22-079, Thomas & Ann Brazier - Proposed Boundary Line Adjustment (BLA) and Subdivision creating a new parcel of land from the existing farm, Parcel #05-094.000.
- 23-002, Fontaine Meadows, LLC - 24' by 40' retail farm store with an off-street parking area. An Accessory Dwelling Unit will accompany the farm stand with a wastewater system and potable water servicing both the farm stand and ADU. The property in question is located on US RTE 2, Map ID # 21-53-37.000.

Meeting Schedule:

- February 27, 2023 6:30 p.m. Special meeting date
- March 6, 2023 6:30 p.m. Regular meeting date/Town Meeting Forum
- March 7, 2023 9:30 a.m. Town Meeting
- March 20, 2023 6:30 p.m. Regular meeting date

Other Business

Ms. Willis commented that she heard about someone interested in one of the open Selectboard seats and asked the Board if she should reach out to them to discuss. Mr. Etnier noted the individual could run as a write-in candidate. Ms. Willis will reach out to the individual.

Chair Gardner raised the topic of the parking issues on Vincent Flats Road by the Elementary school. He noted that the farm up the road from the school has expressed concern about the line of cars that stand along the road to drop off students in the morning and pick them up in the afternoon. The line of cars makes the road very difficult for farm vehicles and other traffic to safely travel. Chair Gardner reached out to the principal of the school, who suggested parents could park in the lot adjacent to the Rec Field if it was plowed in the winter.

Mr. Etnier suggested the town could put up a sign along the road that says no stopping, standing, or parking. Chair Gardner noted that the town would need to change the ordinance to enforce such a sign. Ms. Dillon asked how the sign would be enforced. Chair Gardner suggested posting police near the school to issue tickets once the sign is in place.

Mr. Etnier suggested the Board have a conversation with school administrators and perhaps representatives from the PTO and Rec Committee. Ms. Dillon voiced support for that idea. Chair Gardner will talk to Road Foreman Perry about plowing the rec field lot to make it available for school parking.

Motion: To adjourn. Made by Ms. Dillon, second by Mr. Jewett. Passed unanimously.

Meeting adjourned at 8:40 p.m.

Respectfully submitted by Deirdre Connelly.

Approved February 27, 2023 Selectboard meeting.