

## **Minutes for the East Montpelier Selectboard**

### **March 20, 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, Scott Hess, Town Administrator (“TA”) Gina Jenkins

#### **Remote SB Attendance:**

**In-Person Public Attendance:** Gilberto Diaz-Santos, ORCA Media; Deirdre Connelly; Sgt. William Warner; Toby Talbot; Paul Cate

**Remote Public Attendance:** Town Clerk Rosie Laquerre, Jeffrey Cueto, Road Foreman (“RF”) Guthrie Perry

Chair Gardner called the meeting to order at 6:31 p.m.

#### **Additions to the Agenda:**

TA Jenkins requested discussions on the Four Corners Schoolhouse mold issue and CP Dudley’s Liquor and Tobacco Licenses.

#### **Minutes:**

The board reviewed the draft minutes of the March 6, 2023 Board meeting.

**Motion: To approve the March 3, 2023 minutes as presented.** Made by Mr. Jewett, second by Mr. Hess. Passed unanimously.

**Public Comment:** None.

#### **2023 Selectboard Organization**

**Motion: To nominate Seth Gardner for Chair of the East Montpelier Selectboard.** Made by Mr. Hess, second by Mr. Etnier. Passed unanimously. Mr. Gardner recused himself from the vote.

**Motion: To nominate Carl Etnier for Vice Chair of the East Montpelier Selectboard.** Made by Mr. Hess, second by Mr. Jewett. Passed 3-0. Mr. Etnier recused himself from the vote.

**Motion: To authorize Chair Gardner to sign regular payroll warrants, regular payroll vendor warrants, and special warrants for standard expenditures under the Town-approved budget and reserve fund expenditures authorized by the Selectboard.** Made by Mr. Etnier, second by Mr. Jewett. Passed unanimously.

#### **2023 Selectboard Rules of Transaction**

TA Jenkins noted that the 2023 rules are unchanged from the previous year.

**Motion: To adopt the 2023 Selectboard rules of transaction as proposed.** Made by Mr. Etnier, second by Mr. Jewett. Passed unanimously.

### **Conversation with VT State Police**

Sgt. Warner explained that he did not have an updated contract to present at this time because the Station Commander is out of the office. He gave a brief recap of the past year, noting that VT State Police worked 57 out of the contracted 240 hours, and that they have worked no hours in 2023 so far. He explained that the town could continue with another contract for 240 hours or reduce the contract to 120 hours (ten hours per month). He also suggested the town could look into contracting with the Washington County Sheriff's Department for additional coverage. Sgt. Warner added that the town's contract with VT State Police is elective; State Police staff can't be ordered to work hours for the town. Due to staffing shortages, the hours for East Montpelier have become difficult to staff in recent years.

Mr. Jewett asked if there would be any issues if the town decided to contract with Washington County Sheriff's Department instead of the State Police. Sgt. Warner said there were no issues he was aware of.

Mr. Hess asked if the town had to pay for the full 240 hours if only 57 were worked. Chair Gardner explained that the town pays only for the hours worked and billed. He added that the town used to contract with VT State Police for 40 hours per month and recently reduced the hours to 20 per month because the State Police were having trouble meeting that higher amount.

Mr. Etnier gave some background on the town's relationship with VT State Police. He stated that the intention behind the contract was to get regular police presence in town to respond to needs voiced by residents, such as speeding in the village center or ignored stop signs. He commented that the town receives a portion of the money collected on tickets issued by VT State Police during those contracted hours, but there was never an intention for this contract to generate revenue for the town.

Mr. Etnier asked if there might be challenges to having simultaneous contracts with both VT State Police and Washington County Sheriff's Department. TA Jenkins mentioned that the Town of Waterbury contracted with both agencies and had no issues. She suggested that contracting with both could provide the town with more coverage than either agency could offer individually, and the town could still ensure the two contracts stay within the budget.

Mr. Etnier asked Sgt. Warner to speak to any differences between VT State Police and Washington County Sheriff's Department. Sgt. Warner said he had nothing but good experiences with the Sheriff's Department and couldn't think of any specific differences. He added that any contract would outline duties and level of certification.

Mr. Jewett suggested the town could also reach out to Barre Town or Berlin to ask if their police departments would be interested in working with East Montpelier.

### **Consideration of EMFD Memorandum of Understanding ("MOU") for Proposed Radio Communications System**

Mr. Talbot, deputy chief and president of Capital Fire Mutual Aid System, gave some background on the organization. He explained that Capital Fire was created in the 1970s to bring towns and their respective fire departments together. The town of East Montpelier joined the mutual aid system, and so the town should sign the MOU as the member of the system. Mr. Talbot added that if the Selectboard does not want to be responsible for signing the MOU, they can delegate East Montpelier Fire Department as the town's delegate to sign.

Mr. Etnier noted that the articles of association for Capital Fire Mutual Aid System are not clear as to whether the town of East Montpelier or the East Montpelier Fire Department is the member. He added

that the dues to Capital Fire Mutual Aid System are paid through the East Montpelier Fire Department budget, not through the town's budget.

Chair Gardner asked what the town would be committing to if the Selectboard signs the MOU. Mr. Talbot explained that Capital Fire runs the dispatch center and towers for the area. They have received a grant through the state to upgrade the communications system. As part of the upgrades, they have created a capital plan to replace the equipment that is currently being installed. The MOU is an agreement to participate in putting away funds for that future capital project. The East Montpelier portion is \$5k per year and is paid for by revenue, so there will be no tax impact for the town.

Chair Gardner stated that he felt it made sense for East Montpelier Fire Department to act as the member of the system and to sign the MOU.

**Motion: To the extent that the town of East Montpelier is authorized to delegate authority to the East Montpelier Fire Department to act as a member of Capital Fire Mutual Aid System, we delegate that authority.** Made by Mr. Etnier, second by Mr. Jewett. Passed unanimously.

#### **Consideration of Resolution to Hold Special Town Meeting for Kellogg-Hubbard Library Article**

Mr. Etnier read the resolution: "Resolved that the omission of Article 5 from the printed Australian ballot at the March 7, 2023, annual Town Meeting was the result of an oversight and not unlawful notice or warning or noncompliance within the scope of the warning, and therefore, all other business taken at the annual town meeting shall be deemed valid, in accordance with 17 V.S.A. 2662."

**Motion: To pass the resolution for the special town meeting on April 25 for the vote on Kellogg-Hubbard Library.** Made by Mr. Hess, second by Mr. Etnier. Passed unanimously.

#### **Murray, Bliss, and Barnes Road Ash Tree Management Project**

The Board reviewed the four bids for the Ash Tree Management Project. Mr. Cueto explained that the town worked with Foxfire last year. The 2023 project is similar in size and scope to last year and includes roughly 200 trees. Matt Foster came in as the lowest bid. The Resilient Roads Committee knows that Mr. Foster works with Washington Electric Coop. Mr. Cate is checking references for Mr. Foster and he mentioned that the reference he had reached was a local person who was pleased with Mr. Foster's timely work and communication.

Mr. Hess asked if there was any time constraint on the job. Mr. Cueto said that yes, the work needs to be completed by June 2, 2023. He added that as long as the bidder is notified soon, he is confident any of the four bidders could complete the job within that time frame.

Mr. Etnier asked why the bid from Foxfire increased so significantly. Mr. Cueto explained that the cost of fuel and inflation were factors. He added that the recent severe winter weather had taken down a number of trees, and the abundance of work might also be a reason for the increase. Mr. Etnier asked for Mr. Cueto to evaluate the work that Foxfire did last year. Mr. Cueto stated that he was very pleased with the work and from Front Porch Forum he got the sense that the residents were also pleased.

**Motion: To accept Matt Foster Tree Service as the lowest bidder for the 2023 Ash Tree Management Project.** Made by Mr. Hess, second by Mr. Jewett. Passed unanimously.

Mr. Cueto noted that this will be the fourth tree removal project in the town of East Montpelier and that we are quite a bit ahead compared to other municipalities in the area. After the 2023 project is completed,

the town will have addressed approximately 1/3 of the ash tree inventory. He added that planting trees is part of the five-year plan, and the committee may look at planting additional trees this summer.

### **Town Treasurer Report**

The Board reviewed the treasurer's report; there were no questions.

Mr. Etnier asked how the transition to Northfield Savings Bank was going. TA Jenkins reported that it is in process, but she wasn't sure when the official switch would happen.

Mr. Hess asked if he needed authorization to begin looking into investment opportunities for the town. Chair Gardner explained that historically the town has just purchased CDs. Mr. Etnier added that Mr. Hess is welcome to do research and does not need authorization to begin. Mr. Hess and TA Jenkins will review the town's investment policy.

### **2023 Town Meeting Review**

Mr. Etnier suggested a few edits to the Town Meeting minutes.

**Motion: To approve the Town Meeting minutes with tonight's amendments.** Made by Mr. Hess, second by Mr. Etnier. Passed unanimously.

### **Consideration of Annual Highway Financial Plan**

TA Jenkins noted that this financial plan is just a draft for the Board to review. She will be meeting with a representative from VTrans later this week to go over the process for submitting a grant request to repave Towne Hill Road. She will bring the final version of this plan to the Board after meeting with the VTrans rep.

Chair Gardner asked if the project was just a shim and overlay. RF Perry explained that the project involves milling off the surface, crack sealing, and then laying down a topcoat. Chair Gardner asked what the advantage is to milling. RF Perry explained that milling will bring the surface back down to a flat level. Chair Gardner asked what will happen to the millings. RF Perry explained that the contractors will recycle them.

### **Consideration of Annual Certification of Compliance for Town Road & Bridge Standards and Network Inventory**

Mr. Etnier pointed out that the previous Town Administrator had noted that the inventory may be due to be updated and asked if it would be more appropriate for the Selectboard should check the box that says the inventory is not up to date. TA Jenkins reported that the town has been updating the maps in the state system as work is completed on roads around town. Her assessment was that the town is as up to date as they can be at this time, and RF Perry agreed.

The Board members signed the certification of compliance.

### **Appointments**

The Board reviewed the list of proposed appointments. TA Jenkins noted that she would like to post something on the town website about the open positions and to give members of the town time to apply. She suggested the Board use the April 17 Selectboard meeting to review applicants for the open positions, and the Board agreed.

Mr. Etnier pointed out a few adjustments to titles on the appointments list and TA Jenkins updated the list with these edits.

**Motion: To appoint the list of proposed appointments list with tonight's amendments.** Made by Mr. Jewett, second Mr. Hess. Passed unanimously.

TA Jenkins asked whether the Old LaPerle Farm Property Committee or the Town Treasurer Selection Committee were still active. Mr. Etnier said that both committees were ad hoc and their work is completed, so they no longer exist.

### **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: 35.95
- New COVID-19 admissions per 100,000 population: 6.9
- Staffed inpatient beds in use by patients with confirmed COVID-19: 3.3%

TA Jenkins mentioned that she would like to discuss the merit of reporting the CDC data at a future meeting. Mr. Etnier agreed and suggested waiting until after President Biden ends the emergency order, which is expected in May 2023.

### **Four Corners Schoolhouse Mold Issue**

The Board reviewed the report from Carolyn Shapiro about this mold issue. Chair Gardner suggested the board at the Four Corners Schoolhouse bring in numbers for the Board to review. Mr. Jewett commented that the report is comprehensive and documents the issue well.

### **CP Dudley's Liquor and Tobacco Licenses**

No objections were raised to the licenses.

**Motion: To authorize TC Laquerre to process the licenses.** Made by Mr. Hess, second by Mr. Jewett. Passed unanimously.

### **Warrants: March 20, 2023 Regular Expense Warrant**

The present Board members signed the warrant.

### **Town Administrator Report**

There has been one new permit issued since the last meeting. TA Jenkins mentioned that she will reach out to the Washington County Sheriff's Department and hopes to have them attend the next Selectboard meeting.

Meeting Schedule:

- April 3, 2023 6:30 p.m. Regular meeting date
- April 17, 2023 6:30 p.m. Regular meeting date
- May 1, 2023 6:30 p.m. Regular meeting date
- May 15, 2023 6:30 p.m. Regular meeting date

### **Other Business**

None.

**Motion: To adjourn.** Made by Mr. Hess, second by Mr. Etnier. Passed unanimously.

Meeting adjourned at 8:06 p.m.

Respectfully submitted by Deirdre Connelly.