

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

### **April 3, 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:** Carl Etnier, Jon Jewett, Scott Hess, Town Administrator (“TA”) Gina Jenkins

**Remote SB Attendance:** Chair Seth Gardner

**In-Person Public Attendance:** Sean Temple, ORCA Media; Deirdre Connelly; Ben McCall; Sheriff Marc Poulin; Captain Bret Meyer

#### **Remote Public Attendance:**

Chair Gardner called the meeting to order at 6:28 p.m.

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

TA Jenkins requested a discussion on the fraudulent attempt to access town funds.

#### **Minutes:**

The board reviewed the draft minutes of the March 20, 2023 Board meeting and made a few changes for clarity.

**Motion: To approve the March 20, 2023 minutes with tonight’s amendments.** Made by Mr. Jewett, second by Mr. Etnier. Passed unanimously.

**Public Comment:** None.

### **Conversation with Washington County Sheriff**

The Board introduced themselves and welcomed Sheriff Poulin and Captain Meyer to the meeting. Captain Meyer explained that the Sheriff’s department can offer patrols to areas specified by the town. The department generally offers three-hour blocks for patrols and would work with the town to organize a schedule that meets everyone’s needs.

Chair Gardner asked how the contract would work and whether the contracted hours would be guaranteed. Captain Meyer explained that they can’t make promises, but he thinks the department could offer at least one patrol per week and perhaps more if they can successfully hire another patrolman. Mr. Etnier asked how the decision would be made to provide the town with a certain number of hours each month, explaining that patrols were covered by voluntary overtime in the town’s recent contracts with VT State Police. Sheriff Poulin explained that the Sheriff’s contracts with towns are worked by full- and part-time staff as part of their daily schedule. He added that sickness and emergency absences do come up, but the department works to cover their contracts consistently as best they can.

Chair Gardner asked how the department takes direction on spots that need patrolling. Sheriff Poulin explained that Captain Meyer will establish a point of contact with the town and patrolling requests go directly to him. Captain Meyer sets the schedule based on those requests.

Mr. Etnier asked how often the Sheriff's department has come out to East Montpelier in the past year. Sheriff Poulin and Captain Meyer stated that the department came out often, but couldn't name a precise number. Sheriff Poulin noted that the department has data-driven practices, and they generally go to areas where data points to problems. Mr. Etnier asked the Sheriff where they think the hot spots are for East Montpelier. Captain Meyer noted Towne Hill Road and Route 2 as frequent hot spots, and noted that traffic along Vincent Flats Road by the elementary school can be an issue.

Mr. Jewett asked for a cost estimate. Sheriff Poulin explained that the current rate through July 1, 2023 is \$31.25 per hour. Starting in July, the rate will be \$60 per hour plus mileage. The reason for the increase is that the department has been losing money on patrol contracts for a few years and covering that loss with funds from other programs. The increased rate will ensure the patrol contracts pay for themselves.

Chair Gardner asked if any of the fines collected from tickets would come back to the town of East Montpelier. Sheriff Poulin stated that yes, a portion goes back to the town for any tickets issued based on an ordinance, such as a stop sign or school zone. Mr. Etnier asked how the patrols determine whether to issue a ticket. Captain Meyer replied that enforcement is for safety, not for profit, so any tickets are issued to address big-picture safety issues.

Chair Gardner asked how the Board felt about pursuing a contract with Washington County Sheriff. All Board members were interested in pursuing the contract.

Mr. Etnier asked about the training levels for officers. Sheriff Poulin stated that in the state of Vermont officers have certification at level 1, 2, or 3. All Sheriff's department officers are either level 2 or 3 and Sheriff Poulin is working to get officers trained as EMTs as well.

Mr. Etnier asked if Sheriff Poulin expected a sheriff to reside in the county they serve for the duration of their contract. Sheriff Poulin replied that he grew up and continues to live in the area and has no plans to leave for the foreseeable future.

Mr. Etnier asked how records or logs are maintained. Captain Meyer explained that the Sheriff's department uses the same system as VT State Police and can produce the same reports the town receives currently. Mr. Jewett asked if the Sheriff's department would be able to provide a report on stops performed and Captain Meyer replied yes.

Mr. Etnier asked if the department has a conflict of interest policy. Sheriff Poulin stated that the state has a conflict of interest policy, but the department does not have anything beyond that state policy.

Mr. Etnier noted that he had been told that when someone receives a relief from abuse order and has the opportunity to go back to their residence to collect personal items in the presence of a police officer, if the sheriff accompanies that person they are charged for their time. Mr. Etnier asked for more information about this. Sheriff Poulin explained that the police agencies often do not have the time to perform this service and ask officers from the Sheriff's department to handle it. The Sheriff's department doesn't have a budget beyond contracts and state-funded salaries for a few key positions, so all actions must be paid for by someone.

Mr. Etnier asked if Sheriff Poulin had any reflections on the proposed legislation on Sheriff department oversight. Sheriff Poulin stated that he thinks the issues that led to this draft legislation were human issues, not a problem with the Sheriff departments generally. He believes the Sheriff is overseen by the voters and does not think this proposed legislation is the way to solve the issue.

Mr. Etnier asked if the department has a policy for working with towns that contract with both the Sheriff's department and VT State Police. Sheriff Poulin said they do not have a policy, but the department has a good working relationship with VT State Police and he doesn't think there would be an issue.

Sheriff Poulin left a draft contract for the Board to review.

### **Discussion on ARPA Funds**

TA Jenkins explained that she had some good conversations with the external auditors and a representative from the Vermont League of Cities and Towns. Many towns are using ARPA funds to cover employee salaries and benefits, which then frees up money in the general fund to be reallocated as the town sees fit. TA Jenkins noted that a reporting deadline is coming up and she plans to report the allocation to CV Fiber. She is in the process of putting together a proposal for a chunk of salary and benefits expenses to fund with ARPA money for that upcoming reporting deadline.

Mr. Jewett commented that ideally the funds should be used for one-time expenses. TA Jenkins explained that this approach is consistent with that goal. By allocating the funds for salaries and benefits, the town would free up the equivalent amount of money in the general fund, which could then be spent without deadlines or restrictions.

Mr. Jewett asked if the town or Selectboard had been approached about spending any of the ARPA money. TA Jenkins recalled Ms. Watson asking about the process for spending the money, and added that Twin Valley Senior Center and the Four Corners Schoolhouse had both asked about applying for funds.

Chair Gardner asked for ideas on how to get town input on the use of funds. He asked if a mailed survey made sense. Mr. Jewett suggested offering a few projects, such as the town garage or town office. Mr. Etnier suggested forming a committee to manage the process and suggested five to seven committee members. The town will advertise for members and plan to convene a meeting in early May.

### **Consideration of Quote for New Town Office Phone System**

TA Jenkins explained that she requested a quote from rbTech to replace the town office phone system. She added that the current phone system was installed 16 years ago and was refurbished at the time of installation, so it is overdue for replacement.

**Motion: To accept the rbTech bid for a new phone system for the town office.** Made by Mr. Hess, second by Mr. Jewett. Passed unanimously.

### **Consideration of Local Emergency Management Plan ("LEMP")**

TA Jenkins explained that this is an annual requirement. She cleaned up the layout based on recommendations from the state, but otherwise the document is consistent with past years.

Mr. Etnier asked about the emergency spending limit at the top of page two for the Selectboard Chair, noting that it says unlimited. TA Jenkins explained that the rep she spoke with at the state thought the previous version was unclear on this point, so this language was to clarify that it was only the Selectboard Chair who had unlimited emergency spending authority. The Board discussed the spending limit. Mr. Etnier noted that he feels the current Chair would not abuse this power, but he was uncomfortable with the possibility that a future Chair could spend an unlimited sum of town funds through an emergency spending loophole. He pointed out that the Selectboard is allowed to hold meetings with no advance notice, if necessary. Mr. Jewett pointed out that it can be hard to estimate the costs of an emergency and

he could see the logic of an unlimited spending power for emergencies. Mr. Hess asked if anyone else would need to sign off on a purchase if the Selectboard Chair decided to make an emergency purchase. TA Jenkins explained that town office staff would still need to issue a check, so there is a level of oversight in that regard. Mr. Hess suggested a limit of \$100k and the Board members agreed.

**Motion: To accept the Local Emergency Management Plan with the change to set the emergency spending limit for the Selectboard Chair at \$100k.** Made by Mr. Etnier, second by Mr. Hess. Passed unanimously.

### **Consideration of Community Capacity Building Mini-Grant**

Mr. McCall reported that the Energy committee came across the Municipal Energy Resilience Program, which is offering mini-grants of up to \$4k for community capacity building. The second phase of the program offers free building energy resilience assessments for municipal buildings, and the third phase offers implementation grants of up to \$500k for energy resilience projects. Mr. McCall explained that the mini-grants are first-come, first-serve and don't require a specified use.

The Board supported pursuing a mini-grant by consensus. Mr. McCall will work with TA Jenkins to submit the grant.

Mr. Etnier stated that the town has an anonymous donor willing to give \$5k toward weatherizing municipal buildings. Mr. McCall thanked him for this information.

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

TA Jenkins noted that the document is nearly the same as the one presented at the last meeting. The main change is an update to the Towne Hill Road repaving project. The present Board members signed the document.

### **Consideration of VTrans Grant Applications**

Towne Hill Paving Grant application submission

Extension for Grant BC2063, Center Road/Mallory Brook Culvert

TA Jenkins presented the Towne Hill Paving Grant application and noted that it just needs a few photos to be finalized. She presented the grant extension for Grant BC2063, the Center Road/Mallory Brook Culvert. She noted that this project has been stalled since the engineer passed away in January 2022. She has reached out to Chase & Chase to ask if they have the capacity to assume oversight on this project. TA Jenkins would like to submit this extension request because it is clearly needed, and she thinks it is worth spending some time and money to get updated estimates and to assess the work that needs to be done.

Mr. Etnier explained that the historical culvert is undersized by current standards but cannot be replaced because of its historic nature. The project would reroute the stream and install a culvert in another location, and involves some wetlands and easements.

### **Access Permit: 23-005**

TA Jenkins explained that this curb cut is for a new single-family home and noted that the permit for that structure has already been approved. She added that Road Foreman Perry reviewed this permit application and confirmed that a culvert is required.

**Motion: To approve curb cut permit 23-005.** Made by Mr. Hess, second by Mr. Jewett. Passed unanimously.

**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: 29.11
- New COVID-19 admissions per 100,000 population: 3.3
- Staffed inpatient beds in use by patients with confirmed COVID-19: 0.8%

Mr. Etnier thanked TA Jenkins for the statistics and suggested the Board add to next meeting’s agenda a discussion on removing the COVID-19 discussions from future agendas.

**Warrants: April 3, 2023 Regular Expense Warrant and April 4, 2023 Special Expense Warrant**

TA Jenkins noted the regular warrant and special warrant. She explained that an attempt was made over the weekend to gain access to the town bank account through M&T’s phone response system. A representative from M&T called TA Jenkins about this attempt and no money was lost, but the development was very disturbing. TA Jenkins and Town Treasurer Pallas spoke with their representative at Northfield Savings Bank and an account is set up and ready to receive the town funds. The special warrant is for the check to deposit those town funds with the new account at Northfield Savings Bank.

Chair Gardner asked if the transition to Northfield Savings Bank will be complete by the time taxes start coming in. TA Jenkins said she was hopeful that that would be the case. The only hiccup she foresaw would be any taxpayers making their payments online, which would still go to the M&T account.

The present Board members signed the warrants.

TA Jenkins added that she has been in touch with rbTech about adding additional layers of protection to the town email accounts to help filter out fraudulent emails.

**Town Administrator Report**

TA Jenkins presented the revised Town Meeting minutes for the Board to review. She noted there were three new permits since the last meeting.

The board reviewed the summer schedule and made a few adjustments.

Meeting Schedule:

- 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
- June 5, 2023 6:30 p.m. Regular meeting date
- June 19, 2023 6:30 p.m. Regular meeting date
- July 24, 2023 6:30 p.m. Special meeting date
- August 7, 2023 6:30 p.m. Regular meeting date
- August 23, 2023 6:30 p.m. Regular meeting date
- September 11, 2023 6:30 p.m. Special meeting date
- September 18, 2023 6:30 p.m. Special meeting date

**Other Business**

None.

**Personnel Matters**

**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. Hess, second by Ms. Etnier. Passed unanimously.

The Board entered executive session at 8:11 p.m. and exited at 8:27 p.m.

No action taken.

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

Meeting adjourned at 8:28 p.m.

Respectfully submitted by Deirdre Connelly.

Approved April 17, 2023 Selectboard meeting.