

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

### **May 15, 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:** Zoe Christiansen

**In-Person Public Attendance:** ORCA Media; Deirdre Connelly; John Boucher; James Mangan; Deb Fillion; Ross Hazel; Chris Racanelli

**Remote Public Attendance:** Nik Khosla

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

**Additions to the Agenda:** None.

### **Minutes:**

The board reviewed the draft minutes of the May 1, 2023 Board meeting and made a few changes for clarity.

**Motion: To approve the minutes from the May 1, 2023 Board meeting with tonight’s amendments.** Made by Mr. Hess, second by Mr. Etnier. Passed unanimously.

**Public Comment:** None.

### **Consideration of Cemetery Sexton Position and Cemetery Maintenance Contract**

Mr. Boucher explained that six or seven years ago Mr. Morse hired Mr. Lamson and later Mr. Lamson’s son to assist with the sexton’s duties. In the fall of 2022 Mr. Boucher took up some of the sexton’s duties short-term and earlier this spring he began to help look for a replacement sexton. James Mangan is currently signed with Berlin Corners and is interested in working with East Montpelier as well. He can take on all of the sexton’s duties, including mowing, meeting with families, and paperwork processing. Mr. Boucher met with Mr. Morse and Mr. Lamson last week and both resigned when he brought up the possibility of contracting with Mr. Mangan. Chair Gardner asked if they resigned because of money or because Mr. Lamson felt passed over. Mr. Boucher explained that money didn’t come up during their conversation last week. He added that Mr. Lamson had opportunities to put himself forward for the sexton position but didn’t seem interested in it. Mr. Boucher added that Mr. Morse also resigned from the cemetery committee; Mr. Lamson plans to stay on the committee through the fall of 2023 but has resigned from any sexton duties.

Mr. Etnier noted that the cemetery committee used to be a commission with positions elected by the town. It is now a committee with positions appointed by the Selectboard. He noted that there are no other committees he’s aware of with members paid for hourly work, as Mr. Morse was paid for sexton’s duties. TA Jenkins and Chair Gardner agreed that no other committees have that structure. Mr. Boucher pointed

out that committee members develop the budget that includes the sexton's pay, so there is the appearance of a possible conflict of interest. Chair Gardner added that this appearance of a conflict was part of the reason that the commission was transformed into a committee.

Mr. Boucher returned to the proposed contract for Mr. Mangan's services. He explained that Mr. Mangan will use his own equipment and he also has his own insurance. Mr. Etnier asked Mr. Mangan about his experience with cemetery work. Mr. Mangan explained that he has helped his father with cemetery work for most of his life and has a lot of experience with the equipment and typical cemetery operations.

Mr. Etnier expressed hesitation at signing the contract at this meeting. Mr. Jewett suggested interim approval so the Board could have a trial period with Mr. Mangan. Mr. Mangan agreed to begin work on the town cemeteries right away. If the Board decides not to sign the contract, Mr. Mangan will be paid for his time at a rate of \$30 per hour. If the town decides to sign the contract, Mr. Mangan's hours will be rolled into the one-year contract.

**Motion: To approve payment to JM Yard Services at the rate of \$30 per hour for cemetery maintenance on provisional basis to be replaced by the fee for the annual contract if approved at the June 5 Selectboard meeting.** Made by Mr. Etnier, second by Mr. Jewett. Passed unanimously.

#### **Consideration of Cemetery Fee Structure**

Mr. Boucher presented a list of suggested rate increases for lot purchases and cemetery services. Mr. Boucher noted that the proposed increases would bring in some revenue for the town and would bring the rates in line with other nearby cemeteries. The Board thanked Mr. Boucher for the suggestions and will consider the rates.

#### **Consideration of Town Lawn Mowing Contract Renewal**

TA Jenkins explained that this proposal is for a renewal of the existing contract for mowing services. The rate and scope of work are the same. Chair Gardner mentioned that the service is local and they do good work, which is part of the reason the town has continued to work with them. Mr. Hess asked if TA Jenkins is happy with their work, and she said that she is.

**Motion: To accept town mowing contract renewal with Creative Visions, LLC.** Made by Mr. Hess, second by Ms. Christiansen. Passed unanimously.

#### **Discussion with Listers**

TA Jenkins explained that the Listers are currently over budget and, based on her projections, they will likely be \$7k over budget by the end of the fiscal year. Chair Gardner asked the listers why they have gone so significantly over budget, and whether they can decrease their hours for the remainder of the fiscal year.

Ms. Fillion explained that the listers must lodge the grand list in June by statute, so that work cannot be put off. The Department of Taxes has introduced new software and the training required for that software is part of the reason for the increased hours this fiscal year. She added that the number of site inspections has gone up due to the spike in purchases and renovations. She noted that the listers sent approximately 230 change of appraisal letters in this fiscal year.

Chair Gardner asked if the listers think they will be more in line with their budget next year. Ms. Fillion said that she is hoping they can all get up to speed on the software, which should help with their hours. She added that she would like to request an extension for lodging the grand list, which requires signatures

from the Selectboard. The extension is only for 30 days, so it won't help the listers keep their hours down for the rest of the fiscal year, but it will take some pressure off them to finish the work on the grand list.

Mr. Etnier asked how the town could avoid this budget overage in future years. TA Jenkins mentioned that she and Treasurer Pallas have discussed making monthly budget updates. Ms. Dillon agreed that a regular budget update would be helpful.

Ms. Christiansen noted that the trainings are for state software and asked if the town could request reimbursement from the state for those hours. Ms. Fillion explained that the listers do receive some reimbursement, but the amount is very low. She also pointed out that the town received money for the grant list reappraisal, but she felt that money was best put away for a future reappraisal. The Board agreed.

Mr. Etnier suggested the Board invite Representative Chapin to an upcoming Board meeting to discuss the software training reimbursements. The Board will look at upcoming agendas to find the best date for that invitation.

### **Discuss Proposal to Add Streetlight to Towne Hill Road & US Route 2 Intersection**

TA Jenkins explained that Mr. Mekkelsen reached out with concerns about darkness at the Towne Hill Road and US Route 2 intersection. She spoke with VTrans and they are open to adding a street light. Reflective strips on the signposts might also be a solution for increased visibility.

Mr. Etnier gave some background, explaining that approximately ten years ago the energy committee did an inventory of all streetlights in town and any areas that may need a streetlight. The Towne Hill & Route 2 intersection came up, but they found no justification for installing a streetlight at the time. He added that there was a Towne Hill Road sign that helped with visibility at that intersection; the sign is now gone, and perhaps installing a new one might help. Mr. Etnier also commented that there are now additional signs and stop signs leading up to the intersection and the speed limit is also lower than it was ten years ago. The Board also discussed the possibility that a streetlight might make it harder to see headlights along the road at night and make the intersection less safe.

The Board agreed that adding reflective strips to the signposts and reinstalling the Towne Hill Road sign were easy steps the town could take to make the intersection more visible.

### **Discuss Residential Trash Concern on US Route 2**

TA Jenkins noted that trash concerns at this residence have been an ongoing concern for some years. Ms. Burley, the Town Health Officer, previously reached out to the residents but didn't make much headway. A neighbor mentioned that the trash bags tear, and wind carries the trash into other yards and the nearby river. Zoning Administrator Brown visited the site and confirmed the trash is an issue at this address. TA Jenkins noted that trash does appear to be in violation of LUDR Section 3.13.

TA Jenkins suggested drafting a letter to the owner stating the violation and then taking further steps as needed. The Board agreed. Mr. Jewett noted that the Health Officer can bring a Sheriff along if visiting the site.

### **Discuss Potential Changes to Town Office Telephone and Internet Service**

TA Jenkins explained that she has been working with rbTech to update the town's configuration with Consolidated Communications. The change to the phone setup will bring savings and the municipal office will have the same number of lines available. As part of the process, rbTech requested a quote from

Consolidated for an upgrade to fiber internet. Earlier this year TA Jenkins also asked for a quote from Comcast, the office's current internet provider, for faster internet speed. While TA Jenkins does not have the numbers from Comcast handy, they were roughly the same as the quote from Consolidated for the fiber connection. TA Jenkins made some calculations and estimates the fiber internet upgrade will cost approximately \$1k.

The Board agreed to move forward with the Consolidated fiber internet update by consensus.

### **Appointments**

The Board reviewed the slate of appointments.

Development Review Board:

- Nik Khosla

Emergency Planning Committee:

- Rachael Grossman
- Patty Giavara
- Renee Kievit-Kylar
- Lydia Faesy

Future Projects Committee (formerly known as ARPA):

- Ginny Callan
- Ed Deegan

CV Fiber Town Representative:

- Tom Fisher

TA Jenkins noted that Marshall Cottrell, the current CV Fiber alternate, has not responded to email confirming his interest in continuing. She added that Ginny Burley has requested that the town seek a new Town Health Officer. TA Jenkins will post about the position on the town website and Front Porch Forum.

**Motion: To appoint the slate as presented.** Made by Mr. Hess, second by Mr. Etnier. Passed unanimously.

### **Preliminary Update on Property Tax Payments**

TA Jenkins presented the latest numbers and noted that she will have a more detailed analysis available at the next meeting.

### **Warrants: May 15, 2023 Regular Expense Warrant**

TA Jenkins noted that payments for the Mack truck and the ash tree removal work are both on this warrant. Mr. Hess asked if the town has a contract for maintenance on the generator. TA Jenkins was not aware of one. Chair Gardner noted that the company performing the maintenance was the company that installed the generator.

The present board members signed the warrant.

### Town Administrator Report

TA Jenkins reported that Matt Foster has completed his portion of the ash tree removal work. The road crew is still working to clear the cut trees. TA Jenkins commented that Mr. Foster was great to work with.

TA Jenkins noted that the 2024 Mack truck is on the warrant this week. It is in New York and Road Foreman Perry has been in contact with Tenco to answer questions and review the design. It's expected to arrive in July.

TA Jenkins reported that she attended the Municipal Equipment Show & Field Day with the road crew on May 10<sup>th</sup>. She enjoyed spending time with the road crew and expressed her gratitude to Road Foreman Perry for inviting her to the event and taking the time to answer questions and introduce her to vendors.

TA Jenkins raised the topic of potentially purchasing an additional laptop for the town office. She explained that the flex desk space in the research/copier area is positioned such that if a person is using the computer the copier is inaccessible. This has been an issue when all three listers have been in the office and one of them needed to use the flex desk space. Mr. Hess asked how much a new laptop would cost. TA Jenkins estimated \$2,500, which would include both the equipment and rbTech's time to set it up. TA Jenkins added that she is hesitant to spend money on something that isn't needed regularly, and asked if the Board would be comfortable with her removing the flex desk space without purchasing a laptop to replace it. The Board approved removing the flex desk space.

TA Jenkins explained that the banking transition and tax payments have taken up a lot of staff time, so the financial reporting package was not ready for this meeting.

TA Jenkins expressed her thanks to Denise Sparrow for coming in to help in the office recently. She has been a great resource and a huge help.

There have been two new permit applications since the last meeting.

#### Meeting Schedule:

- 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 10, 2023 7:00 p.m. EMFD 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. Etnier, second by Mr. Jewett. Passed unanimously.

The Board entered executive session at 8:00 p.m. and exited at 8:34 p.m.

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

Meeting adjourned at 8:36 p.m.

Respectfully submitted by Deirdre Connelly.

Approved June 5, 2023 Selectboard meeting.

**Town of East Montpelier  
Selectboard Memo  
May 15, 2023 SB Meeting**

**Additions to the Agenda**

None

**Consideration of Cemetery Sexton Position and Cemetery Maintenance Contract (6:40 p.m.)**

- Elliot Morse is retiring as the Cemetery Sexton after many dedicated years of service. As such, we have an opening for Cemetery Sexton (it may be nice for the town to recognize Mr. Morse for his years of service in some way).
- Jon Boucher will be in attendance to update the Selectboard on the management of the cemeteries and the recent discussions/decisions made by the Cemetery Committee.

**Consideration of Cemetery Fee Structure (6:55 p.m.)**

- The Selectboard to reconsider the fee structure based on proposed cemetery maintenance contract.
- Current and Proposed Fee Structure is presented for Selectboard consideration.

**Discussion with Listers (7:05 p.m.)**

- The Selectboard requested a discussion with the Town Listers to review the FY2023 budget overrun.
- As of April 30, 2023, the Listers Payroll actual results is \$25,246.25 versus a budget of \$23,000 for a negative variance of \$2,246.25 (after the 5/11 payroll, the actual payroll is at \$26,414.75 versus a budget of \$23,000 for a negative variance of \$3,414.75).
- Trending the actual results for the fiscal year (\$2,525 per month), the Listers are tracking to a payroll of \$30K against a budget of 23K for a negative variance of \$7K/30%.
- The FY2023 (as of 5/11/23) hours worked by Lister is:
  - Deb Fillion: 628.25
  - Ross Hazel: 464.50
  - Chris Racanelli: 297.50

**Consideration of Town Lawn Mowing Contract Renewal (7:20 p.m.)**

- Tim Frazier with Creative Visions, LLC is proposing a renewal of his 3-year contract to provide lawn mowing and general maintenance of town-owned properties. The renewal cost is \$10,200 paid in six equal installments of \$1,700 per month from May through October. This is the same cost that has been presented over the last couple renewals with no change in the overall agreement structure.
- If the Selectboard is comfortable with the renewal as proposed, the Selectboard to approve the terms and authorize TA Jenkins to sign the contract.

**Discuss Proposal to Add Streetlight to Towne Hill Rd & US Rte 2 Intersection (7:25 p.m.)**

- Bruce Mekkelsen reached out with concerns about the Towne Hill Rd & US Rte 2 intersection darkness at night. He requested that the Selectboard contract with Green Mountain Power ("GMP") to install a streetlight on the existing power pole at the intersection.
- To add a streetlight would be \$126.36 to install the light with an ongoing cost of \$12.74/month for the light.
- TA Jenkins reached out to VTrans to discuss the option and ensure there were no issues or concerns on their side. VTrans has no issue with installing a light on the existing power pole.
- The Selectboard to discuss request and determine if they consider it a need for the town. If the Selectboard would like to move forward to add the streetlight on the existing power pole at the intersection of Towne Hill Rd and US Rte 2, the Selectboard to do so via motion.

**Discuss Residential Trash Concern on US Rte 2 (7:35 p.m.)**

- An issue has arisen with residential trash being accumulated around a residence at 4239 US Rte 2. This has been an ongoing issue over the past couple years. Ginny Burley, Town Health Officer, previously responded to the concern but was unable to directly communicate with the resident. The concerned resident that contacted the office lives in an adjacent property and also has been unable to directly communicate lately with the person residing at 4239.
- Zoning Administrator Brown took photos of the trash around the residence. Those photos were emailed to the Selectboard members prior to the meeting and are available for viewing at the in-person meeting.
- Per the EM Land Use & Development Regulations Section 3.13, “the outdoor storage of trash or recyclable materials which is incidental to a principal or accessory use shall be screened or hidden from public view and the view of neighboring residential properties.” This situation appears to be in violation of this regulation.
- TA Jenkins would like to discuss next steps with the Selectboard to address the concern.

**Discuss Potential Changes to Town Office Telephone and Internet Service (7:50 p.m.)**

- rbTechnologies has been working with Consolidated Communications to adjust the town office phone plan to accommodate the new phone system. In conjunction with altering the plan, rbTechnologies requested a quote to improve the internet service for the town office. The office is currently on a slow service at a reduced municipal rate.
- For the phone changes, the overall effect is a savings of \$47/month or \$567/year

<b>Current Service</b>	
5 Phone Lines	\$ 155.00
Taxes/Surcharges	\$ 72.85
Long Dist Surcharges	\$ 38.70
	<b>\$ 266.55</b>

<b>Proposed Service</b>	
4 SIP Trunks	\$ 148.81
1 Copper Line	\$ 33.00
Taxes/Surcharges on SIP	\$ 18.00
Taxes/Surcharges on Copper Line	\$ 19.43
	<b>\$ 219.24</b>

Variance/Month \$ 47.31  
 Variance/Year \$ 567.72

- For the internet service, the town office is currently on a special Comcast plan that is 30/5 mbps for \$24.95 per month. Consolidated is proposing a 100/100 mbps fiber & static IP option for \$210 per month. TA Jenkins reached out to Comcast in early 2023 seeking an increase in speed based on the recommendation of a Comcast technician after a service call. The Comcast quote was similar to the Consolidated quote. The increase in speed would provide many benefits. The current speed is outdated and doesn't efficiently support the office needs. Per, rbTechnologies, more bandwidth is better for many reasons. Some of the benefits the office would receive from an increased speed are:
  - Patches and security updates will download faster.
  - rbTechnologies' access to the office systems will perform better.
  - Faster download times for staff while online means less waiting and better productivity.
  - Faster speeds mean less time for staff waiting for websites and such to load while online and again better productivity.
  - Offsite backups can be pushed out of the building faster and more reliably.
  - VPN connections will be more reliable as they won't get choked out by usage on the local network while folks are remote.
  - Video conferencing will be better quality and more reliable for things such as Zoom meetings in the office.
- The total phone budget for the town is \$5,900 per year (\$3,200 for town office + \$2,700 for garage telephone). The proposed costs for the total town phone costs would be \$380 per month (\$219 office, \$121 garage, \$40 ZA cell phone allowance) or \$4,563 per year for a positive variance of \$1,337 per year. Please note that the town office phone costs are trending over budget because of a change in the posting methodology. All cell phones were previously posted as garage phone, including the TA/ZA cell phone. We revised the coding to include the ZA cell phone allowance in the town office costs.



- For internet, the budget is within the overall Computer Service/Maintenance budget line of \$16K per year. If the town moved forward with the fiber internet, the additional cost per year is \$2,220 as the budget assumed no changes in the structure. The reason no change was assumed in the FY2024 budget process was because TA Jenkins is still trying to get a handle on all the costs and how they have been recorded in the general ledger. If the town moved forward with the change, TA Jenkins would prefer to post all the town phone and internet costs to 100-3610-60.00 (Munc Bldg – Telephone) and rename that account Telephone/Internet as both components of office communications should be classified with the other building expenses.
- The Selectboard to consider the improved internet speed for the town office and authorize TA Jenkins to move forward with the change via motion if approved.

### **Appointments** (8:00 p.m.)

- Development Review Board: Nik Khosla
  - Mr. Khosla is a member of the Planning Commission and would like to expand his involvement with the town by becoming a member of the DRB.
- Emergency Planning Committee – The following individuals submitted their names for consideration to be appointed to the committee:
  - Rachael Grossman – Ms. Grossman is the originator of the newly formed committee.
  - Patty Giavara
  - Renee Kievit-Kylar
  - Lydia Faesy
- Future Projects Committee (formerly known as ARPA). A few others have inquired about the committee but have not yet formally submitted for appointment.
  - Ginny Callan
  - Ed Deegan
- CV Fiber Town Representative
  - Tom Fisher would like to continue as the town’s representative.
  - The current alternate, Marshall Cottrell has not responded to email confirming interest in continuing. TA Jenkins will continue to follow up and report back to the Selectboard.
- Town Health Officer
  - Ginny Burley has requested that the town seek a new Town Health Officer. Ms. Burley has graciously served in this position for years but would like to give another resident the opportunity. Per Ms. Burley, the majority of the time is spent addressing housing violations (code violations and inspections) and reporting dog bites.
  - A print out from the state website provides a high level summary of the requirements for the Town Health Officer.

### **Preliminary Update on Property Tax Payments** (8:15 p.m.)

- Payments are still coming into the office. The update based on payments received by around 2pm is as follows:
  - 22/23: \$567,490.48
  - 21/22: \$56,825.09
  - 20/21: \$34,103.94
  - 19/20: \$7,744.90
  - 18/19: \$7,501.35
  - Total: \$673,665.76

### **Warrants** (8:20 p.m.)

- **May 15, 2023 Regular Expense Warrant**
  - The warrant should be signed by all Selectboard members present. If an “in-person” quorum is lacking, the warrant should be approved by one of the in-person Selectboard members authorized to sign the warrant on behalf of the Selectboard.

**Town Administrator Report** (8:25 p.m.)

- Matt Foster is finished removing the trees on Murray, Bliss & Barnes Rds. The Road Crew is continuing to pick up the trees and debris.
- 2024 Mack Truck is currently at a Tenco facility in New York being built. Road Foreman Perry has been in regular communication with Tenco to design the build and answer questions as they arise. We expect to take delivery of the truck in July.
- TA Jenkins attended the Municipal Equipment Show & Field Day with the Road Crew on Wednesday, May 10<sup>th</sup>. The show presented a good opportunity for TA Jenkins to spend time with the Road Crew, meet other town crews and meet with some of the town’s vendors. TA Jenkins thanks Road Foreman Perry for inviting her to the event and taking the time to show her equipment, answer all her questions, and introduce her to many people in attendance.
- TA Jenkins would like to discuss the potential purchase of an additional laptop for the town office to be used as a loaner for situations when the elected officials are in the office at the same time requiring 3 computers. With the new staffing structure, the flex desk space previously used by the elected auditors is now the Zoning Administrator’s desk. The desktop at that flex space was relocated to the researcher/copier space with the assumption that it would rarely be used or typically used outside of regular business hours based on historical use. Based on recent office activity, TA Jenkins would like to remove the desktop and maintain a loaner laptop that could be checked out for use in the office only in the event more than 2 elected officials require the use of a computer at one time. Someone working at the computer in the researcher/copier area prevents access to the copier and poses a potential safety risk navigating that portion of the office.
- The Financial Reporting Package is delayed partly due to the banking transition and this being the first year Treasurer Pallas is managing the tax payment process. Treasurer Pallas has experienced time constraints lately managing the financial activity among the 2 bank accounts. The temporary increase in work, coupled with the tax payment deadline, resulted in a delay in publishing the April 30<sup>th</sup> report.
- TA Jenkins would like to formally express her gratitude to Denise Sparrow for returning from retirement to help the town office until a permanent replacement for the Municipal Assistant position is identified. Denise brings a wealth of experience in managing the front desk and her return has helped in more ways that TA Jenkins could begin to list. Denise is a pleasure to work with and has helped TA Jenkins maintain her sanity in more ways than one over the past few months.
- Permit Applications Report
  - There have been 2 new permit applications since the last meeting.
    - 23-012: New Family Dwelling on Mays Way
    - 23-014: New Storage Barn
- Meeting Schedule:

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**Personnel Matters** (8:35 p.m.)

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