

### **Additions to the Agenda**

Please note that The Selectboard Meeting ends at 6:30pm. There is a hard stop at 6:30pm to start the Pre Town Meeting that has a separate zoom link.

### **Review Minutes:**

- Feb 9, 2025, Selectboard Meeting

### **Consideration of the revised East Montpelier Trails, Inc. (EMTI) easement & MOU**

Bill Heigis from EMTI will discuss EMTI wanting to have overall MOU/ Policy and does not want to go with MOUs case by case.

As stated at the last Selectboard Meeting, the Town will have obligations if the Town is a co-holder of the recreational easement. Serving as a co-holder would carry obligations for the Town, including responding to violations or conflicts and participating in enforcement actions when necessary. Even if EMTI acts as the “primary” steward, the Town would still share legal responsibility, which could require staff time and occasional legal costs. If EMTI were to cease operations, become inactive, or decline to enforce the easement, the Town could become the sole responsible entity. This could mean addressing trail maintenance issues, encroachments, misuse, or negotiating with reluctant landowners. Co-holding could also draw the Town into disputes over permitted uses—for example, motorized versus non-motorized activities, hunting access, horses, or mountain biking.

We are not yet at a point where final documents are ready for approval by the Selectboard. The changes to the proposed easement deed and the draft MOU are intended to implement the concepts discussed at the last Selectboard meeting:

- EMTI serving as the primary holder of the easement, with responsibility for administration of the easement, and the Town serving as a backstop to ensure the permanency and enforceability of public access.
- The Town stepping in to assume easement responsibilities only if EMTI dissolves, ceases operations, or is otherwise unable to fulfill its obligations.
- EMTI indemnifying the Town for claims arising out of EMTI’s acts or omissions.

The Board should have the opportunity to discuss and consider both the documents and the broader relationship with EMTI before making any commitment. One important remaining question for the Board is whether the Town will require EMTI to maintain liability insurance. EMTI does not currently carry such coverage. It appears that the annual premium would likely be in the range of \$2,200 to \$2,600.

With respect to Bill’s “overall MOU” concept, the Board may want to consider whether it would be prudent to see how the primary/backstop relationship functions and what practical issues arise before committing the Town to a broader relationship or additional obligations. The Board should also keep in mind that EMTI is not a Town committee and operates independently of Selectboard

oversight. Under this new arrangement, if EMTI dissolves, ceases operations, or is otherwise unable to fulfill its responsibilities under the easement(s), the Town, as the backstop holder, would inherit any problems or issues that exist at that time. The relationship involves a lot of back-end responsibility for the Town and little up-front control. Baby steps might be warranted. After the discussion, the Town Administrator can let the Town Lawyer know if there are any questions from the Selectboard.

### **Discuss Dodge Rd.**

Review of Town records shows no documentation in the vault specific to East Montpelier Trails Inc. or Dodge Road, though Town Highway #4 is listed as a 0.50-mile “town trail” off Dodge Road (not a Class 4 road). There is a covenant for part of Dodge Road regarding property owned by Barbara Clark. A copy of the Mylar (survey map) that shows Lot #4 is noted in the covenant which could be helpful. Questions remain regarding the legal status, establishment timeline, and right-of-way validity of the Dodge Road legal trail, particularly in response to a landowner’s claim that the road was improperly retained and blocked in violation of Vermont law.

EMTI seeks clarification from the Town to ensure it operates on solid legal footing while addressing abutter concerns. Additionally, a recent incident involving an unleashed dog and alleged threats at the parking area was reported; EMTI stated it manages trail signage and maintenance but directed right-of-way and legal concerns to the Town.

### **Discuss Vacancy Tax with Celina Barton**

Celina urges the Selectboard to consider adopting a vacancy tax or similar mechanism (e.g., higher tax rate on long-term vacant or blighted properties, particularly absentee-owned) to address neglected buildings in North Montpelier village.

She cites Vermont’s housing shortage, stagnant grand list, and the negative economic and community impacts of long-vacant properties. She highlights several long-closed and underutilized properties in North Montpelier, including 3065 VT Route 14 North (former Cornie’s General Store and apartments), 2040 VT Route 214 North (former Riverbend Store complex), and 35 Butterfield Road (former Masonic Hall)—as examples of lost housing, jobs, tax revenue, and community space.

She proposes a structured vacancy tax with defined timelines and exemptions for active rehabilitation and offers to provide additional research and policy options if the Board is interested.

### **Discuss Request to Recover Bennett Cemetery (Possible Motion)**

Mo Cerutti is requesting information and potential recovering and refurbishing of the Bennett Burial Ground and Monument, referenced in the publication *Ancient Cemeteries and Burying Grounds of East Montpelier, Vermont from 1794* (Third Edition, June 1994), which is available at the Town Clerk’s office. The document includes a photo, historical background, and a burial record for the site.

Cerutti states the cemetery, once located in an open field, is now overgrown and largely forgotten. He believes the land is likely private property, though portions may fall within the three-rod right-of-way along Cherry Tree Hill Road. As a former East Montpelier Cemetery Commissioner, he notes that commissioners are responsible for known burial sites. He has genealogical records of individuals buried there (his 4th and 5th cousins) and has expressed interest in seeing the cemetery recovered and refurbished.

He is asking for clarification on the Commission's status and oversight of the site.

Cemetery Committee Chair, Emily Goyette reports that since joining the Commission in 2018, the Bennett Cemetery has not been on the list of maintained cemeteries. She notes that former members Elliott Morse and Tim Lamson may have additional background.

Based on information from the East Montpelier Historical Society, the site is believed to be on property owned by the Mekkelsens, is gated and posted "No Trespassing," and has become overgrown. The monument is estimated to be about 50 feet from the road, possibly near the three-rod right-of-way. Access may be limited until spring.

Goyette states that the Selectboard would need to determine whether it wants the Commission to pursue recovery of the cemetery.

### **Discuss 2nd Hearing Date for the Town Plan**

2 Town Plan Hearings: March 2nd at 5pm(confirmed), and 2nd hearing date (tbd at Feb 23rd SB Meeting) April 6, 2026, is recommended date by PC Chair.

The current draft is available in PDF form on the town website, at:

[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_eastmontpeliervt.org\\_wp-2Dcontent\\_uploads\\_2025\\_12\\_2026-5FTown-5FPlan-5F20251215-2D1.pdf&d=DwIDaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A\\_CdpgnVfiiMM&r=KeNbFPKA\\_ABdeolADZ6KR3EkU64v5XbRgpbxY50Ei1Y&m=HTRBLdL9ss43XK2AN1kAT-Cs89iwG\\_GXcwcHa2GiuBadftjxYr7uROp7-zshzcti&s=-HhIWZpg948VU4s-QurIM89VBSd\\_123D8bkDCW5B2Cc&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A_eastmontpeliervt.org_wp-2Dcontent_uploads_2025_12_2026-5FTown-5FPlan-5F20251215-2D1.pdf&d=DwIDaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=KeNbFPKA_ABdeolADZ6KR3EkU64v5XbRgpbxY50Ei1Y&m=HTRBLdL9ss43XK2AN1kAT-Cs89iwG_GXcwcHa2GiuBadftjxYr7uROp7-zshzcti&s=-HhIWZpg948VU4s-QurIM89VBSd_123D8bkDCW5B2Cc&e=)

### **Consideration of Adoption of Town Road and Bridge Standards (Possible Motion)**

This is a requirement and formality of the State to receive funding and if we don't sign these then we would have to come up with our own standards and get those approved by the state.

### **Treasurer Report**

- Monthly 2025 Financials for: October, November & December – nothing extraordinary to report. We are currently in a very good financial position.
- To approve revised Investment Policy as of February 23, 2026, which includes the addition of US Treasury Bills as a permitted investment. (Possible Motion)

### **Warrants**

- Feb 23, 2025, 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**

- CDBG-DR Grant update:
  - MOU to allow access from abutters due March 6th
  - Award Conditions due March 16, 2026.
  - Draft RFP completed, final edits in progress and then posting RFP March 16<sup>th</sup>, 2026
- MPG Grant update:

- Draft RFP completed, final edits in progress and then posting week of Feb 23rd, 2026
- **Recruitment-** The town is recruiting for several positions on our webpage located here: <https://eastmontpeliervt.org/community/east-montpelier-jobs-recruiting/>
  - 2 members are needed for DRB
  - 4 members Cemetery Committee
  - 1 Central VT Solid Waste Mgt Board Supervisors Back Up Needed
  - 1 Board Member for 4 Corners School House.

**Meeting Schedule:**

March 2, 2026	5:30 p.m.	Monday, Regular Meeting Date & Town Plan Hearing 5:00pm
March 16, 2026	5:30 p.m.	Monday, Regular Meeting Date
April 6, 2026	5:30 p.m.	Monday, Regular Meeting Date & Town Plan Hearing (tbd) 5:00pm
April 20, 2026	5:30 p.m.	Monday, Regular Meeting Date
May 4, 2026	6:30 p.m.	Monday, Regular Meeting Date
May 18, 2026	6:30 p.m.	Monday, Regular Meeting Date
June 1, 2026	6:30 p.m.	Monday, Regular Meeting Date
June 15, 2026	6:30 p.m.	Monday, Regular Meeting Date
July 6, 2026	6:30 p.m.	Monday, Regular Meeting Date
July 20, 2026	6:30 p.m.	Monday, Regular Meeting Date
Aug 3, 2026	6:30 p.m.	Monday, Regular Meeting Date
Aug 17, 2026	6:30 p.m.	Monday, Regular Meeting Date
Sept 7, 2026	HOLIDAY	Labor day, 1 <sup>st</sup> Monday of the Month
Sept 14, 2026	6:30 p.m.	Monday, Special Meeting Date, 2 <sup>nd</sup> Monday of the Month
Sept 28, 2026	6:30 p.m.	Monday, Special Meeting Date, 4 <sup>th</sup> Monday of the Month
Oct 5, 2026	6:30 p.m.	Monday, Regular Meeting Date
Oct 19, 2026	6:30 p.m.	Monday, Regular Meeting Date
Nov 7, 2026	5:30 p.m.	Monday, Regular Meeting Date
Nov 16, 2026	5:30 p.m.	Monday, Regular Meeting Date
Dec 7, 2026	5:30 p.m.	Monday, Regular Meeting Date
Dec 21, 2026	5:30 p.m.	Monday, Regular Meeting Date