

Selectboard Meeting Minutes

Monday, November 25, 2019 at 7pm at the Calais Town Offices

Present: Denise Wheeler (Chair), John Brabant (Vice Chair), Rose Pelchuck (Member), Sharon Winn Fannon (Member), Clif Emmons (Member), Jerome Lipani (ORCA), Katie Lane-Karnas (Recording Secretary), Alfred Larrabee (Road Commissioner), Sandra Ferver (Town Treasurer and Delinquent Tax Collector), Pam DeAndrea (NCMHA), Rubin Bennett (rbTech)

1. Call to Order: Denise Wheeler called the meeting to order at 7:00 pm.
2. Public Comment: None.
3. Review, Additions/Changes to Agenda: None.
4. Updates/Reports
 - a) Road Commissioner and Operations Manager: The Road Commissioner reported that the new truck is in and will soon be registered. Roads have been plowed and sanded a number of times this season; “magic salt” will be utilized when the temperature drops low enough (purchased in coordination with East Montpelier for optimal pricing). The group regretted that a second sand pile location is limited as a real possibility by the need for a machine for loading and a building for the machine in extreme weather.

The UVM Capstone Project’s findings on winter roads is due soon. The students’ work may illuminate creative possibilities for our approach to road maintenance. The board also noted the report and the wintery weather may serve as a catalyst to getting citizens engaged in helping to develop thoughtful solutions. The Chair said she tried during the summer months -- after the spring roads discussions -- to get a group together. People said they are too busy or didn’t respond to outreach. The Board talked about doing a FPF posting to invite people to participate in a winter roads committee.

The group discussed part time additional CDL employees for winter work. A potential candidate in need of the CDL may coordinate with the Road Commissioner about obtaining his license and contracting for part time work.

Conversation moved to consideration of a roadside mowing tractor purchase. John Brabant provided many photos of a mower currently for sale in Swanton, approximately 3,350 hours and from 1995/96. The Road Commissioner and John Brabant both have positive experience with the seller and commented on their good reputation. The price is \$18,500 plus AC repair and delivery. The group discussed means of paying for a roadside mowing tractor purchase, specifically noting the importance of mowing invasives and the benefit of

more frequent invasives mowing. The Road Commissioner and John Brabant will coordinate to go up and look at the tractor.

5. CVRPC Grant Application: Pam DeAndrea (local resident and CVRPC employee) attended and reported that there is an opportunity for grant money to move two of the sites identified by the Stormwater Master Plan to repair: by the East Calais Post Office and the gully site off of Moscow Woods Road. The landowner involved in the Moscow Woods Road site is 100% supportive and has written a letter in support; other landowners are in support. The support of the Town is what remains for moving forward. (Beth Harrington is not willing to support any remediation on her property; the design now does not impact her property). The Design Implementation Block Grant Program (DEC) has a chunk of money available to move identified and ready-to-go projects to final design. The two sites will be bundled together into one single grant application; this design is going to recommend some best management practices that will impact ditch work, culverts, etc. There is no cash match required, only in-kind time such as test pits and reviewing/meetings about project planning with CVRPC. The total project amount for final design is capped at \$20,000. Pam DeAndrea felt that this will stop a lot of the stormwater coming down the hill, and can be a complete fix. At the Post Office site, an underground chamber system will move stormwater and infiltrate the ground from there. The Town would take on operation and maintenance of the system once it is built: renting a vac truck once every couple of years, possibly coordinating with Woodbury who is working on a similar system (incorporated into the Road Commissioner's culvert maintenance work).

Clif Emmons made a motion to allow the Chair to sign a letter in support of the grant application and committing to operations and maintenance for a minimum of ten years at each of these two sites. John Brabant seconded. The motion passed unanimously.

Construction will not happen this summer, but hopefully as soon as the following summer of 2021.

6. Review Treasurer Monthly Report: The Town Treasurer attended to provide the monthly report. The Town is high on revenues because the tax collection effort is still in process. Seventy four percent of budgeted revenues have been collected, but that is an inflated number due to tax collection. The two-week grace period deadline for taxes is approaching on November 29th. Forty eight percent of budgeted expenditures have been made; as there are some one-time expenditures early in the fiscal year, the Treasurer reassured that the Town is "on track." The interim town office redesign is complete at approximately \$1700; a bill for the storage container continues at \$75 per month (until Town Hall is complete and certain documents are shredded). Steeple Chase met with staff and gave an initial estimate at under \$50,000. (The Board had approved office staff to seek an estimate.)

The Treasurer reported that the Town has collected 90.96% of Highway's budgeted revenues and expensed 46.20% of budgeted expenditures. Highway expenses are on course despite appearance that they are running over budget, due in large part to one-time payments made early in the fiscal year. The 2019 International Truck lease has closed.

Until the school tax bill is paid, the balance sheet remains a bit inflated by the tax effort, but is still on target.

7. Review Delinquent Tax Collector Report: 2018 delinquent taxes continue to be collected; the current amount of delinquent taxes, penalty and interest outstanding is \$9,803.61.

As of 10/31/19, \$98,391.92 is outstanding on the first tax installment, a bit higher than the amount from the same date last year (approx. \$78,000). Over the past year, approx. \$166,000 of approx. \$176,000 in delinquent taxes have been collected.

The Town Treasurer recommended sending parcel 212400 (\$365.83) to attorney Rice for collection. There have also been no 2019 tax payments made on this parcel and the DTC does not expect any to be made.

In 2018, the amount that needed to be collected in delinquent taxes was 3.71% of the total amount billed. The Board noted that if a person is delinquent in tax payment, the Town is responsible to collect the taxes for both school and town portions—considerable staff time. The group discussed implications now that a forced school consolidation has occurred. The Treasurer clarified that the school tax bill to the Town is paid *minus* the delinquencies. In April the State determines what the Town actually owes due to changes in the Grand List after it was lodged.

The Town Treasurer reiterated that the town audit proved the strong efforts of the office staff, with no material weaknesses, and one deficiency noted in “general journal entries.” The Town Treasurer explained she worked with the accountants to formulate a procedure whereby the monthly auditor (NEMRC) reviews all journal entries, notes any problems in writing, and reports those to the Selectboard Chair and Town Treasurer, putting the Board immediately on notice. This satisfied the auditors regarding the “deficiency.” The Board thanked the Treasurer for her excellent work.

The general fund balance has been very strong for two years, allowing the Town to be funded for two months into the fiscal year without taking out a bank note.

The Town Treasurer sent an email giving the Board a heads up to make a decision on sending a parcel to the attorney. Denise Wheeler made a motion to send parcel number 212400, delinquent amount \$367.53, outstanding from 2018; if the owner doesn't pay 2019 taxes by the end of the grace period, 11/29/2019, either in hand or by post, the amounts from 2018 and 2019 shall be sent to attorney Gloria Rice. Clif Emmons seconded, and the motion passed 5-0.

John Brabant made a motion to send parcel numbers 430054A and 17610, 2018 taxes and 2019 taxes if they are not paid by the end of the grace period (11/29/2019), to the tax attorney, Gloria Rice. Rose Pelchuck seconded and the motion passed unanimously.

8. New Server and IT Contract with rbTech: Clif Emmons thanked Rubin Bennet and rbTech for working with the Town as they have moved through the process of creating an RPF for IT contract. Rubin Bennett thanked the Town and invited them to ask him any questions about

rbTech's proposal. Denise Wheeler noted that months ago, rbTech promised to investigate charges that were incurred and to communicate a response to the Town; Rubin Bennett apologized for the oversight and reported that he and Holland did review the charges discussed, but he forgot to respond to Calais. He recalled that he didn't find anything that compelled crediting the Town, and confirmed that he will check again and communicate with the Town.

Clif Emmons reminded the group that the issue was around the amount of time it took to come to a solution as a result of NEMRC-firewall systems crashing. The group acknowledged the challenge of that issue, and the significance of the problem with NEMRC suddenly addressing a security issue that had been ongoing, but left unaddressed until it became public. The disfunction of Ransomware interacting with NEMRC and its data storage caused a significant amount of challenge for rbTech to address, over the course of 6-8 weeks, without charging anywhere near the amount of time put into this project for a number of towns. Discussion moved to technical details of the NEMRC situation.

The Board noted that the Town needs someone who takes ownership, and takes it personally on behalf of the Town, standing in the shoes of a Town employee, to support the IT of the Town Office. A partnership is needed whereby somebody is able to help the Town keep an eye looking forward. They inquired of Rubin Bennett, What are you doing as our partner to help us understand what our vulnerabilities are? Rubin Bennett commented on the importance of the relationship. He considered best steps for moving forward while utilizing NEMRC, accepting that NEMRC's value proposition is impossible to beat in Vermont: they build a good program, have important components, and are at a price point towns can afford. He explained that rbTech currently sits down on an annual basis with clients to identify the current and desired states, and define what steps bridge the delta. Steps are then sorted into short- and long-term time frames. Rubin Bennett tried to recall whether a "current and desired states" meeting has occurred with Town Office staff; the Chair noted that this meeting had not occurred this year because the Town had sent out bids for the RFP.

The Board asked rbTech to initiate a meeting regularly, and Rubin Bennett committed to doing so in late summer. The Board reiterated their desire for rbTech to take responsibility for communicating on development of an IT capital plan and multi-year budgeting plan, identifying vulnerabilities, etc. The Board considered sending the audit report to Rubin Bennett to receive his recommendation for a policy; if VLCT has a policy, it is likely to be most appropriate for municipalities.

rbTech's contract includes "block time," which is a monthly network health check (which can be overridden for a different service if needed). Rubin Bennett explained the contract is structured such that there is not a list of checkboxes, because the contract is based on time rather than a list of "approved" work and the resulting overages for help above and beyond those. Cloud backup expense and workings were discussed (rbTech has its own cloud, and all backed up cloud data can be restored in a matter of hours as opposed to a number of days).

The Board has received a quote on a new server from rbTech (approximately \$18,000; the current server is nearly five years old and risk of a server having a mechanical failure goes up at five years). Rubin Bennett reported that rbTech is consistently under budget when working

from a quote, and will not give an artificially low number. Calais's newly formed IT fund was recently utilized in land record digitalization and new workstations. The server cannot be paid for over a few years; the Town doesn't have the time to budget for a server over a period. Leasing through North Star is an option for the server. Rubin Bennett will verify with Holland about the Town planning to buy the server in FY 21 (the current server is showing no signs of failure) and get back to the Town about a "user training" session.

The group agreed that there was a stack up of expenses and unforeseen IT issues this year.

9. VLCT Request for a Resolution Supporting Municipal Authority in a Commercial Cannabis System (S. 54): The Board received an email from VLCT asking all towns to review a cannabis resolution relating to S. 54. They discussed that the town is a member of VLCT, they do very good work for towns and do not often ask anything of towns. This gives towns the opportunity to gain some tax revenues and manage themselves. John Brabant commented with a change of wording that would clarify the Town is not in support of commercializing and legalizing marijuana; rather, they are in support of this resolution *if* the state legalizes. The Board asked him to make proposed edits, and they will revisit it in the 12/9/19 meeting.
10. FY 21 Budget Development: The Town Treasurer provided updated binders for each Board member and brought their attention to highlighted rows, which were indicating notes and changes since the last meeting, worked on with staff and the Chair. The group planned to review the binders at their convenience and appreciated the structure and clarity of this year's process. The Chair is working on a draft warning. She reminded the Board about the initial guidelines voted on for the Conservation Commission Fund will need to be clarified at Town Meeting. The group reviewed budget line items that have increased and decreased, and appreciated the clear comments explaining why (the Chair has discussed these in meetings with staff as well). The group considered keeping the 12/14 planning meeting scheduled, tentatively.
11. Chair Update
 - UVM Capstone Roads project report should be available soon (group presentation is on 12/4 in Burlington).
 - Selectboard's report for Town Report will be ready for draft review 12/9/19.
 - Maple Corner Store update and liquor license will be addressed at the 12/9/19 meeting (for future prospective owners).
 - EMFD quarterly meeting to present the proposed FY21 budget will be Thursday, 12/5/2019 7 pm; then a joint meeting with the East Montpelier Selectboard on 12/16/2019 at 7 pm in East Montpelier.
 - Memorial Hall Association is working on criteria required for accessing the Conservation Commission funds and be on the Selectboard agenda in the near future. The group noted that the property has been statutorily exempt from taxation in the past.
 - Discussion on CVFiber's annual report and proposed budget on 12/9/19 (David Healy).
 - FY 21 budget and warning planning meetings: Saturday, 12/14/19 and 1/11/2020 @ 9 a.m. – Town Office
 - No Selectboard meeting 12/23/19.
 - The Town Office will be closed Wed., 11/27 – Fri., 11/29.

12. Review and approve minutes, warrants
 - a) The Board reviewed the invoices and orders were processed for payment.
 - b) Denise Wheeler moved and Clif Emmons seconded to approve the minutes of the 11/11/2019 meeting, with the changes as noted; the motion passed 4-0 (John Brabant abstained).

13. Executive Session for Personnel Matters: Clif Emmons made a motion to go into Executive Session at 9:37 pm per 1 V.S.A. subsection 313 (a) (3), personnel matters. The motion was seconded, voted on and carried 5-0. The Board resumed Regular Session at 10:00 pm. The Chair had nothing to report publicly.

14. Other Business/Old Business/New Business: None.

15. Adjournment: Sharon Winn Fannon made a motion to adjourn at 10:01 pm. The motion was seconded, voted on and carried 5-0.

Date: 11/29/2019 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary
Approved by the Selectboard at the 12/9/2019 meeting

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<https://drive.google.com/open?id=1OwvM5QOioVVgTiY69wKLJDOOnBe2MCzD6>