

Joint Meeting of the Calais and East Montpelier
Selectboards
Approved

May 22, 2017

Calais Town Hall, Kent Hill Rd, 6 pm

Attending: East Montpelier Selectboard: Gene Troia , Amy Willis, Seth Gardner, Carl Etnier, Kim Swasey, Bruce Johnson Town Administrator; Calais Selectboard: Denise Wheeler, Rob Richert, John Brabant, Rose Pelchuck, EMFD Toby Talbot, Ty Rolland, Attorney Jim Barlow, Judy Robert, Calais Town Clerk

The meeting was called to order by Chairs Denise Wheeler and Seth Gardner at 6:08 pm. Introductions were made around the table. It was clarified that the purpose of the meeting is to discuss the purchase of new fire truck.

Bruce Johnson presented the Memorandum of Understanding (MOU) for 2017 between the EMFD Inc., the Town of Calais, and the Town of East Montpelier. This was reviewed to determine if it would be agreed to and signed.

Bruce walked through MOU, stating that the first three paragraphs lay out a factual introduction and that paragraphs 4-6 are the “meat” of the MOU. Paragraph four outlines the agreement to schedule town votes on Town Meeting March 6, 2018. Discussion followed exploring why this is necessary for financing issues. It was clarified that the EMFD will be on the title of the truck.

John Brabant raised questions related to the bonding option. Procedures for a bond need to be adhered to for 10-year loan, even if not bonded. Bruce Johnson said more study is needed before to determining the preferred financing method. The language in the MOU is to clarify the concept and options of financing.

The “*Contract with Respect to Fire Suppression, Ambulance, and other Emergency Response Services*” of 2013 (referred to as the “Service Agreement”) was passed around for review. Clause 5 was reviewed. This section refers to financial documentation. Clause 7 was reviewed regarding the capital reserve and revenue. Bruce Johnson said this language will be revised as it is determined what the three parties agree to in terms of financing.

Bruce said clauses 12 and 14 can be combined to be worked on together, and that there may be a gap between what Selectboards want and the “legal reality” as described in these clauses.

Appendix A6: Describes the concept of what has to happen in order to contract for service to other towns.

Appendix C: The list of equipment no longer accurate.

Denise reviewed the timeline for the work ahead, stating that the warnings for Town Meetings need to be done by January, 2018. It was clarified that re-opening the service agreement to make changes and purchase of fire truck are two separate issues.

Rose Pelchuck spoke, describing her 30-year personal and professional relationship with EMFD. Rose stated she finds it offensive to say that EMFD does not own the equipment. She finds this disrespectful and disagrees with the idea of reopening the agreement to change this ownership. She asked the Selectboards to “think long and hard” about this agreement. Founded in 1964, EMFD has provided fire and emergency services with no written contract until 2010 when it was decided to memorialize on paper what had always been. This was done in conjunction with building a new fire station in East Montpelier village. As far as Calais is concerned, the Selectboard has not discussed or concluded that the current service agreement fails to meet the needs of the communities as purported in the Memo of Understanding from Bruce Johnson. Seth Gardner spoke to this, saying the ownership is a “moot point” and a legality in order to get financing. The process being considered takes the responsibility off the shoulders of EMFD and needs to have voters support for financing. Seth stated the agreement will not affect day-to-day operation, the EMFD can’t finance it on their own, and this is a cleaner way of doing this.

John Brabant spoke about the expense of the trucks as a large proportion of the overall cost of the fire department. He does not see this agreement changing the relationships dramatically, stating, “We are one team”.

Denise said the voters need to have a voice in this.

Carl Etnier said our current MOU continues if a new agreement can’t be reached.

Toby Talbot said that staffing is increasing the financial needs as well. Gene Troia said it is important to separate the staffing issue from the equipment needs. A new truck is needed. Gene said that terms of staffing, “there are a few people putting in a ton of hours and that needs to change.” He affirmed that the purchase of a 460K truck needs to go to the voters.

Denise said she would like more time to review the MOU before adopting. John Brabant said this MOU just opens the process of developing the MOU and is not binding. Toby Talbot said the EMFD board will have to review it as well. Denise suggested scheduling another time for follow-up joint meeting.

Bruce Johnson suggested that each Selectboard member review it independently and then state whether they will agree to sign it. Next Selectboard meetings are June 5, 2017 for E Montpelier; June 12, 2017 for Calais; and May 31, 2017 for EMFD.

Carl Etnier moved to adjourn the meeting and re-start the East Montpelier Selectboard meeting at 7 pm in East Montpelier. The joint meeting was adjourned at 6:40 pm.

Respectfully submitted,

Judy Robert, Town Clerk

Attachments: Scanned copies of documents distributed at meeting:

- 1) MOU 2017 EMFD-Calais-E Montp
- 2) Contract EMFD Service 2013

Calais Selectboard Meeting

Draft minutes

Calais Town Hall, May 22, 2017

Attendance: Calais Selectboard: Denise Wheeler, Rob Richert, John Brabant, Rose Pelchuck, Sharon Winn Fannon; Judy Robert, Town Clerk; Donna Fitch, Treasurer; Jim Barlow, Attorney; Toby Talbot, Operations Manager and EMFD

At 6:40 pm the Calais Selectboard immediately continued with a follow-up discussion after the joint meeting regarding the legal origins of the Service Agreement.

There was discussion of scheduling a “demo” truck review before the final purchase agreement for the new fire truck.

Denise Wheeler brought up the issue of Calais affording two fire departments with the cost of Woodbury Fire Department and East Montpelier Fire Department. John Brabant questioned the need for two departments for Calais. Rose Pelchuck said the Woodbury Department relies on Calais for sustainability. It was stated that the dispatching costs and procedures are a concern.

Jim Barlow discussed the Service Agreement. It was clarified that the town is not under a legal requirement or obligation to provide fire protection.

John Brabant said this may be an opportunity to review our relationship with the EMFD and issues, such as insurance.

Denise Wheeler opened the meeting for public comment:

Donna Fitch asked to have the Veterans’ memorial back on the agenda for an upcoming SB meeting. The issue is moving the memorial from the private property of the Women’s Relief Corps at Number Ten Pond to town property to enable public access to the war memorial. Toby will discuss with Peg Bowen of the Women’s Relief Corps, Memorial Hall owners, prior to the meeting. It will be added to the June 12th Selectboard agenda.

Invoices/orders were sent around.

Denise Wheeler announced Marianne Miller will continue as Town Service Officer, even though not required statutorily. It will be officially moved at the next meeting when it is on the agenda.

Jim Barlow said he could advise the Selectboard in terms of ways to mitigate liability regarding delinquent taxes. Premature knowledge would put the town at substantial advantage.

Rose Pelchuck made the motion that premature knowledge would put the town at substantial advantage. The motion was seconded and carried. None opposed.

Rose Pelchuck moved to go into executive session. The motion was seconded and carried. None opposed.

Denise Wheeler announced the executive session at 7:00 pm.

Rose Pelchuck made a motion to end Executive Session at 7:59; seconded, voted, and carried. Denise Wheeler had nothing to publicly report.

Others Present at 8:00: Alfred Larrabee, Lisa Stoudt, Drew Lamb, Charlotte Logue, Jamie Moorby, Earl Schrader

● **Approve Minutes:** Rose Pelchuck moved to approve the minutes of May 8, 2017. Seconded by Denise Wheeler. Ms. Pelchuck had suggested some edits to the minutes. Some discussion followed regarding using Google Docs. Ms. Pelchuck stated that she chooses not to participate in Google Docs; it doesn't work for her. Rob Richert stated that there is a learning curve involved in using Google folders and Google Docs, and that he believes it will benefit the new Selectboard Administrator to use this way of sharing documents. The Board decided to discuss this at another time, due to the late hour. This motion carried. Sharon Winn Fannon abstained from the vote, as she was absent from the May 8th meeting.

● **Road Commissioner update**

● Thursday night (5/18/17) storm clean up update: Alfred Larrabee shared about the storm which resulted in downed trees and some power outages. Some discussion followed about the crew's strategy to deal with downed trees and other road issues during such storms. Mr. Larrabee reported that the loader is not yet repaired; he is waiting for some replacement parts. He stated that he might have to consider renting equipment if the loader is not repaired in time for necessary road work. Mr. Larrabee shared that he is going on vacation for two weeks.

● **Schrader curb cut application:** John Brabant stated that he thought this had been considered and approved by the Board in the past. Mr. Schrader explained this application. Alfred Larrabee noted that a culvert will be required on this property. The Board agreed that this is in fact updating an existing curb cut. Sharon Winn Fannon asked about right of way issues related to curb cut applications. Some discussion followed. The Board stated that right of way issues are legal issues that are not in the Selectboard's purview.

Denise Wheeler moved to approve this update to an existing curb cut application. Seconded by Rob Richert, this motion carried. Sharon Winn Fannon abstained from the vote.

● **ROW application and fee waiver for E. Calais Fire District:** Denise Wheeler reviewed this application. John Brabant moved to approve this application. Seconded by Rob Richert, this motion carried unanimously. John Brabant moved to waive the application fee on this right of way permit for the East Calais Fire District. Seconded by Rob Richert, this motion carried unanimously.

- **Use of chloride when grading:** John Brabant asked why the road crew has not used calcium chloride when grading so far this year. Alfred Larrabee explained the circumstances that prevented the use of chloride. He stated that he does have the calcium chloride available and intends to use it this season, as usual.

- **Town Treasurer update:** Donna Fitch shared that the advertisements have been published for the position of Selectboard Administrator. She shared that some of the local community banks are merging. She stated that she will be focusing on NEMRC work in the next few days. Donna Fitch reminded the board that they should discuss the topic of Auditor/ audit at one of the future meetings.

- **Budget update and review:** Denise Wheeler asked the board to review budget update figures when they are available, in advance of the Selectboard meeting. This way it can be an agenda item and have meaningful and time-efficient discussion.

- **Sign line of credit:** Donna Fitch reminded the Board that \$240,000 will be borrowed to get through the end of this fiscal year.

John Brabant moved to authorize Donna Fitch to apply for and receive a line of credit in the amount of \$240,000, from Community Bank. This will require signatures from at least three Selectboard members; Donna Fitch will notify the Board when the signatures are needed. Seconded by Rob Richert, this motion carried unanimously.

- **Planting trees and edible garden on Town Hall property:** Jamie Moorby shared *Town Hall Edible Landscaping Proposal Options*. Some discussion followed around the mowing or haying of the property. John Brabant stated that this is the town property; he also stated his concern with destruction of pollinator habitat. Sharon Winn Fannon asked whether the 50 foot buffer is currently being mowed. It currently is; however the Board discussed how to proceed going forward. John Brabant explained the history of this parcel - Louie Stevens had owned the land; one of the Stevens brothers built a ranch on the land but conveyed most of the property to the town. John Armstrong hayed the land until last year, when John Rowell took over the haying. Sharon Winn Fannon suggested outreaching to Mr. Rowell to explain the possibility of these new plans. Rob Richert also noted that the ongoing maintenance of the proposed plot of fruit/ nut trees should be planned and discussed, as this is not expected to be the town's responsibility. Jamie Moorby shared that the 50 foot buffer will be more of a one-time planting that is allowed to grow "wild" and native plants; the fruit/ nut trees will require some maintenance. Some discussion has already been underway around a maintenance committee.

Discussion followed about outreach to the farmer who is currently haying this parcel of land. Denise Wheeler suggested reaching out to Mr. Rowell, and explaining. John Brabant suggested that the Board consult with James Barlow around liability issues related to mowing/ haying as it currently occurs.

John Brabant stated that the NRCS requires a 25 foot buffer. The 50 foot buffer was meant for housing developments; he suggests that the Conservation Commission discuss this at its meeting tomorrow.

Rob Richert will talk with John Rowell about this being town property and the possibility of the landscaping proposal.

The Board invited Jamie Moorby to attend the June 12th SB meeting to discuss this further. The Board will revisit this topic at that time; meanwhile, Rob Richert will have spoken with Mr. Rowell. Rose Pelchuck suggested that if Mr. Rowell is interested in continuing to mow the property, that he be invited to a Selectboard meeting to discuss.

● **Request to place a sap tank on the Gospel Hollow Forest block owned by the Town (south of Town Office along Pekin Brook Rd.) (Drew Lamb):**

Mr. Lamb explained his desire to put a sap tank in this location. Some discussion followed around some sort of lease agreement. The Board suggested that Mr. Drew write up a proposal for the board to consider and to begin the process of possibly creating a lease. Some discussion followed around signage on the road if this plan were to come to fruition. Drew Lamb will get in touch with Denise Wheeler about the possibility of getting onto the next Selectboard agenda. Rob Richert will share information about signage for Mr. Lamb's information/consideration.

● **Process for review of Selectboard Administrator applicants:** The Board discussed next steps in this hiring process, as the advertisement has been published. The Board agreed that Sharon Winn Fannon and Denise Wheeler, as Selectboard members, will review applications with input from Donna Fitch and Judy Robert. Rose Pelchuck offered to be an alternate if needed. Denise Wheeler will share confidentiality requirements regarding the application/ hiring process with Donna Fitch and Judy Robert.

Adjourn/continue meeting: The meeting adjourned by consensus at 9:48 p.m.

Respectfully submitted,
Lisa Stoudt, Board Recording Secretary

<http://calaisvermont.gov/>