



## TOWN OF CALAIS

3120 Pekin Brook Road  
East Calais, Vermont 05650  
802-456-8720

Selectboard Meeting Minutes  
Monday, October 17, 2022 at 6:00 PM  
Location: Calais Town Hall (note no Zoom option)

PLEASE NOTE: Agenda items may be taken up earlier than noted if the 15 minutes set aside for public comment is not used, or if other items are completed more quickly than anticipated.

Present: Denise Wheeler (Member), Marc Mihaly (Vice Chair), John Brabant (Member), Rick Kehne (Member), Sharon Winn Fannon (Chair) (on phone)

David Healy, CVFiber; Eric Sorenson, Marilyn & Larry Bush; John & Jill Stafford; Margaret Bowen, Renie DeGus, Paul Guare & Larry Brown, EMFD, Renee Grzankowski & ORCA video

1. Call to Order
2. Personnel Matters (Executive Session per 1 VSA § 313)

Rick Kehne moved to come out of Executive Session at 7:48. Seconded by Denise Wheeler, this motion carried unanimously, by roll call vote.

Marc Mihaly explained that while in Executive Session, the Board conducted an interview for the position of Treasurer, and addressed litigation over the enforcement of the livestock ordinance.

Marc Mihaly apologized that at the past meeting there was not enough time allotted for public comment; he stated that he has heard concerns about that and other matters of the board, including executive session, personnel issues, and allowing community engagement.

He stated that the Board has made a plan for next Monday, October 24th Selectboard meeting: there will be an agenda item about the concerns that have been expressed. This will allow for a report from the board and for the public to provide feedback/ input/

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questions. Some of these concerns include: roads conditions, executive session, hiring of positions (e.g. public works director position).

Marc Mihaly invited public comment for any items not on the agenda.

3. Public Comment (for items not on the agenda)

Eric Sorenson, who lives on Peck Hill in East Calais, presented to the Board a question and comment about roads commissioner and public works director - he indicated that there has been a lot of confusion and not enough involvement in what had been going on with the Board around this- he wonders if this might be the time to take a slow down, think about the positions, and think about reconfiguring the two positions into one Having a public works director when we only have the town office building and the town hall- makes him question what would be the extent of this position? He suggests slowing down and allowing for public involvement before moving forward with these positions.

Marc Mihaly stated that this is the intention for putting these topics on the agenda of the October 24 Selectboard Meeting.

He invited other public comment on any other items that are not on the agenda. None were heard.

4. Additions/Changes to the Agenda: none

5. Review and Sign Warrants

6. Consent Agenda

**Denise Wheeler moved to approve the consent agenda. Seconded by Rick Kehne.**

Discussion: Marc Mihaly explained that the items on the consent agenda do not require extensive discussion and are typically approved by the board, as the board has reviewed the items before the meeting. Some clarification about items on the consent agenda followed. Denise Wheeler explained that the Brookfield service item reflects 2 visits over the course of the year - every six months.

**This motion carried unanimously, by a roll call vote.**

- Adopt edited minutes of September 12, 2022 Regular Meeting
- Adopt minutes of September 19, 2022 Emergency Meeting
- Adopt minutes of September 22, 2022 Special Meeting
- Adopt edited minutes of September 26, 2022 Regular Meeting
- Use of Town Hall downstairs space by Friends of Calais on October 6, November 3, December 21, 2022
- Rescind speed bump approval of July 25, 2022 because further research reveals safety concerns

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- Approve Agreement# BC2215, State Highway Structures Program Grant for \$90,000, 10% in-kind match, for abutment stabilization on Moscow Woods Road
- Approve Agreement# GA0278, Agency of Transportation Grant for \$35,500, 20% in-kind match, for for implementation of Best Management Practices (BMPs) in accordance with the Vermont Department of Environmental Conservation's (DEC) Municipal Roads General Permit (MRGP) on eligible road segments that are currently non-compliant
- Approve Brook Field Service 2023 generator maintenance contract, two services, \$1033.00 (prepay price)

7. First Student Bus Access on Balentine Rd. (Renée Grzankowski)

Renee Grzankowski stated that First Student used to travel down Balentine Road, as recently as 2020. Her understanding is that the reason the bus does not come down Balentine Road is that the road is too narrow or curvy. She asked, if the road is not accessible by the school bus, how can we remedy this?

John Brabant stated that he had driven down that road after receiving her email and he believes it is wider than it had been in the past. He spoke about ditching along the road; he stated that if the bus traveled on that road in 2020, he believes the road would have been narrower at that time.

Marc Mihaly indicated that the Selectboard doesn't have purview over where the school buses travel. John Brabant stated that the Selectboard has in the past been in coordination with the bus company, for example, around plowing schedules. Ms. Grzankowski stated that she has gone through the school, and through the school board, and now she is reaching out to the Selectboard. She is not sure how to remedy this. She noted that at this time the bus pick up location is at Balentine Road and Route 14 and she feels that is very dangerous.

She believes there are approximately 7 students that are affected on this route, that attend Calais Elementary School.

Rick Kehne will reach out to First Student and then connect with Renee.

Marc Mihaly stated that he believes the Selectboard should consider going back to zoom meetings. John Brabant indicated that the Town Hall Committee had been planning to follow up on some of the barriers (e.g. the brightness of the walls and the sound quality.)

8. EMFD Purchase of Stryker Power Lift System:

Two representatives from the East Montpelier Fire Department joined the Selectboard. Larry Brown, Paul Guare

Larry Brown shared that the power lift system allows a very heavy person to be lifted into

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and out of the ambulance safely.

Larry Brown shared a brief video that shows the power lift system in action.

He explained that the cost is \$27,000, with installation approximately \$3K. He reminded the Board that the EMFD has the ability to spend 20,000 without having to come to the boards. Mr. Brown shared that the intention is to put this system in the 2010 ambulance, and in the next three or so years, when that ambulance is replaced, would be moved into the next ambulance.

**Denise Wheeler moved to authorize the EMFD to transfer up to \$35K from the general fund to cover the purchase of Stryker Power lift system, as discussed. Seconded by John Brabant.** Discussion: Board members expressed support for this equipment. **This motion carried unanimously, via roll call vote.**

9. Roads Report – Rick

Rick Kehne shared an update about the grant application for the bridge project which has been an ongoing discussion item. He spoke again about the possibility of road closure during this project. John Brabant asked whether we should consider a jersey barrier rather than cones. Rick Kehne will check with the road crew. Some discussion followed about the effect that winter conditions might have on this project. Rick Kehne stated that he will continue to update the Board about this project.

Tyler Clark – Curb Cut application #2022-04

Rick Kehne reviewed this application for the Board. He stated the conditions for the application, and Denise Wheeler noted the specific conditions onto the application.

**John Brabant moved to approve the application, with conditions as noted. Seconded by Rick Kehne, this motion carried, by roll call vote.**

CV Fiber ROW application #2022-

Rick Kehne stated that Eric Oberlin had visited this site and had noted his approval.

David Healy, Calais Delegate to CV Fiber, presented this application.

He stated that construction should begin next week.

John Brabant clarified that there are no fees associated with this ROW application.

**Denise Wheeler moved to approve this ROW application, with conditions as noted on the application document; and as this is a municipal project, the application fee is waived. Seconded by Rick Kehne, this motion carried unanimously, by roll call vote.**

Marc Mihaly asked Rick Kehne to report at the next Board meeting an update about the town roads crew.

Grooved pavement as an alternative to speed bumps

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#### 10. Town Hall Usage Policy – Review and Renew (Marc)

Denise Wheeler shared that she has reviewed this policy and has created an electronic version; she expects some edits to the document, for clarity.

John Brabant noted that we are working under the old contract until we have acted on a new one. Denise Wheeler and Marc Mihaly will get this document into electronic version and will make some edits and share with Board members for possible action at the next Board meeting.

#### 11. Personnel Update – Denise – INFORMATION ONLY

Denise noted that we have received some applications for Treasurer position; she also noted that we have a new member on the road crew. She shared that Jamie Moorby and Sarah Gallagher have volunteered to help update the verbiage for job postings.

#### 12. Constable – Statutory authority for Level I, per 24 VSA §1936(a) (see handouts) -- Sharon-- DISCUSSION

Sharon Winn Fannon reviewed some of the issues, as had been discussed at previous meetings, about the statutory authority for the different “levels” for constable position. She reviewed the VLCT language about this issue. She suggests that at a future meeting the board approve a constable at the “first” level so that this position can be posted.

John Brabant stated that he feels this deserves a broader discussion; there is some value in the constable having an additional degree of authority and duties.

Marc Mahily suggested, if we advertise for the position of constable and list the actual duties that we are seeking to fill, it doesn't preclude in the future having the person who is hired get further training and/ or further authority/ duties. The concept of “Level 1” is more of a baseline in this case, but the Board agreed as a whole to not rule out the idea of a higher level of duties and authority.

Marilyn Bush shared that she believes it makes sense to approach it this way.

#### 13. Open Positions Table – Sharon – DISCUSSION

Sharon Winn Fannon had shared an updated spreadsheet of the various town positions and appointments. She asked board members to review the spreadsheet and help to update it, as she believes some of the information is inaccurate.

#### 14. Board round-robin on items of old business and other business

Rick Kehne reported that he is waiting for the arrival of new speed signs.

Marc Mihaly reviewed the discussions and board action from the past regarding speed bumps - explaining why the speed bumps action was rescinded. Rick Kehne explained the idea of scoring asphalt (to create a rumble), in concert with speed signs on some of the roads in Calais where speeding drivers has been an ongoing

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problem. He suggested that it will be an incremental approach, starting with speed signs and seeing how efficient they are in curbing speeding.

Sharon Winn Fannon reiterated that at the next meeting we intend to allow for a longer period of time on the agenda for personnel updates to allow for public comment and to clarify as possible some of the questions that have arisen from the community.

Marc Mihaly shared that we will post the agenda and we will also invite people to attend the meeting. Denise Wheeler stated that we could make the agenda more clear rather than extending personal invitations.

Marc Mihaly stated that he feels in certain board matters, it is important to decide who among the Board members should be responsible. For example, with regards to the road crew, Rick Kehne and Denise Wheeler should be the contact people with the road crew.

John Brabant stated that he and Rick Kehne had been liaisons to the road crew in the past few years. He noted that Eric Oberlin is another person who is currently in communication with the road crew.

Marc Mihaly shared that there is a petition from the road crew to form a union. He would like to designate who on the board is the contact person for legal counsel regarding this issue. John Brabant suggested designating Sharon Winn Fannon and Marc Mihaly. Denise Wheeler expressed interest.

Marc Mihaly suggested that for the time being, Sharon Winn Fannon be the one designee, and that we discuss at a future meeting who should be the second.

Denise Wheeler suggested that we create a list delineating all of these issues/ matters/ projects, and put it on a board agenda and discuss it (including designating board delegates/ contacts for each.)

Marc Mihaly previewed that Curtis Pond is on the agenda for the next meeting; however he believes the Board will need to seek legal counsel about the idea of a bond vote.

Sharon Winn Fannon stated that she will recuse herself from an agenda item at the next board meeting (related to an email that was received today about sap tanks).

Larry Bush suggested reaching out to the public in both a formal and informal way, to invite them to attend the meeting next week so there is a better understanding in the community about what the agenda will entail.

David Healy spoke briefly about the change in speed limit along County Road.

#### 15. Review future agenda items

Agenda item for community engagement

Update on roads crew

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Town Hall Usage policy

Update on bridge project

16. Adjourn: Denise Wheeler moved to adjourn at 9:19 p.m. Seconded by Rick Kehne, this motion carried by roll call vote and the meeting adjourned.

Respectfully submitted,  
Lisa Grace, Board Recording Secretary

## **October 24, 2022**

- Adopt edited minutes of October 10, 2022 Special Meeting
- Employee Benefit Options; IRS 941 and 941B approval and signature – Wendy Wilton, NEMRC – ACTION; Budget Update (Information)
- Shade Tree Preservation Plan Hearing -- 6PM
- Constable – duties and level of statutory authority – Sharon -- ACTION
- Traffic Control Ordinance Update – Reduce County Road Speed Limit – Next Steps -- John/Rick
- Commission/Committee Reappointments – Sharon -- ACTION
- Update from KHL, Craig Line/Carolyn Brennan, Co-Director, Library Director (Denise)
- RFP for reappraisal – Listers/Marc -- ACTION
- Curtis Pond Update – John/Denise and Curtis Pond Assoc reps -- UPDATE
- RFP for reappraisal – Listers/Marc – ACTION
- Installation of Speed Signs County Road – Rick – Update
- Use of ARPA funds for traffic calming road design study – Next Steps

Discussion – Rick

- Budget Planning Timeline -- Discussion

## **November 14, 2022**

- Historic background on Calais Road and Bridge Standards; next steps to confirm crew receipt of standards and full understanding (Stephanie Kaplan, Denise Wheeler)
- Invite WVFD and EMFD to discuss recruitment incentives
- Constable – duties and level of statutory authority -- Action

### **Future Agenda Items**

- East Calais Tree Removal (Denise follow up with Neal Maker, tree warden)
- Curb Cut Application (NEEDED) and Curb Cut Application Assessment Form (new) (Sharon/Denise) – ACTION ITEM ([Curb Cut Materials](#) at this link; CC has requested input)
- Highway Capital Plan – Rick
- County Road Speed Limit -- Rick/Denise
- Immunizing Ash Trees – Rick/Neal Maker
- 2023 Property Reappraisal Process – Marc Mihaly/Jan Ohlsson
- ARPA Process - Denise
- Meet with road crew members
- Curtis Pond swim area railing – Linda Schutz (February 2023)

### **Review and Update Existing Policies and Ordinances**

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- Traffic Ordinance – Rick
- Personnel Policy – Sharon/Denise
- Job Descriptions Review and Update – Sharon/Denise
- Conflict of Interest Policy ([Conflict of Interest Background](#))

#### **Create Ordinance/Policy**

- Junk Ordinance – requested

#### **Issues Awaiting Further Development**

- East Calais Stormwater Project – Rick