

Selectboard Meeting Minutes

Monday, December 28, 2020 at 6 pm via Zoom conference call

Present: Denise Wheeler (Chair), Sharon Winn Fannon (Vice Chair), Rose Pelchuck (Member), Clif Emmons (Member), ORCA Media, Katie Lane-Karnas (Recording Secretary), Jan Ohlsson, Marc Mihaly, Brian Pine, Charlotte Hanna, Liz Curry, Scott Bassage, Robert Martin, Ben Jenkins, Toby Talbot, Alfred Larrabee, Judy Robert, Jesse Harper, Chance Payette
Absent: John Brabant (Member)

1. Call to Order: Denise Wheeler called the meeting to order at 6:02 pm.
2. Public Comment: None.
3. Review, Additions/Changes to Agenda: None.
4. Appointment: Scott Bassage noted that the Historic Preservation Commission feels fortunate that Dirk Van Susteren, Maple Corner resident, has expressed interest in serving on the Commission as the upcoming focus of their work is designation of Maple Corner as a national historic landmark. Denise Wheeler made a motion to appoint Dirk Van Susteren to a three-year term, expiring in 2023, on the Historic Preservation Committee. Rose Pelchuck seconded, and the motion passed 4-0.
5. East Calais Community Trust (ECCT) Update: Denise Wheeler recused herself from the discussion and vote to avoid perception of a conflict of interest (she serves on the ECCT Board). Earlier this fall, the Selectboard met with the ECCT team regarding a CDBG grant to support restoration of the store. Marc Mihaly explained three sequential steps:
 - this evening is part one, a chance to talk and get feedback needed from the Board.
 - On January 11 the ECCT will ask the Board to adopt three resolutions (precursors to submitting the application).
 - Finally, there must be a public hearing (mandated by the State), potentially alongside the Selectboard January 25 meeting, or delegated to the ECCT.

Liz Curry described the option of the Calais Selectboard or the ECCT holding the public meeting on January 25, 2021. The decision of who will hold it needs to be decided to meet the 15-day requirement for newspaper notice. There is not likely to be much public input, but this is required by law. The ECCT would pay for the public meeting notice in the newspaper. The Selectboard has a preference to delegate this meeting to the ECCT as described (noting being in the middle of budget planning and a short timeline for town meeting planning); the Board asked if the Town is at any disadvantage if they delegate? If there is a need for the Board to host a meeting, a hearing will be held on 1/25/21 and Sharon Winn Fannon will attend with ECCT board members for an hour from 6-7 pm. Relatedly, if a quorum of the Selectboard is needed in that circumstance, can the one-hour hearing be held while the Board continues to conduct other business as needed? Liz Curry will find out.

Rose Pelchuck made a motion to appoint Sharon Winn Fannon as the authorizing official for the resolution for the ECCT grant application. Clif Emmons seconded and the motion passed 3-0 (Denise Wheeler had recused herself).

The group reviewed the three resolutions (precursors to submitting the application and followed by the public meeting) that will be presented to the Board at the next meeting, January 11:

- for grant application authority
- municipal policies and codes
- anti-displacement policy and regulations

6. Jenkins Right-of-Way Permit Application: The Road Commissioner and Board considered the Jenkins ROW 2020-02 application (Pekin Brook Rd.); the poles will be owned by the utility company Green Mountain Power (GMP). A notation will be made “granting Green Mountain Power permission to work in the Town’s ROW and have access to the poles, wires etc.” This gets recorded in the land record. The Road Commissioner noted that there will be some tree removal and Sharon Winn Fannon emphasized that the Board would like to add to the permit that all efforts will be taken to preserve trees and cut only as necessary. Jesse Harper commented that the landowners are similarly committed to keeping tree cutting impact as low as possible. Sharon Winn Fannon made a motion to approve the ROW permit to GMP for the project at 480 Pekin Brook Road, with the condition and instruction that the project be completed with an eye to preserving as many trees as possible (cut only what is necessary) and authorizing the Chair to sign on behalf of the Board. Denise Wheeler seconded and the motion was voted and passed 3-0.
7. Hanna/Bassage Curb Cut: The group considered the Hanna/Bassage curb cut application #2020-06 (Peck Hill Rd.) The Road Commissioner requested there be a pre-construction meeting before work ensues; he wants to address the brook that runs by the driveway with the contractor. The Selectboard discussed the feedback necessary after the Road Commissioner has done a pre-construction meeting and has determined where the culvert needs to go and costs associated. If the Town has to replace its culvert, the Town would potentially charge for its time (\$800 for a machine for the day plus two employees) or the cost of the culvert (\$300). The Chair asked that these concerns be addressed as conditions in a permit before a Selectboard meeting in the future. The permit is recorded in the land records; a precedent should be set that any potential costs associated with the permit be included in the permit.

Charlotte Hanna Bassage commented in agreement that Willie Sairs (contractor) and the Road Commissioner can meet. Clif Emmons made a motion to grant preliminary approval based on the Road Commissioner and the contractor meeting and looking at the site and the Road Commissioner bringing back to the Board his interpretation; final approval will be considered then (meeting date January 11). Sharon Winn Fannon made a friendly amendment that formal approval may include the Town costs being passed to the project. The Road Commissioner suggested that rather than a vote, he and the contractor could meet and return to the meeting January 11 for a vote on the application at that time. The applicant and group agreed.

8. Road Commissioner Update: The agenda had warned consideration of replacing 2009 International truck with the purchase of a used 2014 Freightliner truck; the Road Commissioner reported that the specific truck he looked at is no longer available. He asked the Board whether they would support him researching replacing that older vehicle; members agreed. The older spare truck has, in the last fiscal year, significantly impacted a budget line item for repairs (along with the graders and the woodchipper). The Operations Manager added that there is a reliability issue as well. If a special meeting is needed for a truck purchase within a small window of opportunity, the Operations Manager or Road Commissioner will let the Board know the urgency and timeline. Sharon Winn Fannon emphasized that the Road Commissioner needs to provide the board with background and details on a vehicle purchase, including the “why,” in advance of board discussion. The board has asked repeatedly for this level of preparation to allow a thorough but expedient discussion.

9. WVFD FY22 Budget Request: Chance Payette reported that the WVFD recently honored a retired member on his birthday and made him a life member. The Chair appreciated the formatting and presentation of the yearly budget. The Department has been working for some time on acquiring a new building. The opinion of probable cost has been gained (4,000 sf, continuing to use one existing building, at a cost of approx. \$1.2 million). Woodbury voters have been asked to fund this bond, as the building lies solely within their municipality (to be voted on at town meeting 2021). A fundraising campaign has been difficult during COVID-19. Sharon Winn Fannon let WVFD know that Calais is working toward separating the fire departments’ budgets from the general budget and Chance Payette offered to write the budget as a separate article when requested. The Board thanked Chance for his cooperation. The Chair asked him to relay to the department how much they appreciate working with them.

10. EMFD FY22 Budget Request: The Fire Department budget is down 6%. Calais and East Montpelier agreed, starting FY21 and continuing for three years, to add money to the ambulance budget for per diem staffing. This accounts for the ambulance line item increase for FY22. Calais’s share amounts to a 17% increase to the ambulance side (\$12,500). Toby Talbot noted that this amount is the only thing that has raised the combined budget. Rose Pelchuck stated her support for the EMFD fire and ambulance service and that she feels it is an essential town service to provide emergency medical and fire protection, and must be done, ethically and morally. Clif Emmons agreed for the need to fund essential services and noted that every town is facing the challenge of how to fund it. The Chair stated her support for each department and the services they provide. Denise Wheeler made a motion to approve the EMFD budget as proposed by EMFD in the amount of \$60,977 for the fire department, a decrease of 6%; \$111,468 includes the \$12,500 that we agreed to for three years starting FY21. Rose Pelchuck seconded. The motion was voted and passed 4-0. The Chair asked Toby Talbot to pass the message to the Department that their work is appreciated for all they do.

11. Town Meeting Preparation: The Chair noted that resident Craig Line sent an email with questions about town meeting today, but he could not attend the meeting this evening. The Town Clerk directed the group’s attention to information she compiled based on the Secretary of State Director of Election’s advice. She attended a training that included text that directly addresses concerns. Town meetings may be held as floor meetings, but they must be conducted in compliance with VDH and ACCD guidelines, which would limit participation significantly. Town office staff would be put at risk and it would be a huge challenge to safely distance people who could fit in the space. The Calais school gym is approx. 3100 sf; at 100 sf

per person, this would allow 31 people and be magnitudes away from holding a Calais town meeting following proper social distance requirements. Meetings for voting may NOT be conducted remotely or virtually (this has not been permitted by the legislature). Adopting Australian ballot typically has to be voted by all the voters. In response to the pandemic, the Vermont legislature has allowed select boards to opt for Australian ballot for just this year; then Calais's town meeting would revert to an in-person traditional town meeting format. Under the 2021 Australian ballot option, all items (not some) would have to be on Australian ballot. The legislature still needs to vote on the option of moving town meeting day to later in the year, so this option at this point is just a *potential* option. The town's Treasurer says we must hold a meeting by mid-May, and the board agreed that we may not be able to hold a meeting outdoors in mid-May, there's no guarantee. The group acknowledged the challenge of identifying any venue for an outside meeting, with ample parking, and assurance that people could still hear each other speak.

Clif Emmons noted Americans' ability to find ways for democracy to prevail and the need to err on the side of safety and health of all voters in the Town; he wouldn't willingly choose to go to Australian ballot, but feels what we need to do is to keep all community members safe. We dodged a bullet last year by having town meeting just before COVID-19 hit. An outdoor town meeting throws in more variables, and there is no guarantee that we won't be in the same place in mid-May with COVID-19 ballooning again, even with vaccines in place. He believes this is what we must do this year, and looks forward to returning next year to traditional town meeting. The Board agreed with all that has been said. Sharon noted the options are:

- Australian ballot for just this year;
- socially distanced indoors (not doable as just discussed);
- virtual (not permitted by the Vermont Secretary of State);
- or postpone the meeting (this is anticipated to be permitted, but has not been as of yet). The logistics of managing that and keeping everyone safe in that scenario would be a full time job for everyone involved and is impractical.

Sharon Winn Fannon felt it is important to make a decision based on the facts that we have now, allowing us to be clear with all voters about what is happening. Denise Wheeler agreed that an in-person meeting could be a super-spreader and doing an outdoor meeting would be unpredictable and hard as stated previously. She reminded everyone that the Town would not have the authority to hold town meeting by Australian ballot again next year.

VLCT provided information that temporarily allows a municipality, by vote of its Selectboard, to apply the Australian ballot system to any or all of its meetings (e.g. special or annual) held in the year 2021.

Denise Wheeler made a motion that all articles that are traditionally floor or ballot for town meeting be voted on by Australian ballot for the March 2, 2021 election, for this one year. Clif Emmons seconded the motion. It was voted and passed 4-0.

The Board must address two items this evening in order for Town office staff to proceed with Town Meeting Day preparations (reviewed at the last Selectboard meeting):

- Vote to approve that all articles for town meeting be voted on by Australian ballot for March 2 election;
- Vote to waive signatures required for petitions for articles and funding requests for March 2 election

Rose Pelchuck appreciated the Town Clerk's hard work in presenting all the facts and details and she supports both items, in this time of pandemic. She added a note that her internet connection was lost five times so far in this meeting, illustrating how difficult remote access is this year.

The Town Clerk explained that the emergency pandemic act allows candidates to not collect signatures, but the emergency legislation does not waive the petition and signature requirement for articles and funding requests to be appear on the warning. VLCT materials cite Selectboard authority to waive the signature requirement for articles and funding requests from citizens.

The deadline for public petitions is January 14. January 25 is the deadline for candidates to submit their consent forms. The ballot and warning will be ready for approval at the January 25 Selectboard meeting. The Town Clerk will send versions of drafts in advance.

Denise Wheeler made a motion to waive signatures required for public petitions for articles and funding requests for March 2, 2021 election but require a majority vote of the Selectboard to approve all articles to be placed on the warning. Rose Pelchuck seconded. The motion was voted and passed 4-0.

The Town Clerk reported the office is working on getting ready to mail ballots and will keep the Board posted on timeline and processes. The Town Clerk and Board thanked each other.

12. FY 22 Budget Review: The Board discussed location of the WVFD budget on the ballot and decided to locate it in the general budget for Town Meeting 2021, same as the EMFD. The Chair will ask the Town Attorney to create a letter notifying EMFD of non-renewal of contract, a change that will allow the Board to list the EMFD budget as an article to be voted on instead of being located in the general budget.

Rose Pelchuck made a motion to approve the WVFD budget request to be included in our Selectboard budget. The motion was seconded, voted, and passed 4-0.

The Selectboard noted items within the FY '22 budget are flat at this point in budget development. Town Clerk budget includes land records books budget increase of 5%. Town Listers budget includes tax map revisions that indicate "for two year." The Chair will clarify with the listers what that means. The Audit is flat; Elections Expenses is decreasing; General Office is -12%; Taxes, Dues and Assessment is at 2%; Zoning Administration, Police Patrol, Animal Control, Planning Commission are flat. Conservation Fund, Town Hall, Insurance, Swim Fund, and Long Term Debt are a reduction. Overall, general government is at -5%. The Social Service requests are flatlined with the exception of two agencies that increased funding requests: People's Health and Wellness, and Woodbury/Calais Food Shelf. Two new agencies have requested to be added (Friends of the Calais Town Hall, \$3,000, and the Good Samaritan Haven).

The Selectboard reviewed the General Highway budget and the Operations Manager's notes. Total General Highway is flat; Road Maintenance is increasing and the change in availability of local sand (the pit is closing). Board members questioned how the significant increased figures presented by the Operations Manager were determined. Each line item was discussed. Total Grant Expenses is flat; Total Capital Expenses is at -39%. The Selectboard reviewed the general highway budget and made changes.

January 4 is the date for finalizing the budget; all budget discussions to date are preliminary only.

13. Other Updates: This item was tabled until a subsequent meeting.
14. Review and approve minutes, warrants
 - a) The Board reviewed the invoices and orders were processed for payment.
 - b) Approval of minutes was tabled until a subsequent meeting.
15. Executive Session for Personnel Matters: Denise Wheeler made a motion to go into Executive Session at 9:13 pm per 1 V.S.A. subsection 313 (a) (3), personnel matters, including budget related personnel matters. The motion was seconded by Sharon Winn Fannon, voted on and carried 4-0. The Board resumed Regular Session at 10:06 pm. The Chair reported this meeting will be continued to Wednesday, December 30, 2020 at 7:00 pm at which time the Selectboard will continue meeting in Executive Session, furthermore the Selectboard anticipates continuing the meeting to Monday, January 4, 2021.
16. Other Business/Old Business/New Business: None.
17. This meeting was not adjourned but planned to be continued to Monday, January 4, 2020.

Date: 12/30/2020 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary

Approved by the Selectboard at the 1/25/2021 meeting

Click on the link below to view documents associated with this agenda:

<https://drive.google.com/drive/folders/1qZlpmvkXpaUe53QmxSIUu1DWnadXZvxV?usp=sharing>