

## Selectboard Meeting Minutes

Monday, December 27, 2021 at 7 pm, Town Hall + Zoom

**Present:** Denise Wheeler (Chair), Sharon Winn Fannon (Vice Chair), John Brabant (Member), Rick Kehne (Member), Marc Mihaly (Member), ORCA Media, Katie Lane-Karnas\* (Recording Secretary), Sandra Ferver\* (Town Treasurer), Jeremy Weiss\* (Town Clerk), Rob Richert, Richard Hyde\*, Leslie Matthews\*, Nick Emlen\*

*\*Indicates attendance by Zoom video call*

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. Review and Sign Warrants: The Board reviewed and approved processing of invoices and orders.
5. Treasurer/Delinquent Tax Collector Update: The Town Treasurer discussed the provided November report. She noted the tax collection effort was consistent with the efforts over the past three years, ending with over \$186K in delinquent taxes, which are coming in and a number of full payments were received this month. Expenditures and revenues are on track and Highway Department is about to make a request for reimbursement on a relatively small grant that should be received in the next few weeks.

The particular delinquent taxpayer discussed for months, outstanding from FY 2020 and FY 2021 for approx. \$9,000, still has not responded to various and multiple communications. The Delinquent Tax Collector noted the Board has done everything it could to satisfy its responsibility, and typically what is done next is to send to collection at which point the Town is outside the negotiating process and taxes need to be paid in full to the attorney; if not, the attorney will send to tax sale.

Denise Wheeler made a motion to send the 2020 and 2021 delinquent tax property, parcel number 510905, to the Town's tax attorney for collection. John Brabant seconded the motion which was voted and passed unanimously.

6. East Calais Community Trust (ECCT) Emergency ROW Permit: Denise Wheeler and Marc Mihaly recused themselves from as they serve on the ECCT, and therefore did not participate as select board members in discussion or voting, but they did answer questions from the ECCT perspective to provide context to the right of way permit application 2021-10. Denise Wheeler explained that two of the three East Calais General Store building units are vacant, and the one rented unit requires a plumber. Wind River Environmental determined the plumbing issue likely results from a broken sewage line at approx. 12 feet from the side of the store.

Rob Richert, ECCT's project manager for the sewage line fix, attended and explained the pipe is cast iron leaving the building, then likely turns to plastic, then eventually goes to 6-inch clay; the pipe travels under both Back Street and VT Route 14. The ECCT renovation project manager will be notified. Boring under Route 14, if that is needed to achieve a final fix, will happen with the building's renovation and hopefully will be included as part of the larger grant work; in the meantime, Rob Richert explained the biggest challenge is ground frost. Back Street will need to be detoured while the repair happens under its removed pavement. The existing tenant is being reimbursed to house elsewhere and East Calais Fire District has been notified.

The Road Commissioner noted the road's blacktop in that area was costly and just recently put down, so he wants its replacement to be done well and as soon in the spring as possible; the removal of the blacktop will cause new grading issues until it is replaced; he noted inconveniences and potential safety concerns due to that road closure. Traffic will have to be slowed down coming into that road closure. The ROW for state Route 14 will not be affected, but depending on where exactly the plumbing break is, the state may need to be notified. Rob Richert explained that the camera exploring helps define where the break is likely located; there could be surprises once digging happens, but there is a guess as to where it is. The Road Commissioner advised an open ditch, machines, and activity happening immediately next to the state right of way (Route 14), should include a courtesy notification for VTRANS and Rob Richert will do this. The Selectboard is concerned about the project's effect on Route 14 traffic safety, given the location, limited line of sight, and speed of traffic at the location. Taking every possible step to alert and slow traffic is really important.

Rob Richert explained an option for winter road safety could be addressed by bringing in dry material that can be compacted better. Contractor will backfill the trench with sub-base of dense (frost-free) gravel material, to its pre-project condition; replace the apron (asphalt transition) to existing conditions; with inspection by the Road Commissioner at every step of the project. The Road Commissioner asked if this issue will need to be re-addressed with the full repair following this emergency situation; the Board agreed it probably will (opening the break will reveal more information).

Sharon Winn Fannon, Vice Chair, read back the conditions discussed by the Board for the ROW permit. The Road Commissioner clarified he is not opposed to the project, but is charged with protecting the Town and its interests in best handling road problems. The road (Back Street) was recently rebuilt and repaved by the town, and the select board emphasized its concerns with disrupting that recent work as well. Rob Richert anticipated the project could be completed in approx. two days, in optimal conditions and the Road Commissioner can make the call about exact project timing based on weather conditions. The contractor anticipates this is a two-day project and the select board expects completion within that timeframe to the extent possible given the season.

Denise Wheeler reminded the group she is the person to notify about the project progressing as she communicates with the tenant who is currently housed elsewhere. ECCT will post the events to happen on FPF (start date, potential end date, etc.). The Board considered potential avenues forward once this emergency repair returns more information. Rob Richert asked about using the Town's highway signs, and the Board and Road Commissioner discussed

conflict of interest and community responsibility and decided to leave the signage to the ECCT. The Vice-Chair reiterated the conditions as discussed, asked for any further input; all were satisfied.

The group set the following specific conditions for the East Calais Community Trust Use of the Town's Right-of-Way:

- 1) Contractor will notify the State of Vermont of the project and secure necessary approval(s)
- 2) Contractor will develop and implement a traffic calming and/or detour approach in coordination with the state and the town's road commissioner
- 3) Contractor will replace Back Street apron to its existing condition, including replacing with fresh sub-base material to the road's pre-project condition
- 4) The project will permit regular inspection by the town's road commissioner
- 5) ECCT will post in advance on Front Porch Forum and will announce the project's start date and anticipated end date.

John Brabant made a motion to approve the ECCT ROW permit, as stated with conditions. Rick Kehne seconded, and the motion passed 3-0 (Marc Mihaly and Denise Wheeler recused themselves, as members of the ECCT).

7. Road Commissioner Update: The Chair thanked the road crew for working on Christmas and dealing well with freezing rain on the roads. Rick Kehne explained he met with the Road Commissioner and Operations Manager on the winter roads contingency plan. The Road Commissioner commented that the Town is borrowing a truck from Charlebois at no cost, as regular customers (see detailed notes on compounding factors from December 13 meeting). One truck that had been out of commission is back in the fleet and working (the transmission line rot is now repaired).
8. Vermont Capital Investment Program (VCIP) for Maple Corner Community Store (MCCS): These letters of support commit the Town to nothing—not staff time, money, etc. John Brabant made a motion to ratify the letter (Dec. 23) of support for Vermont Capital Investment Program grant application for Maple Corner Community Store. Sharon Winn Fannon seconded, and the motion passed unanimously. Nick Emlen appreciated the work of the Town Clerk and the Selectboard in turning this around so quickly.
9. Vermont Capital Investment Program (VCIP) grant application for ECCT: Rick Kehne made a motion to sign the letter of support for Vermont Capital Investment Program grant application for the East Calais Community Trust. Sharon Winn Fannon seconded, and the motion passed unanimously (Marc Mihaly and Denise Wheeler recused themselves, as ECCT members).
10. Budget Review: Marc Mihaly, Sandra Ferver, and Denise Wheeler have met a number of times and present two budget scenarios: salary line increases at 5% and at 5.9%. Marc Mihaly explained each line item that had been adjusted and the rationale. Rick Kehne did a lot of work

on Highway budgeting, working with the operations manager and road commissioner. Capital fund appropriations are now being put in the budget as line items, in a larger plan to increase the line items amount each year in an intentional, well-planned fashion until they are being funded appropriately. In sum, the combined reductions in capital funds and the introduction of budgeted line items for those capital funds keeps the Town just under a 3% budget increase.

The side-by-side salary increase comparison, of 5% and 5.9%, yields almost no significant difference. We won't know the rolling 12-month Consumer Price Index (CPI) until January, but it is anticipated to be significantly higher than in the past few years. The Board's goal has been and will continue to be a salary increase tied to CPI and capped at 3%, but this year is not typical. The budgeted amount is just that, and *how* funds are allocated among staff or other priorities remains at the Selectboard's discretion (voted on for July 1). John Brabant added that the Board uses the regional CPI, and that CPI increases ultimately approved are meant to reflect inflation, not a "raise" or bonus. The Board continued to articulate their practice and goals around budgeting principles, for salary, buildings, equipment, etc., and Sharon Winn Fannon will update "budget principle" notes that support this predictability for staff and Selectboard, and stability for taxpayers.

Marc Mihaly itemized the budget changes being presented by the working group. The Vice-Chair summarized her understanding to be sure she and the group are on the same page, i.e. that our principle is budgeting 1% value of each building for a capital reserve, but we cannot meet our budget goals and start at that full amount this year, so that target amount has reduced this initial year to .5%. She requested a budget working excel document include notes from changes at each meeting, whether the full Board or the working group. The Board agreed in future years to put each iteration into a new spreadsheet tab in a single workbook for the budgeting year. They asked the Town Treasurer to add a column showing line-item numbers which will print with the document.

Discussion moved to budgeting for Selectboard Assistant. Sharon Winn Fannon emphasized the need for this position to be created; someone to be running the entire machine around the existing work of the Board members. Marc Mihaly explained that the reduced amount was driven by the desire to save some money. Denise Wheeler explained the need for a grant administrator, particularly to meet the requirements of an audit. John Brabant pointed out \$22,500 was budgeted for a Selectboard Assistant for this fiscal year and has not been expended; this money, in addition to next year's budget, could be utilized to move toward a solution. The Board decided to make two line-items to reflect the need for both of these functions, allowing flexibility in hiring one person or two separate people. Each line will be \$11,250.

Delinquent Tax Collector wage increase was discussed. The Chair noted the current DTC has proven herself excellent at the job for years, and the working group suggested increase from \$10K to \$12K (it has never increased with the other salary increases). Sharon Winn Fannon noted it has not been treated as a salary position; although it has not changed in four years, we don't know how many hours it takes and that this is a 20% increase. The Chair reminded the hundreds of thousands of dollars of delinquent tax reduction that she manages. In the past, delinquencies were carried for more than one year, of a couple hundred thousand dollars. Years ago, there was a perverse incentive to allow delinquencies to build, because the DTC

was paid based on delinquencies. Some members of the Selectboard did not agree that was the case; they believe the tax collector was paid from a one time penalty, and the ongoing interest accrued to the town, but the group's consensus is that the new approach is working much better. John Brabant suggested a salary compromise the Board agreed to: \$11,000 recognizes the position had not been brought up with other salary position increases over the last four years, and starts a conversation for how to plan going forward recognizing the tax collector as a paid position within the town, rather than a volunteer position that enjoys a small stipend. Marc Mihaly reviewed the Board's articulated plan for the full group and the working group budget planning, and how it has been achieved as planned.

**John Brabant moved to approve the budget as presented and amended at \$1,480,473; Denise Wheeler seconded.** John Brabant reminded that approving the budget with a 5.9% cost of living increase does not mean that that much must be allocated; all we are doing is approving a budget and allocating or awarding salary cost of living increase of any amount is a Selectboard discussion and decision at that time. The budget does not bind the Board to any amount of salary increase. The December regional CPI number will inform the Board's thinking at a future time. The total operating budget being voted is \$1,480,473. This does not include the separate warned items that get voted by the voters (such as social service appropriations, cemetery, fire departments, etc.). **The budget motion was voted and passed unanimously.** This budget reflects a 1.727% increase over last year for the Selectboard-controlled budget—general government and highway department. When all the separately warned items are included, i.e. budgets outside of Selectboard control—cemetery, emergency departments, etc.), it is a 3.6% increase over last year.

11. Town Meeting Schedule: It is the first item of business of the Legislature when they reconvene to consider approving towns doing town meeting day like last year; Calais would follow the procedure they created last year as it went very smoothly. Members are editing the Selectboard report and on track to have all documents to the Town Office on schedule.
12. Other Updates: None.
13. Review and approve minutes, warrants: This item was tabled until a subsequent meeting.
14. Executive Session for Personnel Matters: John Brabant made a motion to go into Executive Session at 9:18 pm per 1 V.S.A. subsection 313 (a) (3), personnel matters. The motion was seconded by , voted on and carried 5-0. The Board resumed Regular Session at 9:43 pm. The Chair had nothing to report publicly.
15. Other Business/Old Business/New Business: None.
16. Adjournment: Rick Kehne made a motion to adjourn at 9:44 pm. Marc Mihaly seconded the motion which was voted on and carried 5-0.

Date: 12/29/2021 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary  
*Approved by the Selectboard at the 2/14/2022 meeting*

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

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