

## Selectboard Meeting Minutes

*Monday, September 23, 2019 at 7 pm 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), Pam DeAndrea (CVRPC), Larry Bush (Conservation Commission), Jan Ohlsson (Planning Commission), Barry Bernstein, Peter Johnke (VCIL), Nick D'Agostino (Rural Transportation Provider), Bonnie Waninger (CVRPC), Karin McNeill (TAC Alternate), Stephanie Kaplan (Conservation Commission)

1. Call to Order: Denise Wheeler called the meeting to order at 7:00 pm.
2. Public Comment: Larry Bush, Conservation Commission, shared an invitation to the Fall Foliage Walk in the Bliss Pond Town Forest on October 5, 9:30 am. Eric Sorenson (Natural Communities Ecologist for Vermont) will lead the walk, and it will begin a town-wide discussion on the town forests and future uses of them, as well as to alert town residents to the existence of this not-well-known forest.
3. Review, Additions/Changes to Agenda: None.
4. Updates/Reports (as needed or requested): None.
5. Discussion of Vt. Route 14 Commuter Bus Route: Bonnie Waninger (CVRPC) and Nick D'Agostino (RCT) attended to communicate with the Board regarding a newly created Morrisville/Barre Commuter Bus Route. Rural Community Transportation. (RCT) is creating this bus service connecting Morrisville and Barre (via VT Route 15 & 14) with a transfer connection at Washington Electric Coop in East Montpelier to Montpelier and St. Johnsbury (via RCT's existing US2 Commuter route). The tentative start date for this route is October 7, 2019, and will serve residents of Morrisville, Wolcott, Hardwick, Woodbury, East Calais, and East Montpelier. Connecting service is available to Burlington, Waterbury, and Barre City. The route will be fare free to all passengers.

While there is no requirement for towns to participate in the funding of this route, RCT asks for financial assistance from towns served to help defray the local match requirement of operating grants.

Nick D'Agostino spoke with the Board and residents about a Calais location for pick up, and the group considered the lack of parking options in East Calais. The East Calais Rec Field was considered; the Dwinell's half acre field across from the field; the Woodbury Town Office; a piece of land on the boundary of Woodbury and Calais; and the East Calais Rec Association parking lot. The Board considered contacting the Rec Association to request use of their parking space. Nick D'Agostino explained that this would not be a state-owned park and ride and therefore would not need to meet those requirements. The group considered paying compensation for use of land. Barry Bernstein commented that this would be a really big missed opportunity for the Town to not find a solution to parking, now that RCT is definitely offering transport through Calais. Pam DeAndrea commented that

the Post Office lot is included as one of the top five storm water improvement sites; there is an agreement with the Rec Association in place and implementation will occur in the future. Karin McNeill commented on safety concerns near the East Calais store: trash haulers and granite trucks are moving fast through that corridor, making street crossings and road parking dangerous. The group reiterated the safer possibility of pulling just off of Route 14 to the Rec Center parking lot. Peter Johnke, Executive Director of VCIL, commented on the need for a bike rack at the location, and the long-term historic need for this route in Calais. A spot of private land on the corner of Lightning Ridge and Max Gray Road, as well as Pekin Brook and Route 14, were discussed.

The transit provider decides on fare pricing: RCT's riders are such a small quantity that it is not worth it to RCT to charge; every town that is served is asked for some sort of donation. RCT has a significant amount of funds to match federal funds for each bus. VTRANS pays for three years of the bus running; after that time, fuel, drivers wages, administration, etc. have significant percentage matches required from RCT. He suggested \$500-\$1,000 and Denise described the procedure for a group to ask for an appropriation at Town Meeting, i.e. RCT should submit its request in writing and then, as a general matter, the Selectboard submits non-profit requests to the voters for approval at Town Meeting

RCT will ultimately determine what category this bus would fall under for Calais riders; the calculation on whether the route is considered "successful" depends on category and numbers of riders served per hour. The group discussed ways to get the word out about this. Barry Bernstein commented that although it is important to consider safe parking for riders, there are riders who do not have a car who need to be kept in consideration in terms of convenience for pick up/stops. The bus itself is not a heavy-duty city type bus, but rather like the busses seen in Barre or Montpelier (22-24 passengers, plus four wheelchair locations). The Board recognized the need for this bus service from Calais for years.

6. Review Road Erosion Inventory Report: Pam DeAndrea of CVRPC shared the "Town of Calais Road Erosion Inventory Report," based on the 2017 inventory performed. The Municipal Roads General Permit came out in 2018, and all towns in the state are on a schedule to follow this permit, bringing roads connected to water sources ("hydrologically connected roads") to a certain standard, preventing erosion and sediment and phosphorous from making their way to major water bodies. CVRPCs are assisting towns in their regions to come up to standards.

Pam DeAndrea defined hydrologically connected roads and reviewed the MRGP requirements timeline. Pam DeAndrea commented that Calais's Road Commissioner and Operations Manager are way ahead of the deadline slated for January 2020; the next deadline, "Very High Priority Segments," are not due for completion until the end of 2025. The group recalled the methodology utilized in Calais to create this data. Every mile of roadway (except Class 4 and state) was ultimately identified as "fully meeting" (15.6 miles), "partially meeting" (14.6 miles), or "does not meet" (7.6 miles) for crown, berm, drainage, drainage culverts, driveway culverts in ROW, and conveyance.

The group discussed the fine details of identifying "perennial" versus "non-perennial" streams. It was noted that perennial streams are already covered under road and bridge standards. The definition of "conveyance zone" was discussed alongside a diagram; Pam DeAndrea used an example the Calais Highway Department built as exemplary treatment of a conveyance zone. There are 652 hydrologically connected road segments in Calais, or 39.5 miles (not including Class 4), 56% of which do not fully meet standards. "Very high priority" road segments are on slopes that are greater than 10% that do not meet standards, and Pam DeAndrea created a spreadsheet with every road in Calais, indication of

priority, and a space for the Town to make notes for planning purposes (these segments must be brought to MRGP standards by the end of 2025). Discussion included specific practices that must be implemented by the Highway Department. The Road Commissioner commented that he and the Operations Manager log on to a state portal and update data as implementation happens (Pam DeAndrea will email a link for the Board's review).

The group reviewed a number of Calais road maps with color-coding of the previously mentioned segments. The Road Commissioner questioned whether the map informs the state's grant decision making (for example, the Town may use information about the priority level of a road problem when applying for Better Roads Grants). Pam DeAndrea and the Road Commissioner considered grant applications that were denied in state grant applications last year and future plans for grant applications for those same locations. The Town has the obligation to stay up to date on reporting to the State; about every five years will need an updated plan (assistance will be provided by CVRPC). The Board planned to ask the Operations Manager to present on status progress, and thanked Pam DeAndrea.

7. ROW Application #2019-03: Tammie Beauregard (Martin Rd.) submitted a right of way permit application for a culvert at the end of her driveway. The applicant did not complete an answer to the question, "Has the project area been clearly marked, staked and flagged at this site?" The Road Commissioner reassured the Board that this is an existing driveway, he visited the site and designated spot where the culvert will be installed, discussed the ROW application with the landowner, and is comfortable with there not being flagging at the site.

Clif Emmons made a motion to approve and allow the Chair to sign the ROW Application #2019-03 for Tammie Beauregard of Martin Road to install a culvert at the end of her driveway, at a size of 15"- or 18" diameter, 20' long. Sharon Winn Fannon seconded, and the motion passed unanimously.

8. Waiver of the Late Fee for Filing Late Homestead Declarations: Jan Ohlsson commented that in years past Calais *had* charged a penalty for filing late homestead declarations, which resulted in significant extra paperwork and time for office staff and BCA in abatement proceedings. MUNINET recently brought up the requirement for a town to do this. Calais has decided not to charge such a penalty, but must now specifically decide this each year as a Board. The Board reviewed statute reference 32 V.S.A. Section 5410(g).

Sharon Winn Fannon made a motion to endorse the Board's practice of waiving the late fee for filing late homestead declarations. Rose Pelchuck seconded and the motion passed 4-0 (John Brabant had stepped out).

9. Town Office and Town Hall Reserve Funds: The group clarified that the Town Hall and Town Office Reserve Fund is a single fund, which the Town is managing separately in their accounting practices: "Town *Hall* Reserve Fund" and "Town *Office* Reserve Fund" (office fund currently at approximately \$58,900). The language from the 2014 Town Meeting Warning (Articles 23 and 24) identifies that voters approved use of this fund for "repair and maintenance;" the Board considered whether that language includes intent to "reconfigure" town office layout and use for Town Hall renovations.

The Board approved use of reserve funds for renovations at the Town Office in August. Clearly work at the Town Hall falls under repair and maintenance that has been put off for decades, and although referred to as "renovation," it certainly is "repair and maintenance." The Town Attorney advised that

“reconfiguring” or “renovation” may not meet voter intent of “repair and maintenance.” The Board agreed that the roof repair [at the Town Office](#) remains the highest priority and clearly falls under “repair.” The Board considered the intent of “repair and maintenance” including needed reconfiguration changes for well-established needs, the functioning of Calais government, and appropriate response to office staff work needs. Denise Wheeler added that it seems like this use of the “funds” would be “voters’ intent.” Sharon Winn Fannon recognized that while the Town Attorney did not share specific legal cases proving that this sort of situation has been found to fall under “repair and maintenance,” it is still up to the good judgment of the Board to make a decision handling the reserve fund according to voter intent for those funds. The Board agreed that they are comfortable using the funds in the way that they have been practicing, as documented in the minutes over the past months (office reconfiguration and roof repair and Town Hall renovations) The Board did a google review of the definition of “renovate” which states in part “...to restore to good condition; make new or as if new again; repair, reinvigorate, refresh; revive.”

John Brabant commented on the beautiful aesthetic of the existing office, and his reluctance to see the space use significant financial resources or become less attractive, and his opinion that the right procedures and configuration could allow for utilization of office space at the renovated Town Hall. Sharon Winn Fannon commented that the office building is not that old, and the Board should be sure a reconfiguration is thoughtful, because we cannot do a reconfiguration every ten years. Clif Emmons commented that the needs of the Town are what drive the work on the Town Office building; the changed needs of the Town over the last ten years are the reason why functional changes are being made; however; it may be advisable to change the fund permissible use language in the future for clarity of intent. Denise Wheeler commented that when the Office was built there was only one employee (Town Clerk/Treasurer) and as the needs of Town government have changed and the demands are greater so has the need to add more staff to perform the increased workload, serve the public, space for listers, and private space for confidential personnel discussions, and more.

#### 10. Chair Updates:

- The Chair will schedule a meeting with surrounding towns and legislators to revise animal control statutory language.
- IT RFP update: the Board planned to block out time at an upcoming meeting to discuss whether to invite candidates in or to decide on a provider based on existing RFPs.
- A document on the website, Emergency Reserve Fund Balance Policy, was discussed for updating at a future meeting.
- The Board will meet with Auditors on 10/14/19; that same meeting will include a review of the Town Treasurer’s most recent report to the Board.
- Update Petition # 19-27, IBEW Local 300
- The Zoning Administrator job opening has been published (deadline for applications 10/7) in the Hardwick Gazette, FPF, VLCT, CVRPC. Woodbury’s Z.A. has expressed interest and promises to be a strong candidate.
- The Chair communicated with the lead student on the UVM Capstone project (students will have a scheduled tour on the roads with the Road Commissioner).
- Traffic Ordinance
- The Board has drafted a letter to Ms. Shedd regarding parking in traveled lane of town road (as noted in the 9/9/19 minutes).
- The office is closed Monday 10/14 (Indigenous People’s Day in Vermont). Staff have requested moving their 11/11/19 Veteran’s Day holiday to the Wednesday before Thanksgiving so that the office can be kept open 11/11 to accept taxes ahead of the final

week of property taxes. (The Town Clerk sets her own and her assistant's schedule, but not the Town Treasurer or Assistant Town Treasurer.) The Board discussed the importance of recognizing the Veteran's Day holiday, as well as the good sense of accommodating the needs of the Town during a hectic tax season.

Denise Wheeler made a motion to approve the office staff request as presented, noting they are incredibly sensitive and appreciative to the fact that it is Veteran's Day, and want as a Town to honor our veterans; the Board requests that the staff find ways to be sensitive to this fact in other ways. Rose Pelchuck seconded, and the motion passed unanimously.

- The Board planned to meet on Indigenous People's Day (10/14) and Veteran's Day (11/11).
- The North Calais Memorial Hall Association had their closing. The Chair has been communicating with them regarding criteria defined by the Selectboard in a letter in 2018: appoint an advisory committee, including a member of the Conservation Commission. NCMHA is working on meeting these criteria. The Board made a note to meet with the Association on the issue of property tax in the near future.

11. Review and approve minutes, warrants

- a) The Board reviewed the invoices and orders were processed for payment.
- b) John Brabant moved and Clif Emmons seconded to approve the minutes of the 9/9/2019 meeting, with the changes as noted; the motion passed 4-0 (Sharon Winn Fannon abstained).

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

13. Executive Session for Personnel Matters: Sharon Winn Fannon made a motion to go into Executive Session at 9:32 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 9:47 pm. The Chair had nothing to report publicly.

14. Adjournment: Sharon Winn Fannon made a motion to adjourn at 9:47 pm. The motion was seconded, voted on and carried 5-0.

Date: 9/25/2019 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary  
*Approved by the Selectboard at the 10/14/2019 meeting*

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

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