



MONTGOMERY
FOUNDED 1788

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MINUTES of the REGULAR MEETING OF THE
SELECTBOARD & WATER COMMISSION
Temporary Town Office (86 Mountain Road)
Monday, December 16th 2019
6:30pm

Charlie called the meeting to order at 6:36pm

In attendance: Charlie Hancock, Mark Brouillette, Jacob Racusin, Leanne Barnard, Darren Drevik
Greg Lameroux, Wendy Howard, Larry Letourneau, Anita Woodward, Ken Fisk, Everett McGinley,
Lynn Drevik, Daniel Kahn, Kristin Kahn, Felisha Leffler, Barry Kade

1. Review and make any changes to the agenda
 - a. Add: item 7(c) Grand List Errors and Omissions
 - b. Add: item 7(d) Personnel Discussion re: Road Crew
 - c. Amend: item 7(b) “*Town Meeting*” not “*Time Meeting*”

2. Review/approve minutes of the December 2nd meeting
 - a. Leanne, amend Item 4 Rosaire “*Robitaille*” to Rosaire “*St. Pierre*”; Mark moved to adopt minutes as amended, seconded by Jacob; unanimous 5-0

3. Public Works
 - a. Roads and Bridges
 - i. Grants (*status updates*)—no updates at this time
 - ii. Fixed radar speed signs—speed study; request for installation to Vtrans (*update*)—no updates at this time

 - b. Buildings and Grounds—no updates at this time

 - c. FEMA update—USDA EWP Application (*board action*)—Jacob moved to sign and submit USDA EWP application/letter of intent; seconded by Leanne; unanimous 5-0. [Reminder: **Emergency Watershed Protection Program (EWP)**—*for private landowners - must be sponsored by municipality*: EWP is designed for installation of recovery measures to safeguard lives and property as a result of a natural disaster. Threats that the EWP Program addresses are termed watershed impairments. These include, but are not limited to: debris-clogged stream channels, undermined and unstable streambanks, jeopardized water control structures and public infrastructures, wind-borne debris removal, and damaged upland sites stripped of protective vegetation by fire or drought].

4. Visitors (7pm)—majority of visitors present interest in STRO discussion (*below*); Everett McGinley presenting report from Broad Band Committee (*attached*)
5. Water Commission Issues—Mark will look into parcel specific changes needed from *Residential* to *Commercial* rate based on submitted change of use
6. Old Business
 - a. Grant Updates
 - i. Electric Vehicle Charging Station Grant (VEC)—tabled to 01/06/20
 - ii. USDA Community Facilities Direct Loan and Grant Program—tabled 01/06/20
 - iii. *Other*
 - b. Montgomery Thrives Committees (*update*)
 - i. SEARCH Grant submission update—Grant application was submitted Friday 12/13/19; notification pending
 - ii. Hoyle Tanner Proposal (*board action*)—Board reviewed Agreement re: Preliminary Engineering Study with specific attention to Exhibits C and J (compensation and scope of work); discussion ensued; board will need more clarity on funding sources before they will take action; Charlie will follow up with additional info; special meeting for discussion/adopting week of December 23rd pending (**Update: note this is now scheduled for Monday December 23rd at 5pm*)
 - iii. Funding opportunities for Waste Water and Streetscape—discussion re: above
 - iv. Broadband Committee Status update—Everett McGinley presented committee report (*attached*); main take away is committee needs for personnel to continue work
 - c. Sale of Ambulance (*update—potential board action*)—Board reviewed proposal from James Walsh re: town financing. Board deferred on proposal, will continue to solicit a buyer
 - d. Vacant Building Complaint (*update*)—Exterior inspection complete. Doug will reach out to property owner to determine ability to gain access and review potential concerns re: electrical
 - e. Draft Short Term Rental Ordinance (*continued discussion following public comment, potential board action*)

Board shared reflections from Public Comment Hearing. Consensus among members is that Ordinance not the appropriate means of addressing concerns at this time, rather Board will work with Planning Commission and Zoning Administrator to work w/in existing Conditional Use Approval process. Gaps have been identified, with specifics discussed including: issues with occupancy

calculations; owner contact information posting; means of revoking a Conditional Use permit re: violation(s); adequacy of addressing health and safety concerns within existing framework. Board will follow up with PC and ZA: Longer term tweaks to zoning to be identified by PC; work with ZA on process.

Larger questions around housing stock availability discussed as well. Broader concerns best addressed via Zoning and Town Plan, potential for incentives, etc.; larger community conversation around this likely warranted outside of STRO discussion.

CU will still be complaint driven (as with all zoning infractions), however concern was raised that if process is 'voluntary' concerns may not adequately addressed w/in existing framework. Board will work with ZA, PC on public information campaign to get STRO owners information on permit reqs. Not having one following notice of need is still considered a violation, subject to penalties outlined Zoning Bylaws.

Well no formal motion was made, STRO Ordinance is tabled indefinitely pending pursuit of (and analysis of) above process. Board reserves the right to re-introduce for consideration.

- f. Potential Contract with Franklin County Sheriff (*continued discussion, no planned board action*)—Board to draft additional language for insertion into draft for FSC) review
 - g. Local Option Tax (*continued discussion, no planned board action*)—tabled
 - h. Shuttle Service between Jay Peak and Montgomery (*continued discussion*)—no updates; tabled
7. New Business
- a. Shared Health Officer with Enosburgh (*discussion*)—tabled pending discussion with Jim Cameron
 - b. Time Meeting Timeline (*discussion*)—tabled until 01/06/20
 - c. Overweight Truck Permits
 - d. Liquor/Tobacco Licenses
8. Open Mail / Sign Orders / Administrative Matters
9. Review Action Items for Board Members
10. Adjourn—Jacob moved to adjourn the meeting at 8:41; seconded by Mark; unanimous 5-0

In advance of the report at the Selectboard meeting on 12/26, the Broadband Committee submits the following summary of activities to date:

The Broadband Committee has focused on four initiatives since inception:

Emergency Communications, primarily for the Montgomery Volunteer Fire Department

The current availability of radio communications from the emergency dispatch center in Saint Albans to the MVFD and between members of the MVFD is unacceptably poor and impedes the ability of the MVFD to respond to emergencies. Members of the Broadband Committee and the MVFD consider this to be a significant public safety issue. The state is skeptical that the planned expansion of the FirstNet cellular system for first responders will adequately cover Montgomery. The MVFD has identified a probable solution consisting of a fixed internet VOIP connection between the dispatch center and the public safety building with radio repeaters located at several locations in town to provide complete communications coverage. Such a system would need to be properly engineered by a qualified third party and approved by the VT Division of Radio Services. The committee has identified an appropriate engineering firm and spoken with the Division of Radio Services. The estimated cost of such a system is approximately \$20,000 exclusive of engineering. The next step is to obtain a estimate for the engineering cost and seek guidance from the Selectboard as to whether this is within the town's current budget or would require submitting a grant application to a funding agency. The committee expects that it would work with the MVFD to submit a grant application to pay for the system once engineered and approved.

Fixed Broadband Internet Connections

The committee conducted a town wide survey to determine what premise internet connection types are currently available, whether they are considered adequate, and what needs are not currently being met. The survey results have been submitted to the Selectboard. Generally, broadband connection availability is limited to the small section of the town served by Comcast. Internet connections provided by Consolidated Communications vis DSL are generally not deemed adequate or reliable for a number of uses required by those wishing to work from home, utilize some internet based services, and for entertainment. The next step would be to formulate a statement for work for an engineering analysis to determine what type of broadband infrastructure would be required and the cost of such a system. Similar communities having gone through this process have opted for fiber to the premise and there are a number of local companies that provide this infrastructure

Montgomery Center Wi-Fi

The committee has looked at the possibility of implementing a free community Wi-Fi system to cover at least the Montgomery Center commercial district. Comcast has not been responsive, so further work will be required to identify a solution.

Wireless Mobile Availability

The Broadband Survey also identified the almost complete lack or adequate wireless mobile/cellular connectivity as a significant problem. There are currently no known plans from any of the prevailing mobile operators to address this need in Montgomery. This is likely to be the most difficult problem to address as the mobile carriers are regulated by the federal government and the state has little leverage of their deployment plans.

The Broadband Committee is understaffed and will need additional members to make significant progress