

Approved August 4, 2020

CORNWALL SELECT BOARD

Regular Meeting
Via Zoom Teleconference
July 7, 2020

NOTE: Today's Select Board meeting was held by teleconference and all Cornwall meetings will be held by teleconference until further notice.

MEMBERS PRESENT: John Roberts, Brian Kemp, Ben Wood, Magna Dodge, Ben Marks

ALSO PRESENT: Sue Johnson, Mike Sunderland, Don Burns, David Dodge

The meeting was called to order at 7:01 pm.

Recording of meeting - announced

Quorum - established

AGENDA - Magna D. MOVED / John R. SECONDED a motion to approve the agenda as posted. Motion passed - 5 in favor, 0 opposed.

General Fund and Highway Orders - have been circulated by Sue J. to the Board members to review and sign.

Report on Reconciled Bank Statement has been circulated by Sue J. to the Board members to review.

MINUTES

- **June 2, 2020** - Ben W. MOVED / Magna D. SECONDED a motion to approve the minutes as amended, with correction to documentation of discussion about Town Meeting amendments (in Other Business). Motion passed - 5 in favor, 0 opposed.

CORRESPONDENCE REVIEW

- Statement of Town tax rates from State of Vermont - see Town Clerk's report below

PUBLIC COMMENTS - none

LEMON FAIR INSECT CONTROL DISTRICT (LFICD) REPORT- David Dodge

The LFICD is a municipal district comprised of three townships (Bridport, Cornwall and Weybridge) that was established in 2006 for the purpose of mosquito abatement. Each of the three towns authorizes \$6,000 annually to the LFICD budget, and the Agency of Agriculture provides \$70,000. David Dodge, Chair of LFICD, reported that there have been some changes to the grant agreement between the LFICD and the Agency of Agriculture, resulting in a payment of \$17,500 authorized and paid quarterly, instead of \$70,000 annually. This means that there is a mismatch between the funding stream and the expenses of this season operation. The LFICD does have some funds in reserve from the sale of the airplane. It costs about \$45,000 to complete one treatment of larvicide. In dry years (such as this year and the past year), no treatments are needed. On a wet year when the Lemon Fair floods, a total of two treatments may be needed. The Board agreed with Mr. Dodge that the LFICD should always have the capacity to treat as many as two times yearly. He said that he planned to contact Peter Conlon, Cornwall's State Representative, regarding this issue.

STATUS REPORT FROM THE PLANNING COMMISSION (CPC) - Don Burns

Don Burns, Planning Commission member, explained that the Chair, Conor Stinson was not able to attend the meeting tonight, so Don was providing the report in his place.

Don spoke about the current membership, level of participation, level of productivity, and the difficulty of recruitment at this time. The CPC has been and will continue to encourage its members to be more participatory and more productive. There are two open seats on the CPC. Extensive efforts at recruitment have not been successful.

Recent work has focused on two addendums for the Town Plan that the State now requires for regional approval - Flood Resilience and Forest Fragmentation. The CPC has been working in close communication with the Select Board on both sections during the drafting process. Don B. stated that it may be possible to have public hearings on both sections before the end of the year.

The CPC has also been working in collaboration with the Select Board to make changes in the current draft of an update of Town regulations - the "Land Use and Development Regulations" (LUDR). Progress has been slow, with drafts going back and forth between the two board and weeks passing in between meetings. Don B. asked if a shared electronic folder would be helpful and also proposed a joint meeting later in this month, to discuss how to get the LUDR done and how to dovetail it with an "aging" Town Plan. The Town does need updated regulations. The Select Board agreed that a joint meeting would be useful, set the date for July 21 at 7, and tasked Ben M. and Conor S. to create the agenda. Magna D., John R., and Ben W. went on record as generally agreeing with the recent changes Ben M. suggested to Article 2. Magna D. said she believes that time scheduled for negotiation is more important than having a shared folder.

TOWN CLERK / TOWN TREASURER'S REPORT - Sue Johnson

- **Tax Rates** - Town has received new tax rates from the State. The homestead tax has gone up by 14 cents and the non-homestead rate has gone up by 8 cents. Sue J. will inform citizens in the next newsletter.
- **Office Cleaner Contract** - Sue has circulated the annual cleaner's contract to the Board to sign.
- **Internal Financial Controls List** - has been circulated to the Board to review. John R. MOVED / Magna D. SECONDED a motion authorizing Ben Marks to sign as Board approval and authorizing John R. to sign, as back up, if needed. Motion passed - 5 in favor, 0 opposed.
- **Delinquent Taxes** - approximately \$23,000 remains delinquent, from a small number of property owners. Tax collector has been kept informed. Any tax sale decisions are yet to be made.
- **August 11 State Primary Election** - Vermont Secretary of State's office mailed an information postcard to every registered voter in the State, regarding availability of voting by mail. In Cornwall, in-person voting will also be an option. A limited number of people will be allowed in the Town Hall at one time, and masks, social distancing and related Covid-19 procedures will be required. Votes will be counted by the tabulator.
- **Fiscal Year End Surpluses** - the general fund ended the fiscal year with a surplus of \$103,623.40. The highway budget ended with a surplus of \$7,105. The capital fund balance is \$695,259.50.

ROAD COMMISSIONER'S REPORT - Brian Kemp and Michael Sunderland

- Wooster Road project is complete and RAS is holding up well.
- Both the grader and the mower had to be taken out of service for emergency repairs recently. Road crew spent time hauling gravel while waiting for repairs to be done. Mower repair was covered by warrantee.

- Crack sealing completed on Swamp Road. Cracks occurred in new places. Have plan to get a better shoulder on the road this summer, with goal to prevent more cracks.
- Discussed problem of mice nesting in equipment during months when not being used. A deterrent product has been recommended and Mike S. plans to purchase some.

OLD BUSINESS

- **Discussion of Sheriff's Contract** - the Board reviewed the report that Sue J. compiled, with number of hours and type of services provided and income from tickets. After discussion, it was agreed that strategy to increase the number of hours of service, had no measurable benefit to the Town, but that some police presence on Cornwall's roads is helpful in deterring speeding. It was agreed to decrease the number of hours of service requested from the current 22 hours back down to 16 hours. When the contract comes back from the Sheriff's Department for signing, the Board will vote on it.
- **Update on Dog/Animal Control Incident** - the animal control officer visited the residence on South Bingham and reported that the dog run and fence have been built, as agreed in writing by the dog owners. It also appears that the problem with cows at this property has been resolved and they are no longer getting out as result of improved barriers. The animal control officer confirmed that damage done by cows is a civil matter and that no agency oversees these matters when they occur.
- **Update on Article 2 of the Draft Zoning Regulations** - this item was covered during report from Don Burns of the Planning Commission.
- **Discussion of Peet Tax Appeal**

John R. MOVED / Magna D. SECONDED a motion that premature general public knowledge of the Peet Tax Appeal will clearly place the Town at a substantial disadvantage by disclosing confidential attorney-client communications. Motion passed - 5 in favor, 0 opposed.

Magna D. MOVED / John R. SECONDED a motion to enter into executive session to discuss the Peet Tax Appeal under provisions of Title 1, Section 313 (a)(1) of the Vermont Statutes. Motion passed - 5 in favor, 0 opposed.

The Board went into executive session at 9:00 pm and came out of executive session at 9:11 pm.

ADJOURNMENT

John R. MOVED / Ben W. SECONDED a motion to adjourn the meeting. The motion passed - 5 in favor, 0 opposed.

The meeting was adjourned at 9:12 pm

Submitted by Sharon Tierra, Secretary of the Select Board