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## **CORNWALL SELECT BOARD**

Regular Meeting  
Via Zoom Teleconference  
April 20, 2021

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

**MEMBERS PRESENT:** Tanya Byker, Magna Dodge, Ben Marks, John Roberts, Brian Kemp (arrived at beginning of Old Business)

**ALSO PRESENT:** Sue Johnson (until end of her report), Michael Sunderland, Elizabeth Kaines Keefe, Don Burns, Sarah Pelkey, Todd Kincaid

Recording of meeting - announced  
The meeting was called to order at 7:00 pm  
Quorum - established

**AGENDA** - Magna D. MOVED / John R. SECONDED a motion to approve the agenda as modified, by moving the Town Clerk's Report to the top of the agenda, as she has a training to attend this evening. Motion passed - 4 in favor, 0 opposed.

**General Fund and Highway Orders** - signed

### **TOWN CLERK / TOWN TREASURER'S REPORT** - Sue Johnson

- Office will be closed this Thursday, and also will be closed on May 5, while Sue J. participates in training.
- Saturday, May 1 is Tax Day and the Town Office will be open from 9am-5pm.
- May 1 is also Green Up Day. Bags and maps are available for folks who want to volunteer and sign up to pick up trash along certain roads. Highway department will have trucks at the school to receive what is collected by Green Up volunteers.
- Peter Briggs, resident of James Road, has an interest in participating in Town government. Sue J. encouraged him to attend meetings of Town boards and committees.

### **MINUTES**

**April 6, 2021**

Magna D. MOVED / John R. SECONDED a motion to approve the minutes as posted. Motion passed - 4 in favor, 0 opposed.

**CORRESPONDENCE REVIEW** - none

**PUBLIC COMMENTS** - none

### **ROAD COMMISSIONER / ROAD FOREMAN'S REPORT** - Mike Sunderland

- Mike S. reported that the roads are in good shape after grading, and that the crew has also been mowing brush.
- Applied for a paving grant for \$210,000 for South Bingham and Park Hill Road
- Plan to fill in culvert cuts on South Bingham and Park Hill Road, whether paving grant is received, or not.

- In response to John R.'s remarks about the height of recent mowing, Mike S. said he would advise Ken to operate the mowing bar in vertical position so that it cuts higher up on brush when appropriate.
- Ben Marks said that the Fire Department approached him about their dry hydrant at Cobbs Corner. The soft shoulder there is creating a hazard for vehicles getting water from the hydrant. Fire Department asked if they could use a couple of loads of Town gravel to fix this problem. The Board agreed that it would be appropriate for the Town to share some gravel with the Fire Department to resolve this problem.

## **OLD BUSINESS**

- **Update Maple Broadband** - The Towns of Addison and Vergennes have now joined Maple Broadband, bringing the number of member towns to 20. All towns in Addison County now belong to a Communication Union District (CUD). Bill H315, authorizing \$1,600,000 in funding for the CUDs, became effective without the Governor's signature. Maple Broadband will apply for a grant from funds authorized by H315, for high level design. Maple Broadband is currently interviewing firms that would provide high level design. Federal funds authorized by the American Rescue Plan Act will be going directly to Vermont Towns, based on population, and additional funds from the Rescue Plan Act will be passed through directly to towns from the County. It is expected that the Treasury Department will release 50% of the total Rescue Act funds on May 11th, and the remaining 50% a year later. Cornwall expects to receive \$175,000 in Rescue Plan funds around May 11.
- **Approval of Local Emergency Management Plan (LEMP)**- After discussion, John R. MOVED / Tanya B. SECONDED a motion to approve the LEMP as amended by Magna D. Motion passed - 5 in favor, 0 opposed.
- **Discussion and Possible Action on Vermont Agency of Transportation (VAOT) Speed Limit Recommendation** - After completing a recent traffic study, VAOT recommends clearing of vegetation for better visibility and additional signage for traffic calming but no changes to the speed limit in the West Cornwall Village area where Route 74 intersects South and North Bingham. Sarah Pelkey and Ben Marks plan to attend the hearing of the traffic committee on this matter, on April 20 at 1pm. Sarah P. said that the design of a road has the most effect on traffic calming. A sign with a suggested speed limit of 40 miles per hour in West Cornwall would be an incremental approach to calming traffic there. Sarah P. and Ben M. will attend the hearing with specific requests from the traffic committee. Among other traffic concerns in Cornwall, there is not a designated school zone in Cornwall Village, and there are two new businesses in development in Cornwall Village near the school. The Board authorized Ben Marks to speak on behalf of the Town at the traffic committee hearing.

## **NEW BUSINESS**

- **Opening of Lawn Mowing Bids, Selection of Vendor** - three bids were received - from Lawn Cuts for Less, Scenic Valley Landscaping, and Whitcomb Property Management. Brian K. MOVED / Magna D. SECONDED a motion to select the lowest bid of \$4,500 by Lawn Cuts for Less. It was mentioned that the Town was pleased with the quality of the mowing done for the Town by this company in past years. Motion passed - 5 in favor, 0 opposed. Ben M. will notify Sue Johnson of the selection.

## **EXECUTIVE SESSION**

- **Discussion with Listers - Burton Tax Appeal**
  - John R. MOVED / Brian K. SECONDED a motion that because premature general public knowledge of the confidential attorney-client communications would clearly place the Town at a substantial disadvantage, under V.S.A. 313 (a)(1) the Board is authorized go into Executive Session. Motion passed - 5 in favor, 0 opposed.

- John R. MOVED / Brian K. SECONDED a motion that the Board go into Executive Session to discuss advice from the Town Attorney with the Listers in the matter of the Burton tax appeal. Motion passed - 5 in favor, 0 opposed.

The Board went into Executive Session at 8:15 pm. The Board came out of Executive Session at 8:48.

John R. MOVED / Tanya Byker SECONDED a motion to authorize the Town Attorney to send the proposed Offer of Judgment at a value of \$400,000 after application of the CLA. Motion passed - 5 in favor, 0 opposed,

#### **OTHER BUSINESS**

**Fire Warden Appointment** - John R. MOVED / Magna D. SECONDED a motion to authorize the reappointment of Tom Frankovic to the position of Cornwall Fire Warden. Motion passed - 5 in favor, 0 opposed. Ben M. will inform Dan Dillner of the vote.

#### **ADJOURNMENT**

Magna D. MOVED / Brian K. SECONDED a motion to adjourn the meeting. The motion passed - 5 in favor, 0 opposed.

The meeting was adjourned at 9:00 pm.  
Submitted by Sharon Tierra, Secretary of the Select Board