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CORNWALL SELECT BOARD

Regular Meeting

**Location: via Zoom and at Town
Hall**

September 7, 2021

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

ALSO PRESENT: Sue Johnson, Don Burns, Mike Sunderland

Recording of meeting—announced

The meeting was called to order at 7:02 pm

QUORUM—established

AGENDA—Magna D MOVED / Brian K. SECONDED a motion to approve the agenda as amended by adding an Executive Session at the end of the meeting to discuss the status of 2 known litigation matters and by deleting the approval of the minutes of August 30 (approval postponed to the next meeting). ***Motion passed***—5 in favor, 0 opposed.

General Fund and Highway Orders - have been circulated for signing, either by email or in person.

Reconciled Bank Statement - reviewed

MINUTES

- August 3, 2021 - approval tabled until the next meeting (some members did not receive).

CORRESPONDENCE REVIEW:

- Notice of Annual Business Meeting of Vermont League of Cities and Towns (VLCT) on September 20 at 1pm.
- Notice from Vermont Department of Health about the expiring term of the Deputy Health Officer in Cornwall. Sue J. said she is willing to serve again as Deputy Health Officer for the remainder of her time as Town Clerk. John R. MOVED / Magna D. SECONDED a motion to appoint Sue Johnson as Deputy Health Officer for the remainder of her time as Town Clerk, ***Motion passed*** - 5 in favor, 0 opposed.

PUBLIC COMMENTS—Don Burns inquired if there had been any progress in the process of reviewing and updating the Cornwall Hazard Mitigation Plan, which has expired. Ben M. said that he has alerted the Fire Department that this extensive 100-page Hazard Mitigation Plan needs to be reviewed and updated and will require Fire Department

involvement in the process. Don B. suggested that the Town apply for a planning grant for this project and noted that the deadline for applications is December 17.

TOWN CLERK / TOWN TREASURER'S REPORT - Sue Johnson

- During the **August 30 Special Election**, the polls were manned for the required 12 hours. Out of 1,006 registered voters in Cornwall, a total of 54 people voted (5 by absentee). Article 1 (to approve the financial plan dated August 9, 2021, for the withdrawal of the Ripton School District from the Addison Central School District) was approved by a vote of 52 in favor -2 opposed.
- **American Recovery Plan Act (ARPA) funds** have been received. Cornwall has received \$62,393.90 in Town funds, and \$115,766.01 in County funds, for a total of \$178,159.91 that the Town of Cornwall may use, in accordance with ARPA requirements.
- **Electrical Work** - Dennis Newton has completed the electrical work in the west wall that is needed for the planned audio-visual system.
- **Office closed Sept 22-24** - Sue J. will be attending the annual conference of the Vermont Municipal Clerks and Treasurers Association September 22-24. The Town Office will be closed on these days.
- **Planning for Sue's Retirement** - Sue J. reminded the Board of her planned retirement in 3 years and the need to start actively planning for that now. If the Town wants to make a change in the position of Town Clerk and/or Town Treasurer from being elected to being appointed, that process involves putting forth an Article at Town Meeting, and should be done at the 2022 Town Meeting. Sue J. urged the Board to at least put forth an Article with that change for the Town Treasurer position. Elected municipal officials must be Cornwall residents, but appointed ones can live in any geographically appropriate town, including Cornwall,

ROAD COMMISSIONER'S REPORT - Brian K. and Mike S.

- **Road Maintenance** - Mike S. said that Ken is done with mowing and has been hauling gravel.
- **Position of Road Foreman** - Mike S. wanted to discuss the job requirements of the Town Foreman position and recent conflicts with his personal business. After the initial discussion with Mike S., and his statement that the Town should advertise for his replacement, it was agreed that the Board continue the discussion in Executive Session. Meanwhile, it was agreed that Mike S. meet with Brian K. to compile a list of critical tasks for the Road Department in September and October.
- **Paving Bids** - Board compared paving bids with Mike S. and Brian K. At this point, the bid from Pikes compares favorably with the one from Wilkes. It was noted that the culvert cuts need to be done prior to the rest of the paving. This needs to be a firm requirement of the paving company.
- **Speed limit and Stop signs** - Tanya B. reported that her efforts in advocating on behalf of the Town with the Department of Transportation were effective and that the missing speed limit and STOP signs have been reinstalled.

OLD BUSINESS

- **Maple Broadband (MB) Update** - Magna Dodge

The Town of Weybridge has allocated \$40,000 of ARPA funds for Maple Broadband. The network agreement with Waitsfield Champlain Valley Telecom has been signed. Vantage Point Solutions has been engaged for pre-construction work. Maple Broadband will be receiving a total of 10 million dollars (2 million for pre-construction and 8 million for construction) from the State. This funding is administered by the Vermont Community Broadband Board (VCBB) but that process is proving to be very slow, which increases the problem of the lag time for materials for the construction phase. Without pre-buying materials, MB will miss the next construction season and have to wait another year to start the construction phase. To address this problem, MB plans to ask member Towns for funds for materials and is drawing up a written agreement to be signed by MB and the towns that decide to allocate ARPA funds to Maple Broadband.

- **Town Solar Options Update** - John R. reported on what his subcommittee discussed and that they recommend slowing down the process. After discussion, Magna D. MOVED / Brian K. SECONDED a motion to approve the following resolution: "The Cornwall Select Board, recognizing the potential to satisfy the Town's electrical needs through solar generation, the Board has decided to initiate a thorough review of potential suppliers of solar generating capability to satisfy the Town of Cornwall's electrical requirements for now and the foreseeable future. The review will be completed in time to present a report to the Town at Town Meeting 2022. Such report may include a proposal to secure a solar generating contract." **Motion passed** - 3 in favor, 0 opposed, 2 abstained (Ben M. and Tanya B.) John informed the current bidders that the decision has been tabled until sometime after Town Meeting 2022. Ian Phair said that he has filed an application with the Vermont Public Utilities Commission, good for one year, and at no cost to the Town, should Cornwall wish to proceed in this direction.
- **Vote on Town Hall Remote Meeting Hardware and Service** - Cornwall went through the required process of obtaining bids for a suitable system and technical support that will enable the Town to provide remote access to municipal meetings. Only one bid was received, from Scott Witt. Magna D. MOVED / John R. SECONDED a motion that Tanya B. will seek to enter into a contract with sole bidder Scott Witt for the purchase and installation of audio-visual equipment and one year of support (that could be renewed). The agreed upon budget for this project is \$6,000.00. **Motion passed** - 5 in favor, 0 opposed.

NEW BUSINESS

Appointment to the Development Review Board (DRB) - After discussion, John R. MOVED / Brian K. SECONDED a motion to appoint Ellen Whelan-Wuest to the Development Review Board as a regular member. **Motion passed** - 5 in favor, 0 opposed.

OTHER BUSINESS: EXECUTIVE SESSION

Magna D. MOVED / John R. SECONDED a motion that premature knowledge of the pending litigation matters and of premature knowledge of human resource matters specific to a Town employee, would clearly place the Town at a disadvantage by revealing

confidential lawyer-client privilege and revealing confidential human resource information.
Motion passed - 5 in favor, 0 opposed

John R. MOVED / Magna D. SECONDED a motion to go into Executive Session to discuss pending litigation matters and human resource matters specific to a Town employee. ***Motion passed*** - 5 in favor, 0 opposed.

The Board went into Executive Session at 8:42 pm.

The Board came out of Executive Session at 9:19 pm

No action was taken.

ADJOURNMENT

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

The meeting was adjourned at 9:20 pm.

Submitted by Sharon Tierra, Secretary of the Select Board