

Approved September 20, 2022

**CORNWALL SELECT BOARD**  
Regular Meeting  
Location: via Zoom and at Town Hall  
August 2, 2022

**MEMBERS PRESENT:** Tanya Byker, Ben Marks, Brian Kemp, Don Burns, John Roberts

**ALSO PRESENT:** Steven Rheaume, Sue Johnson, Ian Phair, Magna Dodge, Dan Borden, Gavin Bailey, Sarah Pelkey, Chris Kramer, Sean Stearns, Marc Kushner, Richard Marshak, Donna Marks, Mike Maguilo, Elizabeth Karnes-Keefe, Meg Groves, Laurie Groves, Matt Bonner

**Recording of meeting**—announced

**The meeting was called to order** at 7:00 pm

**QUORUM**—established

**AGENDA** - John R. MOVED / Brian K. SECONDED a motion to approve the agenda as modified, with the addition in New Business of the setting of the tax rate, and the matter of the bond for the Beaver Brook development . **Motion passed**—4 in favor, 0 opposed.

**General Fund and Highway Orders** - circulated for signing.

**Reconciled Bank Statement** - reviewed

**PRESENTATION -UPDATE: MAPLE BROADBAND** - Magna Dodge

- Maple Broadband has been awarded an 8.7 million dollar construction grant for Phase I, representing 181 miles of construction, and over 1,000 locations.
- The grant comes with conditions. While the details are yet to be worked out, basically the conditions are that, in addition to existing rules around incidental overbuild that specify Maple Broadband cannot use grant funds to “overbuild” areas sufficiently served (25/3) by GoNetspeed, Maple Broadband also may not use grant funds to “overbuild” areas where GoNetspeed plans to build fiber. If GoNetspeed does not build the fiber, then Maple Broadband can build. Having 25/3 means that address is served, but internet speeds less than 25/3 is the “underserved” category.
- Once Maple Broadband has developed the network to the point where they have sufficient income from subscribers to go to the long-term debt market to fund more construction, then the network can be extended to serve all addresses in member towns, without restrictions.
- A lease agreement for the hub in Cornwall has been signed with Joyce Stephens. Construction will begin at the north end of Cornwall, connecting with the existing network of Waitsfield and Champlain Valley Telecom, Maple Broadband’s partner.
- Syracuse Utilities has been selected as the construction contractor and Pivot as the marketing firm. Maple Broadband is in the process of developing a town-specific marketing plan. In Cornwall, targeted outreach should be done to the farming community, for example..

**MINUTES**

- **July 5, 2022** - John R. MOVED / Don B. SECONDED a motion to approve the minutes as amended, with correction in Old Business of Sue J. as presenting the information on insurance, not John R. **Motion passed** - 3 in favor, 0 opposed, 1 abstention (Brian K).

### **CORRESPONDENCE REVIEW**

- Letter from Holly and Jeff Noordsy requesting that the Select Board delay the decision on solar project until a screening and decommissioning plan is in place for the ground mounted panels. The Noordsys regret that they could not attend the meeting tonight.

### **PUBLIC COMMENTS**

- Sarah Pelkey asked the Select Board to delay the decision on the solar project, as other uses have been proposed for the land where the ground mounted panels are planned. She would like the Board to ask the developer for more visual information to show what the solar project will look like.
- Donna Marks said she agrees with Sarah Pelkey about delaying the decision.
- Beth Karnes-Keefe said that a grant has been received from the Middlebury Garden Club to plant a small pollinator garden next to the Town Hall, but this project is on hold until there is a decision about the solar array.

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

- COTT Systems were at the Town Hall last week, and scanned 40 years of land records into digital format in 6 hours.
- Primary election voting will take place on August 8, from 7am - 7pm. Sue J. will take some time off on Friday August 5, and for a few days after the election, returning on Wednesday, August 17. The office will be closed during this time.
- Town now has another 180 day extension on the bridge insurance.

### **ROAD COMMISSIONER'S REPORT** - Brian Kemp and Steven Rheaume

- Loader needed more repairs, which have been done.
- Evergreen Road - it is OK with the bus company if Evergreen Road is closed in the winter for safety reasons. Traffic study has been done on Evergreen Road and also on West Street by Addison County Regional Planning Commission. It was suggested that the next step should be to talk with people who live on Clark Road about how a closure might impact them and to also talk with the Fire Chief.
- Swamp Road - washout at the edge of the bridge has been filled. Bids are still in process for the tree work.
- Brush cutting - has been done on Cider Mill Road and James Road. Some of that brush was actually preventing stop signs from being seen.
- Culvert work is planned.
- The new alarm system at the Town Garage is installed and working.
- Steve R. has not heard from the State any update on plans to replace the Swamp Road bridge.

### **OLD BUSINESS**

- **Cornwall Solar Project** - contract discussion and possible vote - After hearing from several citizens with concerns about the ground mounted part of the project, and after a long discussion (including some new ideas about how the land could be used in a creative multi-purpose way), John R. MOVED / Don B. SECONDED a motion to authorize the Board to allow the solar lease to be modified, to only address the roof mounted portion and that the ground mounted portion, if

any, will be evaluated over the next several months. **Motion passed** - 4 in favor, 0 opposed, 1 abstention (Tanya B.)

- **Update: Capital Committee Salt Shed replacement recommendation** - Capital Committee decided not to proceed with Breadloaf, as their plan is too costly. The Committee is waiting for a quote from Clearstand, for building materials and will need to find a project manager. There are sufficient capital funds to demolish the current building in early spring of 2023 and to replace it. Plans for additional space will be in the next phase at a later date.
- **Discussion of State notice to reappraise all property in Cornwall** - Cornwall was expecting that the State would mandate a reappraisal, has been saving for it, and a contract to do the work is already in place. The Listers are officially responding to the State notice.

## NEW BUSINESS

- **Presentation: Chris Kramer on ARPA funds request for after school programs** - Kris Kramer, co-chair of Friends of Cornwall School (FOCS), presented information on the first year of after school programming in Cornwall, in collaboration with three local organizations - Middlebury Music Center, Middlebury Studio School, and MALT. FOCS intends to become a non-profit organization, to integrate after school programming into the regular school program, make it accessible to all children without stigma, and to sustain programming with a combination of parent / community donations and grants. After discussion, Tanya B. MOVED / Ben M. SECONDED a motion to allocate \$23,700 in ARPA funds to FPCS for after school programming. Motion passed - 5 in favor, 0 opposed.

- **Set the tax rate** - Sue J. presented the tax rate work sheet and explained how the municipal tax rate is calculated. The municipal tax rate is the only part of property taxes that the Town has any decision about. The rate details are:

General Fund rate - 0.2263

Highway Fund rate - 0.1855

Local agreement rate - 0.0011

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Total municipal tax rate = 0.4129

John R. MOVED / Brian K. SECONDED a motion to accept the General Fund rate, the Highway Fund rate, and the Local Agreement Rate for a total Municipal Rate of 0.4129, as presented by the Town Clerk/Town Treasurer, Sue Johnson. **Motion passed** - 5 in favor, 0 opposed.

- **Reappointment of Benjamin Marks and Peter Conlon to Regional Emergency Management Committee** - John R. MOVED / Don B. SECONDED a motion to appoint Benjamin Marks and Peter Conlon to Regional Emergency Management Committee. **Motion passed** - 4 in favor, 0 opposed, 1 abstained (Ben M.)
- **Beaver Brook Development bond** - The Development Review Board (DRB) has asked the Select Board to determine the appropriate amount for the bond required of the Beaver Brook development, because the DRB does not have the power to enforce, if the work is not completed. After discussion with developer Matt Bonner, John R. MOVED / Brian K. SECONDED a motion to ask the developers of the Beaver Brook project to obtain a standby letter of credit in the amount of \$350,000, to be in place for one year. The Board will revisit this issue if the civil and utility work of infrastructure is not completed within one year. **Motion passed** - 5 in favor, 0 opposed.

**OTHER BUSINESS** - none

## ADJOURNMENT

John R. MOVED / Don B SECONDED a motion to adjourn the meeting. **Motion passed** - 5 in favor, 0 opposed.

The meeting was adjourned at 9:49 pm.  
Submitted by Sharon Tierra, Secretary of the Select Board