

Town of Vershire Selectboard Meeting Minutes
Tuesday, December 20, 2022 at 7:00pm at the Vershire Town Center.
There will be a remote option for this meeting via Zoom or by phone.

Attendance: Vernal Stone-chair, Nicole White-Fogarty, Ken Bushey, Gene Craft-clerk/treasurer, Alan Lyford-highway foreman, Gretchen Harvey-secretary, Sarah Thrasher, Debra Kingsbury, John Smith, David Hooke, Mary Sarazin, Darren Marcy-*White River Valley Herald*, Mark Fogarty, Reva Seybolt, Andy Dodge, Emma Martinez-Robiner, Earl Robinson, Mike Gunn and Tonya Gunn.

Call to Order: V. Stone called the meeting to order at 7:00pm.

Agenda Review & Modifications: V. Stone requested adding an executive session to discuss the letter of intent to E. F. Wall.

Public & Staff Comments: Andy Dodge wanted to share his opinions with respect to the town garage project. He also read a definition of Conflict of Interest, which he noted is his main concern tonight. He pointed out that the town does not have a conflict of interest policy. G. Craft thanked him for bringing this to the town's attention and explained that adopting such a policy has only been a requirement since 2019. A model policy is on tonight's agenda. G. Craft also consulted with the town's attorney who feels confident that Selectboard decisions (all 3 members) concerning the town garage (existing or proposed) do not represent a conflict of interest. A. Dodge expressed other concerns about past road crew actions and the process of bidding out the current garage project, but he did not want to stay for the garage discussion scheduled for later in the meeting.

Mary Sarazin also wanted to share her thoughts about the garage project. Her main point was to suggest that the bond vote tally (71 yeas, 32 nays) does not represent all of Vershire and that this decision is consequential enough to warrant the Selectboard to consider carefully its decision on the bid from E. F. Wall. Selectboard members responded by saying they did everything possible to announce, publicize, and urge all Vershire residents to make their voices heard in re: the garage bond vote in June 2022. M. Sarazin inquired about how unstable the current garage is and whether the road crew could make do with the present space by shifting some of its work to the log cabin house at the new site. She acknowledged all the work that has gone into getting the project this far, but she feels strongly that this is not the right time to go forward. She urged the selectboard to delay this project and put it out to bid again.

Highway: Road Report: A. Lyford is looking ahead to the strange storm heading our way on Friday/Saturday when the area could go from warm/rain to cold/ice very quickly. He is in touch with John Beebe, who provides backup when a regular crew member is away. He wanted to confirm that the hourly pay for backup work would be comparable to the rate paid the crew member who is away. He also reported that the generator at the garage is failing due to a battery that will no longer charge automatically. A new generator costs between \$8-10,000. and the old one is not worth fixing. A. Lyford will purchase a charger that the crew will run manually and this will provide a temporary fix for the problem. He and G. Craft will also look into grant funding that might be available to purchase a new generator. An air dryer for the little truck was ordered because it could no longer be fixed. The part should arrive tomorrow ahead of the storm. **Action:** N. White-Fogarty moved to pay John Beebe the same rate of pay as Mark Fogarty. K. Bushey seconded. The motion passed unanimously.

Approval of Last Meeting Minutes: V. Stone moved to approve the meeting minutes of 12/6/22 and the special meeting minutes of 12/12/22. N. White-Fogarty seconded. The motion passed unanimously.

Current Period Warrants Approval: K. Bushey moved to approve the current period warrants. V. Stone seconded. The motion passed unanimously.

Town Garage Update: K. Bushey noted that the Selectboard scheduled a special meeting last week in order to hear concerns residents have about the town garage project. He reiterated that the selectboard did everything it could to advertise the bond vote and post planning documents and hold informational meetings about this project. The bidder, E. F. Wall, is requesting a signed contract within 60 days (giving the town 30 days longer than normal). If there is a decision to accept the bid, some of these numbers will need to be updated, but the exact adjustments will not be known unless the town commits to going forward with the project. N. White-Fogarty also wanted to summarize the concerning state of the existing garage: doors that are failing, heat loss due to lack of insulation, cracked flooring, a septic tank that needs frequent pumping, and the sloping bank that has gotten much worse since the storm named Irene hit VT in 2011.

Tonya Gunn asked to speak and acknowledged that a majority who voted did approve the bond for a new garage. But she also said that some, including herself, are disappointed that the town received only one bid.

Sarah Thrasher also spoke and advocated for taking action based on an educated perspective; meaning that the town needs more than one bid in order to make an informed decision. She recognizes that the events of the last 2 years: the global pandemic, supply chain disruptions, etc. likely played a role in receiving only one bid for this project. Nevertheless, she strongly encouraged the selectboard to get more bids so that they would have a basis for comparison. She noted that the price of lumber is falling and interest rates are projected to come down in the next 12 months. She proposed doing the site work in 2023 and then getting a contractor to come in to build the garage in 2024. She also noted that local contractors, excavators, builders, etc. are not represented in this bid from E. F. Wall.

K. Bushey replied that in a cost-plus contract model, it is more realistic to compare markup costs rather than estimated total costs, which would be market dependent and transparent throughout the process. In this case, the markup is 12%, which is reasonable for a contractor. He also noted that they value engineered everything they could and even eliminated some items to bring costs down. He has asked E. F. Wall if local contractors had been contacted and learned that the company considers the open bidding process an adequate invitation to subcontractors to submit bids. K. Bushey also responded to the suggestion of doing site work now and building the structure later. Because this is such a large project, the town would need a sign-off from the civil engineer to break the project up in this way. Then there is the question of liability for the whole project as well as whether or not a contractor would take responsibility for the whole project if it was partially completed by others.

Mark Fogarty wanted to remind everyone that J. Coe (architect) shared at the garage hearing on 12/12/22 that his company has put 4 large projects out to bid recently, and they received no bids on 2 of the projects, and only one bid on 1 of them.

John Smith shared his concerns about the higher markup used by some of the subcontractors in this bid and that he thinks the project should be put out to bid again.

Conflict of Interest Policy: K. Bushey would like to say, for the record, that in his experience selectboard members have always recused themselves when appropriate. D. Kingsbuy also wanted to go on record as saying that during her 10 year service as secretary, she never witnessed a conflict of interest and that selectboard members always recused themselves when appropriate. G. Craft noted again that the town's legal counsel assured him that voting for a garage and a safe working environment for town employees does not present a conflict of interest even if family SB members report to the site as a workplace. G. Craft has adapted a model policy provided by the Vermont League of Cities and Towns. This policy will apply to every elected official in the town. **Action:** V. Stone moved to adopt the Conflict of Interest Policy proposed. K. Bushey seconded. The motion passed unanimously.

Recycling Center Report- M. Gunn noted that it was a slow day on Saturday due to the storm. He also wanted to thank A. Lyford for keeping the site plowed. Thanks also to the Recreation Committee for lending him their snow scoop. J. Smith said he owns two of them and offered to give one to the recycle center. The punch card system is going well but residents are still getting used to the system and knowing that one punch is equal to \$1 meaning that a large bag the size of the older green bags will require 3 punches. He is discussing with G. Craft how to mitigate fee increases from Casella for trash disposal service. The MOU requires annual renewal and the town works through Northeast Resources Recovery Association. G. Craft wanted to thank M. Gunn for his reliable presence every Saturday during this time of year when weather conditions can be unforgiving. M. Gunn responded that the warming hut is working well and that he plans to be on site the next two Saturdays: Christmas eve and New Years eve.

Committee Reports:

Recreation Committee: K. Bushey reported that the ice rink boards are up, the shed is finished, the lights are 50% up and they need to remove the snow from the rinks before the rain/ice comes next weekend. The committee has discussed filling the rink for skating after the 1st of the year. He will need to arrange the pumping of river water with the fire department. There were about 28 children at the TC when Santa visited recently. The kids made cards and ornaments that will be delivered to Riverbend nursing home.

Energy Committee: D. Hooke noted the energy committee did not meet in December. Previously, they inquired about scheduling commuter vans for groups of 5 or more commuters. R. Jayne is looking into the feasibility of this service. He also noted that the kiosk roofing is being delivered tomorrow and that he needs a few more hardware supplies to finish the project. He will communicate with G. Craft to purchase what is needed.

Town Center Building Committee: R. Seybolt gave the SB and Treasurer hard copies of two documents she sent electronically: the Timber Homes ``pre-construction agreement/letter of intent'' and a summary of her suggestions with a budget for how the TCB committee wishes to proceed with the fundraising campaign and other processes to build a TC pavilion. E. Martinez-Robiner, who represents the Vershare Board of Directors, described its strong commitment to the pavilion: Vershare will avoid competing with the pavilion fundraising campaign by forgoing its own annual fundraising appeal this year. Additionally, receipts from the Snowshoe-a-thon in February, which normally fund the summer camp, will be directed towards the TC pavilion. Vershare remains committed to the summer camp and will find alternate ways to fund it in 2023.

D. Hooke summarized the major aspects included in the Timber Homes cost estimates of the project proposed. He indicated that he has been successful in soliciting significant donations to keep costs manageable. In particular, the Mountain School will provide all the timber for this project. D. Hook will facilitate communication between his sawyer in Newberry and N. Bennet at the Mountain School so that the logs will be gotten out prior to mud season. D. Hooke is hopeful that the pavilion fundraising goals will be met and that the pavilion will be built in time for summer campers to benefit from it.

R. Seybolt recommended the Selectboard sign the letter of intent with Timber Homes, which stipulates a commitment to the terms of the agreement for one year. She also requested access to \$560 of the \$5,000 already raised for the pavilion for the purpose of securing the necessary permit in time to kick off the fundraising campaign in mid-January.

Action: V. Stone moved to sign the letter of intent with Timber Homes to build the Town Center pavilion. K. Bushey seconded. The motion passed unanimously.

Executive Session: Pavilion Contract with Timber Homes.

This discussion occurred during the open session above.

Executive session: E. F. Wall bid for the Town Garage.

Action: To maintain confidentiality and fairness in the bidding process and due to a finding that premature general public knowledge would place the public body or a person involved at a substantial disadvantage as per 1 V.S.A. §§ 313(a)(1), V. Stone moved to enter an executive session to discuss the bid from E. F. Wall for the town garage project. Further, he invited G. Craft, and G. Harvey to join the executive session. N. White-Fogarty seconded. The motion passed unanimously. **Action:** V. Stone moved to exit the executive session K. Bushey seconded. The motion passed unanimously. **Action:** V. Stone moved to put the town garage project back out to bid. K. Bushey seconded. The motion passed unanimously.

Old/Unfinished Business:

Social Media Policy (postponed)

Action Items/Assignments:

Set Budget Meeting Dates: January 5th at 6:00pm.

Adjourn: N. White-Fogarty moved to adjourn the meeting at 9:40pm. V. Stone seconded. The motion passed unanimously.