

Town of Vershire Selectboard Meeting Minutes
Tuesday, February 14, 2023 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, Mark Fogarty, Kathy Hooke, Debra Kingsbury, Reva Seybolt, Michelle Massa, Mike Gunn, Tonya Gunn and Richard Jayne.

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

Agenda Review & Modifications: Request to replace sand distribution with state financing reporting under Road Report.

Public and Staff comments: K. Hooke informed the Selectboard that her Dad recently passed away and wanted to request use of the Town Center Building on Sunday, May 7th to hold a memorial service for him. The date is open and the reservation has been inserted into the town calendar.

Highway: Road Report- A. Lyford conferred with G. Craft about the reporting implications for state grants if Town Meeting is moved to a later date. They learned that there is a new rule that requires sending in the financial report within 60 days of Town Meeting. A. Lyford has requested estimates from Pike Industries for work to be included on the grant application. The focus will be on road paving. Problem areas include some sections of Eagle Hollow Rd. The crew is doing all it can with mud season arriving early this year. Representatives from several towns have requested early access to gravel, which is restricted by Act 250. He will continue to monitor road conditions and play the road posting date by ear, as well as warn loggers about the possibility of early road posting. He will meet with D. Hooke and M. Gunn at the recycling center to discuss the best location for the new kiosk. South Vershire Rd. surface continues to deteriorate but he hesitates to put too many resources into it prior to the EPA mine reclamation work and truck traffic that will impact this road in 2024. The road crew will do all they can to shore up the road until then. K. Bushey asked that paving estimates for the parking lots at the Town Office and the Town Center be requested also. A. Lyford will get estimates for all the problem areas so the town can plan accordingly.

Approval of Last Meeting Minutes: V. Stone moved to approve the meeting minutes of 1/31/23 as written. N. White-Fogarty seconded. The motion passed unanimously.

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

Town Garage Update-Set Bid Date: K. Bushey reported that J. Coe has sent a draft of the 'Invitation to Bid' to the Selectboard for its approval. All the new dates and changes have been inserted. The invitation to bid will go live at noon on February 17th. A pre-bid site meeting is scheduled for March 3rd at 10am, and bids are due on March 17th at 4pm; if there is a serious interest on the part of a contractor, a request for additional time may be considered. J. Coe will inform local contractors if provided with a list. He also will post the announcement on three major websites that serve as bid clearinghouses for contractors. The invitation to bid will also be printed in the Valley News, posted on the Town's website, and linked to locally-oriented social media sites. In an effort to reach smaller contractors, SB members will request local lumber

yards to post the invitation on their message boards, and phone calls for additional follow-up may be scheduled as needed. M. Massa asked about the exact messaging/marketing of the job and offered her expertise to make the invitations as eye-catching as possible. K. Bushey will follow up with her about her offer. Local contractors will be encouraged to attend the pre-bid meeting so they might make connections with the companies interested in bidding. **Action:** K. Bushey moved to send the town garage project out to bid as per Coe and Coe's recommendation. The bidding process will open on Feb 17, 2023 at 12:00pm, a pre-bid site meeting will occur on March 3, 2023, and the bidding process will close on March 17, 2023 at 4pm. N. White-Fogarty seconded. The motion passed unanimously.

Recycle Report: M. Gunn reported a problem with the heater fan in the packer truck. A. Lyford will look into it. N. White-Fogarty noted there has been a bear active at the Bradford site and suggested being watchful given the unseasonably warm temperatures we've been having.

Tree Warden Report: M. Fogarty-tree warden was asked for his feedback on the taking down of some birch trees near the river on Town Center property. The trees are not completely dead but they have been infested with a pest and have reached the end of their life spans. There are concerns about them falling onto cars or worse if left standing for another season. Although there is no shade tree law in Vershire requiring such an action be warned, he recommends warning the issue to allow for public comment. He also recommends that the trees in question be carefully identified beforehand. Prior to the warning, M. Fogarty and R. Seybolt will seek additional information from an arborist and others for possible tree removal planning. **Action:** V. Stone moved to warn cutting down specified trees on Town Center land because they pose a hazard to the public. K. Bushey seconded. The motion passed unanimously.

Conflict of Interest - Garage Review: As public officers for the Town of Vershire, members of the selectboard are charged with oversight and control over all municipal assets, which includes providing a safe and adequate town garage facility. 24 V.S.A. 872 (a).

Per Article 6 of the Policy Regarding Conflicts of Interest and Ethical Conduct for the Town of Vershire, Vermont (hereafter, *The Policy*), selectboard members Vernal Stone and Nicole White-Fogarty wish to disclose that because they each have family members who are employed by the highway department, there is a perceived conflict of interest pertaining to their decision making regarding the construction of a new town garage.

Per Article 7 of the Policy they invite other members of this public body (selectboard) to ask questions or make comments with respect to these disclosures at this time. K. Bushy has no questions and noted that discussions are always about the need for a new building, which has been needed for 20 years and he has never perceived a conflict of interest in the matter.

Per Article 8 of The Policy requests public officials to consider recusal. Having listened to comments from the 3rd Selectboard member, and after seeking advice from the town's attorney, Vernal Stone and Nicole White-Fogarty choose not to recuse themselves from making future decisions concerning the existing or proposed town garage. The rationale for this decision not to recuse is as follows: in addition to taking their responsibility for maintaining adequate municipal

facilities seriously, they also take responsibility for the health and safety of all employees who work in these spaces, no matter who they may be.

Committee Reports:

Recreation Committee: K. Bushey reported that an adult game night is scheduled for tomorrow night. The games have been ordered, hot dogs and refreshments will be served. All donations collected for food will go towards the pavilion fund. The committee's next meeting is on 2/22 and will meet downstairs so as not to conflict with the Planning Commission meeting. The skating rink is closed right now due to the warm weather. The committee hopes to have it resurfaced in time for the Snowshoe-a-thon on Saturday 2/18/23.

Energy Committee: Richrad Jayne reported on EC activities. He noted that with the kiosk going up at the recycling center, the committee wants to purchase materials for display. The committee would like to request \$200 from the town now and hope to include another \$500 request in the town's budget for FY2024. Further, the EC requests \$1000 seed money to initiate an energy efficiency improvements fund for the town of vershire. M. Fogarty pointed out that when the energy committee was established at Town Meeting (2020), the organizers noted that its activities would be self funded.

The EC also seeks permission from the town to apply for state funding for the purpose of improving the TC parking lot with an eye towards creating a modest (10 car) park n ride lot near the entrance of the lot. Grant funding might be available for paving and snow removal needs to be taken into consideration. Lighting requirements will require further investigation with an eye to making them as unobtrusive as possible. G. Craft asked the EC to find out exactly how the state funds and designs park n ride lots. R. Jayne noted that all funding would come from VTrans and that he will share the paperwork he has already compiled with the SB. He will try to get someone from VTrans office to Zoom into the next SB meeting on 2/28/23 at approximately 7:30 pm.

Town Center Building Committee: R. Seybolt updated the SB on the fundraising campaign for the pavilion, which is nearing the \$20,000 needed to receive a 2 for 1 match from the Better Places grant program (Vermont's Agency of Commerce and Community Development). She has already notified Vershare that funds raised during the Snowshoe-a-thon would no longer be needed for the pavilion. There was some discussion about updating those who have already donated as well as those who still wish to donate to the project. Any additional funds received beyond the minimum to build the structure could be used to improve the landscaping, expand access to the site, and cover any unexpected contingencies. Building dates in June and a celebration of completion will need to be coordinated with an end-of-the year school celebration. M. Fogarty asked about plans for field reclamation due to any impact an excavator might have on TC grounds. Some re-seeding is already scheduled but planning will be done. G. Craft wanted to acknowledge R. Seybolt for all the effort she and the TCB committee have put into this project and noted it will be a great addition to the Town Center.

Action Items/Assignments:

The next budget meeting is set for next Tuesday, 2/21/23 at 6:00 pm.

Action: N. White-Fogarty moved to set 2023 Town Meeting dates as follows: The informational meeting will be held on Saturday, May 20, 2023 at 2:00pm, and the Town Meeting will be held on Sunday, May 20, 2023 at 1:00pm. V. Stone seconded. The motion passed unanimously.

Adjourn: N. White-Fogarty moved to adjourn the meeting at 9:25pm. V. Stone seconded. The motion passed unanimously.