



TOWN OF CALAIS

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Approved 3-19-23

Red font indicates action items

SELECTBOARD MINUTES Monday, March 13, 2023

Selectboard Attendees: Jordan Keyes, Gabrielle Malina, Jamie Moorby, Anne Toolan, Anne Winchester

Citizen Attendees: Scott Bassage, Colleen Bloom, John Brabant, Reenie De Geus, Teegan Dykeman-Brown, Donna Fitch, Gail Graham, John McCullough, Marc Mihaly, Rose Pelchuck, Marge Sweeney, Jeremy Weiss, Barbara Butler recording

Call to Order

The meeting was called to order at 6:01 pm.

Additions or Changes to the Agenda

Anne Winchester added two items:

1. Road Crew request to accept a bid for pavement crack sealing
2. Letter of support for WVFD to apply for Congressionally Directed Grant

Swear in New Selectboard Members

Barbara Butler, Assistant Town Clerk and Justice of the Peace, swore in new SB members Jordan Keyes, Gabrielle Malina and Anne Toolan. Anne Winchester and Jamie Moorby were sworn in on March 8, 2023.

Elect Officers

In this first organizational meeting, Officers were elected as follows:

➤ **Nomination of Chair**

Gabrielle Malina nominated Anne Winchester. Jordan Keyes seconded.
No discussion; No further nominations were made.

Motion to Elect

Gabrielle Malina moved to elect Anne Winchester as Chair for a one-year term; Jordan Keyes seconded.

Motion passed unanimously. Anne Winchester was elected as Chair for a one-year term, ending March 2024.

➤ **Nomination of Vice Chair**

Jamie Moorby nominated Gabrielle Malina. Jordan Keyes seconded.
No discussion; No further nominations were made.

Motion to Elect

Jamie Moorby moved to elect Gabrielle Malina as Vice Chair for a one-year term; Jordan Keyes seconded.

Motion passed unanimously. Gabrielle Malina was elected as Vice-Chair for a one-year term, ending March 2024.

Appointments of Personnel

➤ Interim Treasurer

Anne Winchester proposed that the SB consider appointing former Town Treasurer Sandra Ferver as Interim Treasurer. Anne had previously distributed Sandra's proposal and an advisory memo to SB members outlining ongoing weekly/monthly tasks, special projects, annual projects, and the conditions of hire Sandra would require. Those included capping her work at 20 hours/week, accommodations to work remotely (she previously served as Town Treasurer working remotely for 2.5 years), appointing a part-time Assistant Treasurer of her choosing, the Town entering a contract with NEMRC to continue running payroll, and limiting the appointment of this position to a 12-month maximum. In addition to providing Treasurer duties, Sandra would work to get systems in place for the SB to hire a permanent Treasurer within the coming year, and she would be available to provide training for the new hire at the same hourly rate. Sandra recommended that the Town's current NEMRC contractor, Wendy Wilton, close the March General Ledger, and Sandra would start between April 1 and April 15.

Questions/Comments from Selectboard members

- Anne Toolan noted she would want to see steady progress made on the development of a new Treasurer job description. Everyone, including Sandra, agreed.
- Gabrielle Malina asked if the SB is ready to increase the voter-approved budget. Anne Winchester noted that there is \$80,000 budgeted for a DPW that could partially be reallocated, plus a general fund balance of more than \$500,000 that can be tapped into. No need to increase the budget.
- Jordan Keyes stated that he is uncomfortable with the Town not having a Treasurer in place for proper reporting and using best practices. He added that with a cap on 20 hrs/week limiting the cost, appointing Sandra seems to be the most efficient way to move tasks and responsibilities away from NEMRC and support the Town.

Executive Session under 1 VSA § 313 (a)(B)

Jamie Moorby moved that the SB go into Executive Session under 1 VSA § 313 (a)(B). Gabrielle Malina seconded. The motion was approved, and the SB went into Executive Session at 6:09 pm.

Public Meeting Reconvened

At 6:37, Jordan Keyes moved that the SB come out of Executive Session. Gabrielle Malina seconded. The motion passed unanimously.

Motion to Appoint

Jordan Keyes moved to accept Sandra Ferver's proposal as submitted and to appoint Sandra Ferver as Interim Treasurer for a maximum one-year term. Gabrielle Malina seconded.

Motion passed unanimously. Sandra Ferver was appointed as Interim Treasurer for a one-year term starting between April 1 and April 15, 2023 and ending April 2024.

➤ Training for New Town Clerk

Anne Winchester proposed appointing Jeremy Weiss, former Town Clerk, to train newly-elected Town Clerk Teegan Dykeman-Brown. Jeremy stated he would be willing to do this at double his Town Clerk wage of \$27/hour, with the expectation of training between 20-30 hours onsite at the Town Office between now and March 20, 2023. He noted he and Teegan have already been training for appx. 7 hours to date. Jeremy added he can be available for additional 30 minute to one hour phone consultations after work hours beyond March 20 for the next month, as needed.

Executive Session under 1 VSA § 313 (a)(B)

Jordan Keyes moved that the SB go into Executive Session under 1 VSA § 313 (a)(B). Gabrielle Malina seconded. The motion was approved, and the SB went into Executive Session at 6:43 pm.

Public Meeting Reconvened

At 6:57, Jordan Keyes moved that the SB come out of Executive Session. Jamie Moorby seconded. The motion passed unanimously.

Motion to Appoint

Gabrielle Malina moved to appoint Jeremy Weiss to train the new Town Clerk at a maximum expense of \$1,500, billed for a maximum 30 hours at \$50/hour. Anne Toolan seconded.

Motion passed unanimously.

➤ **Interim Selectboard Administrator**

Anne Winchester proposed appointing Barbara Butler as part-time Interim Selectboard Administrator. She asked Barbara how she sees this position. Barbara said she sees an Administrator providing structure and organization for all the SB work, the tracking of documents, tracking all assigned tasks and deadlines, following up with individuals and projects as needed, organizing all paperwork and digital files, keeping an annual workflow schedule, tracking all appointments, and letting the SB know when appointments are due, etc, etc, etc. Basically, an Administrator is like the Selectboard's Executive Assistant, but the common municipal term is Selectboard Administrator.

Questions/Comments from Selectboard members

- Gabrielle Malina asked how many hours a week this position would require. Barbara noted we don't know right now, as this is new and all six of us are new. Work might be frontloaded right now at the beginning until we get systems and processes in place. Gabrielle noted the importance of making sure all of Barbara's Assistant Town Clerk, Assistant Treasurer, and Selectboard Administrator hours do not exceed 40 hours/week.
- Anne Winchester noted that this will definitely bring Barbara to full-time status.

Motion to Appoint

Gabrielle Malina moved to appoint Barbara Butler as Interim Selectboard Administrator at her current Assistant Town Clerk rate, until such time as a job description can be developed and the position posted. Anne Toolan seconded.

Friendly Amendment

Anne Winchester wanted to add to the motion that with this appointment, Barbara will be considered a full-time employee with full-time benefits. Jamie Moorby seconded. Gabrielle accepted the friendly amendment.

Motion passed unanimously. Barbara Butler was appointed as part-time Interim Selectboard Administrator effectively immediately, until such time as a job description can be developed and the position posted.

➤ **Selectboard Recording Secretary**

Anne Winchester proposed that the SB consider appointing Rose Pelchuck as Interim SB Recording Secretary. It is noted that Rose cannot get to SB meetings until 6:30-6:45 pm, with the exception of the 4th Monday of the month.

Questions/Comments from Selectboard members and citizen attendees

- Marc Mihaly asked "What do you want your Minutes to look like? In-depth narrative minutes, or abbreviated bulleted minutes, or somewhere in between?"
- Anne Winchester noted that Barbara has proposed an abbreviated, easy to read, easy to search form.
- Scott Bassage suggested that longer, more detailed minutes be provided.
- Jordan noted that those kinds of decisions will be made at the SB's working session scheduled for this coming Sunday, March 19.
- Scott also said that **the Town has a high-end audio recording device** that should be used at SB meetings and provided **for the Recording Secretary's use to transcribe minutes.**
- Barbara let the SB know that Rose has already offered to take Minutes at Sunday's six-hour work session.

Motion to Appoint

Jamie Moorby moved to appoint Rose Pelchuck as Selectboard Recording Secretary at \$20/hour for a one-year term. Gabrielle Malina seconded.

Motion passed unanimously. Rose Pelchuck was appointed as Selectboard Recording Secretary for a one-year term, ending March 2024.

Contract to Update Calais Parcel Maps and Data

Prior to the meeting, Anne Winchester had distributed Christine Chamberlain's 2023 "Parcel Mapping Contract" to SB members for review. John McCullough, Lister, noted this is a necessary service, and that Christine is Vermont's preeminent contractor for this.

Motion to Accept and Sign

Jamie Moorby moved to accept Christine Chamberlain's 2023 Parcel Mapping Contract as written and that SB members sign it tonight. Anne Toolan seconded.

Motion passed unanimously. Christine Chamberlain's 2023 Parcel Mapping Contract was accepted as written and all five SB members signed it. **Barbara Butler will submit it to Christine.**

Curtis Pond Dam Association Immediate Actions

Members of the Executive Board of the Curtis Pond Association (CPA) Colleen Bloom, Marge Sweeney, Reenie De Geus and Marc Mihaly updated the Selectboard on the overview and status of the Curtis Pond Dam repair project. There was no specific request made at this meeting, however the CPA stressed that their goal is to get the dam repaired this summer 2023 and there is a need for the SB to become familiar with the project as soon as possible. Some of the highlights of their presentation were:

- The CPA asked the SB to think about the relationship with the CPA and the Curtis Pond Dam Repair project. The CPA said that they are willing to continue doing the "heavy lifting" for the project, as they did while working with the prior SB.
- **Will the SB please assign liaisons as the prior SB had done, or will there be a committee or some other mechanism to collaborate? How much and what type of interaction would the SB like? Do they agree to join as full partners with the CPA to fix the dam, as signed in the Memorandum of Understanding (MOU) by the prior SB and demonstrated by the large majority of town voters who supported the bond?**
- **The CPA would like to release a Request for Proposal for the construction/repair of the dam soon, with bids due no more than 4 weeks after and a decision on the contractor a couple of weeks after that. Construction has seasonal requirements, so optimally work would start the end of July and be finished by the end of October. Currently, Dubois & King, Inc. has provided a draft of documents required, but need to be updated with Calais' requirements. Although D&K has completed the documents, finalization cannot happen until the entities reviewing the 6 permit applications are finished with their final comments and D&K, if necessary, has adjusted the documents.**
- **What changes to the draft documents need to be made to meet Calais requirements to achieve SB signoff?**
- **Getting the proper legal documents for the project should start soon. These documents might include temporary access to the surrounding properties during construction, release by anyone who might have any legal interest in the dam, contract for the Town to take ownership of the dam, bond requirements, and release of ARPA funds.**

Anne Winchester thanked the CPA members and advised the SB that a fair amount of time needs to be scheduled soon to move ahead. **Later in this meeting, the SB opted to include an Executive Session with the Town Attorney regarding the Curtis Pond Dam and the Bond as part of their six-hour work session this coming Sunday, March 19.**

Rules of Procedure

- Dates and times for regular meetings will be the 2nd and 4th Mondays of each month, 6:00 pm.
- Anne W. asked the other SB members to send their recommended changes to the current Rules of Procedure to her in the next couple of days and she will combine them into one document for review and discussion at the Sunday, March 19 work session.

Resignations of E-911 Coordinator and DRB member Anne Winchester

Anne Winchester submitted her immediate resignation from the Development Review Board, and her resignation as the Town's E-911 Coordinator, effective upon the appointment of a successor.

Motion to Accept

Jordan Keyes moved to accept Anne's resignation from both positions, and to authorize Selectboard Administrator Barbara Butler to post these openings on FPF. Anne Toolan seconded.

Motion passed unanimously.

Assign New Community Bank Check Signers

Motion to Appoint New Authorized Check Signers

Jordan Keyes moved to appoint Interim Treasurer Sandra Ferver, Town Clerk Teegan Dykeman-Brown, and Selectboard Member Jamie Moorby as the Town's authorized Community Bank check signers, and to remove the previous authorized check signers Jeremy Weiss and Denise Wheeler effective immediately. Gabrielle Malina seconded.

Motion passed unanimously.

Review and Sign Board Orders

Anne Winchester and Jamie Moorby had the opportunity to review and sign Board Orders prior to this meeting. Board Orders were signed by a third SB member, and returned to the Town Office for filing.

Insurance Payment to Bill Lefevre for Damage to His Vehicle

Anne Winchester had previously distributed VLCT PACIF Insurance Claim 20230309-A01 to SB members to review prior to the meeting.

Motion to Approve

Jamie Moorby moved to give Barbara Butler permission to contact VLCT PACIF Claim Representative Pamela Blouin to approve the expenditure of \$512.80 for the cost of damage to Bill Lefevre's truck. Jordan Keyes seconded.

Motion passed unanimously.

Systems for Document Sharing and Emails

Jordan has already done a great deal of research on identifying secure tools for document sharing and email communications. Next he will reach out to VLCT to identify best practices. He also needs to determine how many Town accounts we will need, and the rights to administration. Teegan Dykeman-Brown advised that her Town Clerk email account is 98% full. Jordan will find the best way for her to store the communications that need to be saved, and how to best delete the ones that can be expelled.

Motion to Appoint

Gabrielle Malina moved to authorize Jordan Keyes to represent the Selectboard in the capacity of identifying and setting up document sharing systems and secured email accounts. Anne Toolan seconded.

Motion passed unanimously. This will be explored and discussed further at Sunday's work session.

Response to Elisabeth Shedd's Challenge to Town Authority

Anne W. explained that the Superior Court's Judge ruled in the Town's favor and the court's decision authorized the SB to establish remedial actions Elisabeth must take before she can get the horses back. Elisabeth's attorneys have filed a counter claim contesting the Town's authority to establish remedial requirements. The Town must respond to the court by March 21, 2023. The SB needs to consult with the Town Attorney on how to best continue on a course of action. **The Town Attorney wants to submit a draft to the SB by the end of this week, with SB members responding directly to him.** Jordan Keyes consented that the Town needs to proceed with a response so that this issue can come to closure.

Executive Session under 1 VSA § 313 (a)(B)(F)

Jordan Keyes moved that the SB go into Executive Session regarding Shedd v. Town of Calais since premature general public knowledge would clearly place the Town at substantial disadvantage by disclosing litigation strategies and confidential attorney communications. The SB needs to enter into Executive Session to consider pending litigation and to receive confidential attorney/client communications. Gabrielle Malina seconded.

Motion passed unanimously. The SB invited former SB member John Brabant to join them in Executive Session with Town Attorney Joe McLean at 8:40 pm.

Public Meeting Reconvened

At 9:11 pm, Jordan Keyes moved that the SB come out of Executive Session; Anne Toolan seconded. The motion passed unanimously.

Motion to Authorize

Jamie Moorby moved to authorize Town Attorney Joe McLean to respond to the filing that Elisabeth Shedd's attorney made to the Superior Court based on discussion in Executive Session. Jordan Keyes seconded.

Motion passed unanimously.

Motion to Authorize

Anne Winchester moved to appoint Jordan Keyes and Anne Toolan as liaisons to work ongoing with Town Attorney Joe McLean on the Shedd v. Town of Calais case. Jamie Moorby seconded.

Motion passed unanimously.

Road Crew Request to Accept Bid for Pavement Crack Sealing

Motion to Authorize

Anne Winchester moved to authorize Road Crew member **Tyler Stecker to accept a bid for \$14,400** to be expended from the highway budget for the purpose of pavement crack sealing. Gabrielle Malina seconded.

Motion passed unanimously. Barbara Butler will inform Tyler.

Letter of Support for WVFD to Apply for Congressionally Directed Grant

Motion to Authorize

Anne Winchester moved to authorize **Anne Toolan to write a letter of support** for federal funds to support the construction of a new fire station for the Woodbury Volunteer Fire Department and to sign the letter on behalf of the Selectboard. Jordan Keyes seconded.

Motion passed unanimously. Anne T. will email the final letter to Barbara to print on letterhead for signature and submission to WVFD.

Next Meeting – Sunday, March 19, 2023 Work Session Agenda

Barbara asked if the SB wants ORCA to videotape this six-hour work session. The answer was no. Lengthy discussion took place regarding the agenda for this meeting; Anne Winchester took notes.

Adjournment

Motion to Adjourn

Jordan Keyes moved to adjourn; Anne Toolan seconded.

Motion passed unanimously. Meeting was adjourned at 10:10 pm.

Respectfully submitted,

Barbara Butler, Interim Selectboard Administrator

March 13, 2023 Minutes as APPROVED March 19, 2023