

Select Board Meeting
Town Office at School
05 Dec 2022 @5:00 pm

Present: Rusty Spaulding Paul.Zera (via Zoom) Mary Catherine.Graziano, Mary Labrecque, Stephen Mank, Lorrie Mank, Selby Turner, Debbie Spaulding, Deb McMahon, Cathy Tudhope, Barbara Callahan, Peter Brzozowy, Cary Sandvig, Ann Jobin Picard, Joyce Tuck, Terry Tuck, Sylvia Jensen

Meeting called to order by Chair R. Spaulding at 5.00pm.

1. Additions/Deletions to Agenda: Sylvia Jensen requested discussion of Zoom links.
2. Executive Session: Not needed.
3. Approval of Minutes: Approval of Minutes of 29 Sep 2022. Motion to approve by Mary Catherine Graziano, second by Rusty Spaulding. All in favor.

Approval of minutes of 07 November 2022. Mary Catherine Graziano commented on some contact information that should have been included. Mary LaBrecque replied that she was never notified of that correction. Motion to approve by Mary Catherine Graziano, second by Rusty Spaulding. All in favor.

4. Warrants for payroll and payables: Payable 12/05/2022 \$11,257.30 motion to approve by Mary Catherine Graziano, second by Rusty Spaulding. All in favor. Cary Sandvig inquired if more salt would be purchased. Rusty Spaulding replied that there was an additional bill and that he didn't know.

Payroll 11/05/22 \$2030.26 motion to ratify by Mary Catherine Graziano, second by Rusty Spaulding. All in favor.

EFT 11/09/2022 \$437.08 motion to ratify by Mary Catherine Graziano, second by Rusty Spaulding. All in favor.

EFT 11/19/2022 \$4552.89 motion to ratify by Mary Catherine Graziano, second by Rusty Spaulding. All in favor.

Payroll /19/22 \$3873.56 Motion to ratify by Mary Catherine Graziano, second by Rusty Spaulding. All in favor.

Payable 11/17/22 \$461044.83. \$418,639.00 is for the State education, there is the sheriff, and \$7,000 for salt. The rest are pretty minor. Motion to ratify by Mary Catherine Graziano, second by Rusty Spaulding. All in favor.

5. Monthly Budget and Balance: Chair Spaulding remarked the Select Board returned \$724,000 to tax payers over 8 years. Hopefully the new Town Clerk/Treasurer will be able to figure out exactly what we have. Sylvia Jensen mentioned that the Town has collected \$10,000 in recording fees. A law went into effect on 01 July 2019 which required the town to set aside \$5 for every recording. She also mentioned the previous Town Clerk (Sarah Noble) had told her that she would create the fund at the end of the year. Chair Spaulding replied that there were two reserve funds established, the Lister Fund and the Recording fund. Steve Mank replied that the financial systems were set up incorrectly and that previous clerks were not trained properly. The office contains a copy of every single document created in the last 10 years. We also have not been able to find anything that tells

us where we stand as far as current taxes collected, and we plan on having that information this week.

6. Road Commissioner: Rusty Spaulding commented that they were waiting for bids for the snow plowing for Light House Pt Rd, Lockerby Lane, and the first part of North Shore Rd. Selby Turner discussed a meeting he had with Bethany Remmers (NWRPC) who offered to write the grant for one of the major culvert placements that need to be done. He also felt it was important to have an engineer watch the bid work being done. The grant needs to be written by 16 December. Plowing, sanding, and salting have begun and enough salt has been purchased to cover if there is a rail strike. The fog lines have been repainted, which cost around \$6,000. Sylvia Jensen inquired about which roads were plowed by John Beaulac. Mary Catherine Graziano replied that any town roads are plowed by the town, and those include Light House Point Rd, Lockerby Lane, and North Shore Rd (up to the curve). Deb McMahon asked about a meeting about the culvert map, which Deb and Peter Brzozowy had expressed interest in. Mary Catherine Graziano indicated that she could put a link up to the website.
7. Bidding process: Mary Catherine Graziano commented that we had only gotten one bid for FY2022, and it seemed high to her. She stated that she contacted VLCT and was told that the town could explore other options. Chair Spaulding responded that he would like to see if he could get a quorum together to approve the RHR Smith quote as time was getting short. The interim audit quote was not more than \$3,000, but the final bill was \$1500. Chair Spaulding inquired as to if the report for the interim audit had been received and Assistant Treasurer Mary LaBrecque responded that it had not. Sylvia Jensen inquired as to why the treasurer would say that the books are difficult to follow but an auditor would say the books look OK. Treasurer Steve Mank discussed the difference between putting entries into a ledger and rolling this information into a report from which meaningful decisions can be made. Ann Jobin Picard wondered if a different system would offer a solution. Further discussion between Stephen Mank, Sylvia Jensen, and Mary LaBrecque about the NEMRC accounting system (some conversation was unintelligible). Chair Spaulding and Mary Catherine Graziano had conversation about how to get more bids from accounting firms. Steve Mank suggested reaching out to professional organizations.
8. Animal Control appointment /Update on English's dogs: Deb McMahon shared her experiences during her first few weeks as our new animal control officer. (Please see attached). Chair Spaulding pointed out that there is a fee schedule for violations. There was discussion about equipment, shots, and training needed by the Animal Control Officer (ACO) to perform her duties. Mary Catherine Graziano made motion to set aside \$300 for ACO equipment, seconded by Paul Zera. All in favor. Chair Spaulding asked for comments on an Animal Cruelty amendment to the Animal Control Ordinance. Barbara Callahan asked that Deb's information be added to the minutes.
9. FY22: Paul Zera made motion to accept RHR Smith quote for FY22 audit. Chair Spaulding seconded. Quorum of Board approved. Mary Catherine Graziano expressed concern over the cost.
10. Follow up on tree stands: Mary Catherine Graziano has begun drafting an ordinance for tree stands, which she read (please see attached). She stated that other towns she had consulted do not have ordinances. Chair Spaulding suggested talking to Sheriff for advice.
11. Tax Sale Discussion: Delinquent Tax Collector Mary LaBrecque shared that the tax sale is still scheduled for 12 Jan. 2023. The Notice of tax Sale will be published in the Islander on 14 December, 21 December 2022, and 28 December 2022. The notice is posted on the Town Office window and will be on the website. The lawyer suggested that no other notices be used. We don't want an

error to put the sale in jeopardy, or set a dangerous precedent. Sylvia Jensen asked where the sale will be held, it will be held at the town office

12. **Town Clerk:** Town Clerk/Treasurer Steve Mank commented that the election went really well. 309 out of 462 registered voters voted, which is an amazing turnout. There was a recount in Grand Isle County and Isle La Motte's vote count was correct. After the election was tax time, which was an interesting experience. The website is a serious work in progress. He is asking if anyone has questions or concerns about the website to get in touch with him. He feels that our big challenge in moving ahead is the number of paper documents is enormous. He also would like to start the process of digitizing records. He expects that in a few months we will make substantial process. He also talked about how all of the laws governing COVID and online meetings will go away in January of 2023. Chair Spaulding commented that he has requested that Steve get quotes for the costs of implementing digital records and that the grant money we have will cover these costs. Sylvia Jensen suggested going back to 2019 and figuring out how much money we would have from available from the recordings. Steve stated that his personal objective is that all tax bills in 2023 can be issued electronically. Further conversation between Sylvia Jensen and Steven Mank about tax payments, and more discussion about the website and posting of minutes, the main point being that if we don't receive the minutes from the various boards on time, he cannot post the minutes. Mary Catherine Graziano commented on an email that she received (from Steve) that he would not commit to putting the minutes on the website and that Mary LaBrecque told a trustee that she would not put the trustee minutes up. Steve apologized for any confusion, and asked if there was a problem to call him. He further stated that people work hard to do good things but that sometimes they make mistakes.
13. **Custodian Discussion:** Mary LaBrecque commented that she did place an ad in The Islander to hire a custodian. She also commented that we will need to confer with applicants regarding hours and frequency. Sylvia Jensen brought up that the school district employs a custodian. Mary LaBrecque responded that she has never seen the custodian clean. Sylvia Jensen will check with the School Board at her meeting Tuesday night.
14. **Payment to Trustees:** The Town sold a lot on Sunset View Lane, and a check for \$31,500 was received from the lawyer (sale price \$35,000-\$3500). Barbara Callahan (trustee) gave a copy of the agreement to Chair Spaulding and read that the trustees were not to incur any expense due to the sale of the lots. Chair Spaulding disagreed because when the lots are sold, the town will have to make up the difference. Barbara Callahan commented that the Trustees had recalculated the interest due based on receiving \$35,000. After further discussion, a motion was made by Mary Catherine Graziano to pay the trustees \$35,000. Seconded by Rusty Spaulding. A quorum agreed to pay the trustees \$35,000.
15. **Other Business:** Sylvia Jensen commented that when the Town website Select Board meeting minutes were repopulated, the Zoom links were not reattached. She stated that she had emailed Rusty about an agreement made with Sarah Noble (former town clerk) to post the Zoom links on the website. There was further discussion between Chair Spaulding and Sylvia Jensen about Zoom. There was a vote on Zoom at Town Meeting in March 2022, and the town voted to have meetings accessible by Zoom. Sylvia reiterated that to would like the Zoom links available to the public. Steve Mank replied that the other towns all have public access cable channels and that we have old and outdated equipment. Cary Sandvig commented how this could be accomplished however his comments were mostly unintelligible. Steve Mank responded that the Zoom link is a lower priority

right now, that only 2 people in town consistently request the links. Mary LaBrecque suggested that people may email or call the town hall to obtain the Zoom link. Mary Catherine Graziano commented that she would post the Zoom link on her website, and that even though there are only 2 people making a request, those 2 people matter. Ann Jobin Picard asked that the Select Board moving the meetings to a little bit later, as she can't get back from work in time. Mary Catherine Graziano agreed, and suggested that it be on the agenda for the next meeting. Chair Spaulding replied that we can talk about it, but that he and Paul Zera prefer an earlier meeting. Marie D'Angelo commented that she is new to the community, would like to put down roots, and a statement that the town officials serve the town. Cary Sandvig offered to give an update on the CUD. He stated that the budget for next year has been approved and that they probably won't be bringing customers online until late 2024. There are two loops, eastern and western. Alburgh will be the start of the western loop and he believes Isle La Motte will be after. He believes it will be price competitive with the DSL already available. It will be symmetrical with numerous tiers. Barbara Callahan asked Paul about the minutes that were missing from the trustees' book. There is disagreement about which minutes were in the book. She presented a list of minutes, agendas, and warnings that were missing from the book, and that for 3 years no trustee information was filed in the trustee notebook. She felt that the Trustees should meet at least twice a year. Joyce Tuck responded that there were no meetings during an extended time during COVID. Mary Catherine Graziano stated that there has been a civility problem at the meetings and with our correspondence with each other for a long time. She stated that she had a particularly troubling email from Steve Mank after she posted some missing contact information. She continued "We are having these arguments at our meetings and I want us to work on our conduct. We have to talk about our civility at our meetings and our correspondence with each other. I have asked you to put it on the agenda four times and you haven't done it. I would like us to work on our conduct and or civility with each other, we are always professional and we treat each other with courtesy at meetings and in emails, when setting up agendas and scheduling meetings that we treat each other fairly and equally and we treat each other with respect." Chair Spaulding replied that he could live with that.

16. Motion to adjourn at 7:00 pm made by Rusty Spaulding, seconded by Paul Zera All in favor.

Respectfully Submitted,
Mary LaBrecque
Selectboard Clerk

Rusty Spaulding

Paul Zera

Mary Catherine Graziano

December 5, 2022
Selectboard Meeting Sign in Sheet

Sylvia Jensen
Joyce L. Taylor
Terrance J. Ford
Deborah McMechon
Cathy Tudhope
Peter Byzany
Cory Sandvik
Sally Taylor
Lorri Olson Mank
Barbara M. Callahan
Stephen Mank
Anne Johnson

Steven Reese
Beth Mease
Mike Donoghue
Michele Murray
Marie D'Angelo

**PROMISSORY NOTE AND AGREEMENT
ISLE LA MOTTE, VERMONT**

Amount: \$119,726.11

Term: DECEMBER 15, 2021-DECEMBER 15, 2024

FOR VALUE RECEIVED, the undersigned promises to pay the Trustees of Public Funds for the Town of Isle La Motte, at the Town Offices in Isle La Motte, Vermont, or such other place as the parties may direct, the total principal sum of One hundred nineteen thousand seven hundred twenty six dollars and eleven cents (\$119,726.11), with interest from the date that this instrument is executed on the unpaid principal at the rate of three quarters of one percent (0.75%) per annum, payable in equal yearly installments in the amount of \$897.95 each, with the first such interest payment due on or before the 15th day of December 2021 (a late fee of 3% will be assessed on payment not paid on due date). The remaining interest payments due on the 15th day of December, with the last payment due on December 2024.

The property mortgaged as security for the payment of this note consists of three (3) lots, known as Lots; 01-96-001.7A, 01-96-001.5A and 01-96-001.8A. If there is a change in ownership of one or more of the three (3) lots referenced in the preceding sentence, then the proceeds from any sale shall become immediately due and payable to the Trustees of Public Funds, without further demand or notice, to reduce the debt (principal and interest) evidenced by this note. The undersigned shall have the privilege of prepaying this note in full or in part without penalty.

In the event the undersigned shall be in default for more than thirty (30) days on any payment, the entire principal and interest accrued but unpaid shall, at the option of the holder of this note, become immediately due and payable. Failure to exercise this option shall not constitute a waiver of the right to exercise the same in the event of any subsequent default.

It is understood and agreed that the Trustees of Public Funds shall not disperse additional income or other monies to the Town of Isle La Motte until the debt identified herein is paid in full. The Town shall have sole responsibility to repay said debt in full, and shall bear all costs and liabilities associated therewith, including, without limitation, any and all costs required to facilitate the sale of the property mortgaged as security for the payment of this note. The Trustees shall not be required to bear any costs associated with the sale of the mortgaged property. In the event that all of the above-referenced lots are sold and a balance remains on this note, any shortfall shall remain the obligation of the Town, and not the Trustees.

If this note is placed in the hands of an attorney for collection, the undersigned promises to pay, in addition to the monies due hereunder, any reasonable attorney's fee incurred by the holder of this note, provided said fees do not exceed two percent of the total principal, interest and costs due.

This note may only be amended or extended by mutual written consent of the parties.

Suggested Change/Amendment to Town Loan Agreement

Amount: \$84,726.11

Term: December 15, 2021 – December 15, 2024

FOR VALUE RECEIVED, the undersigned promises to pay the Trustees of Public Funds for the Town of Isle La Motte, at the Town Offices in Isle La Motte, Vermont, or such place as the parties may direct, the total principal sum of Eighty four thousand seven hundred twenty six dollars and eleven cents (\$84,726.11), with interest from the date that this instrument is executed on the unpaid principal at the rate of three quarters of one percent (0.75%) per annum, payable in equal yearly installments in the amount of \$635.45 each, with the first such interest payment due on or before the 15th day of December 2023 (a late fee of 3% will be assessed on payment not paid on due date). The remaining interest payments due on the 15th day of December, with the last payment due in December 2024. (If loan is not fully repaid by December 2024 and a balance exists, a new agreement shall be written.)

Presented for payment, protest, notice to protest, demand, and notice of nonpayment are hereby waived.

DATED this _____ day of December 2022.

TRUSTEES OF PUBLIC FUNDS

SELECTBOARD

By: Cathy Tudhope
Cathy Tudhope

By: Rusty Spaulding
Rusty Spaulding

By: Barbara N. Callahan
Barbara N. Callahan

By: Mary Catherine Graziano
Mary Catherine Graziano

By: Chet Bromley
Chet Bromley

By: _____
Paul Zera