

**TOWN OF WEATHERSFIELD, VERMONT**

**SELECT BOARD**

**Select Board**

**Martin Memorial Hall  
5259 Route 5, Ascutney VT  
Monday, October 15, 2018  
7:00 PM**

**REGULAR MEETING**

**MINUTES**

**APPROVED 11/5/2018**

**Select Board Members Present:** N. John Arrison  
Daniel Boyer  
C. Peter Cole  
Tom Leach  
Kelly Murphy

**Select Board Members Absent:**

**Ed Morris, Town Manager**

**Others Present:**

Charles Vivian	Mychael Spaulding	Laurie Carver	Shawn Brown
Edith Stillson	Ben Waters	Sue Brown	Mann C. Johnson
Nancy Nutile-McMenemy	Ray Stapleton	Steve Brown	Holly Johnson
Cheryl Watson	Nicholas J. Koloski	Rodney Spaulding	Jeff Epstein
Richard Watson	Robert Knight	Colby Hodgdon	Levi Parker
Natoshya Spaulding	Josh Dauphin	Tem Gurney	Loraine Shand
Tracy Dauphin	Travis Compo	Mark Girard	Ernest Shand
Josh Compo	David Picknell	Barbara Thomas	Darlene Kelly
Cynthia Porter			

**1. Call to Order**

Ms. Murphy called the meeting to order at 7:03PM.

**2. Comments from Select Board and Town Manager**

Mr. Arrison said he realized he should have recused himself from the vote to apply for the Village Center Designation for Ascutney. He regretted his mistake.

Ms. Murphy stated that David Fuller had asked the Board to consider providing more training for boards that must periodically conduct contentious public hearings. Apparently there had been a recent board meeting that had gotten out of control. Mr. Morris said the boards have a basic training class annually, but he is working with the zoning administrative to strengthen it.

Mr. Morris said the open comment period for the solar project at the Hodgdon property is currently underway. The comment period will be ending on the date of the next select

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board meeting, so Mr. Morris invited the select board members to attend the next planning commission meeting (next Monday) to review highlights of the project and submit any comments they may have. Sven Federow has compiled a list of concerns he has about some aspects of the project – he will share them with the board.

### **3. Comments from Citizens on topics not on the agenda**

Mark Girard said there was no insurance policy in place for the last fireworks permit granted by the board.

Mr. Spaulding said that someone was planning to have a fireworks display that had not been permitted by the board. Mr. Morris said he had spoken to the party involved and that there would not be any fireworks. He said he was planning to meet with Chief Daniels in the morning to further discuss the matter.

### **4. Review minutes from previous meetings – 10/01/2018**

**Motion:** To accept the minutes of Monday, October 1, 2018.

**Made by:** Mr. Boyer **Second:** Mr. Leach

**Additions/corrections/deletions:**

a. Ms. Murphy asked that Mr. Morris's list of efficiencies be included in the minutes.

**Vote:** Ms. Murphy abstained; all others voted in favor

### **5. Fire Department Appropriation Letter Signing**

Ms. Murphy read aloud a letter dated September 12<sup>th</sup> addressed to each of the fire departments defining the annual fire department appropriation as budgeted (\$27,500 with \$5,000 allocated for PPE and the remaining \$22,500 for approved operational expenses). The letter was to be signed by both department chiefs and the board. Both the board and Chief Dauphin had signed it. When Ms. Murphy asked Mrak Girard to sign it for AVFA, Mr. Girard declined on the grounds that this was the first time he had heard about it. Ms. Murphy said a copy would be available for him in the office.

### **6. Municipal Fire Service Discussion and Decision**

**Motion:** To move forward to form a single municipal fire department.

**Made by:** Mr. Arrison **Second:** Mr. Boyer

#### **Discussion on the motion:**

Mr. Dauphin read a letter to the board stating that the members of the West Weathersfield Volunteer Fire Department voted at their meeting on October 9<sup>th</sup> to turn over all assets to the Town; to retain ownership of their station and the land on which it stands; and to lease the station to the Town for one dollar with the understanding that the station would be maintained by the Town. The members felt that the department's equipment had all been purchased with taxpayer dollars or donations made by residents and supporters with the

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understanding that the equipment was to be used for fire services in Weathersfield. The members thus felt it already belonged to the Town and were therefore willing to turn it over. The nonprofit organization would remain intact and would serve in an auxiliary capacity.

Mr. Cole expressed the board's gratitude for the department's decision.

The board then proceeded to answer questions and hear comments from those in attendance.

- There was concern about how the volunteers would be affected by the change and if there would be enough volunteers to serve the new department
- The board was adamant that this endeavor should not be seen as a threat to anyone
- The move to a single municipal department will address most of the recommendations in the John Wood report
- AVFD is opposed to creating a municipal department
- A municipal department would remove the burden of fund raising and administrative tasks and free up firefighters' time to do what they love to do – fight fires
- The board remains deeply grateful to the volunteers for the 40-50 years of selfless service they have given to the Town
- A municipal department with a single chief who is a town employee will provide an opportunity for all parties to work more effectively together; provide accountability; and will create efficiencies in department operations
- The new chief would be hired from outside the community so as to be free of history or bias
- The new chief would be tasked with recruiting and retaining volunteers
- The cost of a paid fire chief would be \$107K, but that would not be the tax burden as that figure would be reduced through various efficiencies as outlined in Mr. Morris's study
- AVFD continued to express negative feelings about not being consulted during Mr. Morris's study
- A single municipal department would put an end to the “us vs them” controversies that have plagued the Town for too long
- The option of having a fire district was discussed and abandoned as unworkable; a contract-for-services model would not solve the controversies between the parties;

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and WWVFD is unwilling to maintain the status quo - that leaves the municipal department as the last option

- The board acknowledges that there are many, many details to work through to make this happen
- Mr. Arrison said he preferred to have the voters decide whether or not to pursue a municipal department
- Ms. Murphy urged everyone to ask questions and be informed rather than fall prey to scare tactics
- Mr. Leach felt the board members were elected to make the tough decisions and did not want to further delay making the decision; that by doing so, he would not be doing what he had been elected to do. He expressed concern that by delaying, this would become a campaign of misinformation.
- Mr. Boyer said he had heard the same issues over and over for years and that the only way to pull things together was to go to a municipal department
- Mr. Cole agreed with Mr. Boyer, saying he has lived in Town for 30 years and as both a select board member and a previous town manager, he had witnessed the bickering and lack of efficiencies. The voters approve the budget every year after the board spends much time getting it ready, but there's no accountability to the taxpayers once the appropriation goes out. He felt the voters deserved better than that. He said the vote of the people will come with their vote on the budget; that ultimately the voters will decide.

The question was raised as to whether or not Mr. Leach should recuse himself from the board vote (on the motion that was still on the floor), on the grounds that he had already made his bias known when he had voted at the WWVFD meeting as a member of that department.

Mr. Koloski asked what would happen if AVFD refuses to turn over their assets. Ms. Murphy asked Mr. Girard what AVFD's plan was for their assets. Mr. Girard said their department was open to contracting with the Town or acting in a mutual aid capacity.

Mychael Spaulding said that the public is not aware of the unsafe conditions that the firefighters are currently faced with and urged the board to vote.

Mr. Arrison called the motion.

The board again discussed Mr. Leach's recusal.

- Mr. Boyer said Ms. Murphy, Mr. Leach, and his own son have all served on the fire departments; it's a small town and everyone wears many hats

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- Mr. Cole said we are all taxpayer's
- Mr. Arrison felt Mr. Leach's previous vote did not rise to the level of a conflict
- Mr. Leach said he takes this matter very, very seriously; that it's not like the Town hasn't tried many times before to solve this; his recusal would not solve anything.

**Vote on the motion:** unanimous in favor

Ms. Murphy asked the board for feedback on the status of the fire commission. Members felt it would be acceptable to suspend the commission for the time being, but to invite the citizen members of the commission to be at the table throughout all of the ensuing discussions. It was acknowledged that the board cannot dissolve the commission – only the voters can do that.

**Motion:** To suspend the fire commission for now and invite all of its members to discuss the future of fire departments in town

**Made by:** Mr. Leach **Second:** Mr. Cole

**Discussion on the motion:** It was agreed that since this idea was not on the agenda and affected parties had not had prior notice of it, that it was best not to vote on it at this meeting.

**Motion rescinded.**

The board took a 5-minute recess at 8:28 PM.

Ms. Murphy called the meeting back into session at 8:40 PM.

### 7. GIS Introduction

Mr. Morris gave a demonstration of the new GIS program that is now live on the Town's website.

### 8. Update FEMA Buyout of Amsden of Amsden Store Building

Mr. Morris has been working with Marty Lewis and Otis at the regional planning commission. He said we have all the information we can get and is planning to put in the application as written. The owner has a buyer for the building; however the buyer is in favor of moving forward with this application. The Town will not be putting any money out on this; we will just be doing the paperwork and submitting it as is. Hazmat mitigation will be rolled into the application as needed. The prospective buyer wants to use the building for storage, but is aware of what the town wants to do.

### 9. Hazard Mitigation Plan Adoption

Mr. Morris said the plan has been reviewed and approved by both the State and FEMA and now needs to be formally adopted by the Town.

**Motion:** To adopt the 2018-2023 Hazard Mitigation Plan as written

**Made by:** Mr. Arrison **Second:** Mr. Leach

**Vote:** unanimous in favor

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**10. Ordinance Review – Child Safety Ordinance**

VLCT had not recommended an alternate attorney to review the ordinance (as requested), but rather informed Mr. Morris that it was unenforceable. The Town attorney Nate Stearns recommended that the board repeal it as the intention of it is covered in state statute. He said it probably would not hold up in court.

The board said that repealing it did not signify that they felt child safety was not important – it is because the matter is covered in the state's statutes and the board is not authorized by state statute to have such an ordinance.

**Motion:** Send the Child Safety Ordinance to the future ordinance hearing to be heard for possible repeal.

**Made by:** Mr. Cole    **Second:** Mr. Leach

**Vote:** unanimous in favor

**Motion:** To extend the meeting to 9:30 PM.

**Made by:** Mr. Boyer    **Second:** Mr. Leach

**Vote:** Unanimous in favor

**11. Budget Discussion**

**a. Highway Budget**

The board reviewed for the first time the draft highway budget.

**b. Solid Waste Budget** (not discussed due to lateness of the hour)

**c. Center Road Paving Discussion** (not discussed due to lateness of the hour)

**12. Appointments**

Ms. Murphy read the list of vacant seats.

**13. Approve Warrants**

**Motion:** To approve the warrants for October 15, 2018 as follow:

General Funds	Operating	Expenses	\$37,565.38
	Payroll		\$6,873.60

Highway Fund	Operating	Expenses	\$148,593.34
	Payroll		\$4,084.84

Solid Waste Management Fund			
	Operating Expenses		\$184.47
	Payroll		\$725.10

Library		Operating Expenses	\$2,445.19
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	Payroll	\$885.80	
Grants	Operating Expenses	\$0.00	
Agency Monies	Operating Expenses	\$2,028.01	
Reserves		\$0.00	
Long Term Debt		\$0.00	
Grand Totals	Operating Expenses	\$190,816.39	
	Payroll	\$12,569.34	

**Made by:** Mr. Arrison                      **Second:** Mr. Leach  
**Vote:** Unanimous in favor

**14. Future Meeting Agenda Items**

**15. Adjourn**

**Motion:** To adjourn the meeting  
**Made by:** Mr. Boyer      **Second:** Mr. Cole  
**Vote:** Unanimous in favor

The meeting adjourned at 9:28 PM.

Respectfully submitted,  
*deForest Bearse*

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N. John Arrison, Selector

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Daniel E. Boyer, Selector

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C. Peter Cole, Vice-Chairperson

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Tom Leach, Clerk

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Kelly Murphy, Chairperson