

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Select Board

Martin Memorial Hall  
5259 Route 5, Ascutney VT  
Monday, March 18<sup>th</sup>, 2019  
7:00 PM

REGULAR MEETING

MINUTES

APPROVED 4/1/2019

**Select Board Members Present:** N. John Arrison  
Daniel Boyer  
David Fuller  
Kelly Murphy  
Michael Todd

**Select Board Members Absent:**

**Ed Morris, Town Manager**

**Others Present:**

Edith Stillson	Ernest Shand	Loraine Shand	Travis Compo
Ray Stapleton	Josh Compo	Darlene Kelly	Ben Waters
Mark Girard	Paul Tillman	Tim Austin	Colby Hodgdon
Tom Leach	Josh Dauphin	Tracy Dauphin	(2 names unreadable)

**1. Call to Order**

Ms. Murphy called the meeting to order at 7:00PM.

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

**a. Town Challenge Discussion**

Mr. Fuller said he was still trying to pull a team together. Ms. Murphy agreed to be the 3<sup>rd</sup> member if no one else could do it.

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

There were no comments from citizens.

**4. Review minutes from previous meetings –**

**a. February 27, 2019**

**Additions/corrections/deletions:**

a. None

**Motion:** To accept the minutes from 2/27/2019

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

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Huge 'thank you' to Ms. Tillman for a complete transcript of the meeting.

**Vote:** Unanimous in favor

### **b. March 4, 2019**

#### **Additions/corrections/deletions:**

a. None

**Motion:** To accept the minutes of the March 4<sup>th</sup> meeting

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

**Vote:** Unanimous in favor

### **c. March 7, 2019**

#### **Additions/corrections/deletions:**

a. None

**Motion:** To accept the minutes of the March 7<sup>th</sup> meeting

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

**Vote:** Unanimous in favor

## **5. Local Emergency Operations Plan Review**

Mr. Fuller asked to have contact information for Richard Cogliano, Regional Emergency Management Program Coordinator for Vermont South and David Moots from the Red Cross added to the plan. Mr. Morris agreed to do so.

Mr. Morris said this plan is in a new form that is meant to be more of local checklist - to be used by the town during times of chaos. The state will still sign off on it, but they won't use it to mobilize us in an emergency. The plan has been sent to the police chief, the fire chiefs, and Michael Lewallen for comment.

Ms. Murphy asked who designates the emergency spending limit (shows \$10,000 in the plan). Mr. Morris said this is the limit for RFPs in the purchasing policy. He has authority to spend up to that amount. The board may have to work out an emergency clause in the policy.

The board will revisit the plan at a later date.

## **6. Fire Discussion** (These items were discussed out of order – c, b, then a)

- a. Budget** – Since the article to fund a municipal fire department failed, the board discussed how to proceed. Points discussed were defaulting to a previous budget; presenting the same article (which would require a 2/3 majority to pass); presenting a different article (perhaps the fire commission's FY19/20 budget); the timeline of action to prevent arriving at the new fiscal year with no funding for fire services (need to finalize by May 1<sup>st</sup>); repealing the board's decision to create a municipal fire department. Why the article failed was also debated – lack of information, misinformation, resentment that the municipal department had been created by the board and not by town vote; lack of agreement between all three parties.

Mr. Arrison suggested forming a 3-person committee with 3 rank and file members who have some sense of common ground in place of the commission. The goal would be to create a unified department, fully fund it, and vest authority in the select board.

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The board will look at the FY 19/20 fire commission budget and discuss it at the next meeting. Mr. Morris will research the default mechanism as a backup.

- b. Fire Commission** – The Fire Commission is currently suspended. Ms. Murphy asked for the board's pleasure and polled each member for their opinion. Mr. Fuller said only the voters can decide whether or not to keep the Fire Commission. In his opinion, turnover among members caused too much reinventing of the wheel, causing the commission to keep going backwards and starting over. The commission also tried to tackle too many things and ended up not accomplishing much of anything.

Mr. Boyer said he would not go on it again. He wants it suspended until voted on.

Mr. Arrison said no one wanted to be on it. There is trouble keeping five members on the commission because it's not effective and not productive, so get rid of it.

Mr. Todd said he didn't know a lot about it and suggested that it be reorganized in a totally different way. Mr. Morris said that the voters had decided how the commission was to be organized so the board couldn't change it. The commission wasn't created to control the parties, but to facilitate communication among them.

Ms. Murphy said the commission was a sort of tool offered by the board to try and address the difficulties when it was created in 1990. 29 years later we've decided that the tool didn't work. Why it didn't work is subject to interpretation by many.

Tim Austin said the commission had no authority – all it could do was talk. He felt it should be abolished. He felt the parties should work through the select board and the town manager - work things out with those who have the authority.

Mark Girard said the most productive arrangement was when he, Chief Spaulding, Chief Dauphin and Mychael Spaulding were working directly with Mr. Morris, Darlene Kelly and Kelly Murphy. Ms. Murphy said it worked well – they met in the early morning, which worked best for the parties and it eliminated a night meeting. She stressed however that she was not a regular participant in these meetings nor did she feel it was or would be appropriate for a select board member to participate in them.

Ms. Murphy said the voters created the commission based on a recommendation of the select board. She felt it was ok to go back to the voters and say it didn't work and suggest another option.

Mr. Boyer said the first fire agreement came from the fire commission (meaning it did accomplish something meaningful).

Paul Tillman asked if minutes are kept at the morning meetings. Mr. Morris said notes are taken and they go into the board's meeting packet, but they are not minutes per se. This is not a public meeting – more like a meeting of department heads.

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Ms. Murphy asked if the fire commission dissolution should go onto the next special town meeting warrant. Mr. Arrison and Mr. Boyer said yes. Mr. Fuller asked what the commission would be replaced with. Do we have one department or two?

- c. **Driver's Check Policy** – Mr. Morris said Mark Girard had brought him the drivers checks for Ascutney which will be processed. He will be doing the same for WWVFD.

Mr. Morris said there is no enforcement in the current policy. There are no due dates – it's just something that needs doing on an annual basis. Ms. Murphy advocated for a fixed due date for all certifications - give new members/employees a fixed amount of time to get them in. Mr. Morris suggested April and adding a sentence that there can be no driving until the certification is brought in as a means of enforcing the policy.

Ms. Murphy asked to have the policy brought back to the board for further review. She also asked to have it run by legal. Mr. Fuller asked to have Chief Daniels weigh in on it.

- d. **Other** (not discussed)

### 7. Authorize the use of SWCRPC to manage VDCP grant

**Motion:** Authorize the Town Manager to enter into a contract with the Southern Windsor County Regional Planning Commission to provide administrative services for the 1879 Schoolhouse VDCP Grant.

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

Mr. Arrison asked to amend the motion to add, “not to exceed the grant award”. Mr. Boyer agreed to amend his second.

**Vote:** Unanimous in favor

### 8. Designate Newspaper of Record for Town

Mr. Morris said that based on research of pricing and circulation, he recommends designating the Valley News as the newspaper of record for the Town.

**Motion:** To set the Valley News as Newspaper of Record for the Town.

**Made by:** Mr. Fuller **Second:** Mr. Todd

**Vote:** 1 opposed; 4 in favor

### 9. Select Board/Town Manager Goals

Mr. Morris presented a list of 6 goals:

1. Address Audit Findings
2. Continue working towards municipally-managed fire department
3. Complete Capital Plan, including (prior to FY2021 budget season):
  - a. Long term road maintenance plan
  - b. Capital equipment purchasing plan

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- c. Facilities maintenance/replacement plan
- d. Capital reserve philosophy and funding strategies
4. Complete Town Forest Access
5. Complete Draft Strategic Plan
6. Crown Point Road

Mr. Morris said some of them are carry-overs from things the board has been working on. He would like to bring goals to the board annually at this time to decide what will be worked on. The audit findings are primarily between the finance department and the manager, but Mr. Morris felt it is important for the board to be involved in the process. Some of the staff will be involved in some of the items, but they are mainly between the manager and the board.

Mr. Morris was advised during evaluation to pull back on the number of projects a bit, so he did not add a lot to the list. He suggested picking a few of the items and really concentrating on them.

Mr. Morris preferred prioritizing the list. He opened it to discussion with the board.

Mr. Morris explained to the new board members the difference between department projects and board goals (e.g. 'pave Center Road' would be a department focus vs 'long term paving plan' which might be a board goal).

Ms. Murphy asked for an approximate timeframe associated with each of the items on the list. Mr. Morris said most of them would be happening at the same time. For example, "Address Audit Findings" – he said we have had our audit findings (received late this year) and have been debating with the auditors since then. There was a meeting a week ago – they have asked for their official copies back to make some changes and resubmit it. The auditors will be presenting the audit to the board. We were given an adverse opinion on the General Fund because of how the reserve funds are shown. They want to see the General Fund reserve funds in the General Fund account, the Highway reserve funds in the Highway Fund, etc. The auditors agreed to take back the audit, make the changes they want and remove the adverse opinion. We in turn will make the changes to our accounting.

Mr. Fuller was upset by the lateness of the report and wanted to know why it was so late. He said he hoped they didn't get paid, that if it takes this long to get our information, we may have the wrong company. Mr. Morris said he planned to talk to them about it when this is settled. The contract says November 15<sup>th</sup>. He acknowledged that due to turnover in the finance department, some information didn't get to them as timely as possible, but next year it will. He said, "We're going to be having that discussion with them."

The item on the list of goals that refers to the audit is to address the findings, not the audit itself. It will take all year to work on them.

Ms. Murphy asked Mr. Morris to tell the auditors that the board wants the final at the next board meeting. If that cannot be done, she asked that they be at the meeting in person to address the reasons why and explain why it is taking so long. She asked that Treasurer Steve Hier be at the next meeting as well. She said she wants that presentation whether it's by Mr. Hier, Ms. Kelly or Mr. Morris so that all of the board is apprised of what needs to happen.

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(This is the second year of the auditor's 5-year contract. Mr. Fuller asked to see a copy of it.)

Mr. Morris said he would like the Capital Plan done by next budget season.

Mr. Morris spoke with the Town's attorney today about the town forest access. He is playing phone tag with the Abbott's attorney. We are trying to work through the easement purchase. After the easement is purchased, we can talk about how we will fund the improvements. The plan is the same one that was signed by the board.

The Crown Point Road is still kicking back and forth. The Upper Valley Land Trust is now involved. Mr. Morris is working with them on their timetable.

Ms. Murphy asked if there were any questions on these six goals.

Mr. Arrison noted that the Crown Point Road and the Town Forest Access are by far the oldest items on the list. He and Mr. Boyer felt that these needed to be finalized before tackling anything else.

Mr. Fuller said he wasn't aware of any policy allowing any private property to stand neutral for ten years or more without a resolution. He agreed with Mr. Arrison and Mr. Boyer.

Mr. Fuller wanted it clear for the record that the Town did not buy a house from the Abbotts. (He said he saw it stated in the minutes somewhere that the Town had done so.) The house on Jason Smith Road was sold (the Town facilitated the sale) and the proceeds (after deducting closing costs) went to the Town (to pay back taxes).

Ms. Murphy asked if the board had anything to add to the list of goals. Mr. Morris asked if the board wanted to rearrange the priorities.

Mr. Fuller said the audit was important. Ms. Murphy said the audit shouldn't even be in the list of goals. Mr. Morris said this item is not the audit itself, but the to-do list from the findings.

It was agreed to leave the Crown Point Road at the bottom of the list.

Mr. Arrison asked to move the Town Forest up further on the list. Mr. Fuller said to remember that the Board of Civil Authority had to be involved – they are the only body that can “make a deal”.

Ms. Murphy asked the board to consider these six items as the board's “core priority items” for the year. When something new comes in, it will be weighed against these core items. She asked that the six be accepted as they are without specific prioritization.

Mr. Todd asked to move the Town Forest up “as best you can”. It was agreed to switch numbers 3 and 4.

### **10. Appointments**

- a. Acting Town Manager – Darlene Kelly**
- b. Animal Control Officer – Cathy Sullivan**
- c. Budget Committee – Chauncie Tillman**

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- d. Constable – William Daniels
- e. Martin Memorial Hall Trustees – Edith Stillson, Janet Bristol
- f. Parks & Recreation Commission – Michelle Grald
- g. Southern Windsor/Windham Counties Solid Waste Management District – Ed Morris, Ray Stapleton (Alternate)
- h. Town Pound – Home of Cathy Sullivan at 21 Hartford Street, Claremont NH
- i. Tree Warden – Ray Stapleton
- j. Zoning Board of Adjustment – Jim Cahill, John Broker-Campbell, Willis Wood

**Motion:** To appoint Darlene Kelly as acting Town Manager; Cathy Sullivan as animal control officer; Chauncie Tillman to the Budget Committee; William Daniels as constable; Edith Stillson and Janet Bristol as Martin Memorial Hall Trustees; Michelle Grald to the Parks and Recreation Commission; Ed Morris and Ray Stapleton as alternate to the Southern Windsor/Windham Counties Solid Waste Management District; the home of Cathy Sullivan at 21 Hartford Street in Claremont, NH as the Town Pound; Ray Stapleton as Tree Warden; and Jim Cahill, John Broker-Campbell and Willis Wood to the Zoning Board of Adjustment.

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

Mr. Todd asked to have an interview with John Broker-Campbell before he is appointed.

Mr. Arrison and Mr. Boyer agreed to remove him from the motion.

**Vote:** Unanimous in favor of the amended motion

**Motion:** To appoint Josh Compo as a fence viewer; Mr. Arrison as weigher of coal; Todd Hinderger to the Zoning Board of Adjustment

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

**Vote:** Unanimous in favor

Mr. Morris asked for a discussion about having a select board member serving simultaneously as a Planning Commissioner. There is no statutory prohibition, but VLCT recommends against it for a variety of reasons, including possible conflicts and a desire to preserve a system of checks and balances.

Ms. Murphy said the decision should not be influenced by the number of volunteers available to serve. She asked the board members for their opinions. Mr. Arrison said he wanted to hear what Mr. Todd had to say first.

Mr. Todd said his serving on both boards provides a link between the two that can be good. So much of what the planning commission does happens in a complete vacuum. He pointed out that select board members are all ex officio members of the planning commission. He didn't see any conflict of interest. He said his job is to represent the will of the people and that is what he strives to do.

**Motion:** To extend the meeting to 9:15 PM.

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

**Vote:** Unanimous in favor

Mr. Fuller pointed out that Mr. Todd had already done this once before.

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It was agreed to table the discussion. Mr. Morris will ask VLCT about the possibility of having more than one planning commission member serving on the select board – are there any towns that limit the number of dual appointments?

**11. Approve Warrants**

**Motion:** To approve the warrants for 3/18/2019 as follow:

General Funds	Operating Expenses	\$40,202.31
	Payroll	\$13,634.94
Highway Fund	Operating Expenses	\$32,805.97
	Payroll	\$10,456.85
Solid Waste Management Fund		
	Operating Expenses	\$7,777.73
	Payroll	\$1,478.09
Library	Operating Expenses	\$3,671.15
	Payroll	\$1,933.92
Grants	Operating Expenses	\$60.00
Agency Monies	Operating Expenses	\$0.00
Reserves		\$395.49
Long Term Debt		\$0.00
Grand Totals	Operating Expenses	\$84,912.65
	Payroll	\$27,503.80

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

**Vote:** Unanimous in favor

**12. Future Meeting Agenda Items**

**13. Adjourn**

**Motion:** To adjourn the meeting

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

**Vote:** Unanimous in favor

The meeting adjourned at 9:13 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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David Fuller, Vice-Chairperson

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Kelly Murphy, Chairperson

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Michael Todd, Clerk