

**Select Board Agenda
Martin Memorial Hall
5259 Route 5, Ascutney, VT
Monday, February 6th, 2017
7:00 P.M.
REGULAR MEETING**

1. Call to Order
2. Comments from Select Board and Town Manager
3. Comments from citizens on topics not on agenda
4. Review minutes from previous meeting(s) 1/12/2017 and 1/16/2017
5. Municipal Planning Grant RFP/Award
6. Deputy Fire Warden Appointment of Josh Dauphin
7. Approve Sale price of Police Truck
8. Accept the Annual Certificate of Highway Mileage
9. Accept forfeiture of Select Board stipend with the amount being redirected to Library Capital Campaign Fund.
10. Discuss and possibly amend Policy for Conduct of Meetings and Hearings (Section I § H)
11. Conflict of interest discussion- including Conflict of Interest/Ethics Policy
– Possible Executive Session as per 1 V.S.A. § 313 (3)
12. Discussion about Selectboard Communications and information disbursement
13. Town Manager Annual Evaluation
– Possible Executive Session as per 1 V.S.A. § 313 (3)
14. Approve Warrant
15. Future Meeting Agenda Items
 - A. February 21st, 2017 (Tuesday- Monday is Presidents Day)
 - Board of Liquor Control Commissioners / Liquor License Renewals
 - Library Expansion Presentation
 - Approve Recycling RFP
 - Emergency Management Coordinator's Job Expectations

RECEIVED

FEB 06 2017

WEATHERSFIELD, VT
TOWN CLERK

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

- B. March 6th, 2017
 - Town Plan

- C. March 20th, 2017
 - Town Plan
 - Award Audit RFP
 - Award funds from Transfer Station Bottle/Can Redemption Program

- D. Future Agendas
 - Act 148 Universal Recycling, Mary O'Brien and Ham Gillett
 - Hazmat Ordinance
 - Transfer Station
 - Single Sort
 - Swap Shop
 - Quarry Road Count Compared to Other Road Counts

16. Adjourn

RECEIVED
FEB 06 2017
WEATHERSFIELD, VT
TOWN CLERK

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Select Board
Martin Memorial Hall
5259 Route 5, Ascutney VT
Monday, February 6th, 2017
7:00 PM
REGULAR MEETING

MINUTES
APPROVED 2/21/2017

Select Board Members Present: Daniel Boyer
Lynn Esty
Amy Beth Main
Kelly Murphy

Select Board Members Absent: C. Peter Cole

Ed Morris, Town Manager

Others Present:

Wanda Gropler	Edith Stillson	Peter Jarvis
Charles Horton	Darrin Spaulding	Shawn Brown
Patrick R. Smith	Michael Tillman	Nancy Heatley

1. Call to Order

Mr. Boyer called the meeting to order at 7:00PM.

2. Comments from Select Board and Town Manager

Ms. Main asked if the Board members could get a complete copy of the proposed Town Plan for the public hearings. The members had received copies that were missing several pages. Mr. Morris said he was working on it.

3. Comments from Citizens on topics not on the agenda

There were no comments from citizens.

4. Review minutes from previous meetings – 1/12/2017 and 1/16/2017

Motion: To accept the minutes of the 1/12/2017 meeting as written

Made by: Mrs. Esty **Second:** Ms. Main

Vote: Unanimous in favor

Motion: To accept the minutes of the 1/16/2017 meeting as written

Made by: Mrs. Esty **Second:** Ms. Murphy

Vote: Unanimous in favor

RECEIVED

MAR 07 2017

WEATHERSFIELD, VT
TOWN CLERK

Page 1 of 14

Elizabeth Dango
Town Clerk

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

5. Municipal Planning Grant RFP/Award

The Town has received a Municipal Planning Grant for \$8,807. The grant funds will be used to assist in Village revitalization planning for Perkinsville and Ascutney. Mr. Morris asked the Board to consider waiving the RFP process and award the grant directly to the Southern Windsor County Regional Planning Commission (SWCRPC) on the grounds that the SWCRPC has been and will continue to be deeply involved in the coordination and planning efforts for the revitalization project.

Motion: To waive the RFP process as allowed by the Town's Purchasing Policy, and award the Municipal Planning Grant to the Southern Windsor County Regional Planning Commission.

Made by: Mrs. Esty **Second:** Ms. Main

Vote: Ms. Murphy abstained on the grounds that she is employed by the SWRPC; all others voted in favor

6. Deputy Fire Warden Appointment of Josh Dauphin

Motion: Approve recommending Josh Dauphin to the State Fire Commissioner for appointment to the position of Deputy Fire Warden.

Made by: Mrs. Esty **Second:** Ms. Main

Vote: Unanimous in favor

The Board agreed to discuss the stipend for the Warden and Deputy in the budget discussions for FY19.

7. Approve Sale Price of Police Truck

Mr. Morris said that Chief Daniels had received a quote on the value of the police truck from Gateway Motors of \$6,500 minus the cost of the repair work that had to be done. The Town could also have Gateway sell the truck at auction for a fee of \$75. The Town could set a reserve price if it chooses. Mr. Morris recommended selling the truck at auction with no reserve as being the most cost-effective way of disposing of the truck.

Motion: To approve selling the truck at auction through Gateway Motors (if in fact the total fee is \$75).

Made by: Mrs. Esty **Second:** Ms. Main

Vote: Unanimous in favor

8. Accept Annual Certificate of Highway Mileage

Motion: To approve the Certificate of Highway Mileage.

Made by: Mrs. Esty **Second:** Ms. Main

Vote: Unanimous in favor

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

9. Accept Forfeiture of Select Board Stipend

Ms. Main asked to forfeit her Select Board stipend and have it directed to the Library Capital Campaign Fund.

Motion: To approve forfeiture of Ms. Main's stipend.

Made by: Mrs. Esty **Second:** Ms. Murphy

Vote: Ms. Main abstained; all others voted in favor

Motion: To reallocate \$312.50 to the Library Capital Campaign Fund

Made by: Mrs. Esty **Second:** ~~Ms. Main~~ Ms. Murphy

Vote: Ms. Main abstained; all others voted in favor

**10. Discuss and possibly amend Policy for Conduct of Meetings and Hearings
(Section 1§H)**

This section of the Policy calls for the Board to vote on continuing a meeting after 9:00 PM. Mr. Morris said he was in favor of keeping the Policy as is for a number of reasons. Mr. Boyer said he was in favor of keeping it. Mrs. Esty said she was not in favor of it. Ms. Murphy said she didn't mind keeping it, but acknowledged the Board only meets twice a month and this limits the amount of time the Board has to take care of the Town's business.

Motion: To remove Section 1§H.

Made by: Mrs. Esty **Second:**

The motion died for lack of a second.

It was agreed to revisit the matter after Town Meeting when the Board reviews and re-adopts all of its policies.

11. Conflict of Interest Discussion

a. Possible Executive Session as per 1 VSA §313(3)

Mr. Boyer stepped down from the board and took a seat in the audience. He turned control of the meeting over to board clerk, Ms. Murphy, on the grounds that Mrs. Esty had also filed a complaint. Mrs. Esty declined to step down stating that she had only provided documentation to follow up on a complaint filed by another. Mr. Boyer insisted that she had filed a complaint because he had a complaint form with her signature on it. Mrs. Esty refused to recuse herself.

Ms. Murphy said she had called VLCT to get some guidance on this matter. She had asked Mr. Morris to call the Town's attorney to do the same.

RECEIVED

MAR 07 2017

WEATHERSFIELD, VT Page 3 of 14
TOWN CLERK

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Ms. Murphy said that on February 1, 2017, Darrin Spaulding submitted a *Citizen Formal and Written Complaint Policy & Procedure Form*. She read the words of the complaint:

“With everyone signing the Conflict of Interest Policy, how can Dan Boyer receive 10 loads of fill from a pond? Are the Select Board members free to do as they wish? He has now set the standard on what town officials can receive?”

Ms. Murphy asked Mr. Spaulding to recount the series of events that lead to the filing of his complaint. Mr. Spaulding said he had signed a Conflict of Interest Policy that forbade town employees from receiving goods. He then said the Fire Commission had voted to have a pond dredged and recommended it to the Select Board. He said at a meeting two months prior, Mr. Boyer said he had received ten loads of “stuff” from the pond. He said he thought about it and then it was brought up again last month at the Fire Commission. He said it seemed like an ethics or conflict of interest policy because it wasn't offered to “the whole board”.

Mr. Spaulding said he, “heard it through the grapevine that this could not be discussed under 'Comments From Citizens' – I wanted to just bring it out and just discuss it – I'd file a complaint, so I filed a complaint so we could bring it to the table to find out why - and now the standard has been set at – if it's \$100 a load, there's \$1,000 that each one of us can receive from (undecipherable). Is that true or isn't it true? It just seems wrong that this has happened.”

Ms. Murphy asked Mr. Spaulding if he was at the pond site, to which Mr. Spaulding said yes. She asked him to describe what happened. Mr. Spaulding said he had been asked to look at the dry hydrant and found water coming out of it. He said he saw Jarvis loading a truck and taking off with it. He said he didn't know where they were going. He said they talked and he said the pipe had to be fixed. He went back the next day and they had found that the pipe was broken, so they fixed it. He said, “That's how this all started. He said when Mr. Boyer had told Mr. Spaulding that he (Mr. Boyer) had been given the dirt, Mr. Spaulding said to himself, how come I wasn't offered any of it? I could use some of that stuff for fill, too. So he thought “this just needs to be brought out for discussion”. Mr. Spaulding said, “You can't say 'you can take something but he can't' and vice versa. It's got to be right across the board.”

Ms. Murphy asked Mr. Boyer to give his version of the events. Mr. Boyer said he passed the pond site on his way home from Claremont and stopped to check on the work. He said Dwight Jarvis said they had done some dredging and their first intention was to get rid of the material on site. Mr. Boyer said, “Well if you run into problems and you need a place to put it, you can put it up to my place.” He said Mr. Jarvis said, 'okay, fine. I will let you know.' He said he got a call the next day from Mr. Jarvis stating that they had “run into some

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

problems” and they didn't have a place to put the “stuff”. He asked if it was okay to bring it up to Mr. Boyer's and dump it. Mr. Boyer told him to go ahead, that it was just some muddy, muck stuff and he (Mr. Boyer) would do something with it. So it was brought up and dumped off at Mr. Boyer's. Mr. Jarvis said because Mr, Boyer's place was so close to the work site, that Mr. Jarvis didn't have to look for a place to dump it and let it drain out. He said, “That's how it ended up at my place.”

Ms. Murphy asked Mr. Morris for his part in this. Mr. Morris said that this had been brought to his attention by Mrs. Esty. He said Mr. Spaulding had brought it up at a Fire Commission meeting and they had talked about it a bit there. He said he had talked about it more in depth with Mrs. Esty and that he had done a bit of research after that conversation. He said Mrs. Esty had obtained the bills and it did show a trucking charge, so Mr. Morris wanted to find out about that. He said he contacted Dwight Jarvis. The original plan was to dispose of the sludge on site. But because of the broken pipe, they had to excavate a lot more sludge than originally estimated and needed some place to put it. Because the sludge was so wet, he needed a place close by to dump it, let it drain, and then come back later to haul it away. The cost savings to the town of dumping the sludge at Mr. Boyer's was in the \$1300-\$1500 range.

Ms. Murphy asked Mrs. Esty for her input. Mrs. Esty said, “My complaint that I submitted stated – first I'd like to state this was not the original complaint – I was not the original complainant on this matter. I was contacted by a citizen on a concern they had. I was invited to a public meeting where Mr. Boyer confirmed the occurrence as it had been reported to me. I felt it was my responsibility and duty as Vice Chairperson of the Select Board to further inquire into the matter presented before me.” Mrs. Esty then gave a chronological diary of events between December 15, 2016 and January 9, 2017. She said she had asked Mr. Boyer if there were any fees related to this delivery of debris/sludge to his property. She said Mr. Boyer told her that no Town funds had been spent. She said she had agreed with Mr. Spaulding that this matter should be presented to the Select Board as Mr. Spaulding had not been satisfied with the explanation he had received at the Fire Commission meeting.

Mrs. Esty said she had found that there had been a charge of \$393.75 for 5 ½ hours of trucking. She discussed this with Mr. Morris who agreed that this should be discussed with the Select Board. Mrs. Esty provided copies of the bill for the dry hydrant work and the email from Jarvis & Sons that was sent to Mr. Morris.

Ms. Murphy said that the Town attorney had called this a “wonderful learning experience” and an opportunity to walk through how this could have been done more transparently. She said VLCT agreed. She said they had asked for the Town's Conflict of Interest Policy, the Citizen Complaint Policy and examined them. She said she went through the Select Board Manual for conflict of interest. There is a section called, “Close Calls”. It says, “while the

RECEIVED

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

value of that conflict may be relatively small, the public's perception that the Town has been used for private gain may be very costly, not only to the member, but to the entire Select Board." It said it is best to err on the side of caution for the protection of the public's confidence in local government. Ms. Murphy went on to quote, "One of the best methods to affect transparency is to create an environment in which the full and frank disclosure of conflicts of interest is supported and encouraged." She continued to read the full section.

Ms. Murphy said that what she was hearing was that Mr. Boyer "just offered something" and whether or not that was an intent, the perception rules. She then asked Mr. Spaulding what would be a satisfactory resolution to his complaint. Mr. Spaulding said that the landowners had been given the sludge in all of the other ponds that had been dredged. He asked why the landowner hadn't been notified in this instance and what happens if the landowner decides he wants this material. Ms. Murphy said she didn't have an answer to that and repeated her initial question. Mr. Spaulding said he still thinks this is a violation of what the Town has set up to do. Ms. Murphy repeated her question. Mr. Spaulding said he had no idea, that he needed time to think about it.

Mr. Boyer admitted it was a mistake and he apologized to everyone for what he had said. He said if everyone feels that strongly about it, and "it's more of a burden to me", then "take it away. I don't want it. But I'm not going to pay for it – the removal."

Ms. Murphy said that she could not unilaterally say if this is a conflict of interest or what that decision would be. She asked that the landowner be contacted before the next meeting, let them know what has happened and ask them if they would like the material. If they do, she asked that the "trucking piece" be worked out and present the cost at the next meeting. She said that when ponds are dredged (in the future), the landowner needs to be advised.

Patrick Smith said, "To me, this is theft. Small crimes happen in this town. I'm not saying this was done intentionally or maliciously, but this is funds that the town has lost by trucking this up to his place. And he has paid nothing for this material. So he owes the town something. My children live in this town. You are putting the tax burden on all of us as a community and one person gets the benefit from it."

Ms. Murphy said that the Conflict of Interest Policy gives citizens the opportunity to have these discussions and to provide more transparency.

Mr. Boyer asked to point out that the town actually saved \$1300 - \$1500 because the material was moved to his property. He said it would have been part of the process of moving it there, letting it dry out over the winter, and then moving it out next spring.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mrs. Esty disagreed that there had been a savings to the Town because the original contract says that the sludge would be leveled on site. She said the material should never have been transported until the homeowner had been spoken to. She said there was no savings, only an expense. Mr. Boyer said the site is all wetlands. Mr. Morris said the plan to level the material on site changed when they ended up dredging a lot more material than they thought they would and they needed to truck it out – they couldn't just leave it in the area. He said that when Dwight found the crack in the hydrant pipe, he (Dwight) called and asked if the pipe should be fixed or left alone. Mr. Morris told him to fix it. Dwight had said there would be an extra cost to the town because they would have to dig deeper and do extra work. This meant dredging the whole pond, which wasn't in the original estimate. The original, small amount of material to be dredged was to be spread around the pond. Mr. Morris said he told him to do it.

Ms. Main asked, “Is this about the sludge or is this about the conflict? I think it is two separate things. We recognize that there was a conflict and it should have been opened up to everybody who wanted said sludge – but the homeowner should have been consulted first -because they might have wanted it dumped somewhere else on their property and they weren't given that opportunity – and how do we backtrack out of that? And then this conflict of – perception of conflict – even though, to me it sounds like he was doing it out of , 'yes, you can dump it if you need to' – it wasn't malicious, that he really wanted the sludge – maybe I'm wrong. So what are we trying to make a decision or comment about – the conflict or what happens to the sludge?”

Mr. Morris said he had discussed all of this at length with the town's attorney. The attorney said this was a great opportunity to bring this up, talk about the conflict of interest, talk about monetary values, etc. but more important – it is the perception of a conflict of interest that we need to steer clear of and watch. The attorney's recommendation is for the town to remove the material as they would have when it happened, and to ask the landowner if they wanted it, then figure out where we would have trucked it to to begin with. The email from Dwight said he would have to have trucked it a very short distance and let it drain before he came back and loaded it anyway. He said he didn't think we had done anything that would not have happened anyway. Dwight would have found someplace close by to dump it and then come back later to remove it.

Mrs. Esty asked Mr. Spaulding if any of the ponds that had been dredged recently had needed extra work/extra material because something was found to be broken. Mr. Spaulding said he wanted to “correct something first”. He said, “I found the hole in the pipe and I called Wes. I had Wes come up and meet us because there was water coming in the pipe even after they had pumped it down. There was a hole somewhere. So that was already done. That was already exposed.” He said that at McDerment's, the material had

RECEIVED

MAR 07 2017

WEATHERSFIELD, VT
TOWN CLERK

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

been left to drain and then was put on some low spots in the hay field. He said once the material drains, it is great topsoil.

Mrs. Esty then asked, when this happened, why wasn't there a separate addition done to the contract to cover the extra expenses. Mr. Morris said that the work had to be done, that the extra would cost about \$1500 more, and he told him (Dwight Jarvis) to get it done to make this pond right. He said he would forgo work on a second pond that the Fire Commission had asked to have dredged in order to cover the expenses on this one.

Mr. Boyer said that the material that came out of this pond would not make topsoil it was "just so bad". Ms. Murphy said she believes that the quality of the material did not matter, "because one person's treasure is somebody else's junk." She said that what the board needs is to create transparency and it needs to cycle to the commissions and the boards "and everything". She said it extends to community members, so they feel comfortable filling out the form and questioning it.

Ms. Murphy said she did not want to get into the past, but would acknowledge that there have been "heresays", people may have first hand information, at some point the line has to be drawn to say, whatever happened, happened and from this point forward, we're going to do things differently. She said, "If anything comes out of this, if I were sitting in Darrin's seat and I brought it forward and I was asked, 'what do you want?', this is the answer that I would be giving – time spent, right here – and saying that it's on camera, we're fully addressing it and you make it aware so that moving forward" - she was interrupted and did not finish the sentence.

Mr. Smith asked that a policy be put in place to address what to do in these situations in the future. Ms. Murphy said there is a policy already in place, referring to the conflict of interest policy. Mr. Smith was referring to creating a policy that would address what to do with dredged soil, cut trees, etc. Ms. Murphy agreed that this was an excellent idea. There should be a process in place for townspeople to bid, to purchase, to require those resources that is open and fair and agreed the town should look into it.

Mrs. Esty said she agreed with Ms. Main that there are two questions – one is to whom does the dredged material belong - the conflict of interest, and also "there is a bill that was paid, \$393.75, from the reserve fund that directly went to profit an individual, which is against reserve fund policy." Ms. Murphy asked her to repeat her statement as she did not understand it. Mrs. Esty said, "The reserve fund paid to have the pond done." (The \$393.75 was paid to Jarvis and Sons out of the dry hydrant maintenance fund.) She said, "Monies out of the reserve fund are not allowed to be spent to benefit any individual person and the Town of Weathersfield paid this money to have the material trucked to Dan's property. So there are three things on the table for us to discuss."

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mr. Boyer said it had been done as a favor. Mrs. Esty said it didn't matter.

Ms. Main said the town was paying (for trucking) regardless of whether it was going to Mr. Boyer's or to somebody else's property. Mrs. Esty said, "If it was going to the contracted person, that's totally different than it going to an individual." Ms. Main said she wasn't hearing that it was going to a designated location from the contractor. What if the contractor says, 'The location is at Dan's property'? Mr. Morris said if it were to be trucked somewhere else, instead of \$393.75, it would have been in the range of \$1500.

Ms. Main asked if the process should be, "This dirt is available, who in town wants it. Since it has already been moved, that's history. Mr. Boyer says the dirt can be moved from his property. It's not like he was looking to benefit from it. He was doing it to say, 'Here's a place to dump the muck.' I have a hard time saying that we were paying funds to benefit somebody. I struggle with that. I understand it from a logistics perspective, but from a reality – this has already happened, the dirt is already there. We didn't have any foresight to this. How do we move forward from that."

Ms. Murphy asked what Ms. Main might suggest. She didn't have a ready answer.

Mrs. Esty asked to make another "point of observation". She said, "This sludge was dumped in the same location as other materials I've seen hauled in there to rectify an area that has not been usable prior."

Ms. Murphy again asked for suggestions to resolve the matter.

Mr. Boyer asked if he could ask a question, which Ms. Murphy granted. Mr. Boyer asked Mrs. Esty, "What were you getting at? What were you implying about 'other materials' being put in certain areas? Any materials I put on my property, I have paid for."

Mrs Esty said, "I don't think I should have to answer that question."

Mr. Boyer said, "I think what she is getting at is back when the school was torn down, they had rubble down there, and I paid to have several loads brought up to my place and dumped."

Ms. Murphy said, "What I really want to stick to this complaint, this issue, because there is a lot of stuff in the past that we have no... I just don't want to go there."

RECEIVED

MAR 07 2017

WEATHERSFIELD, VT
TOWN CLERK

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mr. Spaulding asked what the recommendations were from VLCT and the Town attorney regarding the town's policies and procedures. He asked if they needed to be "tweaked" to make things better.

Ms. Murphy said the town's policy "pretty much mirrors VLCT's policy". What they are suggesting is that it would have been better to have had this conversation in the beginning. VLCT says to contact the landowner and find out if they want the material. If they don't have any claim, then go and remove the material. Mr. Morris said that the town attorney said the same thing. The best thing to do now is to use this as an educational experience and move forward. The policy is good. We make it clear that this practice is unacceptable in the future. We should remove the material and dispose of it. Ms. Main asked who would pay for the removal of the material (from Mr. Boyer's property). She asked if the board would put it out to bid? Mr. Morris returned to the email from Dwight Jarvis in which he said he would have gone a certain distance to dump it, let it drain, come back, reloaded it and hauled it away. He said we can discuss it with Wes, with Dwight, however we want to get it out of Mr. Boyer's property for the least amount of money. Ms. Main asked, "Where's it going?" Mr. Morris replied, "That's what we will figure out."

Mr. Horton suggested leaving the dirt where it is if the owner doesn't want it – don't spend any more money to truck it elsewhere. He said, "Let him have it. He didn't do anything illegal. He had made a comment to them, 'If you need a place ...'. He's not really benefiting from it. They dumped the waste on his property. It's waste. If the homeowner doesn't want it, leave it alone. Why pay to move it? It's stupidity to pay to move it and dispose (of) it."

Ms. Murphy asked to wrap up the discussion and asked Mr. Morris to put this back on the agenda and come back with results of a conversation with the homeowner. She asked Mr. Boyer to have the Fire Commission create a procedure for the dredging of the dry hydrants and ponds and disposing of the material, "just to tide us over to ... moving forward."

Mr. Horton said the contractor should have the procedure in the contract. He called it a "contractor problem".

Ms. Murphy said, "The Fire Commission and the town should have a procedure in place that says, 'if this needs to happen, this is what we're going to do'." The contractor could write it into the contract. But the procedure needs to be in place as well.

Mr. Morris said that both contractors that talked to him about doing this job had asked him what they should do with the material. He said it's different on every job. If the owner wants it, it stays in place. If not, the contractor should provide a price to haul it away.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Ms. Main asked if the homeowner can designate someone else's property as the destination of the dirt. (Unable to discern answer.)

Ms. Murphy asked that the procedure be kept as simple as possible so as to avoid excess labor and expense. She also asked that the homeowner be contacted. The conflict of interest policy is good according to VLCT and the town attorney. "It is more that these conversations have to continue to happen and keep them open and ahead of the game."

Mrs. Esty said, "I have just had an observation that... regardless of what happens on any job, being that Ed is the Town Manager, Ed should be involved in any decisions that are made on any contracted service for the town of Weathersfield - Ed and/or Wes."

Ms. Murphy said, "So noted" and then asked Mr. Boyer to rejoin the board so the board could move on to the next agenda item. She thanked everyone.

Mr. Boyer said, "I'm sorry this happened." He thanked Ms. Murphy for doing a "nice job".

12. Discussion about Select Board Communications and Information Disbursement

Mr. Morris said he put this on the agenda for discussion purposes. He said he had a little feedback from people who feel they aren't getting appropriate information or in a timely manner and he wanted to lay out his philosophy on how he disseminates information to the board. He said he tries to give the board information in the moment when he deems it extremely important. However, when he is researching long-range projects, he prefers to wait until the board needs to make a decision on it and then provide all of the appropriate information with which to make it. He said this is how he wanted to run things as a manager. He was asking for a discussion on this approach with the board.

Ms. Murphy asked, "If I send an email out to the full board, and I say some kind of information – this is what I found – that email alone is not an open meeting violation. Where you get the violation is where you get the 'reply all'. An email going out in an informative manner with no reply back - that's fine. If I was to take that email and send it to Lynn, and then I was to copy it and send it to Dan and then to Amy individually, that's not an email violation. However you get into more of a deception - you're obviously trying to skirt something." She said this is what VLCT provided to her in her phone conversation with them.

Ms. Murphy said she likes receiving the extra information in the informative emails as long as it does not violate the Open Meeting Law. She very much appreciates the summaries that the Town Manager provides. Without the lead-up information, she said she feels "blind-sided". She disagrees with the chair of the board being able to summarize an agenda topic at a meeting when she is hearing about it for the first time.

RECEIVED

MAR 07 2017

WEATHERSFIELD, VT
TOWN CLERK

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mrs. Esty said she agreed with Ms. Murphy. She said, "I know that someone in this building receives all of the meeting minutes from the committees that we appoint throughout the year. Unless I have specifically gone to those committees – attended myself – I never see their meeting minutes. I don't know what anyone I have appointed to any position in this town is doing unless I specifically attended a meeting to participate and see what's going on. We hear about documents that are submitted – my case in point is through the Fire Commission - Fire Commission meeting minutes that I have read over the past few months indicate that the Chiefs have submitted documents – we have not received a single one. The only ones I have received were the ones I received when I actually attended the January meeting of the Fire Commission. And as much as the John Wood report is being discussed, as much as we're talking about a municipal or a fire district – I would like to see the numbers that are being asked for, the information that's being generated, the comments from the fire department numbers - I had to go three emails to find out that the Conservation Commission is holding its annual photo contest. I shouldn't have to go through three emails. Especially as a select board member. We're supposed to know what's happening in town. ... I would like more information. I would like to know when someone approaches me at the transfer station or at the store or at a public event when they come up and ask me, 'So I heard about so-and-so' and I'm like – hah – can you tell me about it? It's really embarrassing and it's very uncomfortable for me to not even have a heads-up – just a simple 'hey this event is happening, we're dealing with it out on my level but I just want to make you aware of it' would be extremely helpful for me."

Mr. Morris said he had planned to talk to Shirley about forwarding all the minutes that come through to the board. Ms. Main asked if they are posted on the website. Mr. Morris said yes, they are all posted on the website. Mr. Horton said, "Usually that takes weeks." Ms. Murphy said they are supposed to be posted within five days. Mrs. Esty said the website is not user-friendly when it comes to finding things. She said one doesn't know when there is an event like the photo contest. How does one know where to look for it. Mr. Morris said it was advertised and posted to the website for a while.

The website won't be changed this year as the funds for it were removed from the budget.

Mr. Horton asked if the highway department could put a pile of sand down by the food shelf so "we can get the sand in Perkinsville without having to go to the town shed and getting a ration of s**t about it." He said he had gone there to get some sand and was told he couldn't take it from there. He had to come over to the Town Office to get it, because the dump was closed. It was agreed that Mr. Horton should have been able to get sand from the highway shed and that his idea for a pile at the food shelf was a good idea.

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

Nancy Heatley said she is a member of the Planning Commission and no one from the Select Board has ever attended one of their meetings. She said she feels the boards are like silos which can lead to a perception of lack of information – and it's not for lack of interest. There just isn't a simple or effective way of disseminating information. The minutes miss 90% of the discussions that take place at meetings.

Mrs. Esty said she wished there was a calendar on the website listing all of the monthly boards and commissions meetings.

13. Town Manager Annual Evaluation

a. Possible Executive Session as per 1 VSA §313(3)

It was agreed to move this item to the end of the agenda.

14. Approve Warrants

Motion: To approve the warrants for February 6, 2017 as follow:

General Funds	Operating Expenses	\$41,966.89
	Payroll	\$19,081.97
Highway Fund	Operating Expenses	\$27,381.94
	Payroll	\$13,564.84
Solid Waste Management Fund		
	Operating Expenses	\$2,939.38
	Payroll	\$1,582.58
Library	Operating Expenses	\$3,474.53
Grants	Operating Expenses	\$597.99
Agency Monies	Operating Expenses	\$0.00
Reserves		\$0.00
Grand Totals	Operating Expenses	\$76,360.73
	Payroll	\$34,229.39

Made by: Mrs. Esty **Second:** Ms. Murphy

Vote: Unanimous in favor

15. Future Meeting Agenda Items

RECEIVED

MAR 07 2017

WEATHERSFIELD, VT
TOWN CLERK

Page 13 of 14

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

The second meeting of the month falls on a holiday (February 20 – President's Day) and is to be moved to the Tuesday following (February 21).

At 8:47 PM, the board went into executive session.

Motion: To enter executive session for the evaluation of personnel as per 1 VSA §313(3).

Made by: Ms. Murphy **Second:** Mrs. Esty

Vote: Unanimous in favor

The board came out of executive session at 9:19 PM. No action was taken.

The board members will forward their evaluation results to the Board Clerk, who will create one official version. The Board will meet with the Town Manager in executive session to discuss the results at the next meeting.

16. Adjourn

Motion: To adjourn the meeting


Made by: Mrs. Esty **Second:** Ms. Main

Vote: Unanimous in favor

The meeting adjourned at 9:22 PM.

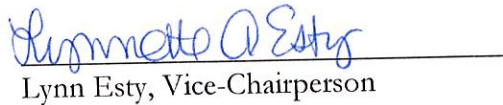
Respectfully submitted,
deForest Bearse

WEATHERSFIELD SELECTBOARD


Daniel E. Boyer, Chairperson


C. Peter Cole, Selector


Kelly Murphy, Clerk


Lynn Esty, Vice-Chairperson

Amy Beth Main, Selector