

Select Board
Martin Memorial Hall
5259 Route 5, Ascutney VT
Monday, March 18, 2024
6:30 PM
REGULAR MEETING

Select Board Members Present: Kelly O'Brien, David Fuller, Michael Todd, Rika Henderson, Nathan McNaughton

Select Board Members Absent:

Brandon Gulnick, Town Manager

Others Present:

Eric Donis	August Murray	Mary Anne Danielson (remote)
Ray Stapleton	Kat Costa	deForest Bearse (remote)
Christina Charest	Rich Logan	
Christopher Charest	Carol Logan	
Ryan Gumbart	Jessica Watkins	
John Arrison	Timothy Watkins	

1 Call to Order

Mr. Todd called the meeting to order at 6:30pm.

2 Pledge of Allegiance

Ms. O'Brien led the pledge of allegiance.

3 Agenda Review

Item 11 "Comments from Selectboard members, Town Manager, and Citizens on Topics not on the Agenda," to be moved up to become Item 4 so that citizens do not have to wait through the entire meeting.

Motion: To move Item 11 "Comments from Selectboard members, Town Manager, and Citizens on Topics not on the Agenda," to Item 4.

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

Vote: 4 yay, 1 nay (Mr. Todd)

4 Comments from Selectboard members, Town Manager, and Citizens on Topics not on the Agenda

Mr. Fuller stated that there is a safety issue with flooding at Amsden School House Road that has left Little Ascutney Road closed. The Highway Superintendent stated that fixing this is in progress.

5 Review Minutes from Previous Meeting: 3/7/24

Motion: To approve the 3/7/24 minutes.

Made by: Ms. O'Brien **Second:** Mr. Fuller

Vote: All in Favor

6 Public Hearing: Article 2: Zoning Districts and District Standards, and Article 7: Definitions

The Land Use Administrator gave an overview of what was being proposed and [documents](#) were presented to the Select Board (pages 10-62).

Mr. Todd opened the Public Hearing at 6:42pm and read the [Notice of Public Hearing](#).

The Select Board and citizens discussed the language in the proposed Bylaw, in particular Section 7, noting that the language may prohibit hang gliders and hot air balloons and that a possible way to modify the language might be to only include aircraft that require an [FAA number](#) designation. The need for clarification around the use of drones was also discussed. It was concluded that an amendment may be needed and that it would need to be sent back to the Planning Commission, but would be considered to be a minor change.

Motion: To continue Public Hearing: Article 2: Zoning Districts and District Standards, and Article 7: Definitions, until April 22, 2024 at 6:30pm.

Made by: Ms. Henderson **Second:** Mr. McNaughton

Vote: All in Favor

7 Second Class Liquor and Tobacco License

Motion: To approve the Second Class Liquor and Tobacco License for Scott Rogers, d/b/a Ascutney Market; Global Montello Group, LLC, d/b/a Jiffy Mart VT. Route 131; Global Montello Group, LLC, d/b/a Jiffy Mart Vt. Route 106; JW Sandri Inc., d/b/a Sunoco Gas Station VT. Route 131.

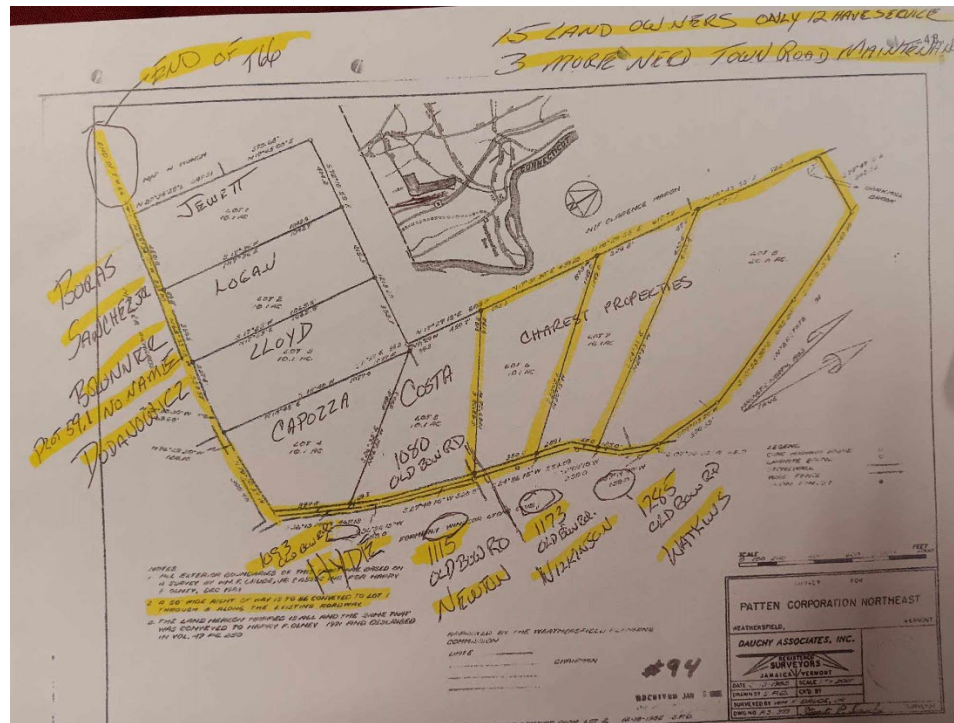
Made by: Mr. Fuller **Second:** Ms. O'Brien

Vote: All in Favor

8 Old Bow Road Discussion

The Land Use Administrator gave a briefing on the issue of the [Classification and Status of Old Bow Road](#) (pgs. 65-72). He made clear that not all of the information and maps have been found and that there is some indication of an

access document existing, but has not been found as of yet. Mr. Watkins presented a map (below) and the Select Board took time to look over it.



The Select Board and citizens discussed the ancient road commission and whether or not this road was part of that. The Select Board discussed how you can't make a private road a public road and the Town's role in maintaining the road, that some of the issue is Town, but also, some of it is civic and that the Land Use Administrator should not be spending time of a civil matter. The Select Board concluded that more research and information is needed before any decisions can be made.

Motion: To extend the services of the Town Highway through the portion that they are currently serving for a period of 6 months and for the Select Board to revisit the issue in 6 months.

Made by: Mr. Fuller

Second: Mr. McNaughton

Vote: All in Favor

9 Monthly Meetings

At the last meeting, the Select Board discussed having one meeting a month. The Town Manager did some research on the impact of this and the major concern would be the approval of the warrant. In some other Towns, to resolve this issue, the Select Board authorizes the Town Manager to sign off on the Warrant, or the Select Board Chair or appoint multiple Select Board

members to approve the warrant. Some Select Boards decide to meet less during the summer months.

10 ARPA Discussion

ARPA funds must be committed by December 31, 2024, or the Town will need to send them back to the U.S. Department of the Treasury. The Town has received \$818,054.44 and the board has assigned \$582,168.27 to date. The Town has \$235,886.17 remaining to allocate.

American Rescue Plan Act Funding							
CATEGORY	Code	FY22	FY23	FY24	Assigned	Unassigned	TOTAL
	16-7-101	Spent	Spent	Spent	at 3/7/24	at 3/7/24	
Admin. Stipend	10.10		\$3,000.00				\$3,000.00
FICA	11.00		\$299.50				\$299.50
Retirement	13.00		\$247.50				\$247.50
COVID Supplies	20.00	\$2,567.58					\$2,567.58
Firefighting Gear	20.10		\$14,230.00				\$14,230.00
Firefighting Equipment	24.00		\$5,929.00				\$5,929.00
AVFD Hose	25.00			\$15,274.92			\$15,274.92
Police Cruiser	27.00		\$34,092.00	\$31,632.23			\$65,724.23
COVID Testing	30.00	\$859.97					\$859.97
Building Assessments	33.00	\$1,102.50	\$4,725.00				\$5,827.50
COVID Cleaning	40.00	\$916.30					\$916.30
Late Filing Penalties	45.00		\$13,818.00				\$13,818.00
Foodshelf Equipment	53.00	\$9,290.36					\$9,290.36
MMH Basement Project	60.00	\$12,289.49	\$1,022.00				\$13,311.49
MMH Drainage	62.00				\$5,000.00		\$5,000.00
Roof Replacements	65.00		\$147,566.37	\$113,777.04			\$261,343.41
MMH Generator	69.00		\$14,124.50	\$404.01			\$14,528.51
Schoolhouse Generator	69.10			\$1,049.00	\$1,951.00		\$3,000.00
Business Grants	90.00	\$12,000.00					\$12,000.00
AFD#2 Grant	91.00		\$29,500.00	\$45,500.00			\$75,000.00
WWVFD					\$60,000.00		\$60,000.00
16-7-101-99.00	99.00					\$235,886.17	\$235,886.17
TOTAL		\$39,026.20	\$268,553.87	\$207,637.20	\$66,951.00	\$235,886.17	\$818,054.44

Previously, the Select Board had requested that the Town Manager review the expenses proposed by residents and board members during public input meetings, prioritize them, and provide a chart of how the Town can best utilize the remaining ARPA funds.

American Rescue Plan Act Funding		
Proposed Expense	Estimated \$	Notes
MMH Improvements	\$ 105,000.00	Electrical, Humidity, Security, Redesign
Hoisington Field	\$ 18,000.00	Master Plan, Updated Field Surveying
Trail Improvements	\$ 15,000.00	Town Forest (Walking, Biking, Snow Shoeing, etc.)
Gardening Club	\$ 2,500.00	Beautification of Weathersfield
Tree Maintenance	\$ 15,000.00	See Tree Wardens RFP
Digitization of Proceedings	\$ 25,000.00	See Town Clerks Estimate
Addition to Highway Garage	\$ 54,500.00	Shed roof addition to store flammables & storage.
Total	\$ 235,000.00	

The Select Board discussed some of the items and how the numbers are preliminary as bids may be needed for many of them. It was suggested that a bay on the highway garage to protect equipment should be on the list. The Select Board will continue to review the list.

11 Town Manager Update

a. Period 8 Finance Report

Overall, revenues in the General Fund are at 69%, and expenses are at 69%. Unlike last year, there are currently no concerns about the department's budget/actuals, or revenue shortfalls at this time of the year in the General Fund. Highway Fund revenues are currently at 74%. This is slightly higher than where the Town should be because it received all the state aid to highway in periods 1-4, and the Town usually receive them quarterly.

The Town also received \$4,777 more from the state year than anticipated. Highway Department expenses are at 69%. The reason the Town is a few percent over is because it made all our annual debt payments between period 1-7. Gravel material will go over due to the severity of mud experienced this year, and summer mowing went over back in August. The highway superintendent and Town Manager are meeting to make projections through year-end and balance the over expenditures.

The Solid Waste Fund fixed revenues are at 99%, variable revenues at 66%, and revenue overall at 80%. On the expense side, fixed expenses are at 83%, and variable expenses are at 83%. Overall, the expenses are at 88%. This is leading to a net revenue/expense in the Solid Waste Fund of (\$19,674). This should balance out as more revenue is collected for punch tickets. The Town will be doing projections this month to estimate where it will end up at year-end.

The Solid Waste Fund is an ongoing problem because the Town does not charge residents to dispose of recyclables, however, have paid \$52,800 this year for recycling. When there is no revenue coming in for recycling, and moving going out, it's nearly impossible to balance the budget at year-end. This is something that the Town continues to discuss with Reading and West Windsor and will need to resolve. If left unresolved, the cumulative deficit from prior years will continue to grow.

The Select Board briefly updated the new Select Board members on some of the struggles with revenue at the transfer station and possible ways to increase revenue. The Town Manager will generate a report for review.

b. Phone & Internet

The Town's Comcast contract expired for phone and internet and the Town Manager decided not to renew this contract as there had been issues with Comcast. Meetings were held with the IT department, and various phone and internet providers. The Town's options are limited at the Town Office.

Key Communications and FirstLight Fiber will improve phone and internet services, and contracts have been signed with both companies. The change to Key Communications will go into effect in the next 60 days, and FirstLight Fiber will be installed at the Town Office in August.

c. Invitation For Bids – Wheeled Excavator

The Highway Superintendent presented a Wheeled Excavator at Town Meeting, and the Town voted in favor of authorizing the Select Board to borrow up to \$150,000 for a term not to exceed 7 years for the replacement of the 2009 Backhoe.

The purchase of the new piece of equipment will be paid for through a combination of reserve and loans, amounts to be determine when the Town receives the bids back and review them at the second meeting in April. The next step is to advertise an Invitation for Bids (IFB) and go through the bid process.

The timeline for that is as follows:

7.1 Request for Bids posted 03/19/24

7.2 Question Period ends on 04/12/24

7.3 Questions & Addenda emailed to vendors on bid list no later than 04/13/24 (if any)

7.4 Bids Due: 04/17/24 at 11am.

7.5 Public Bid Opening on 04/17/24 at 1pm 7.6 Vendor Notification: by 04/23/24

The Select Board and the Highway Superintendent discussed brands of excavators and the benefits of each, including their impacts on price. Concerns surrounding certain brands being excluded were expressed, as were concerns surrounding making sure the specs were appropriate for the work that needed to be done.

The Town Manager reiterated the bid process and stated that there were concerns around letting competing bids know the price of their competitors, which would make said companies not want to bid at all.

Motion: To release the invitation to bid on the wheeled excavator as printed in the 3/18/24 packet.

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

Vote: 4 yay, 1 nay (Mr. Fuller)

d. Capital Plan

The Town's long-term financial plan is continuing to develop, with highway, police, and fire trucks having been drafted. The Town is working on Fire Department and Highway Equipment. Once the budget committee is established, the Town can plan on calling a meeting in April to begin reviewing this information with them. A draft plan to review with the Select Board in August is anticipated.

e. Shared Services

Over the years it has been very difficult to keep certain positions filled considering the salaries offered, and the limited applicant pool in the area. The Town of Windsor and the Town of Weathersfield are currently working on an assessment between the towns to determine how they can restructure to share services and address the issues both have been having.

The Land Use/Planning arrangement between Windsor, Weathersfield, and Rockingham is working well, however, many of the municipalities are having difficulty finding qualified administrative staff such as finance staff. The Town Manager anticipates completion of the assessment by the end of April, and a presentation to the Selectboard in May/June, describing the plans to address this, and some of the options moving forward.

12 Future Agenda Items

- ARPA
- Meadow Lane
- Select Board Appointments
- Energy Section of the Town Plan

13 Appointments

Mr. Todd read the vacancies out loud for the public:

Appointments

- Animal Control Officer (1 Vacancy)
- Board of Listers (2 Vacancies)
- Budget Committee (7 Vacancies)
 - August Murray
 - Dylan Brown
 - Lisa Slade
- Conservation Commission (1 Vacancy)
- Connecticut River Joint Committee Rep (1 Vacancy)
 - Howard Beach
- Energy Coordinator (1 Vacancy)
- Fence Viewer
 - Amy Beth Main
 - Andrea Murray
 - Joseph Bublat
- Green Up Coordinator (1 Vacancy)
 - Steve Aikenhead
- Health Officer (1 Vacancy)
- Martin Memorial Hall Trustees (3 Vacancies)
 - Amy Beth Main
 - Julia Gumbart
 - Olivia Savage
- Mount Ascutney Regional Commission (1 Vacancy)
 - Peter Daniels
- Parks and Recreation (7 Vacancies)
 - Joseph Bublat
 - Olivia Savage
 - Nichole Gagnon
 - Julia Gumbart
- Planning Commission (1 Vacancy)
 - August Murray
 - Howard Beach
 - Todd Hinderger
- Solid Waste Mgmt. District Rep (1 Vacancy)
- Surveyor of Wood and Lumber
 - Amy Beth Main
 - Roderick Bates
- Transportation Advisory Committee (1 Vacancy)
- Tree Warden (1 Vacancy)
 - Ryan Gumbart
- Veterans Memorial Committee (7 Vacancies)
 - deForest Bearse
 - Dylan Brown
 - Patience Bearse
- Weigher of Coal
 - Amy Beth Main
 - John Arrison
 - Roderick Bates
- Zoning Board of Adjustment (5 Vacancies, 2 Alternate Vacancies)
 - Andrea Murray
 - Beth Hunton
 - Grace Knight
 - Todd Hinderger
 - Willis Wood, Alternate
 - Jason Rasmussen, Alternate

Motion: To appoint August Murray, Dylan Brown, and Lisa Slade to the Budget Committee.

Made by: Ms. O'Brien

Second: Mr. McNaughton

Vote: All in Favor

Motion: To appoint Howard Beach to the Connecticut River Joint Committee.

Made by: Ms. O'Brien

Second: Ms. Henderson

Vote: All in Favor

Motion: To appoint Amy Beth Main, Andrea Murray, and Joseph Bublat as Fence Viewers.

Made by: Ms. O'Brien **Second:** Ms. Henderson
Vote: All in Favor

The Select Board agreed that having a Board of Fence Viewers is a good idea and that they might be prime candidates to solve the Old Bow Road issue because their focus is property lines and boundary disputes.

Motion: To appoint Steve Aikenhead as Green-Up Coordinator.
Made by: Mr. McNaughton **Second:** Ms. O'Brien
Vote: All in Favor

Motion: To appoint Amy Beth Main, Julia Gumbart, and Olivia Savage as Martin Memorial Hall Trustees.
Made by: Ms. Henderson **Second:** Ms. O'Brien
Vote: All in Favor

Motion: To appoint Peter Daniels to the Mount Ascutney Regional Commission.
Made by: Mr. McNaughton **Second:** Ms. O'Brien
Vote: All in Favor

Motion: To appoint Nichole Gagnon, Julia Gumbart, Joseph Bublat, and Olivia Savage to the Parks and Recreation Commission.
Made by: Ms. O'Brien **Second:** Mr. McNaughton
Vote: All in Favor

At the last Select Board meeting, the Board had decided to remove the Planning Commission appointment. However, after further investigation, it was found that there was a vacancy. That vacancy was Howard Beach, as there was an issue in his paperwork where he was sworn in, but there was no record of him being appointed.

Mr. Todd, who is a Planning Commission member, stated that he endorses Mr. Beach because Mr. Beach has been serving on the Planning Commission for many years and has many critical projects currently in progress.

August Murray withdrew his application for the Planning Commission and endorsed Mr. Beach.

The Select Board discussed having more than 5 people on the Planning Commission and it was concluded that the Planning Commission should at least have a conversation about that first.

Motion: To appoint Howard Beach to the Planning Commission until 2028.

Made by: Mr. Fuller

Second: Mr. McNaughton

Vote: All in Favor

The Solid Waste Management representative needs to be a Select Board member per agreement.

Motion: To appoint Rika Henderson to the Solid Waste Management District Representative.

Made by: Mr. Todd

Second: Ms. O'Brien

Vote: All in Favor

Motion: To appoint Amy Beth Main and Roderick Bates as Surveyors of Wood and Lumber.

Made by: Mr. McNaughton

Second: Ms. Henderson

Vote: All in Favor

Motion: To appoint Ryan Gumbart as Tree Warden.

Made by: Mr. Fuller

Second: Ms. Henderson

Vote: All in Favor

Motion: To appoint deForest Bearse, Dylan Brown, and Patience Bearse to the Veterans Memorial Committee.

Made by: Mr. Fuller

Second: Ms. Henderson

Vote: All in Favor

Motion: To appoint John Arrison, Amy Beth Main, Roderick Bates as Weigher's of Coal.

Made by: Mr. Fuller

Second: Ms. O'Brien

Vote: All in Favor

Motion: To appoint Andrea Murray, Beth Hunton, Grace Knight, and Todd Hinderger to the Zoning Board of Adjustment and Willis Wood and Jason Rasmussen as Alternates.

Made by: Mr. Fuller

Second: Ms. Henderson

Vote: All in Favor

Approve Warrant

To approve the warrants for 3/18/2024 as followed:

General Funds
Operating Expenses: \$43,647.74
Payroll: \$13,099.22

Library
Payroll: \$2,362.46
Operating Expenses: \$0

Highway Fund
Operating Expenses: \$45,165.31
Payroll: \$12,225.73

AVFS Tanker Repair: \$1,822.00
SIU Training Refund: \$625.00
ABRB Bridge: \$1,622.40
UMC Banner: \$73.00

Solid Waste Management Fund
Operating Expenses: \$3,650.52
Payroll: \$1,962.54

Grand Totals:
Operating Expenses: \$96,605.97
Payroll: \$29,649.95

The Select Board went over some concerns surrounding the warrant such as an expense with the Town Clerk's office regarding the COT System for \$9,057.74. The Town Manager stated that he would look into this item in greater detail and to hold off on this item for now. \$9,057.74 was taken out of the Total Operating Expenses, creating a new corrected total of \$96,605.97. There was concern surrounding an employee's vacation time that would need to be taken up in Executive Session.

Made by: Ms. O'Brien **Second:** Mr. Fuller
Vote: 4 yay, 1 nay (Ms. O'Brien)

14 Any Other Business

Mr. Fuller expressed concern about how the Select Board organized at the last meeting and stated that there are no records in town to accept Robert's Rules of Order being used in totality. Other Towns have asked for a motion to accept Roberts Rules as the parliamentary procedure used in Town meetings. Mr. Fuller added that the Town Manager also typically opens the meeting. Mr. Todd stated that he believes it is in policy, but would do more research.

Motion: To go into Executive Session as per 1 V.S.A. §313(3) Personnel.
Made by: Mr. Fuller **Second:** Ms. O'Brien
Vote: All in favor

The Select Board went into Executive Session at 10:05pm and exited Executive Session at 10:18pm. No action was taken.

15 Adjourn

Motion: To adjourn the meeting.

Made by: Ms. O'Brien

Second: Mr. Fuller

Vote: All in favor

The meeting adjourned at 10:19pm.

Respectfully submitted,
Nichole Gagnon

WEATHERSFIELD SELECT BOARD

Michael Todd, Chairperson

Rika Henderson, Clerk

Nathan McNaughton, Vice-Chairperson

Dave Fuller, Selector

Kelly O'Brien, Selector