

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

**Select Board
Martin Memorial Hall
5259 Route 5, Ascutney VT
Monday, July 19, 2021
6:30 PM
REGULAR MEETING**

MINUTES

Select Board Members Present: David Fuller
Kelly O'Brien
Paul Tillman
Michael Todd

Select Board Members Absent: Joseph Jarvis

Brandon Gulnick, Town Manager

Others Present:

Erica Culma	Marilee Spanjian	John Broker-Campbell	
Chris Whidden	Ray Stapleton	Howard Beach	
Richard Spanjian	Olivia Savage		

1. Call to Order

Mr. Fuller called the meeting to order at 6:30 PM.

2. Public Hearing: 2017 Land Use Map, Definitions, and Publication of all Previously Approved Bylaws

Land Use Administrator Whidden stated that the Planning Commission has adopted the future land use maps and a number of zoning bylaw revisions. The purpose of this hearing was for the Selectboard to review and approve the proposed bylaws for publication and the proposed zoning map with definitions.

Planning Commission Chair, Howard Beach, said the biggest change to the land use map was the reduction in the amount of 10-acre zoning. The Commission believes this will encourage more housing development.

Zoning Board Chair, John Broker-Campbell, said the map had only just been made available 4 hours ago, yet the hearing had been warned 15 days ago. Mr. Broker-Campbell questioned the legality of the hearing due to the map not being available for viewing for the full 15 days.

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

Planning Commission member, Mike Todd, said the map and bylaw changes had been warned multiple times and that people had been given multiple opportunities to view them.

Mr. Broker-Campbell said that in the past, the Zoning Board had been frustrated with not having up-to-date bylaws with which to review applications and had made arrangements with Mr. Whidden to have all updates sent directly to him and the Board. This had not happened.

Mr. Whidden stated that all notice requirements had been met several times.

Mr. Fuller asked that the hearing be continued to allow the public time to weigh in and comment on the map.

Motion: To recess the hearing to August 2nd at 6:30 PM.

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

Vote: All in favor

Mr. Fuller asked Mr. Gulnick to follow up on why Mr. Broker-Campbell did not get any of the requested documents.

3. Comments from Select Board and Town Manager and Citizens on Topics not on the Agenda

Mr. Fuller thanked Mr. Stapleton and the highway crew for the condition of the ditches. He said the ditches are working as evidenced by the lack of damage to Gulf Road in the last round of rain storms.

Mr. Stapleton said the mowing company is coming during the last week of July and the first week of August.

4. Review minutes from previous meetings – 7/6/2021

Additions/corrections/deletions:

a. None

Motion: To pass

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

Vote: All in favor

5. Appointments

a. Budget Committee (3 vacancies – 1-year terms)

5.a.i. Everett Bingham

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

5.a.ii. Erika Culma

5.a.iii. Barbara Thomas

Motion: To appoint Everett Bingham, Erika Culma, and Barbara Thomas to the budget committee for 1 year

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

Vote: All in favor

6. Request to extend Amplified Music by 30 minutes at the Inn at Weathersfield on July 31, 2021

A request was made to extend by 30 minutes (from 10:00 PM to 10:30 PM) the amplified music permit at the Inn at Weathersfield for a wedding on July 31, 2021.

Motion: To approve the extension by 30 minutes at the Inn at Weathersfield for music on July 31st, 2021

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

Mr. Todd thought the extension would do no good, because if someone complains, the police will come and shut or turn things down. Mr. Gulnick said the police would be informed of the extension.

Vote: All in favor

7. 2014 Purchase and Sale Agreement

Mr. Fuller said the Board of Abatement had approved an abatement of \$20,000 in interest and penalties. He said he is now having second thoughts about that decision as he has since learned that the taxpayers will have to make this up.

Mr. Gulnick said a purchase and sale (P&S) agreement was signed in 2014. At the time it was to satisfy \$86,000 in delinquent taxes. The agreement had several conditions and several contingencies. One of those conditions cannot be met without amending the 2014 purchase and sale agreement.

Mr. Gulnick said we need to understand the cost of moving forward with this. Originally, we talked about the expenses that are directly visible relating to the agreement itself. We have not been looking at where the \$86,000 goes. It cannot be written off and made to disappear.

Every year there is a line in the budget called "abatement of delinquent taxes." This gives the board of abatement the ability to waive taxes, interest, and penalties. All abatements are deducted from this line in the budget. If an abatement exceeds the line, the line is negative and must be offset with a reduction somewhere else in the budget.

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

A line called allowance for doubtful accounts was created by the auditors. It was created with fund balance over the years. Funds would be added to it until it equaled the \$86,000 from the P & S agreement. At present that account is \$69,000. However, the board of abatement abated \$20,000, leaving \$49,214.

The board has two options: move forward with the agreement, knowing all the facts and all the finance, with some additional money – approximately \$50,000 – or move forward with a tax sale and recover all of the taxes that are owed to the town.

Mr. Fuller said the doubtful account should have voter authority and it did not. The delinquent tax policy gives remedy for uncollected taxes. He doesn't think the town needs this account. The real problem is in letting this matter go on for 10 years.

Mr. Fuller called for comments from the board.

Ms. O'Brien said Mrs. Abbott knew she had a lien on the property, but entered the deal anyway. Ms. O'Brien felt this was a case of false pretense and should render the agreement null and void. Mr. Fuller said the town thinks it owns a parking lot, but it does not. It has a parking lot with a lien on it.

If the property goes to tax sale, \$86,000 would be recovered. The total net that would enter fund balance from the allowance for doubtful accounts is the \$49,214 that's left. If the property is sold, we would no longer need the allowance for doubtful accounts and it would move into fund balance.

The final cost to complete the 2014 P & S agreement would be \$150,000 - \$155,000. The Town has already spent \$47,000+ on this matter. Additional funds will be needed to develop the parking lot and complete the easement to the Town Forest.

The consensus of the board was that while they may want access to the town forest from Weathersfield, they did not want to spend any more money on it. Mr. Fuller called for a motion.

Motion: To go with option 2 – void the P & S agreement and move to a tax sale

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

Vote: All in favor

8. Listers Office Discussion

Caroline Hier and Lynn Esty have resigned. They were both elected officials. Mr. Gulnick reached out to VLCT for guidance on how to move forward. Both positions must be filled immediately and Mr. Gulnick offered several options on how to do that.

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

Mrs. Hier gave Mr. Gulnick the list of tasks that must be seen to and provided pertinent passwords.

Mr. Fuller thanked the listers for their service to the town. Mr. Tillman wanted special recognition to Mrs. Hier for her 26 years of service.

The Board discussed the various options and decided to start with posting the vacancies to local residents.

Motion: To post the vacancies of two listers seeking candidates to fill the unexpired terms until the elections of 2022

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

Vote: All in favor

9. Town Manager Report

Mr. Gulnick will be on vacation for two weeks starting Friday. He will return on August 6th.

The Town Accountant position has been advertised as both full- and part-time. There is a possibility of sharing an accountant with the town of Windsor. Steve Hier is currently filling in as interim accountant.

One of the two highway department positions has been given to Timothy Gagnier.

Mr. Gulnick asked for direction on whether or not to fill the second vacancy. The board told Mr. Gulnick and Mr. Stapleton to decide themselves on how to move forward.

Weathersfield Music Series: July 30th is scheduled for a concert by Jordan Oakes. This is a big event and parking may be an issue. It was agreed to advertise that parking is limited.

The fire department capital plan and reporting plan are still under construction.

We are partnering with Chester and Ludlow through the Chamber of Commerce to build a phone and iPad app for trails in the three towns and to possibly build some trails with the aid of some grant funding.

10. Personnel Policy Discussion – Section 23 – PG 17

No action was taken on this. The discussion will continue. There was consensus that the board should start discussing health insurance costs as early in the budget season as possible.

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

11. Work-At-Home Policy

The policy would allow working from home for up to 5 days for full time employees and 2 days for part time employees.

Motion: To adopt the work at home policy (draft 3 as dated 7/19/21)

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

The consensus of the board was that all employees should get the same number of work-at-home days. The motion was amended to reflect that.

Mr. Gulnick asked to postpone the vote on this to the August 2nd meeting when he noted some changes he wanted to make to the policy.

Motion: To extend the discussion to the August 2nd meeting.

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

Vote: All in favor

12. Proposed Future Agenda Items

- Continued hearing on zoning bylaw changes
- Work at home policy

13. Approve Warrants

Motion: To approve the warrants for 7/19/2021 as follow:

General Funds	Operating Expenses	\$51,705.26
	Payroll	\$14,773.00
Highway Fund	Operating Expenses	\$18,332.87
	Payroll	\$6,494.44
Solid Waste Management Fund		
	Operating Expenses	\$5,547.86
	Payroll	\$1,554.08
Library	Operating Expenses	\$0.00
	Payroll	\$1,997.25
VLCT Grant	Operating Expenses	\$757.20
TC Expense	Operating Expense	\$679.00
Grand Totals	Operating Expenses	\$77,022.19

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

Payroll \$24,818.77

Made by: Mr. Tillman **Second:** Ms. O'Brien
Vote: All in favor

14. Any Other Business

Mr. Tillman volunteered to be the board representative to the highway committee.
Everyone accepted Mr. Tillman's offer.

15. Adjourn

Motion: To adjourn the meeting

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

Vote:

The meeting adjourned at 8:11 PM.

Respectfully submitted,
deForest Bearse

WEATHERSFIELD SELECTBOARD

David Fuller, Chairperson

Joseph Jarvis, Selector

Kelly O'Brien, Clerk

Paul Tillman, Selector

Michael Todd, Vice- Chairperson