

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

**Select Board
Martin Memorial Hall
5259 Route 5, Ascutney VT
Tuesday, September 8, 2020
7:00 PM
REGULAR MEETING**

**MINUTES
APPROVED 9/21/2020**

Select Board Members Present: N. John Arrison (arrived at 7:15 PM)
David Fuller
Joseph Jarvis
Paul Tillman
Michael Todd

Select Board Members Absent:

Brandon Gulnick, Town Manager

Others Present:

Juergen Berthold	Debby Hendricks	Jeffrey Watson	Lynn Esty (remote)
Rick Musbach	Ray Stapleton	Jeff Slade	Steve Hier (remote)
Dani Bonta	Dave Bonta	John Bonetti (remote)	Joel Stettenheim (remote)

The Public was permitted to attend this meeting in person. Remote public participation was facilitated via the GoTo Meeting video-conferencing platform and conference calling. The number for people to join or call in to the meeting was published on the meeting agenda and on the Town's website. Mr. Gulnick monitored the calls and the video-platform while Mr. Fuller ran the meeting. The meeting was broadcast live on SAPA TV.

1. Call to Order

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

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

There were no comments from the Board members, the Manager or Citizens.

3. Review minutes from previous meetings – 8/17/2020

Additions/corrections/deletions:

- a. Change the date of the minutes from August 3rd to August 17th.

Motion: To accept the minutes of the 8/17/20 meeting as corrected

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

Vote: All in favor

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4. Town Manager Report

Transfer Station – Ted Siegler recommends we enforce the sticker requirements. Effective October 1st, those without a sticker will not be admitted to the transfer station. (The sign stating this will be put up tomorrow.) We may move to an electronic system in lieu of paper punch cards. Cost analysis will be presented to the Board at a later meeting.

August 27th, the office submitted a **Local Government Expense Reimbursement Grant** (\$54,665) to the Vermont Department of Taxes. It covers COVID-19 expenses to date and anticipated expenses to December 30th. The grant will reimburse expenses and give the Town funding for additional COVID-19 costs. Included were \$10,000 to distribute to local businesses in Weathersfield that have been affected by COVID-19. If we get the funding, the Town will be the grantor. A set of criteria will need to be developed and a review committee created to review applications from businesses.

Website – Phase one of the website is complete. \$5,000 was included in the above-referenced grant application for Phase 2. The goal is to offer a majority of Town services online.

Special Town Meeting – There will be a special Town Meeting on September 18th at 1:00 PM on the grounds of the Weathersfield School, rain or shine, to consider a petitioned amendment to the Weathersfield Zoning Bylaws. Voting will be by Australian ballot on November 3rd.

(Mr. Arrison joined the meeting.)

Public records policy – Mr. Gulnick would like to create a policy to provide guidance for the fulfillment of public record requests (how long to respond, ability to charge reasonable fees, etc.). Mr. Gulnick was directed to check with VLCT for a model of such a policy.

5. Land Use Administrator Report

Mr. Whidden gave a summary of his activities since assuming the position in April of this year.

6. Public Hearing Notice – Drumlin Road Easement

John Bonetti owns a parcel on Drumlin Road that is bisected by the road (Class 3 Town Highway). He seeks permission to run a septic line under the road. The Town's attorney drafted an easement for the crossing and recommended a public hearing. There was discussion about whether an easement or a hearing was necessary as the road is actually only a right-of-way over land that Mr. Bonetti already owns. Mr. Fuller called for development of

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a policy to cover such crossings in lieu of easements, as easements get lost over time and for development of construction standards for each type of crossing (electrical lines vs sewer lines, for example). While Mr. Bonetti urged the Board to move forward, the majority of the selectors chose to delay scheduling the hearing until additional information could be obtained. The matter will be revisited at the next meeting.

7. Motor Grader Bid Opening

Two proposals were received from Milton Cat and one from John Deere. The Deere proposal was disqualified, however, for being incomplete.

Complete details of the two Milton Cat proposal were provided to the Board. Mr. Gulnick and Highway Superintendent Stapleton recommended proposal #2 for its better value and deal.

Anticipated delivery would be by November. The first payment would be made in the next fiscal year (FY22).

All members agreed to proposal 2 with the \$179,500 total cost with the 7-year 7,000-hour warranty.

Motion: To accept the bid from Caterpillar on option 2 at a cost not to exceed \$160,000 net trade with the additional \$19,500 for the 7-year, 7000-hour warranty.

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

After discussing the service plan options, the selectors agreed to the go with the 5-year, 5,000-hour maintenance plan.

Amendment to the motion: Add \$19,500 for the 5-year, 5,000-hour maintenance program with a total cost not to exceed \$190,000.

Mr. Todd and Mr. Arrison both accepted the amendment.

Vote on the motion: All in favor

The Board then discussed financing options with Town Treasurer Steve Hier. Multiple options were proposed and discussed, but no final decisions were made (other than the agreement that it would be cheaper to finance the purchase ourselves than to go through Caterpillar). The discussion will continue at the next meeting.

8. Salt Shed Bid Opening

Three bids were received; all were bidders were qualified and had good reviews (Google search). All proposals can have the work done by November. The construction work is the same; only the labor and material costs differ.

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The plan is to stabilize the existing roof to make the building safer while the Town continues to pursue grant funding for a new salt shed. A rubber membrane is needed to cover the roof to stop rain from getting into the salt. This is considered a “5-year option”. While the Board was reluctant to spend money on a temporary fix in hopes of getting a grant in the next 5 years, there seemed no other viable options.

Motion: To award the project to Griffin Construction for a sum not to exceed \$12,476 (no options) subject to proof of liability insurance and a certificate of insurance prior to construction.

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

Vote: 4 in favor, 1 opposed

9. Interim Bylaw re: Noise Performance Standards

The Board was asked to approve and interim amendment to the Zoning Bylaw to enhance enforceability of the Noise Standard – specifically to allow local Town personnel to make sound measurements. The Planning Commission is in favor of the proposed amendment.

Motion: To amend section 6.13(B)(1)(a) of the Weathersfield Zoning Bylaw as stated in a memo to the Planning Commission from the Zoning Administrator dated 7/28/2020, to be effective 9/8/2020.

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

Vote: 3 in favor, 2 opposed

10. 2014 Purchase and Sale Agreement – Q & A

(The Board moved to discuss item #11 before discussing this item.)

Motion: To extend the meeting 15 minutes

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

Vote: All in favor (at 9:15)

The Town has spent in excess of \$27,000 on legal fees and various expenses relating to the P & S Agreement and the matter is still not resolved. There are several options available including abandonment of the agreement, a tax sale, amending the agreement, and/or continued pursuit. No decision was reached.

Motion: To extend the meeting 15 more minutes

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

Vote: 4 in favor, 1 opposed (9:33)

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11. Highway Garage Solar Site

Everyone has visited the site and everyone accepts the revised location of the array (in response to ANR's request to provide a buffer around some significant trees). The lease agreement has been signed. Everyone is satisfied. No further action is needed

Motion: To approve the final map and siting of the Weathersfield Town Garage Solar Project as shown the plan revised 5/13/2020.

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

Vote: All in favor

Motion: To extend the meeting 15 minutes (at 9:00 PM)

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

Vote: All in favor

Mr. Stettenheim asked the Board to amend the above motion to change the date to July 9, 2020.

Amendment to the motion: To amend the date in the previous motion to the July 9, 2020 map furnished by Norwich Solar

Vote on the amendment: All in favor

The Board turned to discussing item #10.

12. Intersection Rt. 5 and Thrasher Road

A letter will be sent to VTrans asking to them to address the difficulty of making a left turn from Thrasher Road onto Route 5.

Mr. Arrison would like the State to lower the speed limit in that stretch (from Rt. 44 to ?) from 40 to 35 mph.

13. Appointments

a. Parks and Recreation Commission – Chris Whidden, Olivia Savage, Mark Richardson

The Board had previously appointed Mr. Whidden to the Parks and Recreation Commission and then rescinded the appointment when it was challenged on the grounds that Mr. Whidden is not a Town resident. That challenge was raised again. After much discussion, the Board agreed to appoint Mr. Whidden and to get on with drafting a policy about board memberships and residency. (There was no guidance to be found in State statute or Town documentation.) This is an annual appointment. There is currently no one serving on this Commission.

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Motion: To appoint Chris Whidden, Olivia Savage and Mark Richardson to the Parks and Recreation Commission and welcome them with open arms

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

Vote: All in favor

14. Approve Warrants

Motion: To approve the warrants for 9/8/2020 as follow:

General Funds	Operating Expenses	\$36,702.30
	Payroll	\$23,339.26
Highway Fund	Operating Expenses	\$42,634.21
	Payroll	\$11,149.98
Solid Waste Management Fund		
	Operating Expenses	\$9,494.40
	Payroll	\$2,477.09
Library	Operating Expenses	\$0.00
	Payroll	\$2,861.40
Grants	Operating Expenses	\$1,368.52
Special Revenue	Operating Expenses	\$0.00
Reserves		\$0.00
Long Term Debt		\$0.00
Grand Totals	Operating Expenses	\$90,199.43
	Payroll	\$39,827.73

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

Mr. Tillman asked about some “late charges” at #222825. Mr. Gulnick will look into it.

Mr. Tillman expressed concern that the Town is writing checks for funds over which it has no control – namely the water district and the fire departments.

Vote: All in favor

15. Any Other Business – None.

16. Executive Session – Personnel – This item was moved to a future meeting.

17. Executive Session – Written Complaint –

Motion: To enter executive session at 9:57 PM to discuss a written complaint.

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

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Vote: All in favor

The Board came out of executive session at 10:33 PM. No action was taken.

18. Adjourn

Motion: To adjourn the meeting

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

Vote: All in favor

The meeting adjourned at 10:33 PM.

Respectfully submitted,

deForest Bearse

WEATHERSFIELD SELECTBOARD

N. John Arrison, Selector

David Fuller, Chairperson

Joseph Jarvis, Clerk

Paul Tillman

Michael Todd, Vice- Chairperson