

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Select Board  
Martin Memorial Hall  
5259 Route 5, Ascutney VT  
Monday, June 15, 2020  
7:00 PM  
REGULAR MEETING

MINUTES  
APPROVED 7/6/2020

**Select Board Members Present:** N. John Arrison  
Joseph Jarvis  
Michael Todd  
Paul Tillman (online)

**Select Board Members Absent:** David Fuller  
**Brandon Gulnick, Town Manager**

Others Present:

Chief Daniels	Martha Staskus (online)	Sean Whalen (online)	
Ray Stapleton	Steve Hier (online)		
Chris Whidden (online)	Darlene Kelly (online)		

This meeting was closed to the public in accordance with the orders of the Governor and the CDC guidelines. 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. Todd ran the meeting. The meeting was recorded for SAPA TV.

**1. Call to Order**

In Mr. Fuller's absence, Mr. Todd called the meeting to order at 7:04PM.

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

There were no comments from the Selectboard members.

Mr. Gulnick asked to have Mr. Whidden's appointment moved up to item number 4 on the agenda.

**Motion:** To move the appointment of Mr. Whidden to immediately follow review of the minutes.

**Discussion on the motion:** None

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

**Vote:** Unanimous in favor

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There were no comments from citizens.

**3. Review minutes from previous meetings – June 1, 2020**

**Additions/corrections/deletions:**

a. None

**Motion:** To accept

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

**Discussion on the motion:** None

**Vote:** All in favor

**4. Consider a Vote to Sign Preferred Site Letter – Green Lantern Solar**

The letter was from the Planning Commission.

**Motion:** to sign the letter of preferred site

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

**Discussion on the motion:**

Mr. Todd said this project would be on the Pegasus Farm (the old Morrill farm) on Route 106 south of Perkinsville Village.

Mr. Arrison said he was uncomfortable considering something a preferred site on private property. He said the determination is subjective. He said the project will be visible from Route 106 “to some extent” according to the consultant’s report – to some this may be objectionable, to others it may not be. He objected to the word “preferred”.

Mr. Todd said the Planning Commission had been working on this for several months. The Commission had originally said “no” to the preferred site status. However, Green Lantern worked with the Commission and the Commission learned a great deal.

Mr. Todd said that the preferred site letter for this project has been designed to be conditional in nature, much like a conditional use permit. The conditions set by the Commission must be met or the preferred site status can be taken away (although it is unclear if that can actually happen).

This project must go through the Act 248 process (PUC). The Town has standing.

Mr. Todd said the Commission first heard of this in the “Enhanced Energy Plan”, an “upgraded plan to the Town’s energy plan”. The Enhanced Energy Plan requires preferred siting. He said former Zoning Administrator Sven Fedorow strongly encouraged the Commission to not agree to this, because it was akin to “signing off”.

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The Commission created a checklist to determine if the Commission felt a site was preferred (or not). This letter is an outcome of that work.

The Commission could not require a decommissioning bond, because that would imply entering into a private contract, which statute does not allow. But the request is in the “conditions” of the preferred site status – that private landowners have that discussion with the developers.

Mr. Fedorow sent letters to all of the abutters very early on in the project to allow ample opportunity to comment.

Mr. Stapleton asked if the farmland on this site comes into the discussion. Mr. Todd said the two upper fields have more to do with wetlands and wet soils. The State has said that agricultural soils are not a limiter to putting these sites in.

**Vote on the motion:** All in favor

**Motion:** To recommend naming Chris Whidden as Deputy Health Officer

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

**Discussion on the motion:** None

**Vote:** All in favor

#### 5. Town Manager Report

(Martha Staskus of Norwich Solar was present online for this discussion.)

Highway Garage solar project – ANR is requesting a slight modification to the layout of the array so as to provide a 100-ft buffer around several potential roost trees for northern long-eared bats. A plan showing the alteration was provided to the Board. As a courtesy, Ms. Staskus was offering to meet with Board members on the site to view the proposed changes.

Ms. Staskus said that visibility won’t change. Parking at the garage will be affected during installation of the array. The array will not block the sand delivery truck route.

Mr. Arrison asked if the Planning Commission had given this project the same scrutiny as the Morrill farm project. Mr. Todd said that issue had been raised by Green Lantern, who felt they were not being treated fairly. The Commission actually had less to do with this project than the Morrill farm project, because the Highway Garage project went primarily through the Selectboard due to its being on Town-owned property. Mr. Arrison said he wanted to be sure the Town was treating everyone the same.

Ms. Staskus said the Highway Garage and the Transfer Station have been designated as preferred locations by the Planning Commission and the Selectboard. She said the Selectboard had authorized Mr. Fedorow and he executed the option to lease. This will

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provide the Town with an \$11,000 annual payment for rent. It also has the net metering agreement that provides a discount to the Town's meters. This project is significantly further along than the Green Lantern project. The application has already been filed with the PUC.

The location of the waterline to Belliveau's house from the well will be confirmed within the 25-ft right-of-way prior to installation of the array.

No action from the Board was needed on this agenda item. It was strictly informational.

Ray Stapleton, John Arrison (highway representative) and Brandon Gulnick will meet with Ms. Staskus at the site on Tuesday afternoon.

Transfer Station array update – The ANR Dept. of Environmental Conservation has requested that a limited phase two environmental assessment be conducted. It constitutes digging holes to take groundwater tests and two locations for taking surface water tests to the east of the array and on the north by the stream. Norwich Technology is willing to move forward with that work if the Town is ready to execute the option agreement for the project. It has the same criteria as the Town Garage option agreement that was executed when Mr. Fedorow was the interim manager.

Since this discussion was occurring under the Town Manager's Report agenda item and not as a separate, clear topic on the agenda, it was decided to table this discussion to the next meeting.

Ascutney Fire District – At the annual meeting on June 9<sup>th</sup> it was voted to expand the boundaries of the district to Lavigne Road; it was also voted to merge with the Town – all administrative work will be conducted by Town staff; and Wendy Smith was voted in as a new member of the Prudential Committee. Mr. Gulnick said he is looking into ways to increase revenue to the district (bottled water, canoe/kayak access to the Connecticut River, grants, etc.)

The Ascutney Volunteer Fire Department violated its contract with the Town when they put their new truck on the Town's insurance without the Town's consent. They are looking into insuring all of their equipment and their building on their own.

The website redesign is about 85% complete. Mr. Gulnick would like to schedule an hour with the Board and the public to explain the new design and gather feedback.

Transfer Station: Mr. Gulnick is working with Reading and West Windsor to create an equal payment schedule for the three towns. Conversations thus far have been mostly positive.

### **6. Consider a Vote to Adopt the Vermont Local Government Resolution**

**Motion:** To accept the Vermont Local Government Resolution

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

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**Discussion on the motion:** The resolution came from the Vermont League of Cities and Towns as a sort of “nudge” to the Legislature.

**Vote:** All in favor

### 7. Education Tax Rate Discussion

Ms. Kelly said this was to make the Board aware of what the State is telling us as to when we might see the tax rates. At this point we do not know when education rates will be set. This will have a significant effect on cash flow, particularly in the first quarter.

It is unknown at this time if only the first tax due date will be moved or if others will be moved as well.

The Homestead Declaration deadline has been extended with the extension of the first tax due date (July 15<sup>th</sup>). Some of the tax bills may have to be reprinted as the result of this extension.

The Listers have completed their assessments.

### 8. Holiday Schedule for the Town (54:20)

Sean Whalen, chair of the School Board, asked the Board to reconsider observing Martin Luther King, Jr. Day as a holiday (meaning the Town Office would be closed and the employees would have a paid holiday.) The Board had voted on January 6, 2020, to not make it a holiday.

Mr. Todd said the Board’s vote was not intended to imply that MLK Jr. Day should not be observed as a holiday. The Board was willing to have the employees observe it as a floating holiday if they chose. The employees chose instead to keep the day after Thanksgiving or the day after Christmas (depending on what day Christmas fell on) as their floating holiday.

Mr. Whalen argued that MLK Jr. Day is every bit as important as Memorial Day and Veterans Day.

Mr. Jarvis said he strongly agreed with Mr. Whalen.

Mr. Arrison countered that holidays are squandered and not spent as they should be. He felt it would be better observed if children were in school and the school spent the day in activities centered on the day.

Mr. Tillman said he wants it as a holiday for the town.

Mr. Todd said he wanted to wait on the vote until all five members of the Board were present. It was agreed to continue the discussion on a future agenda.

**Motion:** To move on

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

**Discussion on the motion:** None

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Vote: All in favor

**9. First Reading:**

- a. **Conflict of Interest & Ethical Conduct Policy (Draft)**
- b. **Fraud Prevention Policy (Draft)**
- c. **Investment & Banking Policy (Draft)**
- d. **Capitalization of Assets Policy (Draft)**

Mr. Hier and Ms. Kelly explained that the items were requested by the auditors. They are either new policies or revised versions of existing ones.

Steve Hier drafted the new policies. The Conflict of Interest and Ethical Conduct Policy came from the VLCT model. This one in particular will make us eligible to receive Federal grants. Mr. Arrison objected to the wording under Article 11.A (1), Enforcement. It seemed to allow the chair of the Board to discipline a member of the Board, which Mr. Arrison felt was inappropriate. It was agreed to amend the wording to include the words, “at the direction of the select board” or something similar, to #1 of that section. Mr. Hier will make the change.

That ended the first reading. The second reading will be on the next agenda.

**10. Consider a Vote to Advertise the RFP for a Tandem Axle Dump Truck**

The vote on this has already been done and is recorded in the minutes. The requested changes have been made.

Mr. Gulnick asked for clarification on the RFP – is it to be one single RFP? Mr. Todd thought it was a single RFP with a specific body type broken out in the bid.

We are going with a Vermont State bid or its equivalent.

No vote was needed for this item.

**11. Vote the Renewal of Certificate of Approval for Location of a Salvage Yard – Hodgdon Junkyard**

**Motion:** To approve the Certificate of Approval for Location of a Salvage Yard for the Hodgdon Brothers Salvage Yard at 4678 Route 5

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

**Discussion on the Motion:** None

**Vote:** All in favor

**12. Consider a Vote to Approve the COVID-19 Phased Re-opening Plan**

**Motion:** To accept the Covid-19 Phased Re-opening Plan

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

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**Discussion on the motion:** The plan is for the office and the downstairs for meetings. The employees favor the use of masks in the building until further notice.

Phase 1 is for June 22<sup>nd</sup> to July 1<sup>st</sup> so staff can experiment with the plan. Phase 2 will begin July 1<sup>st</sup>. It will allow 10 people to be in the building at any one time in addition to staff.

Tape has been put on the floor to keep people 6 feet apart. Masks will still be required during this phase.

The company that cleans the building will be given a checklist so staff will know what has been cleaned and when it was last done.

Public use of the downstairs will be revisited on July 27<sup>th</sup>. At this time, it is considered not a good idea to open the downstairs to public use. Mr. Gulnick wants to work with the people who use the space on a regular basis to come up with a plan to be safe. The space will have to be cleaned between uses. There will need to be a health officer present when the space is in use to enforce distancing and such.

Mr. Tillman asked how the Town will accommodate the Planning Commission public hearing that is scheduled for June 22<sup>nd</sup>. The Governor has increased the group size limit to 25 people – do we have the space to accommodate that size? No decision was made.

**Vote on the motion:** All in favor

### **13. Consider a Vote to Amend the Personnel Policy**

This amendment pertains to the Vacation Leave Policy. Mr. Arrison wanted to table this discussion.

**Motion:** To table

**Made by:** Mr. Arrison      **Second:** None

Motion failed for lack of a second.

Mr. Gulnick explained that the changes were made to the policy to align it with other cities and towns.

**Motion:** To accept the amended vacation policy

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

**Discussion on the motion:** None

**Vote:** All in favor

### **14. Consider a Vote to Approve the 07/05/20 Application for Fireworks Display**

**Motion:** To approve John Arrison's application for a fireworks display at 160 Center Grove Road on 7/5/20

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

**Discussion on the motion:** None

**Vote:** Mr. Arrison abstained; all others voted in favor

**Motion:** To extend the meeting 15 minutes

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

**Discussion on the motion:** None

**Vote:** All in favor

**15. Consider a Vote to Approve the 08/28/20 Application for Fireworks Display**

**Motion:** To approve John Arrison's application for a fireworks display at 160 Center Grove Road on 8/28/2020.

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

**Discussion on the motion:** This application was previously approved in May for a private event.

**Vote:** Mr. Arrison abstained; all others voted in favor

**16. Appointments**

**a. Deputy Health Officer –** Chris Whidden (See above)

**b. ZBA Alternates**

**16.b.i. deForest Bearse**

**16.b.ii. Dave Gulbrandsen**

**Motion:** To appoint deForest Bearse and Dave Gulbrandsen as alternates to the Zoning Board

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

**Discussion on the motion:** None

**Vote:** All in favor

**17. Approve Warrants**

**Motion:** To approve the warrants for 6/15/2020 as follow:

General Funds	Operating Expenses	\$79,287.69
	Payroll	\$15,838.63

Highway Fund	Operating Expenses	\$12,799.83
	Payroll	\$8,422.80

Solid Waste Management Fund		
	Operating Expenses	\$8,244.95
	Payroll	\$1,513.19



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Library	Operating Expenses	\$0.00
	Payroll	\$1,799.54
Grants	Operating Expenses	\$672.43
Special Revenue	Operating Expenses	\$0.00
Reserves		\$0.00
Long Term Debt		\$0.00
Grand Totals	Operating Expenses	\$101,004.90
	Payroll	\$27,574.16

**Made by:** Mr. Arrison    **Second:** Mr. Jarvis  
**Vote:** All in favor

**18. Any Other Business**

**19. Adjourn**

**Motion:** To adjourn the meeting

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

**Vote:** All in favor

The meeting adjourned at 9:03 PM

Respectfully submitted,

*deForest Bearse*

WEATHERSFIELD SELECTBOARD

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N. John Arrison, Selector

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David Fuller, Chairperson

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Joseph Jarvis, Clerk

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Paul Tillman

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Michael Todd, Vice- Chairperson