

**TOWN OF WEATHERSFIELD, VERMONT**

**SELECT BOARD**

**Select Board  
Martin Memorial Hall  
5259 Route 5, Ascutney VT  
Monday, May 17, 2021  
6:30 PM  
REGULAR MEETING**

**MINUTES**

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

**Select Board Members Absent:**

**Brandon Gulnick, Town Manager**

**Others Present:**

Steve Hier	Darrin Spaulding		
Ray Stapleton	Carolyn Hier		
Rosalie McNamara	Susanne Terrill		

The Public was permitted to attend this meeting in person. Remote public participation was facilitated via the ZOOM video-conferencing platform. The number for people to join or call in to the meeting was published on the meeting agenda and on the Town's website. The meeting was recorded by SAPA TV.

**1. Call to Order**

Mr. Fuller called the meeting to order at 6:35 PM.

**2. Executive Session – Personnel – TM Performance Review**

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

Mr. Gulnick announced that he will be moving to Weathersfield on July 1<sup>st</sup>.

Mr. Gulnick will be attending a training session conducted by VLCT to learn more about the American Rescue Plan Act (ARPA) funds that have been awarded to the Town.

There were no comments from the public.

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Mr. Jarvis thanked Jeff and Lisa Slade and Gerry Davis for putting up the flags in Ascutney and Perkinsville.

**4. Review minutes from previous meetings – May 3, 2021**

**Additions/corrections/deletions:**

a. Ms. O'Brien noted that John Arrison's name is still on the signature page.

**Motion:** To approve with the noted change

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

**Vote:** All in favor

**5. YTD Finance Report**

Mr. Gulnick reported that as of April 30<sup>th</sup>, General Fund revenues are at 92%; expenses are at 82%.

Mr. Gulnick explained that there can be a target number for the budgets, but revenues and expenses can be irregular throughout the year. He said next year he would strive to show each month where the budgets should be percentage-wise. However, that system has not yet been created. He said for now, the target would be 86% - 88%.

Highway Fund revenues are at 87%, right on target. State aid to highway came in \$8,000 over projection. Permit revenues are on target. Service to other departments hasn't been booked yet. It was decided not to do journal entries every month. It will be done once in June as this is deemed to be more efficient. Fund balance and reserves have been transferred. Expenses are at 87%.

Mr. Gulnick has prepared preliminary projections for every department. He will confirm they are accurate before presenting them to the Select Board.

Mr. Gulnick said that a preliminary projection of the Solid Waste fund shows an \$8,000 deficit, mainly due to not charging for compost. Mr. Stapleton said it costs \$26 a bucket and there are 6 buckets a week to dispose of (\$8,112 total). At the beginning of the year, we started getting charged for compost and we don't charge for it. Mr. Gulnick suggested created a \$1 punch ticket to cover the cost. As of now, revenues are at 90%; expenses are at 88%. To cover the \$8,000 deficit, Mr. Gulnick suggested pulling back highway services to the transfer station \$4,000 and pull back admin support to the transfer station \$4,000. It would mean less revenue for the highway fund and the general fund, but it would balance the enterprise fund which is what needs to happen.

Mr. Stapleton said he is working on incentivizing people to compost more at home.

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The Board encouraged the staff to work out and implement a method for covering this newly-identified deficit. They felt no further direction or action from the Board was required.

### 6. **Vote to Approve the Weathersfield Local Emergency Management Plan**

Mr. Gulnick explained that the Plan must be updated annually to cover any changes that may have occurred. For this round a couple of phone numbers have changed and John Arrison is no longer on the Board. Kelly Obrien has joined the Select Board. Everything else is pretty much the same.

**Motion:** To approve the 2021-2022 Local Emergency Management Plan for the Town of Weathersfield

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

**Vote:** All in favor

### 7. **Lister request to file a 21-day extension**

The listers are requesting a 21-day extension due to Covid-19. Mr. Fuller asked how that would affect the Board's need to set the tax rate and getting the tax bills printed. Lister Carolyn Hier said the deadline for this year is June 4<sup>th</sup>. They are asking to extend that to June 25<sup>th</sup>, although they are hoping they won't need to full 21 days. Mrs. Hier acknowledged that it would set things back by at most a week. Town Treasure Steve Hier said this would not translate into a 21-day delay because the school tax information is not available until the end of June or the beginning of July, so the Board can't set the tax rate until early July. Mr. Fuller said that in a normal year, taxpayers would have their bills in hand by early July with the first payment due in August. This was delayed by a month last year due to Covid.

Mr. Hier said the Board could set the Town tax rate as soon as they have the finalized Grand List, but then a second tax bill would be needed when the school tax became available.

A brief poll of the Board indicated that granting the extension would not cause a significant delay in the process.

**Motion:** To grant the request of the Listers for an extension of up to 21 days

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

Mr. Hier assured the Board that the extension will affect the printing of the tax bills. The bills are printed without numbers – the numbers are added to the bills at the Town Office when the numbers are available.

Mr. Todd asked if the fact that one of the listers is "scarce" had any bearing on the need for an extension. Mr. Hier said the listers are budgeted for 45 hours per week and they divide that up amongst themselves. It has no bearing on the work flow.

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**Vote:** All in favor

**8. Vote to Expend \$7,500 from Capital Reserve for Infrastructure Improvement**

Mr. Stapleton said he needs to replace some culverts before the end of June. He believes he has enough money in his budget to cover the expense, but he wants to have this money in case anything changes and he doesn't.

**Motion:** To transfer \$7,500 from the highway reserve nonmotorized fund directly into the highway budget for culverts.

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

Mr. Hier clarified that they would spend up to \$7,500 directly out of the reserves without actually transferring the funds. If more is needed, he would come back to the Board.

Mr. Stapleton said that if it's not needed, nothing would be transferred. Mr. Fuller asked if the motion was necessary. Mr. Stapleton said he just wanted approval to spend the money. Mr. Fuller said the motion should be reworded to approve the expense directly out of the reserve account for this purpose. Mr. Todd and Mr. Jarvis agreed to amend the motion.

**Amended motion:** To approve spending up to \$7,500 from the highway reserve nonmotorized fund for culverts.

**Vote:** All in favor

**9. Personnel Policy Discussion**

Mr. Gulnick said the staff discussed changes to the personnel policy at a meeting on May 11<sup>th</sup>. Topics discussed included the annual holiday schedule, lunchbreaks, and vacations.

The staff want to add a holiday to the schedule to make town staff closer to school staff in terms of number of holidays observed (10 vs 12).

Staff want to know if a holiday falls on a Friday, Saturday or Sunday, will they lose it or will they observe it on another day. Note – employees that work on Friday, work 4 ½ hours. Those that work on Thursday, work 5, 6, 8 or 10 hours. So, what would that look like?

Mr. Jarvis said where he works, if a holiday falls on a day you don't work, a day is added to your "PTO bank". He added that Columbus Day should be moved to the floating holiday and MLK Day should be observed.

It was noted that the highway department had not yet discussed this. Mr. Gulnick had said they would discuss it at a separate meeting.

Last year the Board agreed to use the floating holiday for MLK Day.

Ms. O'Brien suggested making the floating holiday a named holiday as the school has done. She said two of the 12 holidays the school gets are the day before and the day after

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Thanksgiving. The school does not observe Veterans Day.

Mr. Todd asked if the Board should just designate the floating holiday as MLK Day.

Mr. Fuller agreed with Mr. Jarvis's suggestion. He disliked the idea of taking an arbitrary day off because the holiday happened to fall on a day when a person doesn't work. Taking the day off before Christmas because Christmas falls on a weekend is a privilege, not a holiday. He also agreed with Ms. O'Brien that eliminating floating holidays is preferable.

Mr. Fuller asked if the Board was being called on to establish the holiday schedule at this meeting. Mr. Gulnick said he would like to bring this discussion back to the next staff meeting on May 20<sup>th</sup> to get their feedback. There are two more Select Board meetings before the start of the new fiscal year.

Mr. Gulnick said he could not find documentation regarding the requirement for three readings on policy changes. He asked the Board for some guidance. Mr. Fuller said it gives everyone full opportunity to review and make changes.

Mr. Todd asked for clarification of the number of hours employees are paid for holidays, given that there are so many variances in the number of hours each of the staff works. Mr. Gulnick read a passage from the policy that appeared to address the question. Ms. Terrill said that employees scheduled to work 40 hours a week will receive a full day's pay – 10 hours – for each qualifying holiday listed. She suggested that this needs to be changed because for example she does not work 10 hours every day.

Mr. Hier suggested letting the staff work out the details and come back with a proposal rather than use up meeting time to discuss this. The Board agreed.

Mr. Gulnick said they would like to add a section that addresses lunch breaks. The existing policy does not address them. The current practice varies significantly across departments and personnel. Town Office staff have paid lunch breaks so that they can keep the office open for the full day and so that customers can be served when they come in regardless of who they need to see. The staff would like to have a 30-minute paid working lunch where the employees can serve anyone that comes in. They would like all employees to be treated equally.

Mr. Tillman said he wanted to see what the law says about paid vs unpaid lunches. He did not object to employees having a 30-minute paid lunch but was adamant that no employee should leave the building during that 30-minute period. Mr. Gulnick said that if anyone needed to leave to get a sandwich (for example), they could clock out to do so.

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Mr. Jarvis questioned the legality of a “working” lunch, citing labor laws that require employees to have breaks. He said it would be impossible to prove that the Town was complying with the laws.

Mr. Tillman asked Mr. Gulnick to report on the applicable laws.

Mr. Hier reiterated that the current arrangement is all about public service – everyone comes together to eat – if someone comes in, that person is waited on by whomever is needed.

Again, the question of how this would apply to the wide variety of work schedules was raised.

Ms. Terrill said the Department of Labor provides a waiver for employees that work without a break.

Mr. Tillman repeated his request for legal guidance. He asked that the staff generate a proposal with appropriate legal citations on which the proposal is based.

Previous changes made by the Board with regard to vacations will be included with the Policy for final adoption as a whole.

The opt-out policy will be addressed at the next meeting.

Once again, the applicability of the personnel policy to elected and appointed officials was raised.

#### **10. Work-At-Home Policy – First Reading**

Mr. Gulnick provided a telecommuting policy in the Board’s packet. It had been discussed with the staff at their meeting on May 11<sup>th</sup>. He asked for feedback from the Board to take back to the staff for their next meeting.

Mr. Fuller stated that this no doubt evolved as a result of the pandemic and as a means of continuing the Town’s business when the office had to be closed. However, in his opinion, if one is working for the Town, one must be in the Town Office to do so. He thought perhaps under certain medical situations, provisions might be made as a sort of leave arrangement.

Mr. Jarvis felt such arrangement should be made on a case-by-case basis through the manager and get rid of the policy. He felt that the easier it is for people to work from

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home, the more they will choose to. He found it contradictory that staff would want a working lunch and also to work from home.

Mr. Tillman agreed with Mr. Jarvis's and Mr. Fuller's opinions.

Mr. Gulnick said there was already an easy form to fill out to request permission to work from home. He said he had been looking for some kind of accountability from the work – at - home employee. It ended up not being used however and thus the one of the reasons for this policy.

Mr. Stapleton said if the power is off in the office, if it's a bad snow day, if the sewer is backed up and the building is closed, people want to know there's a policy that will allow them to work at home. Mr. Gulnick concurred that there were some times this winter when the weather was bad enough that people could not get in. He also said that Covid has taught us that it is possible to work from home. He said it is simple to ask for some kind of accountability of the time spent at home.

Mr. Tillman asked who would authorize each request – the manager alone? The manager and HR?

It was agreed to have the Town Manager talk with the staff about this again.

Mr. Gulnick asked about employees working from home for long term – would that ever be acceptable. The consensus was that it would not be, but there was no definitive answer to the question.

#### **11. Solid Waste District Bids**

The solid waste district posted an RFP for solid waste services in February 2021. Bids were due on March 25<sup>th</sup>. The executive committee held a meeting to review the bids after they were opened. Alva Waste was the lowest bidder for Weathersfield and Springfield. Mr. Gulnick recommended awarding the bid to Alva Waste. Springfield has made the same decision.

**Motion:** To accept Alva Waste as our solid waste and C & D company

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

**Discussion:** Mr. Todd asked if any additional expenses would be incurred as a result of the bid award. It was established that the Town owns the compactor. Alva has ordered 200 containers for the district. The Town owns a container, but it goes into rotation throughout the district. The question was posed, did we buy the container to be part of the system or so that it would be ours? When Alva was awarded the single stream contract, they put a Weathersfield decal on our container, but it rotates through the system. Mr. Gulnick confirmed with Alva that we would not need to buy any containers – they are provided at no charge.

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**Vote:** All in favor

**12. 1879 Schoolhouse Bid Award**

An RFP was posted for restoration of the belfry at the 1879 schoolhouse. Two bids were received. Matt Keniston vetted both contractors and felt they both understood the scope of work.

**Motion:** Award the bid to Concept Carpentry for the 1879 schoolhouse belfry restoration project at a cost not to exceed \$15,640 conditioned upon receipt of the appropriate certificate of insurance.

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

**Vote:** All in favor

**13. Police & Fire Radios Discussion**

Mr. Fuller said he needed to learn a lot more about what we have and what we need. He also asked where will we get \$18,000? We didn't budget for it. He then asked to postpone this discussion because this may be an eligible expense for the ARPA funds due to arrive soon.

**14. Proposed Future Agenda Items**

- To continue the discussion of the personnel policy and the work at home policy
- Town Manager performance evaluation discussion;
- Continue discussion of the cost of NEMRC vs listers

**15. Appointments**

No appointments were requested or made.

**16. Approve Warrants**

**Motion:** To approve the warrants for 5/17/2021 as follow:

General Funds	Operating Expenses	\$20,301.72
	Payroll	\$13,443.09
Highway Fund	Operating Expenses	\$13,311.06
	Payroll	\$7,802.78
Solid Waste Management Fund		
	Operating Expenses	\$7,410.17
	Payroll	\$1,552.83
Library	Operating Expenses	\$0.00
	Payroll	\$1,937.70
Grants	Operating Expenses	\$



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Special Revenue	Operating Expenses	\$
Reserves		\$
Long Term Debt		\$
Grand Totals	Operating Expenses	\$41,022.95
	Payroll	\$24,736.40

**Made by:** Mr. Todd      **Second:** Mr. Tillman  
**Vote:** All in favor

**17. Any Other Business**

Mr. Todd volunteered to be the Select Board representative on the Highway Committee.

**18. Adjourn**

**Motion:** To adjourn the meeting

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

**Vote:** All in favor

The meeting adjourned at 9:01 PM

Respectfully submitted,  
*deForest Bearse*

WEATHERSFIELD SELECTBOARD

\_\_\_\_\_  
David Fuller, Chairperson

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Joseph Jarvis, Selector

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Kelly O'Brien, Clerk

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Paul Tillman, Selector

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Michael Todd, Vice- Chairperson