

**TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD**

**Select Board
Martin Memorial Hall
5259 Route 5, Ascutney VT
Monday, October 7, 2019
7:00 PM
REGULAR MEETING**

**MINUTES
APPROVED 10/21/2019**

Select Board Members Present: N. John Arrison
Daniel Boyer
David Fuller
Kelly Murphy
Michael Todd

Select Board Members Absent:

Sven Fedorow, Interim Town Manager

Others Present:

Fred Kowalik	Ed Morris	Josh Compo	Josh Dauphin
Jeff Pelton	Edith Stillson	Paul Tillman	Martha Staskus
Mychael Spaulding	Mavis Ellingwood	Lisa Slade	Tracy Dauphin
NaToshya Dauphin	Travis Compo	Colby Hodgdon	Howard Page
Darrin Spaulding	Derek Gurney		

1. Call to Order

Ms. Murphy called the meeting to order at 7:00PM.

2. Agenda Review

There were no changes to the agenda.

3. Comments from Select Board and Town Manager

Mr. Boyer said he had been given a road tour by Mr. Stapleton. He was impressed with the work being done by choosing site-specific materials.

Mr. Fuller advised not painting lines on the sides of the Center Road until the leaves can be cleared off.

Mr. Arrison expressed concern about security of the Town's financing systems in light of recent events in Norwich. He called for an open discussion on the matter.

Ms. Murphy called for a discussion on changes to the salt shed grant budget for the next meeting.

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Ms. Murphy introduced Mr. Fedorow as the Town's interim manager. Mr. Fedorow thanked the Board for giving him the opportunity.

4. Comments from Citizens on topics not on the agenda

Jeff Pelton, member of the Conservation Commission, announced that there will be work done on October 19th from 9 AM to noon in the Town Forest to remove downed trees and brush from the old logging roads. Volunteers are needed. Members of the Sport Trails of Ascutney Basin will be assisting. Entrance will be through the state park.

Mr. Fuller expressed deep concern for the status of the Town's quest to gain access to the forest from Weathersfield. He called for an evaluation of where we are in the process.

Mr. Morris said the Town does have access through the state park. The attorney has an easement written up for access through the Abbott property. The next step is for the Town to purchase the easement. That is in the Abbott's attorney's hands at this time. It will come back to the Board to finalize the purchase of the easement.

Ms. Murphy said this will go on an agenda soon.

Lisa Slade asked if the Cemetery Commission has meetings and if they have minutes because she was unable to find them on the Town website. The Board was unable to answer the question. Ms. Slade wanted to know how the decision was made to do the fencing at the cemetery in Ascutney and how the funds were obtained to do it. The Ascutneyville Cemetery is owned by the Ascutneyville Cemetery Association, which is a private nonprofit organization. The Association's Board of Trustees made the decision to change the fencing at the cemetery. The fencing was paid for with Association funds. The Board keeps minutes of their meetings, but they are not published.

Ms. Slade asked if the Town had considered accepting tax payments by credit card. Town Accountant Darlene Kelly said she is looking into it. Mr. Morris said he had spoken to the Town's computer company about it. Both Ms. Kelly and Mr. Morris said that security is the primary concern.

5. Review minutes from previous meetings – 9/16/2019

Additions/corrections/deletions:

a. There were none.

Motion: To approve the minutes of September 16, 2019

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

Vote: All in favor

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6. Appoint Town Health Officer

Mr. Morris resigned his position as Town Health Officer when he resigned as the Town Manager. Mr. Fedorow has been serving as the Deputy.

Motion: To appoint Sven Fedorow as the Weathersfield Health Officer.

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

Vote: All in favor

As the Town is not required to have a deputy health officer, the board chose not to appoint one.

7. Town Manager Search Process

Abby Friedman from VLCT joined the meeting by telephone to update the Board on the manager search process.

Ms. Friedman said that only 14 applications had been received and said it might be worthwhile to expand the advertising in hopes of encouraging more applications. She said the process is on track with Mr. Morris's suggested timeline.

Once the application period is over, Ms. Friedman will bring the applications to the Town Office and meet with whoever will be doing the initial screening. The applications will be left at the office for people to "sign out" and review.

Ms. Friedman will go through the interview questions for the first round of interviews (there are some questions that can't be asked at this phase). She can help to develop those initial questions. The Board will need to set a date for the first round of interviews. Each interview will probably take about 30 minutes. It will have to be decided who will be interviewed in person or over the phone. There are usually two rounds of screening interviews, with the applicant pool getting smaller with each round. VLCT will have all of the applicants' contact information and will schedule the interviews.

Ms. Murphy asked if Ms. Friedman was recommending advertising in different places or longer in the same places. Ms. Friedman suggested advertising on the Jobs in VT site for two weeks at an estimated cost of \$250. She had suggestions for refreshing the existing advertising already out there.

It was agreed to not extend the deadline for receiving applications (October 21st).

Motion: To authorize spending \$250 advertising on Jobs in VT for two weeks.

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

Vote: All in favor

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The Board members remarked on the low number of applications received thus far compared to the number received in 2015 (14 vs 46). It was noted that Woodstock, Chester and Springfield are also hiring.

Ms. Murphy urged that they stay as close to the proposed calendar as possible; but acknowledged that that will depend on the viability of the applications received.

8. Appoint Town Manager Search Committee

The Board reviewed the letters of request they received for the citizen members of the committee and the staff members. They also reviewed the agreed upon number of seats for each group, and then made their decisions.

Motion: To appoint Lisa Slade, deForest Bearse, Josh Compo, Paul Tillman and Josh Dauphin as citizens at large

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

Vote: All in favor

There are to be 4 staff seats on the committee; 6 letters of request were received. The Board discussed how best to make their choices.

Mr. Todd favored appointing Mr. Hier, Mr. Stapleton, Ms. Kelly and Ms. Terrill on the grounds that they each work directly with the manager. After some discussion about various combinations, the Board agreed with Mr. Todd's choices.

Motion: To appoint Mr. Hier, Mr. Stapleton, Ms. Kelly and Ms. Terrill as staff members on the search committee

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

Vote: All in favor

Ms. Murphy thanked all the appointees for volunteering and said she will let them know what's next.

9. Solar Update

a. Lease Review

The phase 1 environmental assessment is underway.

The Town's Attorney has reviewed the leases and approves.

Mr. Fedorow recommended apportioning the net metering agreement equally between both sites instead of just one, because the Town won't use all of the power generated by either of the sites. The Town attorney hasn't been asked to review that recommendation yet.

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Mr. Fuller asked if the size of the site at the highway garage had been reduced. Norwich Solar representative Martha Staskus explained that the size of the array field is smaller than the size of the area of disturbance.

ANR has concerns at the garage site. Mr. Fedorow said the entire southwest corner of the town is rare and endangered species habitat for the northern long eared bat. ANR is seeking testimony on that. Mr. Fedorow said they usually limit cutting certain trees and when cutting can occur to prevent conflict with the bats.

Ms. Staskus said ANR had submitted comments during the 30-day comment period and requested a hearing for stormwater, wetlands and the bats. Stormwater has been taken off the table because the town asserted that it won't be necessary. Wetlands have also been dismissed. Adam Gravels is a bat expert. The project has proposed limiting the time of cutting – which is in the summer. We would not be able to cut the trees between April 15th and August 31st. That would avoid a “taking” of the bats.

Ms. Staskus said at this time the only thing Norwich Solar is looking for from the Town is executing the option for the leases. The leases will never be executed unless a CPG is issued.

Mr. Morris recommended including a blanket statement in the lease option that the lease option is pending a net metering agreement.

There was considerable discussion with Ms. Staskus about the net metering agreement.

Motion: To exercise the lease option for the highway garage solar project

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

Vote: Unanimous in favor

Motion: To exercise the lease option for the transfer station solar project

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

Mr. Kowalik said that none of his concerns have been met yet. Ms. Staskus explained why there have been delays (primarily having to do with ANR and their process) and why Mr. Kowalik's deadline hadn't been met. She said they have asked for an extension to October 14th.

Motion: To table the decision on the transfer station lease option to the November 4th (select board) meeting;

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

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Ms. Staskus said they (Norwich Solar) have been ordered to address Fred and Nikita's concerns; the lease agreement requires Norwich Solar to provide screening for Fred and Nikita. She said a stormwater construction general permit must be obtained to address storm water issues.

Nikita said there are "significant issues" that are valid and they are not being addressed yet, so why are we even entertaining a lease now?

Vote on Mr. Fuller's motion – all in favor

Mr. Arrison and Mr. Boyer agreed to withdraw their motion.

b. Boundary Marking

Ms. Staskus said the limits of disturbance (at the transfer station) are marked with pink. The surveyor will have to come back to do boundary line.

10. Fire Discussion

The Board had asked for spread sheets showing the number and nature of calls responded to and the number of firefighters responding to each call. After much delay, it was determined that neither department actually constructs such a spread sheet. What the Board ended up with were stacks of call logs from each department. The board also received the SOGs from the WWVFD.

Chief Spaulding said he had sent in everything asked for on October 2nd via email and asked why the materials hadn't made it into the Board's meeting packets. Mr. Fedorow couldn't confirm that he had actually received everything that the Chief said he had sent.

Ms. Murphy said the Board has copies of guidelines received from VLCT regarding civilians riding on apparatus. This information was provided as an update to an earlier request.

The Board was still unclear if it had all of the information it had requested.

Chief Spaulding then handed in a sheet with call volumes by type. He also handed in a copy of AVFA's SOGs.

There was discussion on the practice of responding to a call with only one person in the apparatus. Chief Dauphin said his concerns are directed mainly toward a single person attempting to respond to a call in a large truck or engine. He said response times from WWVFD can sometimes be slower than AVFA because WWVFD will wait until more personnel arrive before leaving the station. Mr. Fuller said that practices probably depend on the nature of the call.

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Ms. Murphy once again asked the Board what else it needed to come to a decision on what it should do.

Mr. Fuller said the Town desperately needs it volunteers and he prefers not to tell the department how to do their jobs.

Ms. Murphy again asked, “Are we going to create a municipal department supported by volunteers?” and “what do you need to make that decision?”

Mr. Boyer said the Board had already voted to create a municipal department. Nothing has changed that. The Board just needs to make it work

Mr. Todd countered with the fact that the voters had voted down the budget for the municipal chief.

Mr. Boyer said that if the Town went municipal, the stipends wouldn’t be paid out and those funds could be rolled into the cost of the chief.

Motion: To rescind the vote held in November on a municipal department

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

Ms. Murphy said she would vote no because she wants to see it move forward as she feels it is in best interest of the town. She believes both sets of volunteers are dedicated to firefighting.

Mr. Arrison said he would vote no because he wants WWVFD to be municipal and AVFD to remain private.

Roll call vote:

Mr. Arrison – no

Mr. Boyer – no

Mr. Fuller – yes

Mr. Todd – yes

Ms. Murphy – no

At 9:00 PM, the Board voted to extend the meeting.

Motion: To extend the meeting for 30 minutes

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

Vote: All in favor

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This discussion will continue at the next meeting.

Chief Spaulding said that 4 times their credit card has been denied when trying to buy fuel and that Dingee didn't get paid for two months. He claimed that there is a problem with bills not being paid.

Ms. Kelly explained her process and the logistical obstacles. She asked for permission to pay AVFA's fuel bills outside of the warrant (with oversight) to resolve the issue.

Motion: To authorize Darlene Kelly to pay the Ascutney Volunteer Fire Association fuel bills outside of the warrant with joint approvals from Mr. Fedorow and Mr. Hier

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

Vote: Unanimous in favor

11. Land Use Assessors Position

Mr. Fedorow recommended postponing this discussion until he can look into it further. Ms. Kelly objected because of her need to move forward with budgeting.

It was agreed that Ms. Kelly should move forward with two budgets – one with the combined position and one without for the Board to review and discuss.

12. Non-Profit Funding Requests

Ms. Murphy said this is an FYI for everyone to prepare for what is about to take place. She recommended pushing up the November date so it can all be done ahead of the budget discussions.

No decisions were needed on this at this meeting.

13. Appointments

a. Veterans Memorial Committee – Edith Stillson, Patience Bearse

Motion: To appoint Edith Stillson and Patience Bearse to the Veterans Memorial Committee.

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

Vote: Unanimous in favor

14. Approve Warrants

Motion: To approve the warrants for 10/7/2019 as follow:

General Funds	Operating Expenses	\$35,060.42
	Payroll	\$22,688.74
Highway Fund	Operating Expenses	\$22,695.11

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	Payroll	\$12,312.27
Solid Waste Management Fund		
	Operating Expenses	\$11,375.24
	Payroll	\$2,734.27
Library		
	Operating Expenses	\$0.00
	Payroll	\$2,758.91
Grants		\$20,088.96
Agency Monies		\$0.00
Reserves		\$0.00
Long Term Debt		\$0.00
Grand Totals	Operating Expenses	\$89,219.73
	Payroll	\$40,494.02

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

Mr. Arrison questioned charging fire safety to dry hydrant maintenance. Ms. Kelly said she would get the bill and review its breakdown.

Vote: All in favor

15. Water District Project Discussion

This item was on the agenda as an FYI and update. Paul Tillman said the project is underway. Water will be shut off Wednesday (see the website) for repairs. The school will not be affected. The shut off will affect mainly those along Routes 5 and 131 and Old Bridge Road.

There was discussion about who received notices of the project and the impending shut-off and the accuracy of the Fire District's mailing list.

16. Executive Session as per 1 V.S.A. §313(3) Personnel

At 9:29 PM, the Board motioned to go into executive session.

Motion: To go into executive session as per 1 V.S.A. §313(3) Personnel and to include Mr. Fedorow and Mr. Morris.

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

Vote: Unanimous in favor

At 9:42 PM, Ms. Murphy closed the executive session.

Motion: To transition the interim town manager to Group C if VMERS, from the current Group A, and to prorate 150 hours of vacation time during his temporary position.

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Made by: Mr. Todd **Second:** Mr. Fuller
Vote: Unanimous in favor

17. Future Meeting Agenda Items

18. Adjourn

Motion: To adjourn the meeting
Made by: Mr. Fuller **Second:** Mr. Boyer
Vote: Unanimous in favor

The meeting adjourned at 9:43 PM.

Respectfully submitted,
deForest Bearse

WEATHERSFIELD SELECTBOARD

N. John Arrison, Selector

Daniel E. Boyer, Selector

David Fuller, Vice-Chairperson

Kelly Murphy, Chairperson

Michael Todd, Clerk