

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

**Select Board
Weathersfield Center Church
Weathersfield Center Road
Monday, September 16, 2019
7:00 PM
REGULAR MEETING**

**MINUTES
APPROVED 10/7/ 2019**

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

Select Board Members Absent:

Ed Morris, Town Manager

Others Present:

Edith Stillson	Paul Tillman	Travis Compo	Darlene Kelly
Fred Kowalick	Josh Dauphin	Mychael Spaulding	Ben Waters
Nikita Lenahan	Ray Stapleton	Josh Compo	Martha Staskas

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

(This was Mr. Morris's last select board meeting.)

Mr. Morris thanked the Town for giving him the opportunity to work as our manager. He thanked everyone for the hospitality that had been extended to him and his family. He said everyone had made him feel welcome and he greatly appreciated it.

Ms. Murphy said there would be an informal farewell opportunity at the Town Office on Thursday, September 19th from 3:00 PM – 4:30 PM. It will be Mr. Morris's last day in the office. Everyone is invited to come say farewell.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Ms. Murphy thanked Mr. Morris for his service. She particularly appreciated Mr. Morris's ability to thoroughly research any topic and bring to the board the information they needed to make informed decisions.

Mr. Arrison said SAPA TV is looking for a director. They would like to have someone to represent the Town of Weathersfield.

4. Comments from Citizens on topics not on the agenda

Chief Dauphin said he will be coming to the board soon with an application for a Coin Drop on October 12th.

5. Review minutes from previous meetings – 9/3/2019

Motion: To approve

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

Mr. Todd called for some minor edits and typo corrections.

Vote: 4 in favor, 1 abstention

6. Discussion of Select Board Communications

Mr. Fuller spoke at length about his difficulties with emails regarding board meetings. He objects to the board relying on a single form of communication – i.e. email through the Town's server. He asked that in the future, if someone hasn't responded to an email, the sender should assume that the person has not received the email and to use some other means to reach them. He acknowledged that things are a bit chaotic at the moment with the loss of the manager, but urged the board to keep to its normal meeting days and times.

Mr. Todd said he prefers to use his personal email because he doesn't get a notification on his phone when an email comes from the Town email account.

Mr. Morris cautioned the board members not to use personal emails for board business because of the Open Meeting Law.

Ms. Murphy said it has been seven months since getting town email accounts; issues should have been resolved by now. She said she uses the board's emails to ensure that everyone gets the same information at the same time.

There was much discussion of various options for facilitating communication. It was decided that Mr. Todd's and Mr. Fuller's personal email addresses would be added to the contacts list and that Ms. Murphy will send out a text message to everyone when an email has been sent out letting everyone know they need to check their email.

SELECT BOARD

7. Town Manager Search Process

VLCT send a spreadsheet of advertising sources and prices. It was agreed to eliminate advertising in the Burlington paper, which reduced the cost by \$888. Mr. Murphy will relay the change to VLCT.

Mr. Morris said he had an entertainment permit filed by Dave Gulbrandsen for a potluck/barbeque for the Ascutney Notch Subdivision Association to be held on the Salmond Covered Bridge on Saturday, October 5th between 6-9 PM. The event will temporarily close down a town road, hence the need for the permit. Chief Daniels had no objections to it. Fire apparatus doesn't go through the bridge and although this was the first time Chief Dauphin had heard of it, he had no objections. No residents would be blocked from their homes.

Motion: To allow the Ascutney Notch Association to shut down the Salmond Covered Bridge on October 5th, from 6:00 PM to 9:00 PM.

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

Vote: All in favor

8. Solar Update

a. Lease Review

Mr. Morris said the first phase of the ESA for the transfer station site has begun.

The board received the latest version of the lease agreements at the meeting. Mr. Morris said some slight changes had been made to the decommissioning provisions.

The leases for the two project sites are identical except for the screening provisions in the transfer station version.

Mr. Fuller asked why the 12% reduction the town was to get was not in the leases. It was explained that the terms of the net metering agreement are described in the net metering agreement, not the site leases. However, it was agreed to make reference to it in the site leases by means of an exhibit added to the site leases.

Mr. Todd said he was not comfortable granting the solar company the right to install new rights-of-way to the sites without input or oversight by the Town. It was agreed to remove the sentence as it is not germane to these projects. Mr. Todd said the board needed more time to read documents than they were given with this lease.

Ms. Murphy asked what happens if Norwich Solar were to go bankrupt. Ms. Staskas explained that each site is its own entity and would be unaffected by anything happening to Norwich Solar. If the site fails, the decommissioning money will be in place to remove the facility and restore the site.

Mr. Kowalik said he has been following these proceedings on the PUC website. He said Norwich Solar had petitioned to remove him and Ms. Lenahan as intervenors on the

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

wildlife, drainage, and public safety proceedings. PUC did not agree and allowed Mr. Kowalik and Ms. Lenahan to retain intervenor status. ANR will be addressing the wildlife concerns.

Their intervenor status was not challenged under the aesthetics criterion.

The department of public service will be hiring their own consultant to address aesthetics.

ANR and a solid waste district representative will be doing an ESA site visit on September 20th.

There was discussion about how to get documents from the PUC and keeping the board up to date on these proceedings, as the board was not aware that Norwich Solar had asked to have the Kowalik/Lenahan intervenor status removed.

Mr. Fuller repeated his request to have the transfer station shared boundary line flagged. Norwich Solar will flag the perimeter of disturbance. Ms. Staskas said all of their permits are based on the area of disturbance.

Mr. Tillman asked to have the planning commission copied on all the documents that come from the PUC as well.

Mr. Fuller objected to Norwich Solar acting on behalf of the Town in trying to exclude input from an abutter. Ms. Staskas said they were not acting on behalf of the Town. She stated that there is a difference between intervenor status and public comment. Intervenors must be expert witnesses for wildlife management, drainage and public safety. Aesthetic issues are more subjective and thus have a broader inclusion.

Ms. Lenahan again asked – if this project fails, will the Town be responsible for the \$60,000 that Norwich Solar has invested in it thus far? Ms. Staskas assured everyone that the Town is not liable for any of the money that Norwich Solar has invested – regardless of what happens.

The amended leases will be reviewed at the next meeting.

Energy Coordinator, Julia Lloyd Wright, said she appreciated Mr. Morris's taking the lead on this. She said she has been trying for 12 years to get a solar array at the highway garage.

It was agreed that exhibit D (net metering reference), firmed up dates for perimeter flagging and boundary line flagging will be in place for the next meeting.

9. Fire Discussion

AVFA was unable to attend the meeting. WWVFD was present. Chief Dauphin handed in a list of the certifications of each of the WWVFD firefighters, a copy of their certification

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

cards, and a folder full of call reports from the previous year. AVFA had asked if the requested reports were a HPPA violation. Ms. Murphy said it was not, as specific personal information was not being requested – only the nature of the call and how many responded. Mr. Arrison said this had been made clear to Chief Spaulding a while ago.

Ms. Murphy asked the board how to proceed with the discussion when both departments are not present at the same time. Mr. Fuller said it's on the agenda, so the board should have a discussion with those present. Others expressed frustration with the situation.

Ms. Murphy asked the board at what point they would make the decision to move forward with a municipal department or to revert back to the status quo. Is there some point at which the board would be ready to make that decision and if so, what is it?

Mr. Compo said that Chief Dauphin has stated that he does not wish to re-elected to Chief. Mr. Compo said the WWVFD cannot exist without Chief Dauphin. He asked how long the board would continue to delay in their effort to not hurt anyone's feelings.

Mr. Boyer said for him the board has met that point and gone beyond it.

Mr. Arrison said the board cannot go back to town meeting without a unanimous vote of the board to do so.

Mr. Fuller felt the board needed to define the task better. He said the Town cannot be served with a single fire station. He said he didn't want to be telling the departments how to do their jobs; he just wants the board to supply what the firefighters need to do what they do. He said he didn't know how to get AVFA to participate, but felt confident of his ability to negotiate.

Josh said WWVFD wants the Town to take their assets to serve the Town, not make them the municipal department. He said that the continued lack of action by the board affects the safety of the firefighters.

Ms. Murphy said she wanted it clear that the board is not choosing one department over the other. The board is looking to create a whole new entity that is entirely neutral and that is open to all who wish to volunteer. The single department would have a single set of SOGs from which everyone would work. This alone will enhance firefighter safety.

Mr. Arrison said they are not looking to pull the rug out from under AVFA, but the board has asked for information that's not being provided. He said the board and the Town have a responsibility to provide emergency services, but he feels the board's actions get twisted around into something different. He said he wants a department with both sides with no bickering.

Mr. Morris said the board needs to make a decision, because nothing is moving forward. He said they don't talk about this issue at the meetings he has been having with the chiefs.

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

Mr. Arrison said that AVFA had asked for time to work this out themselves, but it appears that nothing is happening.

Mr. Morris said the board needs to make a timeframe and set stipulations (e.g. create one fire department); then the give the parties a deadline to figure it out by.

Mr. Todd said he wants to see each department's SOGs. He said having a fulltime fire chief would not cost the Town \$100,000. He said there are issues in the Wood report that need to be addressed. He wants to see an end to the finger-pointing. He said that safety-related issues or other problems should be resolved at the meetings with the chiefs.

At 9:00 PM, Mr. Boyer motioned to continue the meeting for 15 minutes. Mr. Todd seconded the motion and all were in favor.

The discussion continued for several more minutes without resolution or action. To be continued...

10. Land Use/Assessor's Position

This item was postponed to the next meeting.

Motion: To table

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

Vote: All in favor

11. Approve 1879 Schoolhouse Committee to apply for a Historic Preservation Grant

The 1879 committee would like to apply for a Historic Preservation grant to do some work on the belfry. There is a 50% match required which the committee can cover with their own funds.

Motion: To approve the 1879 Perkinsville Schoolhouse committee applying for a Historic Preservation grant

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

Vote: all in favor

12. Capital Review and Approval

Motion: To table

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

Vote: Unanimous in favor

13. Approve Closing Town Office on Thursday, October 3rd for VLCT Staff Training

Motion: To approve closing the town office on Thursday, October 3rd for VLCT staff training

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

Vote: Unanimous in favor

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

14. Executive Session as per 1 VSA§313(3) Personnel

At 9:16 PM, Mr. Boyer motioned to enter executive session as per 1 VSA§313(3) Personnel. The motion was seconded by Mr. Todd and all were in favor.

At 10:15 PM, Mr. Fuller motioned to exit executive session. Mr. Boyer seconded the motion and all were in favor.

Mr. Fuller motioned to appoint Sven Federow as interim town manager and negotiate his salary. Mr. Arrison seconded the motion and all were in favor.

15. Appoint Town Delegate for VLCT Annual Meeting

16. Designate signer for financial authorizations

17. Appointments

18. Approve Warrants

Mr. Todd said he would be receiving assistance from the fund for residents in need and abstained from the discussion and vote on the warrant.

Motion: To approve the warrants for 9/16/2019 as follow:

General Funds	Operating Expenses	\$36,787.88
	Payroll	\$16,247.74
Highway Fund	Operating Expenses	\$38,809.80
	Payroll	\$8,219.84
Solid Waste Management Fund		
	Operating Expenses	\$6,357.49
	Payroll	\$1,590.55
Library	Operating Expenses	\$0.00
	Payroll	\$1,972.24
Grants		\$1,300.50
Special Revenue		\$0.00
Reserves		\$0.00
Long Term Debt		\$0.00

TOWN OF WEATHERSFIELD, VERMONT
SELECT BOARD

Grand Totals	Operating Expenses	\$83,255.67
	Payroll	\$28,030.37

Made by: Mr. Arrison **Second:** Mr. Boyer
Vote: 4 in favor, 1 abstention

19. Future Meeting Agenda Items

20. Adjourn

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

The meeting adjourned at 10:18 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