

TOWN OF WEATHERSFIELD, VERMONT

SELECT BOARD

**Select Board
Martin Memorial Hall
5259 Route 5, Ascutney VT
Monday, June 17, 2019
7:00 PM
REGULAR MEETING**

MINUTES

APPROVED WITH CORRECTION

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	Edith Plumley	Tracy Dauphin
Fred Kowalik	Mychael Spaulding	Julia Lloyd Wright	Josh Dauphin
Nikita Lenahen	Gary Plumley	Darlene Kelly	Doug Picknell

1. Call to Order

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

2. Agenda Review

No changes were made to the agenda.

3. Comments from Select Board and Town Manager

Mr. Todd asked everyone to be respectful during the meeting and not speak when someone else is talking.

Ms. Murphy talked about the fishing derby that was held last Saturday. It was an event sponsored by the Parks and Recreation Commission and VT Fish and Wildlife with assistance from the Windsor Bass Team and Tillman's Bait Shop. Forty-three kids under the age of 14 participated and over 100 adults were present from Weathersfield and surrounding towns. A great time was had by all.

Mr. Morris said Dominic Cloud will be giving a presentation on St. Alban's economic development at the upcoming Rotary mixer next Wednesday. He urged the Board members to attend.

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Mr. Morris announced that Pearl's Pies has now become the Ascutney 4 Corners Café. They plan to be open 7 days a week and are looking for help.

4. Comments from Citizens on topics not on the agenda

There were no comments from citizens.

5. Review minutes from previous meetings – 6/3/2019

Additions/corrections/deletions:

- a. Page 11: last paragraph – “Josh did sign the agreement.” Delete the remainder.
- b. Page 12: top of the page – “AVFD signed the settlement agreement, which had the agreement for funding in it.”

Motion: To approve as amended

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

Vote: Unanimous in favor

6. Approve Fireworks permit

Stipulations were put in place to address previous complaints; since then there have been no complaints. Mr. Morris suggested conditions on approval to ensure no future complaints.

The Police Chief and Fire Chiefs have signed off.

Motion: Approve fireworks permit for Mark Girard for the evening of July 5, 2019 with the following stipulations:

- Inform any landowners in the area housing farm animals of the event to ensure the animals are secure before the event occurs
- Debris from the event shall be cleaned up following the event in the mobile home park and surrounding area.
- Mr. Girard shall determine if any damages have occurred as a result

(No rain date was set. Mr. Girard said the field has been mowed.)

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

Vote: Unanimous in favor

7. Crown Point Country Club Fireworks Show

Mr. Morris said he had just learned that the fireworks for this event are actually set off in Weathersfield. (He referenced a map that WWVFD Chief Dauphin had shown him.) Therefore, a fireworks permit from the Town is required. Mr. Morris said he would talk to the Club about it, but asked if the Board would be ok with it.

Chief Dauphin said his department has attempted to assist at these events, but someone from the Club has been difficult and assisting has not worked out. He said he wasn't sure if

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the event has ever obtained a fireworks permit from Springfield or if one is even required by that town. He said he would look into it.

Motion: To authorize the Town Manager to work with the Board chair and the fire department to negotiate and enforce a fireworks permit for Crown Point Country Club

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

Vote: Unanimous in favor

Mr. Arrison asked about the large gathering permit. (The Town usually has the Club fill out an application for the permit because parking for the event overflows onto Wellwood Orchard and there is increased traffic in the area. The application allows the Town to know pertinent information.)

Motion: To approve the large gathering permit for Crown Point Country Club for their July 6th event with a rain date of July 7th conditioned upon approval of the fireworks permit and waive the fee.

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

There was discussion about whether this vote would inadvertently approve the fireworks permit because the event is a fireworks display. It was eventually agreed that it would not.

Vote on the motion: Unanimous in favor

8. Fire Discussion

a. Monthly Fire Department Communication Meetings

The parties have tentatively agreed to meet on the 3rd Tuesday of the month at 6:30 AM. The first meeting is to be tomorrow morning. Initially they will be figuring out how to run the meetings and what will be discussed.

Mr. Todd said the fire agreement must be edited to remove the fire commission.

b. Ascutney Proposed Agreement

The results of the latest AVFD vote were 18 to 6 opposed to becoming a municipal department. Ms. Murphy asked Mr. Girard how the members envision coming together with WWVFD to move forward on the fire services discussions. Mr. Girard read off a list of items the members thought they could work on.

Mr. Fuller asked the Board what they planned to do about the Board's vote to create a municipal fire department. He said he couldn't see how the Board could force the volunteers to do what they don't want to do. He emphasized how much the Town needs the volunteers. He said the funding was voted down and he didn't think repeating the request would yield different results.

Ms. Murphy asked to hold off on that discussion until they had heard from WWVFD.

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Chief Dauphin said his department remains in favor of going municipal. He asked that the discussions not be left to the two departments, saying it should remain at the government level. He refrained from addressing the list of items given by Mr. Girard.

Mr. Arrison suggested exploring the idea of going with WWVFD as the municipal department, then figuring out how AVFD would fit into that model.

Mr. Boyer said he was in favor of going forward with what the Board had voted on.

Mr. Fuller repeated that he didn't understand that thinking. He said it was voted down - don't bring back the same proposal. He felt this should be completely worked out before going to the voters. He said the Town desperately needs the volunteers to man the equipment.

Mr. Arrison said he was at a loss as to how to please both sides.

Mr. Fuller said that no one is complaining about the service.

Mr. Todd said he agreed with not going forward with same proposal. However, he now finds himself leaning toward the municipal department to solve problems that most people are not aware of and are difficult to talk about. He said people are asking why do we need to spend \$100K to solve the bickering between these two depts? He said he has to explain that that is not what the Board is trying to do. He is in favor of going to the voters to see what they want. He is not comfortable seeing that decision made by just 5 people. He alluded to a conflict of interest on the part of some of the Board members that he described as "a bias that crosses the line into realm of vengeance", but he did not elaborate.

Mr. Arrison said he didn't think going to the voters will help, as the voters might see it as just another way to ask for the \$100K.

Ms. Murphy said she would not ask to rescind the Board's vote, because she wants to give the departments time to work this out on their own. She didn't see why the vote can't just sit idle for now.

Mr. Fuller did not agree.

There followed discussion about liability and insurance and the complexity of coverage for volunteers and employees.

To be continued...

9. Class IV Road and Trail Signs

Mr. Morris said the Board has discussed before putting up signs on the Class IV section of Cascade Falls Road. He had recommended against it at that time. However, since then

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problems and confusion between neighbors have arisen about the road. He now recommends putting up signs on all the Class IV roads and trails that will show the roads are unmaintained and are off-limits to motorized vehicles (trails) – as the budget allows.

Kate Adams addressed the Board about her issues with people turning around in her driveway when they can't find the Cascade Falls trail. She does not feel safe (with so many strangers coming onto her property), but she also wants people to enjoy the beauty of the neighborhood that her parents owned and donated to be able to have a trail on the mountain. GPS makes matters worse by showing Cascade Falls Road as connecting seamlessly with South Mountain Road. The signs at the junction of Cascade Falls and High Meadow are inadequate to provide proper directions. She shared a notebook containing documentation of issues and photos with the Board.

Mr. Todd asked Ms. Adams what she would recommend. Ms. Adams said the trail sign at the intersection needs to be higher up on the post as it gets lost in the weeds early on in the season; the GPS issues need to be addressed; the signs should indicate where the trail actually goes; and there should be signage stating what activities are allowed and which ones aren't.

Mr. Fuller asked how many signs would be needed to do all of the Class IV roads and trails in Town. Mr. Morris estimated less than 20. He said he would work with Mr. Stapleton to come up with a sample and bring it to the Board to see.

Motion: Authorize placing signs on all Town roads and trails.

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

Vote: Unanimous in favor

10. Town Solar Project Lease Discussion

Mr. Morris has reviewed the lease and added some stipulations. The lease has been reviewed by the town attorney as well.

An example lease was given to the Board to review. Specific language was added that addresses aesthetic and storm water issues.

Norwich Solar wants to sign the lease before July 1st. Mr. Morris would like the Board to authorize signing the 25-year lease

Motion: Authorize the Town Manager to enter into a 25-year lease agreement for the purpose of placing a 500 KW solar array at the Highway Garage and the Transfer Station.

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

Discussion

Mr. Todd said he thought the letter of intent was sufficient to carry the Town through the process.

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Troy McBride said the letter allows the company to move forward with doing the work of getting the application prepared, but the lease demonstrates further commitment on the part of the Town that makes the company more comfortable with spending the funds necessary to complete the application. The Town can either sign the final lease or the lease option.

Mr. Todd said that Fred and Nikita had attended the Planning Commission meeting to discuss the matter.

Fred said their view hadn't changed. They were at a regional board meeting today and found out about a letter of intent for a 2nd 5-acre array going in directly behind them. They voiced their concerns about that at the regional meeting as well as the storm water and aesthetics issues. There are also animal habitat concerns.

Nikita said she doesn't understand why everyone appears to be pushing forward with the project when no studies have been completed or presented. She asked about safety on Route 106 and animal movement. She said she is not against it, but she wants to see the studies say that it's okay.

Mr. McBride said they're doing the studies and because they cost \$40,000, they are asking for the letter of intent and lease option. The full application will have all of the information compiled from the studies. There are no deer wintering areas on the site. He said the lease is binding, but it will address Fred and Nikita's concerns. There will be a 300-ft aesthetic buffer from their new home. He said it doesn't look like the 2nd array will happen.

Ms. Murphy asked if the Board signs the lease agreement and the test results come back unfavorable, does the Town have the ability to withdraw from the agreement. Mr. McBride said they can put contingencies in the lease, but he assured the Board that the PUC won't issue a permit if they can't address any of the issues.

Mr. Morris said he had reached out to the TAC about the two culverts on Rt 106. He doesn't think they were designed properly. He said they will address the culverts regardless of the project outcome.

Mr. Fuller asked if the Town would be liable if it pulls out. Mr. Snyder didn't think so.

Mr. Todd said he was not comfortable signing yet. He wasn't comfortable pushing this through for the sake of 7%. He asked if the motion could be amended to include just the highway garage array and maybe hold off on the transfer station array. Mr. Boyer agreed with the idea.

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Amended motion: Authorize the Town Manager to enter into a 25-year lease agreement for the purpose of placing a 500 KW solar array at the Highway Garage.

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

Vote: Unanimous in favor

11. Authorize Sale of Highway Truck

The main intent for selling this truck now is to downsize the fleet. The 2003 Mack sits idle for much of the year. It gets used more to exercise it; not because we need it.

Mr. Stapleton would like to sell it now because it is still in good condition. It is going to need upkeep and repairs soon. Mr. Stapleton did not feel that would be a good use of taxpayer money (\$3K for tires and it has rust issues.)

Mr. Boyer said we usually wait too long to sell our trucks and we end up practically giving them away. If there's a contractor that wants it, we should sell it now.

Mr. Todd wanted assurance that the money from the truck would go into the highway reserve. Mr. Morris said the purchasing policy requires it to do so.

Funds derived from this sale will give us options in purchasing the next snowplow in FY21.

The proposed sale price is \$42,500. However, Mr. Stapleton and Mr. Morris are asking for authorization to negotiate. The final price is to be agreed upon by Highway Supervisor, Town Manager and SB Highway Representative

Motion: Authorize the Town Manager to sell the 2003 Mack 10-wheeler for an amount agreed upon between the Highway Supervisor, Town Manager, and the Selectboard Highway Representative. Funds derived from this sale will go into the highway equipment reserve account to help fund future truck purchases.

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

Mr. Fuller said he was adamantly opposed to selling the truck and listed his reasons. Ms. Murphy and Mr. Arrison were in favor of selling it. Mr. Todd was undecided.

Motion: To extend the meeting by 15 minutes

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

Vote: Unanimous in favor

Vote on the truck motion: 4 in favor; 1 opposed

12. Participate in Grants in Aide for FY2019-2020

The Town is once again eligible to participate in the State grant in aid program for FY2020. The grant is for work needed to complete bringing hydraulically-connected road sections into compliance with Act 64.

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The State has offered \$17,300 with a town match of \$4,325 (cash or in-kind). The total project cost would be \$21,625. This work has been budgeted.

Motion: Authorize the Town Manager to accept the 2019-2020 Grant in Aide in the amount of \$17,300.

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

Vote: Unanimous in favor

13. Village Planning Committee (Tabled)

14. Town Branding Committee (Tabled)

15. Parks and Recreation FY2019 recap and events (Tabled)

16. Appointment Discussion (Tabled)

17. Appointments

Motion: To appoint Robert Bates as Surveyor of Lumber

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

Vote: Unanimous in favor

18. Approve Warrants

Motion: To approve the warrants for 6/17/2019 as follow:

General Funds	Operating Expenses	\$101,201.08
	Payroll	\$16,052.35
Highway Fund	Operating Expenses	\$4,619.86
	Payroll	\$9,797.44
Solid Waste Management Fund		
	Operating Expenses	\$7,717.22
	Payroll	\$1,683.56
Library	Operating Expenses	\$269.76
	Payroll	\$1,933.92
Grants	Operating Expenses	\$37,318.00
Agency Monies	Operating Expenses	\$0.00
Reserves		\$0.00
Long Term Debt		\$0.00
Grand Totals	Operating Expenses	\$151,125.92
	Payroll	\$29,467.27

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

Vote: Unanimous in favor

19. Future Meeting Agenda Items

20. Adjourn

Motion: To adjourn the meeting

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

Vote: Unanimous in favor

The meeting adjourned at 9:13 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