

**TOWN OF WEATHERSFIELD, VERMONT  
SELECT BOARD**

**Select Board  
Martin Memorial Hall  
5259 Route 5, Ascutney VT  
Monday, September 20, 2021  
6:30 PM  
REGULAR MEETING**

**MINUTES**

**Select Board Members Present:** David Fuller (arrived at 6:33 PM)  
Joseph Jarvis  
Kelly O'Brien  
Paul Tillman  
Michael Todd

**Select Board Members Absent:**

**Brandon Gulnick, Town Manager**

**Others Present:**

|               |             |  |  |
|---------------|-------------|--|--|
| Ray Stapleton | Craig Smith |  |  |
| Josh Dauphin  |             |  |  |
| Tracy Dauphin |             |  |  |

**1. Call to Order**

Mr. Todd called the meeting to order at 6:30 PM.

**2. Pledge of Allegiance**

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

Select Board

Mr. Fuller arrived and resumed the chair.

Mr. Tillman thanked Mr. Gulnick and the office staff for getting the packet together.

Mr. Fuller agreed with Mr. Tillman's sentiments.

Mr. Fuller called for an executive session with Mr. Gulnick at end of meeting for personnel.

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Mr. Gulnick thanked Yamaha and the Chamber of Commerce for donation of 3 blue tooth conference speakers – one for the school, one for the library and one for the Town Office. They are donating these speakers all over Vermont.

Mr. Gulnick announced that the last music event at Hoisington Field will be this Friday.

Mr. Fuller said the discussion on the use of ARPA funds continues and the townspeople will be given an opportunity to weigh in. The second payment has arrived.

Tracy Dauphin asked if the board would take up the discussion on the paving of Kendricks Corner Road earlier in the meeting as there were a number of residents present. The Board agreed, but wished to discuss the reserve transfers first.

Mr. Stapleton updated the board on the Grants in Aid project. They have finished the first segment (South Mountain Road) under budget and have moved on to Cascade Falls Road.

**4. Review minutes from previous meetings – 9/7/2021**

**Additions/corrections/deletions:**

a. None

**Motion:** To approve

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

**Vote:** All in favor

**5. Vote to transfer Town Clerk and Parks & Rec FY21 fund balance to reserve account**

Mr. Hier said this a routine practice that takes place every year. He had provided to the board a spreadsheet showing the funds that needed transferring.

Town Clerk

**Motion:** To transfer a total of \$8137 from the general fund to reserve accounts as follows: Vault fees \$2704.26; Computerization \$3636.74; and Preservation \$1796.

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

**Vote:** All in favor

Tenney Memorial Fund

The Town received \$30,000 from the State. As of June 30<sup>th</sup>, we had spent just shy of \$27,000. There is no reserve fund into which to transfer the remaining funds. (The remaining funds will be used to finish up the last details of the memorial.) Mr. Hier suggested transferring the funds into the Parks and Recreation reserves.

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**Motion:** To transfer \$6696.72 from the general fund FY21 surplus to the Parks and Recreation reserve account

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

**Vote:** All in favor

Property Reappraisal

**Motion:** To transfer \$909 (as of 6/30/2021) property reappraisal reserve fund

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

**Vote:** All in favor

Rabies

**Motion:** To transfer \$362 for rabies under the Town Clerk's funds to the rabies reserve fund

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

**Vote:** All in favor

Aid to Residents in Need

Mr. Hier said the Town usually budgets \$2000 for this fund every year. The amount spent out of the fund varies. In years when there are funds left over, they are transferred to the reserve account. In years when \$2000 isn't enough, funds are taken out of the reserves to cover the extra expense. In FY21, people apparently had alternative sources for funds and nothing was spent out this line, so Mr. Hier asked the board to transfer all \$2000 to the reserve.

**Motion:** To transfer \$2000 from the Aid to Residents in Need fund to the reserve account for Aid to Residents in Need

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

**Vote:** All in favor

Unspecified reserve

**Motion:** To transfer \$12,476 from the rainy-day fund to the general fund for the new salt shed

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

**Vote:** All in favor

The board moved to the Highway Fund Balance at this point (item #10 on the agenda).

**6. General Fund FY21 fund balance and current FY22 update discussion**

A vote of the Board of Civil Authority abated \$21,000 in taxes. Mr. Fuller asked if this abatement could be taken from the fund that was set up for property tax losses instead of from the general fund. Mr. Gulnick said it will be booked to that line and it will show that line as deficit spent (that line only has \$8000 in it per year.). Mr. Fuller alluded to another account. Why wouldn't it come out of the account that was made for that? (i.e., the

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allowance for doubtful accounts.) Mr. Gulnick said he and Mr. Hier would have to talk to the auditors about that. Mr. Hier said this account didn't keep pace and he didn't know why. He said the auditors said the Town wasn't ever going to collect that money (based on the agreement we had with the Abbotts) which was true (we were going to forgive the Abbott's taxes), so the auditors wrote that off as an uncollectable account. We have an allowance for uncollectable accounts. However, the Abbott account has continued to accrue interest and penalty assigned to it every year. One assumes the auditors would have increased that allowance each year, but they didn't. He said we would have to charge the general fund the difference between what we are abating and how much that allowance was increased over the last few years.

Mr. Tillman said he didn't think there was ever an official agreement to forgive the Abbott's taxes.

Mr. Fuller said the taxes can't just be forgiven – the other people in Weathersfield have to make up the difference.

Mr. Hier said the auditors saw there was a purchase and sales agreement with this property that we're never going to collect. To have a \$69,000 balance as an outstanding receivable on our books was inappropriate, so they basically wrote it off. Mr. Fuller said the money was not actually lost as it was made up by the tax rates over the years. Mr. Hier agreed saying it was expensed to the budget.

Mr. Fuller doubted that the auditors had the authority to set up such an account. Reserve accounts are set up by a vote of the Town. In addition, the delinquent tax policy closes a circle on all properties so there is no need for these accounts. Tax sales cover this need. The Town becomes the first lien holder - it is guaranteed so long as the delinquency does not exceed the value of the property. The Town would not be able to recover that.

Mr. Hier said under normal circumstances the Town would not have an allowance for uncollectable taxes – the taxes would be recovered through the policy. However, in this case there was a signed purchase and sales agreement where the Town essentially said the taxes would not have to be paid.

**7. Current Lister office schedule structure and FY22 budget**

Barb Thomas is now working 10 hours a week as a lister. NEMRC has assumed the role of assessor (by board vote). The NEMRC appointee came in last Thursday to meet with lister Alexis Skalaban, Carolyn Hier, Ms. Thomas and Ms. Terrill. This arrangement will cost the Town \$24,000 annually. Mr. Gulnick projected spending \$38,944 in that budget line in FY22 which is in line with what was budgeted.

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Mr. Gulnick has not received any feedback from the public regarding this arrangement, but acknowledged there is still a lot to be done in that office including appointing a 911 coordinator and finalizing who is responsible for each of the required tasks in that office. Ms. Hier has been hired to assist with the transition. Everything seems to be working on target for now.

### 8. Land Use Office (current schedule structure) and FY22 budget

The Planning Commission nominated and the board appointed Alexander Taft as the interim Zoning Administrator. He is working 10 hours a week at \$30 per hour. Office staff are handling the clerical and public contact portion of the duties.

deForest Bearse has been hired to build a foundation in the Land Use office for the next Land Use Administrator. She was also tasked with editing the job description for the position, which Mr. Gulnick shared with the board, along with an earlier version of the description.

The FY22 budget for this position is 30 hours a week at \$23.50 per hour. To date, \$3,056 in the administrative officer line has been spent. An additional \$2,200 has been spent on temporary land use office services. \$31,500 remains in this budget.

Mr. Gulnick feels that considering the circumstances, the office is in “really good shape”. However, these are temporary arrangements and the decision on how that position will be shaped still needs to be made.

Mr. Jarvis said he had received a complaint from someone that is trying to build a house and is having difficulty getting information about what his taxes will be.

Mr. Tillman asked if 30 hours a week is considered full time with benefits or part time. He also asked about the funds that were dedicated to digitizing the land use records. Mr. Gulnick said those funds (\$5000) were expended in FY21, but in FY22, \$3500 has been allocated for that. Mr. Fuller said he remembered these funds were to be offered on a contract basis to compensate for reducing the LUA hours to part time. Everyone agreed with that recollection.

### 9. Land Use Job description and salary

Mr. Fuller asked Mr. Gulnick what he was looking for from the board at this meeting regarding guidance on the LUA position. After much discussion, it was agreed to offer candidates 30 hours a week with a maximum hourly rate of \$28.

**Motion:** To set the wage limit at \$43,680 (for the LUA position)

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

**Vote:** All in favor

The Planning Commission agreed to move ahead with interviewing the candidates who have applied for the position.

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**10. Highway Fund Balance Discussion FY21 and current FY22 update**

- a. Description of FY21 balance**
- b. Paving plan discussion**

The Town has contracted with a new auditing firm. They will be starting our audit on November 1<sup>st</sup>.

The highway department appears to have collected \$40,336 more in revenue than anticipated. Most of that came from a 2<sup>nd</sup> state aid payment of around \$38,000. Without that payment, we would finish the year with \$4,835 in the negative in revenues. (One of the highway department employees is no longer working for the water district, so the highway department no longer received that revenue. Ms. Savage has been hired as the back-up water operator.)

The highway department expended \$96,000 less than anticipated, most of which resulted from personnel, paving and salt: no paving in FY21, leaving \$50,000 in this line item; the department was not fully staffed in FY21, leaving \$46,000 (in salary and benefits) in personnel. The total fund balance in the highway fund is believed to be \$136,000.

No money has been spent this year in paving and there is a gap in personnel again, again resulting in savings in those two lines so far.

Mr. Fuller reminded the board that people have been hired and will be collecting salaries and benefits so savings at the end of June 30<sup>th</sup> will be diminished. He said in addition that diesel fuel has changed dramatically (it is up significantly). We have already spent \$44,000 on diesel in this fiscal year – we only budgeted \$55,000. Mr. Fuller used this as a caution to the board that the budget situation at the end of this fiscal year will not be the same as it was after the end of FY21.

Mr. Fuller said that the \$50,000 budgeted for paving last year and not used in FY21 was not transferred to the reserves. Mr. Hier said that request was made a couple of months ago, but the board did not act on it.

There are two reserve accounts for the highway budget – highway equipment acquisition with a current balance of \$154,283.51 and highway capital maintenance and improvements with a current balance of \$136,164.09, according to Mr. Hier. The capital maintenance reserve funds can be used for paving, although these funds are not specifically earmarked for that purpose.

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Mr. Fuller asked if there were any payments scheduled to come out of either of these reserve accounts. It was believed there were not. Funds for the truck or grader that were to come from these reserves were spent in FY21. Payments for these purchases are in the highway budget as line items in the FY22 budget.

Josh Dauphin asked what the lowest bid amount was for paving Kendricks Corner Road. Mr. Tillman said \$136,371 (as presented to the board at the June 21<sup>st</sup> meeting). Mr. Dauphin said there is \$50,000 left from last year's paving budget, unused in FY21, that is in the general fund surplus (Mr. Fuller corrected this to say it is in the highway fund, not the general fund) and \$136,000 in the reserve account. He then asked Mr. Stapleton if there is a list of roads that need paving. Mr. Stapleton said he has a draft paving plan. He said Kendricks Corner Road is one of several roads at the top of the list. He said he started preparing for paving Kendricks Corner Road 3 years ago. He purchased culverts with the culvert budget in 2020 and purchased the rest of them in 2021. These culverts are all installed. The ditching and brush-cutting have been completed in anticipation of paving.

Mr. Dauphin said there appears to be sufficient funds with which to pave Kendricks Corner Road. He said the road has been in disrepair for many years. Residents were under the impression, that with the culverts being done this, the intention was to pave the road. He said the road is now worse with the culverts having been replaced (it's very bumpy). He appealed to the board to get this road paved this year. Mr. Dauphin said he assumed that if it doesn't get paved this year that the project would have to go back out to bid and would most likely not be the same amount as the current (low) bid.

Mr. Fuller asked Mr. Hier for clarification that the capital improvements reserve is not exclusively for paving and that the \$50,000 of unused paving funds was not transferred to the reserves. Mr. Hier said that was correct. Mr. Fuller said, "So there isn't really \$136,000 in the reserve account?" He asked if it would be \$186,000 if the \$50,000 is transferred. Mr. Hier said that would be so, if the board decides to transfer those funds.

It was also confirmed that \$50,000 is in the FY22 budget for paving.

Mr. Hier stated there is potentially \$236,000 available.

Mr. Tillman said he'd like to see Kendricks Corner Road paved now and then move on to creating the long-term paving plan.

Mr. Fuller said he did not oppose this project, only the means with which it would be financed. He preferred instead to fund it with a loan, rather than use up the cash reserves.

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Mr. Jarvis asked if ARPA funds could be used to fund the project in its entirety. It was not known for certain, but it seemed unlikely.

Kendricks Corner Road resident Craig Smith said the Town would pay more for the project if the Town chose to borrow the money (i.e., interest expense). He also said that if the road isn't paved before winter, the plow trucks will ruin it (because of the culverts) and be damaged themselves, thus increasing the cost of the project still more.

Mr. Gulnick said between the highway fund balance from FY21 (\$136,000) and what's in reserves right now (\$136,000), there is \$272,000 plus another \$50,000 for paving in this year's budget, giving us \$320,000.

Mr. Dauphin again appealed to the board to complete this project that has already been started.

Mr. Stapleton said this project was started in 2019. Money has been set aside several times in anticipation of it. He put it out to bid in the spring of this year because the money was all lined up for it. He said we were trying to do it without borrowing the money. He said we've been saving money for this project for 3 years and that he would rather borrow money for other things, like guard rails, where borrowing money can actually save the Town money (by buying in larger quantities). Borrowing for paving doesn't save the Town any money.

Mr. Todd asked Mr. Fuller how much he was thinking we should borrow. Mr. Fuller said he didn't yet know. He said he wasn't in favor of using up the \$50,000 in the FY22 budget, because the fiscal year has just begun. This would prevent anymore paving until June 30, 2022.

Mr. Hier said he thinks borrowing money for paving would require a Town vote. If a special election were needed, the paving season would be over by the time the vote is taken.

Tracy Dauphin asked why no action had been taken on this since the first presentation in June. Mr. Fuller said that was at the end of the fiscal year, the Town's accountant left, and the board needed time to put together accurate year-end data.

Ms. Dauphin asked the opinion of the rest of the board members on this project.

**Motion:** To use \$50,000 from the FY21 budget, \$50,000 from the FY22 budget, and transfer \$36,371 from the highway capital maintenance and improvement reserve and pave the road.

**Made by:** Mr. Todd



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Mr. Tillman suggested that the motion include awarding the bid. Mr. Todd said that was the price from Pike Industries based on the June 21<sup>st</sup>, 2021 bid.

**Second on the motion:** Mr. Tillman

Mr. Hier said it would be easier from an accounting point of view if the board first transferred the \$50,000 from the FY21 budget to the reserve account, and then took \$86,000 out of the reserves in addition to the \$50,000 from this year.

Mr. Fuller objected on the grounds that the board was taking up things that were not on the agenda and that the board is considering moving funds that have not yet been audited. Mr. Todd said the funds have not been encumbered and they are still sitting in the highway fund. Mr. Hier agreed, saying that unless the auditors change the numbers (hopefully not to the tune of \$136,000) those funds will just go into the highway fund. If we use \$100,000 out of this year, we'll charge that \$100,000 to this year's paving budget, run a \$50,000 deficit, which will be covered by the fund balance from last year.

Mr. Hier asked if the board waits another two weeks (so as to get this transfer on the agenda) will we still get the project done. He said sometimes the board has to do things that aren't on the agenda because they need to be done.

Whatever money isn't spent or moved into a reserve becomes fund balance when the year is closed out. If we want to spend that money, one runs a deficit in the current year knowing that you have the money from last year to cover it. It looks like we have deficit spent, but we know we have the money to cover it. However, it looks "cleaner" if the funds are moved into the reserve fund.

Mr. Todd said the bill for this work won't be on the warrant for a while. He said the board could put the transfer of the \$50,000 on the agenda in two weeks. Mr. Hier said the motion was very specific about where the funds would come from. He suggested just approving the project tonight.

Mr. Todd said he would amend his motion. He said he would move to take \$86,371 from the reserve account now and \$50,000 from the current budget and then two weeks from now we'll have on the agenda a motion to transfer \$50,000 from the FY21 fund balance back into the highway capital maintenance and improvement reserve account. That will bring the balance in that account back to \$100,000.

**Amended motion:** To take \$86,371 out of the reserve account now and \$50,000 from the current (paving) budget for a total of \$136,371 for paving Kendricks Corner Road and to award the contract to Pike Industries

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

**Vote:** Mr. Fuller opposed; all others voted in favor. Motion carries 4 to 1.

Mr. Fuller asked for any other comments on highway matters. Mr. Jarvis said he would like to see highway projects ranked (in part) on the number of people who live on a road to get “the most bang for our buck”. Mr. Stapleton said the roads are ranked on their condition.

The discussion returned to the general fund.

**11. Proposed future agenda items**

**12. Approve Warrants**

**Motion:** To approve the warrants for 9/20/2021 as follow:

|                             |                    |              |
|-----------------------------|--------------------|--------------|
| General Funds               | Operating Expenses | \$61,062.07  |
|                             | Payroll            | \$13,317.86  |
| Highway Fund                | Operating Expenses | \$18,879.39  |
|                             | Payroll            | \$7,064.39   |
| Solid Waste Management Fund | Operating Expenses | \$20,113.91  |
|                             | Payroll            | \$1,557.37   |
| Library                     | Operating Expenses | \$0.00       |
|                             | Payroll            | \$1,985.00   |
| Library Endowment           | Operating Expenses | \$600        |
|                             |                    |              |
| Grand Totals                | Operating Expenses | \$100,655.37 |
|                             | Payroll            | \$23,924.62  |

**Made by:** MT      **Second:** PT

**Vote:** All in favor

**13. Any Other Business**

**14. Motion:** To go into executive session for personnel and include Mr. Gulnick

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

**Vote:** All in favor

The board came out of executive session at

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Action taken by the board ...

**15. Adjourn**

**Motion:** To adjourn the meeting

**Made by: Second:**

**Vote:**

The meeting adjourned at

Respectfully submitted,  
*deForest Bearse*

**WEATHERSFIELD SELECTBOARD**

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

\_\_\_\_\_  
Joseph Jarvis, Selector

\_\_\_\_\_  
Kelly O'Brien, Clerk

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Paul Tillman, Selector

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Michael Todd, Vice- Chairperson