

Select Board Meeting
Martin Memorial Hall
5259 US Rte 5, Ascutney VT
DRAFT of Select Board Meeting Minutes
Thursday, March 4, 2021 6:30 PM

Select Board Members Present:

Paul Tillman
Michael Todd
David Fuller
Joey Jarvis
Kelly O'Brien
Brandon Gulnick, Town Manager

Attendees: Olivia Savage, Lynn Esty

Online Attendees: Judy Jarvis, Lisa & Jeff Slade, Paul Cioffi, Ashley Hensel-Browning, Chris Whidden

1.) Call to Order by Brandon Gulnick, Town Manager at 6:33 pm

2.) Election of Chairperson

Michael Todd made a motion to elect David Fuller as the Chairperson.
No 2nd needed.
No Discussion
Vote – unanimous

3.) Election of Vice-Chair

Joey Jarvis made a motion to elect Michael Todd as Vice-Chair
No 2nd needed.
No Discussion
Vote – Unanimous

4.) Election of Board Clerk

Michael Todd made a motion to elect Paul Tillman as Board Clerk
No 2nd needed.
No Discussion
Vote – 4 Yay, 1 Nay

5.) Establish Regular Meeting Days and Times

Michael Todd made a motion to have the Selectboard meetings on the 1st and 3rds Mondays of each month, pending Holidays, at 6:30 pm at Martin Memorial Hall.
Paul Tillman – 2nd
No Discussion
Vote – unanimous

6.) Review of minutes from previous meetings:

Michael Todd made a motion to approve the minutes from 2/16/21:
Paul Tillman – 2nd
No discussion
Vote – unanimous

7.) Appointment of Recording Secretary

Paul Tillman made a motion to elect deForest Bearse as Recording Secretary.
Joey Jarvis – 2nd
No Discussion
Vote - Unanimous

8.) Appointment of Alternate Recording Secretary

Michael Todd made a motion to elect Chauncie Tillman as Alternate Recording Secretary.
Joey Jarvis – 2nd
No Discussion
Vote – Unanimous

9.) Vote for a Newspaper of Record

Michael Todd made a motion to have the Valley news to be the newspaper of record.
Joey Jarvis – 2nd
No Discussion
Vote – Unanimous

David Fuller presented the plaque for the 1879 Schoolhouse that will be displayed at the schoolhouse.

10.) March 2021 Town Manager Report

Weathersfie
ld Select
Board5259
US Route 5
Ascutney, VT 05030

Re: March 2021 Town Manager Report

Dear Select Board Members & Weathersfield Residents:

The following will keep you up to date on various topics.

[COVID-19 & Emergency Management](#)

It has been a full year since Governor Phil Scott declared a State of Emergency in Vermont due to COVID-19. Weathersfield, similar to most cities and towns in the United States, has been required to change the way we operate. In the beginning of the State of Emergency I appointed

David Fuller as the Emergency Management Director. Throughout the pandemic Mr. Fuller and I have worked closely together to create and maintain our response to COVID-19 as it relates to Weathersfield. This is an annual appointment that expires on April 6th of this year. I am requesting that Mr. Fuller remain in this position for an additional year to see the pandemic through with our Administration. Despite the great difficulty we have experienced because of the pandemic, and the various road blocks we have hit over the past year, it has been a pleasure working with the Weathersfield Emergency Management Team. There is still a great deal of work to do in Town as it relates to Emergency Management and Emergency Preparedness. I want to thank our entire Emergency Management Team for all of your hard work through this very difficult unprecedented time. I also want to thank all Weathersfield Residents for your patience, understanding and support through these difficult times.

Tenney Tree Project

In August of last year, the State of Vermont Highway Division reached out to our administration to discuss the fate of the Tenney Tree, which is located in the Park & Ride on 131. Attempts were made to extend the life of tree and to minimize the risk to life and property as a result of the tree remaining in place. Lee Stevens, the certified arborist recommended by the Town, emailed a revised analysis of the tree describing how the tree declined over the summer of 2020. Mr. Stevens explained that it may be too late for any last-ditch efforts to prolong the life of the tree and that the liability had also increased.

The Weathersfield community has expressed interest in establishing a memorial in this location to celebrate the life of Romaine Tenney. Our Administration held a joint meeting with members of the Conservation Committee (Heather Shand & Jeff Pelton) and Historical Society (Ginger Winberg). The consensus of this meeting was to work with Tenney relatives to learn what they would like to see as a memorial for Romaine Tenney. We held meetings with Lori & William Tenney, Joe Michaud, and Brandon Tenney. During these meetings we learned a great deal of what Romaine Tenney stood for in addition to their long family history in Weathersfield. Romaine Tenney was a farmer here in Town and should be remembered for his dedication to agriculture, farming and the Town of Weathersfield.

The consensus of the Tenney family members we met with at Martin Memorial Hall was the following: 🚧 Move forward with the removal of the Tree.

- 🚧 Request funding from the State of Vermont to build a Tenney Memorial.
- 🚧 If funded, hold workshops with Tenney relatives and others interested in the design of the Memorial to develop the plans for such.
- 🚧 If funded, construct a Gazebo Style Memorial with Romaine Tenney Informational Display Boards

Our administration took this information back to the State of Vermont Highway Division and negotiations resulted in a \$30,000 grant award to the Town for tree removal and the construction of the above-mentioned memorial. We have scheduled the following meeting dates & times:

🚧 Kickoff Meeting

- March 25th, 2021 @ 6:00PM
- Martin Memorial Hall (Downstairs)
 - In person attendance prioritized for Tenney Relatives
 - ZOOM Attendance Permitted

✚ Workshop #1 - Project Design

- April 8th, 2021 - 6PM - 7PM
- Martin Memorial Hall (Downstairs)
 - In person attendance prioritized for Tenney Relatives.
 - ZOOM Attendance Permitted

✚ Workshop #2 - Construction Review

- May 6th, 2021 - 6PM - 7PM
- Martin Memorial Hall (Downstairs)
 - In person attendance prioritized for Tenney Relatives.
 - ZOOM Attendance Permitted

Anyone interested in attending these meetings should RSVP to Olivia Savage at osavage@weathersfield.org. Please add "Attention Tenney Memorial" in the subject line.

Fire Department Contracts

The Selectboard, Administration, and the Fire Departments have worked closely together for the past year to develop a Fire Department Contract to provide Fire Services to Weathersfield residents. The Selectboard approved this contract with amendments requested by each Fire Department. The Contract has been updated to reflect these amendments and has been reviewed from a legal perspective. Our administration will be meeting with both departments individually next week to review the approved contract and work through any Q & A. We anticipate the contract signing to be held on April 5, 2021.

RFP - Town Auditing Services

Our contract with Sullivan Powers & Co., P.C expired last year. Their final audit for the Town was the FY20 Audit that was recently completed. An RFP for the Town Audit was advertised on March 1, 2021. Bids are due no later than 4:30PM on March 26, 2021. A Public Bid Opening will be held via Zoom in the Town Clerk's Office at 10:00am on Thursday, April 1, 2021. The bid packages we receive will be presented to the Selectboard on April 5, 2021.

Employee Performance Evaluations

Performance evaluations have been scheduled with all Town Staff throughout March and the first half of April. Anyone with feedback regarding an employee of the Town should submit this information to my attention at townmanager@weathersfield.org. Performance evaluations are a critical component of a successful team that provide a stepping-stone for the employee and supervisor to identify and discuss areas where performance can be improved. After a thorough review of employee performance in Town over the past year I expect these evaluations to be productive.

Solid Waste RFP

The Southern Windsor/Windham Counties Solid Waste Management District (District) is a legal entity consisting of towns in the east central portion of Vermont along the Connecticut River: Andover, Athens, Baltimore, Cavendish, Chester, Grafton, Ludlow, Plymouth, Reading, Rockingham, Springfield, Weathersfield, West Windsor, and Windsor. There are currently five transfer stations located in the District: Cavendish, Ludlow, Rockingham, Springfield, and Weathersfield. In 2019, 2643 tons of MSW and 1542 tons of C&D was collected at District transfer stations. The total amount of MSW collected in the District was 16,355 tons. In 2020, 2424 tons of MSW and 1625 tons of C&D was collected at District transfer stations. The total amount of MSW collected in the District was 17,521 tons and 8080 tons of C&D. The District will hold a remote informational meeting via ZOOM due to COVID-19 pandemic precautions on Thursday, March 4, 2021 at 2:00 p.m. Interested parties must call or email to notify the District of their intent to participate. Prior notification will enable the District to contact interested parties with the ZOOM link, and in case of change of time or date. Proposals are due on or before 3:00 p.m. Thursday, March 25, 2021. Proposals will be accepted via email, USPS mail, FedEx, UPS or by hand delivery. It is the responsibility of the proposer to confirm the receipt of the proposal. The proposals will be opened and read aloud. Any proposal received after the 3:00 p.m. deadline will be rejected.

Small Business Development Initiative

Selectboard Representative to Economic Development Michael Todd and I have had productive conversations regarding smart business growth in Weathersfield. Over the next several months our administration will be connecting with existing Weathersfield business owners to create a network in Weathersfield and a small business panel that meets quarterly. The goal of this panel will be to further the interests of businesses in Weathersfield and learn how we can assist them. There may be things that we can do that we do not know about because communication has not taken place. This is also a good opportunity for small business owners to network and help each other grow.

ATA Agreement

The Ascutney Trails Association (ATA) has proposed a formal partnership with the Town of Weathersfield through a contract that describes the responsibility of the Town and the Association to maintain, develop, and promote the wise use of non-motorized multi use trails, side trails, and related facilities referred to as the ATA Trails System. Nothing in the agreement is construed as obligating either by the ATA or the Town to expend labor and funds in excess of allotments or appropriations authorized by the Town or ATA policies. If you have any comments, questions, or concerns please contact us. We anticipate this being on a future Selectboard agenda for discussion.

Congratulations to our Highway Superintendent, Ray Stapleton, and Team. In September of 2020 Mr. Stapleton submitted a grant application for \$29,300 to strengthen our hydraulically connected roads. We received notification on February 24th awarding the Town of Weathersfield with this funding. This funding will allow us to complete 7 segments of high risk hydraulically connected roads in Weathersfield. Over the last three years the

Highway Department completed 20 segments of high-risk roads. We are also waiting to hear back from the state regarding a \$23,000 grant to complete 4 more segments. This project will consist of installing new culverts for drainage to alleviate washouts and reestablish ditches.

Vacancy Applications

We created a Vacancy Application form and added it to the Website. This form highlights the interests and qualifications of Weathersfield registered voters willing to volunteer to serve our community. These applications can be found on the Selectboard page. Anyone interested in being appointed to a position in Town should fill out this application and return it to the Town Office via Email at osavage@weathersfield.org, mail (PO BOX 550, Ascutney, VT 05030) or in person delivery at 5259 US Route 5, Ascutney, VT 05030.

Appointed Committee Policies and Procedures Handbook

We are in the process of assembling a handbook for new board and committee members. This is intended to be a general guidance document that will aid in decision making when serving in an appointed role. The categories we are recommending include the following: 1) Committee Function & Formation (role of appointed committees, committee appointment, duration of term and reappointment, certification, attendance guidelines, resignation, and committee officers; 2) Conduct and Policies (conflict of interest policy, budget and fundraising, sexual harassment, misuse of position, use of town equipment and facilities, annual town report, 3) Meeting and Procedures (meeting definition, attendance and quorums, public hearings, open meeting law, posting of notice of meetings, control of meetings, audio and video recording, no votes by secret ballots, executive sessions, meeting minutes, open meeting law enforcement, meeting schedule, and meeting rooms. If anyone has any comments, recommendations, or concerns please do not hesitate to contact us.

Town Website

We have been transitioning to our new website over the past month and anticipate the transition extending for several more months. As we update the Town Website, I will notify the public in Town Manager Reports to explain these changes. If you have any recommendations, comments, or concerns please do not hesitate to contact us!

Notable Website Updates

Selectboard Page	5 Pages created in sidebar (Board, Committee, Commission Vacancies, Guidance to Remote Meetings, Notices, Town Policies, and Vacancy Application)
Town Manager Page	2 Pages were added (Town Manager Reports & Town Reports). This is where all Town Manager Reports will be located moving forward.
Finance Page	1 Page was added (Monthly Financial Reports). This is where monthly finance reports will be located moving forward.

Front Page	Emergency Alerts Added - This is where any urgent notifications will be located moving forward. In this case we added a Town Meeting alert.
Animal Control	6 Pages were added (Animal Bite Reports, Animal Control Ordinance, Animal Cruelty Ordinance, Lost My Way Animal Shelter Facebook Page, Lucy Mackenzie Humane Society, and a “Prevent your dog from biting” page.

Website changes coming soon

Transfer Station	Swap Shop Page - A page where residents can list items, they no longer need that will be disposed of at the Transfer Station. If the item is in working condition and another resident can use it a resident can request this item be added on this page. This page will be shared on social media from time to time.
Ascutney Water District	Full Development Required
Highway Department	Development Required
Emergency Management	Full Development Required
Finance Department	Inclusion of previous audits and budgets required
Fire Departments	Development Required
Health Department	Development Required
Human Resources	Development Required
Listers	Development Required
Police Department	Development Required
Tax Collector	Development Required
Town Clerk	Development Required
Treasurer	Development Required
1879 School Committee	Full Development Required
Cemetery Commission	Full Development Required
Parks & Recreation	Development Required
Planning Commission	Development Required
Prudential Committee	Development Required
Veterans Memorial Committee	Full Development Required
Resident Resources	Development Required
Business Resources	Development Required

As time progresses our administration will keep you informed regarding the abovementioned topics and othertopics. If you have any questions or concerns, please do not hesitate to contact me.

Respectfully,

Brandon Gulnick

Dave Fuller welcomed Kelly O'Brien to the Selectboard.

11.) Business Personal Property Letter

Dave Fuller made a statement prior to Lynn Esty presenting the Lister's statement

"On 2-25-21 the Selectboard and the Town Manager received an email that Lynn Esty sought legal action against the Selectboard and the Town Manager."

He noted that he would allow Lynn to present the Lister's statement, however, if the information or discussion began to become personal, then he would end the conversation.

Lynn Esty read the following statement regarding the Business Personal Property Letter:

First - please let me make this clear - there is NO Weathersfield Inventory Tax. The Weathersfield Inventory Tax was voted away many years ago by the residents.

It is the responsibility of each business in Vermont to know the laws pertaining to their business. If a business in Weathersfield has not filed their Vermont Business Personal Property form, currently or in the past, then they are in violation of Vt State law. If a business has not registered their active business with the VT Secretary of States Office, they are in violation of VT State law.

32 V.S.A. § 3618 requires 'all business owners to list Business Personal Property and submit to the lister's office annually'. Businesses are required to request the form and submit it to the Lister's office.

As a courtesy, Weathersfield listers have sent the form yearly to the businesses we are aware of in Weathersfield.

When we are made aware of a new business, we add it to our list. This year, we looked at the Vermont Secretary of State's website to review the list of active businesses in Weathersfield. This resulted in additional businesses receiving the form and a (hopefully) more accurate list.

When the Listers are notified by the business owner that their business is no longer open, we remove it from our list.

Weathersfield voted a number of years ago to grant an exemption on the first \$10,000 of assessed Business Personal Property. If a business owner declares less than \$10,000 of Business Personal Property more than once, the Listers will make the account inactive and may send another form in the future to determine if the status of their business personal property has changed.

As shown in the packet I am going to hand out, the first business listed declared \$22,000 in Business Personal Property. The first \$10,000 is exempt, as per Weathersfield Town vote. That left a total taxable value of \$12,000. The municipal tax rate was approximately .64 cents (per hundred). That left them an annual bill of \$76.94 for Business Personal Property tax for fiscal year 2020/2021.

Business Personal Property taxes raises approximately \$15,000 each fiscal year. This year it was \$15,904.85. With the increase in businesses reached this year, we feel it would be safe to assume that this number may increase.

If anyone is aware of a business that the Listers may have missed, we would be happy to add them to our list to make it more accurate and equitable for all businesses in the Town of Weathersfield.

Of the 19 Business Personal Property forms returned so far, at first glance, 12 seem to fall below the \$10,000 exemption.

Of the 30 or so individuals who emailed or phoned the Listers Office to ask questions regarding the Business Personal Property Tax form so far this year, we thank you for taking the time to reach out to us.

The Listers Office has no opinion, one way or another, as to whether or not to vote out the Business Personal Property Tax. That is up to the residents of the Town of Weathersfield.

The majority of the Listers Duties are clearly spelled out by *VT* State Statutes (laws). The Listers office is overseen by District Advisors from *VT* Property Valuation and Review, A Division of *VT* Department of Taxes.

The Listers do not require or need permission from the Select Board or the Town Manager to complete their oath sworn duties.

Yes, we agree, Mr. Fuller, there is a very large breakdown in communication. Mr. Fuller, Mr. Gulnick, Selectboard Members: when you received a phone call from a resident or business owner regarding the Business Personal Property Tax form, a quick, simple call to our office would likely have answered all your questions.

If anyone ever has any questions, there is usually someone in the Listers Office Monday through Thursday from 10 am - 5 pm. We are always here to answer your questions and help you in any way that we can.

Lisa Slade said that the letter caught a lot of business off guard and the Selectboard, Town Manager and Listers should be working together to help with business in Town. She also asked how many people have received these on an annual basis?

Lynn noted the following information in regards to the letters:

- Last year 15 letters were returned
- Approximately 167 businesses were obtained from the Secretary of State
- Approximately 25 more letters will be sent on Monday, March 8th, 2021
- They also compile a list of reported as open or businesses that the Listers “know” are open.

Michael Todd suggested a form to be attached for businesses to complete to determine hardship.

Dave Fuller made 2 points:

1. This situation does not warrant a special Town Meeting.
2. The “law is the law is the law” if these forms are required then they should be done.

Paul Cioffi said that they either need to make everyone comply and that they need to recognize depreciated value.

Judy Jarvis wondered when these letters started. When she started her business years ago, she went to the Town Office and asked if there was anything else she needed to do or needed to know. She was never told about this, has never received a letter and this year she received 3.

Michael Todd said that there were discussions with the Town Manager to discuss the possibility of requesting grant to offset hardships for this year.

Paul Tillman said that the Listers should clarify that these forms have to be completed and turned in.

Paul Cioffi said if this is a State Law then the only option is “What is the level of exemption?”

- 12.) Discussion
- a. Selectboard Representative to Solid Waste

Michael Todd made a motion to elect Paul Tillman to be the Selectboard representative to Solid Waste.

Joey Jarvis – 2nd

No Discussion

Vote – Unanimous

- b. Selectboard Representative to Public Affairs

Michael Todd made a motion to elect Joey Jarvis as the Selectboard representative to Public Affairs.

Paul Tillman – 2nd

No Discussion

Vote – Unanimous

- c. Selectboard Representative to Economic Development.

Joey Jarvis made a motion to elect Michael Todd as the Selectboard representative to Economic Development.

Paul Tillman – 2nd

No Discussion

Vote – Unanimous

d. Selectboard Representative to Highway

This is still open.

13.) Proposed Future Agenda Items

a. March 15, 2021

- i. Public Hearing - 06:30PM – Several Planning Commission items.
- ii. Selectboard Goals
- iii. Town Manager Goals
- iv. Highway Department Radios
- v. Martin Memorial Hall Improvements
- vi. ATA Agreement

b. April 5, 2021

- i. Fire Department Contract Signing
- ii. 2014 P & S Agreement
- iii. Personnel Policy
- iv. Audit RFP Review
- v. Appointed Committee Handbook

14.) Appointments

❖ Animal Control Officer

- **Cathy Sullivan**

Paul Tillman made a motion to appoint Cathy Sullivan the Animal Control Officer
Michael Todd – 2nd
No Discussion
Vote – Unanimous

❖ Budget Committee

- **Chauncie Tillman - FT Member**

Joey Jarvis made a motion to appoint Chauncie Tillman to the Budget Committee
Michael Todd – 2nd
No Discussion
Vote – Unanimous

❖ Connecticut River Joint Commission Representative – OPEN

❖ Conservation Commission

- **Heather Shand - FT Member**
- **Roy Burton - FT Member**

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Paul Tillman made a motion to appoint Heather Shand and Roy Burton to the Conservation Commission.

Michael Todd – 2nd

No Discussion

Vote – Unanimous

❖ Constable

- **William Daniels**

Paul Tillman made a motion to appoint William Daniels as the Constable.

Michael Todd – 2nd

No Discussion

Vote – Unanimous

❖ Energy Coordinator - OPEN

❖ Fence Viewer - OPEN

❖ Green Up Coordinator - OPEN

❖ Martin Memorial Hall Board of Trustees – OPEN

❖ Parks & Recreation Commission

- **Olivia Savage - FT Member**
- **Chris Whidden - FT Member**
- **Mark Richardson - FT Member**

Michael Todd made a motion to appoint Olivia Savage, Chris Whidden and Mark Richardson to the Parks & Recreation Committee.

Joey Jarvis – 2nd

No Discussion

Vote – Unanimous

❖ Planning Commission

- **Michael Todd - FT Member**
- **Tyler Harwell - FT Member**

Joey Jarvis made a motion to appoint Michael Todd and Tyler Harwell to the Planning Commission.

David Fuller – 2nd

No Discussion

Vote – 3 yay

2 abstained (Michael Todd and Paul Tillman abstained from the vote as they are both on the Planning Commission)

❖ Southern Windsor County Transportation Advisory Committee Representative

- **Brandon Gulnick - FT Member**

Joey Jarvis made a motion to appoint Brandon Gulnick, Town Manager as the Southern Windsor County Transportation Advisory Committee Representative.

Michael Todd – 2nd

No Discussion

Vote – Unanimous

❖ Southern Windsor/ Windham Counties Solid Waste Management District

- **Paul Tillman - FT Member**

Joey Jarvis made a motion to appoint Paul Tillman as the Southern Windsor/Windham Counties Solid Waste Management District representative.

Michael Todd – 2nd

No Discussion

Vote – Unanimous

❖ Surveyor of Wood & Lumber

- **Roderick Bates**

Michael Todd made a motion to appoint Roderick Bates as the Surveyor of Wood and Lumber.

Joey Jarvis – 2nd

No Discussion

Vote – Unanimous

❖ Tree Warden – OPEN

❖ Weigher of Coal

- **John Arrison**

Paul Tillman made a motion to appoint John Arrison the Weigher of Coal.

Joey Jarvis – 2nd

No Discussion

Vote - Unanimous

❖ Zoning Board of Adjustment

- **Jim Cahill - FT Member**
- **David Gulbrandsen - FT Member**
- **deForest Barse - Alternate**
- **Willis Wood – Alternate**
- **David Hindinger - FT Member**

Paul Tillman made a motion to appoint Jim Cahill, David Gulbrandsen and David Hindinger as Full Time Members and deForest Barse and Willis Wood as Alternates to the Zoning Board of Adjustment.

Joey Jarvis – 2nd

No Discussion
Vote - Unanimous

Dave Fuller reminded everyone that anyone who is interested in any of the OPEN positions to please submit a letter to the Town expressing their interest.

14.) Approval of Warrants

Michael Todd made a motion to approve the warrants of 3-4-21 as follows:

General Funds	Operating Expenses \$32,245.44 Payroll \$21,978.19
Highway Fund	Operating Expenses \$23,868.75 Payroll \$17,145.52
Solid Waste Management Fund	Operating Expenses \$6,172.50 Payroll \$2,297.00
Library	Operating Expenses \$0.00 Payroll \$2,906.55
Grants	Operating Expenses \$0.00
Special Revenue	Operating Expenses \$0.00
MES	\$2,475.50 from Fire Equip. Reserves
Long Term Debt	\$0.00
Grand Totals	Operating Expenses \$64,762.19 Payroll \$44,327.26

Joey Jarvis - 2nd
Discussion –

David Fuller explained how to read the expense sheets. Joey Jarvis pointed out the increase of diesel fuel. Highway Fund check # 22354 to Evans Expressmart is currently \$7,100.00

Vote - Unanimous

15.) Any Other Business

Dave Fuller noted that there was a complaint that needed to be address in executive session.

Paul Tillman made a motion to go into executive session and allow Olivia Savage and Chauncie Tillman to remain in the meeting at 8:24 pm.

Michael Todd – 2nd

No Discussion
Vote - unanimous

Dave Fuller took the meeting out of executive session at 8:30 pm.

16.) Adjourn

Paul Tillman made motion to adjourn the meeting at 8:31 pm
Michael Todd – 2nd
No discussion
Vote – unanimous

Respectfully,
Chauncie Tillman
Alt. Recording Secretary

DRAFT

WEATHERSFIELD SELECTBOARD

N. John Arrison, Selector

David Fuller, Chairperson

Joseph Jarvis, Clerk

Paul Tillman

Michael Todd, Vice- Chairperson