

MEETING OF THE WESTMINSTER SELECTBOARD

Wednesday, May 12, 2021

Westminster Fire Station and remote access by Zoom Conferencing

Members Present: Kevin Hughes (Chair), Craig Allen (Vice Chair), Susan Harlow (Clerk), Toby Young and Jason Perry

Others Present: Russell Hodgkins, Town Manager/Zoning Administrator, Chuck Lawrence, Westminster Road Foreman, Russell Lazarek, Yvette Hendler, Robert Wickberg, Mille Barry, recording clerk, Fletcher Proctor and FACT TV - present by remote conferencing: David Major and others

1. **Call to Order:** Kevin Hughes, Chair of the Board called the meeting to order at 6:30 p.m.
2. **Adjustments to Agenda:** None
3. **Acceptance of Minutes:** April 28, 2021 - Yvette Hendler and Robert Wickberg questioned why the minutes of April 28th did not reflect discussion about Town Hall hours of operation. Ms. Hendler said in other towns, the clerk or assistant clerk might arrive late one day and remain open after 4:00 p.m. for public access to research records etc. Toby Young asked if the Town Hall hours should be an item on the agenda. Robert Wickberg said he stated and gave the Board members a copy of the letter from Jeff Morse (attorney for Cersosimo) indicating Cersosimo was willing to sign a quit claim deed in 2005, giving the town his interest in Hartley Hill Road. Mr. Wickberg said at the April 28th meeting he asked if the Town would be willing to contact Cersosimo to figure out if he was still willing to convey his interest in Hartley Hill to the Town. He also noted that in the Gazette, it states the Clerk & Town Manager are available for appointments after hours. "This is not the Case", he stated and wants it in the minutes. Susan Harlow motioned to accept the minutes as amended. Craig Allen seconded the motion and the motion passed 5-0.
4. **Communications and Public Comments:** None
5. **Unfinished Business:**
 - A. Hartley Hill Road - private section (update) – Robert Wickberg explained that he wanted the Town to contact Mr. Cersosimo or his attorney to give the Town a "Quit Claim Deed" releasing all the rights to whatever is still owed by them to the Town specifically the private section of the road. Robert continued saying that his research revealed that the Town wanted the section of road but did not want to spend taxpayer money to obtain it. Craig Allen agreed with Mr. Wickberg about the Town wanting to settle this matter by getting this section in years past but could never prove who owns it for certain. Craig also mentioned the possibility that Mr. Bonds could close this section with gates if we press too hard. He has threatened this before, explained Craig. Robert Wickberg stated that no one has ever stated this and his research doesn't prove this either. Jason Perry stated that he thought this should be pursued. Toby Young asked about "Eminent Domain". She continued that the Board should contact Larry Slason and inquire what rights the Town has. Robert Wickberg told the Board that he cannot remember any money being spent on this subject and he has lived here for many years. He continued with the fact that Joe Walsh never received the road section when he purchased the farm from Mr. Cersosimo according to the deed that is on record with the Town. If this is true, Robert continued, Mr. Bonds does not own it either because Joe Walsh cannot sell something that he does not own. Kevin Hughes summarized

- the conversation and got Board consensus to have the TM call Cersosimo and see if they are willing to quit claim anything still owed by them to the Town which would be the “private section” of Hartley Hill. Kevin also added that the TM will call legal counsel and get information about eminent domain. Robert stated again that he is willing to pay for the quit claim deed being drafted.
- B. Town Meeting Articles - information included in packet – The TM asked if there were any further information needed by the Board members for Town Meeting and hearing none he continued with the arrangements that he had made for Town Meeting on the lawn of the Institute. He closed with please bring a chair.
 - C. Selectboard appointment (interim school board) update if any - information included in packet - David Major stated this item would be addressed at Town Meeting and then moved to table/postpone vote. The State Board of Education and Secretary of State have ruled the select board have no authority to warn this article. The Secretary of State will warn an election for three school board members in June. Fletcher Proctor stated a brief explanation of the process would be given at Town Meeting and interested persons could give a brief statement about their interest in serving on the board.
 - D. Website Renewal: Susan Harlow noted Russ Lazarek was working on the website and the time was close to making the new website live. Ms. Harlow requested organizations; such as Westminster Gazette, Westminster Activities Committee, Planning Commission, Butterfield/Westminster West Library, Westminster School etc. submit a brief description of their organization for posting on the new website.
 - E. Collaborative Finance Processing Manual - update if any -Information included in packet (letter from Cynthia Stoddard, NEMRC). Mr. Hodgkins said there was nothing new to report - The next step is for Paul Harlow, Mr. Hodgkins and Kelly Thayer to create actual step by step process.
- 6. New Business (discussion/action) -**
- A. Town Meeting preparation (if any) - The Westminster Institute bathrooms will be open for public use. **Anyone attending the meeting is reminded to bring their own chair.**
 - B. Probate Court - Town to establish as estate for William Lyons - Mr. Hodgkins believes there are no living heirs. The next step would be for Town would to petition Probate Court to open an estate in the name of William Lyons to be reimbursed for clean-up of the property and back taxes. Once the estate is established, appropriate postings will be made and title searches done to find next of kin. If there are no heirs, the remainder of the estate would go to the town, specifically to Westminster Schools for school enhancement. Fletcher Proctor confirmed any creditor can open an estate asking to be appointed administrator without undertaking any adverse exposure. Toby Young moved for the Town of Westminster to establish an estate for William Lyons. Craig Allen seconded, motion carried. Mr. Hodgkins noted there was about 3 acres of land where Mr. Lyons lived.
 - C. Executive Session for personnel matter: Craig Allen moved for the board to go into executive session after item 9 on the agenda. Susan Harlow seconded, motion carried.

7. Manager's Report:

1. The Town received additional plans from the State of Vermont on Bridge 5, Route 121. The plan will be discussed in more detail at the next meeting. Concern is the walk area on both sides of the bridge. The plan indicated 3 feet per side with a curb included in walkway. The bridge work is slated for summer, not sooner than June 1, 2022. Alternative access will be by Back Westminster Road or other means opposed to the State plan indicating a temporary access road will be constructed.

8. Boards and Commissions: Russ Lazarek commented the recent Community Mapping Event had been quite successful with about 25 people attending the live event. Another 15-20 people entered information remotely. Another presentation will take place in the future with details of information gathered.

9. Other Business: Mr. Hodgkins noted information was received May 12th from VTRANS (VT Agency of Transportation) indicated the Town is receiving an unexpected grant of \$175,000.00 for roads/paving. Kevin Hughes congratulated the Town Manager on a job well done, indicating this was money the Town did not have yesterday for roads. The grant will allow the Town to complete the entire Westminster West (from the school north) paving project as well as other areas where there is serious road damage.

In another matter: The Board approved a Facebook page for the Westminster Highway Department. Susan Harlow noted the Town should have a social media policy. She will review VLCT (Vermont League of Cities and Towns) policy. The Board agreed a policy would be appropriate.

10. Date of Next Meeting - May 26, 2021 at 6:30 p.m. Mr. Hodgkins noted the location of the in-person meeting will be posted as soon as possible.

The meeting moved to executive session at 7:46 p.m. Upon coming out of Executive session the Chair declared no further action was needed.

11. Adjournment: Susan Harlow made a motion to adjourn at 8:12 PM and Craig Allen Seconded. The motion passed and the meeting was adjourned.

Clerk

Meeting minutes composed by Millie Barry 5/13/2021

Date