

SPECIAL MEETING OF THE WESTMINSTER SELECTOARD

Thursday, July 8, 2021

Westminster Town Hall

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

Others Present: Russell Hodgkins (Town Manager/Zoning Administrator) Chuck Lawrence (Road Foreman) and Millie Barry (Recording Clerk)

1. **Call to Order:** Kevin Hughes, Chairperson of the board called the meeting to order at 5:15 p.m.
2. **Adjustments to Agenda:** None
3. **New Business** (Discussion/Action) -
 - A. **Secure Proper Funding Source - Purchase of Case Backhoe** - Susan Harlow stated in her absence the board voted to purchase the Case backhoe. Kevin Hughes read from the June 21, 2021 email from legal counsel, Larry Slason stating the Selectboard did not have the authority to use surplus funds to purchase additional highway machinery or equipment without voter approval at an annual or special meeting. Mr. Hodgkins clarified his question to Mr. Slason as: "Is the reserve fund policy allowing the Selectboard to utilize the fund for the emergency purchase of the backhoe because it is an emergency and a one-time use and the machinery was needed now". In other advice, Samantha Snow, Esq. from Mr. Slason's office said the policy was clear. "The Selectboard had the ability and right to utilize the fund if they chose". Mr. Hodgkins said the Board had options. The purchase could be made with the equipment fund or a special Town Meeting could be held for approval from the voters to authorize use of the emergency fund. Also, the Town could take out a 90 day note until a meeting could be warned. Susan Harlow stated she believed it was better to use the equipment reserve fund for the machinery not the emergency fund. Ms. Harlow believed a public hearing was necessary to make voters aware of the use of emergency funds. Mr. Hodgkins stated on the advice of Ms. Snow, the July 14, 2021 meeting could be warned as a public hearing beginning at 6:00 p.m. to use emergency funds for the purchase of the Case backhoe. Mr. Hughes confirmed the backhoe purchase was an exigent need. The current vehicle could fail, cost the Town more money in repairs, could be a danger and to delay the purchase could put delivery of another machine many months out. Mr. Hughes said there would still be options to replace the Town truck due to be traded this year. Craig Allen motioned to purchase the Case backhoe with extended warranty, an additional 3 years for \$2,300.00 using monies from the equipment reserve fund. Purchase price of \$95,450.00. Susan Harlow seconded motion, motion carried
4. **Other Business:** Forest Road - Information included in the packet "Parking Restriction Ordinance". Mr. Hodgkins and Chuck Lawrence met with residents of Forest Road to discuss their concerns about illegal activity and parking on the road. Mr. Hodgkins encouraged the Board to read the ordinance before the next meeting so the road problems could be discussed further.
5. **Date of Next Meeting: July 14, 2020 at 6:30 p.m.**
6. **Adjournment:** Susan Harlow made a motion to adjourn. Jason Perry seconded, and the meeting was adjourned at 6:40 p.m.

Selectboard Clerk

date