

WESTMINSTER, VT SELECTBOARD MEETING

Wednesday, January 26, 2022

In person at the Westminster Fire Station and by Zoom Conferencing

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

Staff Present: Russell Hodgkins (Town Manager/Zoning Administrator), Darlene Kelly (Assistant Treasurer), Chuck Lawrence (Road Foreman) and Millie Barry

Others Present: Robert Brodeur, Katrina Hamilton, Matt Bolster, June Streeter, Cole Streeter, Branden Pedigo and Fletcher Proctor. By Zoom, John Jones, Nate Stoddard, Cynthia Stoddard and Casandra Pedigo

- 1. Call to Order:** Kevin Hughes called the meeting to order at 6:32 p.m. Information to access a future meeting by remote means is available on the FACT TV Facebook page, the Westminster website or by contacting the Westminster Town Hall.
- 2. Adjustments to Agenda:** None
- 3. Acceptance of Minutes:** - January 12, 2022 - Craig Allen motion to accept the minutes as printed. Toby Young seconded the motion, the motion carried by 4-0 voice vote. Susan Harlow abstained from voting due to absence January 12, 2022.
- 4. Communications and Public Comments:** June Streeter asked if the Board was required to offer selectboard meetings by Zoom (remote means). Mr. Hodgkins said he believed it was not mandatory as meetings were in person adding remote access was convenient for those not comfortable attending meetings in person. Ms. Streeter said she believed it was 'comfortable' enough at this point, it was easy to sit behind a computer and complain, but her opinion was people should be able to attend meetings in person. Ms. Streeter asked who the executive branch was that was requesting ARPA funds noted in the packet and were the funds for televising meetings and flexibility for the public to attend meetings. Mr. Hodgkins said the executive branch referred to the Selectboard and the equipment requested in the packet gave the board the flexibility to be more mobile. Katrina Hamilton questioned if the fire station meeting room could be the permanent meeting place for the Selectboard meetings? Mr. Hodgkins said at the present time the fire station was an option but not a permanent solution. Ms. Harlow noted having meetings by Zoom was a convenience and courtesy provided for residents by the Town. Cole Streeter said the internet connection at the fire station was not great, it was valuable to have a remote option, but in his opinion, a meeting should not be held up, delayed or postponed because Zoom was not available. Mr. Allen noted the Board has discussed having meetings at the Westminster Institute but at the present, the elevator was not functional. In the future, the Institute could be an option. Ms. Streeter said she was not in favor of holding meetings at the Institute as it was a private building, it had been closed to the public due to COVID (Corona Virus) and access to the building, she believed, was limited. The

Town Manager will consult legal counsel regarding the wording of advertising future meetings by remote means. Chuck Lawrence questioned if the historical society could be moved to the North Westminster Community House so meetings could be held upstairs in the Town Hall. Mr. Allen said the historical society had been approached about moving to the Community House and the society was not interested in the option. Fletcher Proctor, as vice president of the historical society, said there was resistance to move away from the Bradley Law Office and historical zone of Westminster. He will bring the subject up at the next meeting. Cynthia Stoddard apologized for her excitement during the last meeting. In a contact to the VT Secretary of State she learned hybrid meetings were set up at the beginning of COVID for board members and governing bodies to continue business. The law does not guarantee the public remote access to public meetings. Ms. Stoddard said she would move forward with the process of contacting local legislators and testifying to make remote meetings a law saying hybrid meetings are a good tool and encouraged more Town participation. Mr. Streeter said the fire house is used on a daily basis and the number of meetings over and above what the fire service needs may be a problem for the space they have to utilize. There were 44 calls thus far in January and meetings could not interrupt what the fire department does for the Westminster community and outlying communities. He stated the Prudential Committee and officers will discuss having additional meetings at the fire station.

5. Unfinished Business - Discussion/Action -

- A. Hartley Hill Road - Quit Claim Deed update if any** - Information included in packet - Mr. Proctor said the deed identifies each of the parcels that abut the private section of Hartley Hill road. He added the last subdivision survey was in 1978 and believed that survey could be updated, a new survey was not required. He said he had driven over the road and noted the present culvert was inadequate and there were trees that probably would require removing. Mr. Lawrence said before the Town takes the road over a State engineer should be consulted about the Town's liability before repairing the road. Mr. Hodgkins noted they were waiting on a legal opinion from the Town attorney (Larry Slason) before proceeding.
- B. Town Meeting update** - Information included in packet - Mr. Allen motioned to accept and post the warning for April 30, 2022. Ms. Harlow seconded the motion, the motion passed by 5-0 voice vote.

In another matter, Branden Pedigo asked the Town to review the contract with NEMRC (New England Municipal Resource Center) due to the rising costs over the last few years and to consider the present arrangement. Mr. Hughes requested to discuss this item in 'other business'. Casandra Pedigo, attending by remote means, said her reception of the meeting was very poor. She said she had requested NEMRC information from the Town office and was given the 2015 contract, the 2021 contract (including Darlene Kelly's work) and expense reports for 2021, 2022 and 2023. She questioned why there were no expense reports for the others years and noted the Town had paid NEMRC \$20,000.00 in 2015 and \$43,000.00 in 2021. Was the increase a matter of inflation or were other amendments made to the

contract not included in the information she received. Mr. Hughes requested, if not burdensome and to stay with the Board agenda, to discuss NEMRC under 'other business'. Ms. Pedigo agreed.

- C. Draft Audit and Schedule of Deficiencies** - Information included in the packet - Mr. Hodgkins said there were additional deficiencies to address (some were being managed with the present manual) and some would be addressed when Paul Harlow returned. Susan Harlow recommended a deadline to address deficiencies and review solutions with the Board. Mr. Hodgkins will contact Mr. Harlow regarding his anticipated return date.
- D. July 29, 2021 Storm - update** - Mr. Hodgkins said two of nine projects had been completed and submitted to FEMA (Federal Emergency Management Agency). One project is in the final steps with the State before payment. Areas three and four are large projects and will be delayed due to the amount of money, \$174,000.00, this includes Hartley Hill, Henwood Hill and Covered Bridge roads. Three projects will be complete and submitted by mid-February. Mr. Hodgkins said the process was going well and was favorable. Mr. Jones requested for public review, the detail of individual projects including repair, expense and anticipated reimbursement from FEMA and other sources.
- E. Quarterly Financials ending December 31, 2021** - Information included in packet - Ms. Kelly requested clarification about her role reporting financial information to the Board. She stated the information provided by Mr. Hodgkins to the Board was not from her and questioned what the board expected from her and NEMRC. Ms. Kelly said after the Board meetings there was no communication about what was expected from meeting to meeting. Ms. Harlow suggested at one meeting a month Ms. Kelly present detail about financials and expenses as she provided previously. Mr. Allen noted in light of the audit criticism, it was good to have another set of eyes, and NEMRC and or Ms. Kelly to review revenue and expenses to present a format about where the Town is and should be. Ms. Kelly said there was not a final answer regarding separating out the highway fund. Mr. Allen requested a draft showing how the highway fund would look and believed the Board was in agreement the highway department be a separate fund. Mr. Hughes noted the Board's effort to create a financial manual was an attempt (in part) to create clarity and consistent understanding for Board members of the general budget and so the Town Manager was fully enabled and could move with efficiency and transparency to make sure accounting rules were being followed as they were supposed to be under VT code. Ms. Kelly was providing specifics about how to improve certain deficiencies. Mr. Hughes said the treasurer was an elected official and the issue was how much specific capability or applicable knowledge in finance and accounting someone has. This knowledge was not a prerequisite for someone running for office. The Board's goal was to have the manual in place, the Town treasurer, who may or not may have expertise in finance/accounting, possibly a financial officer and someone working under a financial officer (if the Board chose to have a financial officer), to have a third pair of eyes to help the Town Manager execute everything so people know what was

spent, where it was spent and if this was done in the right way.

6. New Business - Discussion/Action -

A. ARPA Committee Recommendations (3) - Information included in packet - Mr. Hodgkins explained the first executive department request was for mobile enhancement of hybrid meetings. The ARPA (American Rescue Plan Act) committee approved the request total of \$9,558.73 believing enhancing meetings and the ability to be mobile was important. Ms. Stoddard said the committee discussions were that government services were covered first under the guidelines by the federal government. The committee inquired of specific department requests/needs not currently funded to use the money before public benefit. Ms. Pedigo inquired if the committee had thought of having the projects voted on by the public. Ms. Stoddard said in the future there would be a public meeting to figure out how the Town would like to use the funds. There will also be a survey on the Town website for public input. Mr. Hodgkins confirmed the equipment would be mobile for any location. Mr. Jones added there were new interim final rules as of April 1 about what can be done to replace revenue loss. Ms. Stoddard explained new guidelines under a final rule claiming lost revenue to cover general government expenses. The changes will give latitude and the rules are less stringent for using funds of under \$10,000,000.00. Mr. Hodgkins confirmed the equipment could be used by all Town departments for hybrid meetings and stored (for the present time) at the Town hall. Mr. Allen motioned to approve the purchase of mobile media equipment totaling \$9,558.73. Ms. Young seconded the motion, the motion carried by 5-0 voice vote. The second executive department request for 7 Apple iPod iPads would replace paper with a screen for board members to use for Town business and meetings. The Board discussed loss/damage provisions, how members use the equipment for meetings, IT (information technology) support and policies governing use of equipment. The Board decided to table this request until the Board has an opportunity to discuss further. The last request by the highway department for Samsung Galaxy tablet was for site purposes to document and catalog damage during and after an event. Mr. Allen confirmed \$89.14 (included in the request) monthly payment per line would be from the highway budget after the first month. Ms. Harlow motioned to approve the request not to exceed \$1,800.00 for equipment presented. Ms. Young seconded the motion, the motion carried by 5-0 voice vote.

B. Westminster Commerce and Economic and Community Development Committee (WCECD) - update - Information included in packet - Mr. Jones said one meeting had been held and requested a Selectboard member be part of the committee as well as the Town Manager. The Board agreed there may be a rotation of Board members attending meetings and discussed the expense involved in offering remote access to the meetings. Ms. Harlow motioned to approve the slate of board members as submitted and after further discussion withdrew the motion.

7. Manager's Report:

1. Efforts are ongoing with FEMA to be sure all documents are provided as required and requested.
 2. Mr. Perry questioned the status of pursuing or the Town's ability to match funds for NRCS (Natural Resources Conservation Service) USDA (United States Department of Agriculture) grant. Mr. Hodgkins said the Town was waiting for details regarding the infrastructure grant. The information regarding infrastructure was expected in the next 1-2 weeks.
 3. Mr. Allen questioned the status of service from the sheriff department adding he knew the department was patrolling in North Westminster. Mr. Hodgkins said there was still a lack of communication from the departments and it was two months in arrears providing service. Mr. Hughes asked for something in writing regarding Sheriff Anderson's intent about future service and credit for lack of service provided.
- 8. Boards and Commissions:** Nothing to report
- 9. Other Business:**
- A. Perfecting Hybrid Zoom meetings and function - no discussion - (From earlier in the meeting) - Ms. Pedigo said her main interest was the 2015 NEMRC contract stated the agreement would be re-addressed yearly and there seemed to be a lack of information since 2015. She asked what kind of contractual agreement the Town had with the organization and if the work was bid out to other organizations. The Town Manager stated NEMRC had held their prices level (no increase) for the last 5-6 years. Their work is billed by the hour. The price of service will increase this year and a new contract is expected. Ms. Kelly and Mr. Hodgkins talked about the different aspects of service/support the Town currently had with NEMRC. Mr. Allen noted when Town office positions were vacated, such as in the lister office, NEMRC had provided services. He said NEMRC's service was very good and questioned if it was possible to hire a full time person to be trained in the areas the Town needed at present to be more efficient. Ms. Stoddard said NEMRC's goal, especially in regard to finances, was to fill a need and then work out of the contract. Other companies are available to do contract work. Ms. Harlow suggested forming a sub-committee before the next Board meeting to discuss and carve out tasks to see what a new position would look like in the Town office. Mr. Hughes and Ms. Harlow will meet about the position
- 10. Date of Next Meeting** - February 9 2022
- 11. Adjournment** - Susan Harlow motioned to adjourn the meeting at 8:44 p.m. Craig Allen seconded the motion the meeting was adjourned at 8:44 p.m.

Clerk

Date

Minutes composed by Millie Barry 1/29/2022