

WESTMINSTER SELECTBOARD MEETING

Wednesday, October 12, 2022 - 6:30 p.m.

In person at Westminster, VT Town Hall and remote by FACT TV

Selectboard Present: Jason Perry (Chair), Katrina Hamilton (Clerk), Kevin Hughes (Vice Chair), and Nathan Dugat, (new appointed member) – Craig Allen was absent

Staff Present: Alison Bigwood (Interim Town Manager/Zoning Administrator), Charles (Chuck) Lawrence (Road Foreman), and Millie Barry (Clerk)

Others Present: Cole Streeeter, Paul Guido, Paul Banik, Lucas Decamp, Tim Wessel (and son), Peter Golec and Scott Pickup – 1 person for FACT TV

1. Call to Order: The Chair called the meeting to order at 6:30 p.m.

Information to access a future meeting using a remote connection is available on the FACT TV Facebook page, Town of Westminster website or by calling the Westminster Town Hall.

Jason Perry welcomed newly appointed Selectboard member Nathan Dugat.

2. Adjustments to Agenda: None

3. Acceptance of Minutes: September 28, 2022 – Kevin Hughes noted to correct minutes: Patrick Matteau should be Jim Matteau – Mr. Hughes motioned to accept the minutes of September 28, 2022 with correction, Katrina Hamilton seconded; motion carried 4-0 by voice vote with no discussion

4. Communications and Public Comments: Tim Wessel a long time Brattleboro selectboard person introduced himself as an Independent candidate running for State Senate. He said he was visiting all Windham County selectboards as he was representing Windham County people. He added he was running as an Independent and believed selectboards could take the spirit of selectboards and drop the 'D and R' and get to work for Windham County communities. He added the selectboard position was often a thankless job and it was wonderful when there were thanks. Mr. Wessel left business cards available at the Town Hall.

5. Unfinished Business: – Discussion/Action –

- A. Emergency Management Director – Discussion – Mr. Perry read a letter from Ben Masure relaying he was stepping down from the director position due to the time commitment of the position. He was willing to continue in the position until another person was appointed and to help someone else with the details he knew. Mr. Masure added he believed the person appointed should be a Westminster resident. The Board agreed to advertise the position on the Westminster website.
- B. FEMA (Federal Emergency Management Agency)/Fire Department – Ms. Hamilton said she had

conflicting information from Jessica Roderick, federal FEMA representative and Kim Cannericki, State FEMA representative. She requested to table the item to another meeting.

6. New Business: Discussion/Action –

- A. Ruggiero – trash and recycling update – Mr. Ruggiero was not present - the item is tabled to a meeting in the future.

Rockingham Town Manger and Selectboard Chair – question and answer session – Peter Golec chair, Rockingham Selectboard provided information to the Board regarding rates as of September 21, 2022 at the Rockingham Recycling/Trash Disposal Center. Mr. Golec said the Center had an approximate \$61,000.00 loss last year due to transportation and disposal cost increases and their goal was to break even. Tipping fees offset some costs. The center did not charge for disposables and there was a cost to transport disposables. Mr. Perry noted when the center began there was an agreement that Westminster would not charge taxes in exchange for Westminster residents not paying for access tags/stickers. Mr. Perry asked about the ratio of taxes to stickers. Mr. Golec said taxes were about \$4,000.00 and sticker revenue was approximately \$8,000.00 to \$10,000.00 from the area towns (not just Westminster). Mr. Golec said there was no plan to dispense with the stickers at the present time. In answer to Paul Guido's question, where Rockingham's trash was going, Mr. Golec said it was transported by Casella, some going to Springfield (bottles and cans) and trash possibly to New Hampshire. He said there was no specific point of disposal he could state. Paul Banik asked why a Westminster resident would pay for bag disposal and sticker at the facility. Mr. Golec said the sticker (\$35.00) was used for identification purposes to access and use the facility to dispose of metal, recyclables, compost, brush/leaves with no charge to dispose of these items. He continued, labor costs were approximately \$90,000.00 or a third of the cost to run the Center as they could not get volunteers. A group recently submitting a petition to re-open the swap shop did not have volunteers to run the shop. In answer to Mr. Hughes question regarding increased costs, Mr. Pickup said the increase could be up 10-15% due to increases for fuel, moving white goods and tire disposal. Kevin Hughes noted his experience and interaction with personnel at the Center was always positive.

In another matter: Mr. Perry asked if the Town of Rockingham or Village of Bellows Falls would have any interest in policing for Westminster. Mr. Pickup said the biggest challenge was recruiting. The department was down two full time officers and it is often difficult getting part time people into full time training at the police academy. He added there had been complaints from Town residents due to lack of sheriff department response. Mr. Pickup said it was probably worth Westminster having a conversation with the town and village. He added emergency services was another good conversation due to challenges in bringing out of district service as there is not enough ambulance coverage. Perry said Westminster was exploring options.

In another matter: Alison Bigwood referred to information in the Board packet, two invoices for sewage usage dated 9/26/2021 - 3/25/2022 and 3/26/2022 - 9/25/2022 each totaling \$23,816.25. The invoices cover 39 single family and 7 multi family units in North Westminster for unpaid sewage charges. Ms.

Bigwood believes the solution would be for the Town of Rockingham to put a lien on the delinquent homes. This would involve some legal work but would be worth collecting the monies. Mr. Pickup said an agreement went back quite a long time with the Village of North Westminster Fire District #5 and was signed by the Town of North Westminster and eventually taken over by Westminster to collect the delinquent amounts. Ms. Bigwood requested the original agreement/letter for review by legal counsel.

- C. Fire District Boot Drive – Perry read a letter from the Westminster Volunteer Fire Department dated October 9, 2022 requesting the Board approve a boot drive on Route 5, near the post office October 26, 2022 from 10 a.m. to 2 p.m. When or if the Selectboard approves the drive, SOV (State of Vermont) issues a permit requiring proof of insurance from the department. Mr. Hughes motioned to approve the drive; Ms. Hamilton seconded; motion carried 4-0 by voice vote.
- D. Errors and Omissions: Ms. Hamilton motioned to approve a change for Velco, span 726-231-11790 from \$6,200.00 to \$5,233.00 due to lister entering an incorrect value. Mr. Hughes seconded, motion carried 4-0 by voice vote

E. Town Manager’s Report:

- A. Ms. Bigwood attended a VT Manager’s Association meeting in Middlebury October 13, 2022.
- B. Martin Gossman, formerly residing at 1993 Pine Banks Road sent to the Town an old map of the Town of Westminster matted and framed. Ms. Bigwood sent a thank you and hung the map in the Town office.
- C. Paul Guido continues to check in at the Town office and sheriff department regarding the junk ordinance and Morse Brook Road. Ms. Bigwood said there had been no word from the sheriff since the last Board meeting. Mr. Guido noted the sheriff department was not asked to investigate anything as Sheriff Anderson relayed during the former meeting but to deliver a copy of the Town ordinance to residents on Morse Brook Road in violation. Mr. Guido believed the issue was stalled, the Town has not heard from legal counsel and the sheriff seemed to be doing nothing. Mr. Guido said the person legally responsible for enforcing the Town ordinances was the bottom line. The Board agreed to send a follow-up letter to legal counsel with a copy to Board members. Mr. Guido agreed to contact the SOV to figure out who was responsible for enforcing Town ordinances.
- D. Road Foreman’s Report - **Note: miss-lettered on agenda as item C** – Mr. Lawrence said old fuel tanks at the highway garage were removed from the ground October 12, 2022. He believed no contaminates were found and a report would be issued in the next week. The old tanks will be cut up and removed as scrap. New tanks would be installed October 13, 2022.

Work will continue on Piggery Road project by Bazin Brothers for approximately one more week.

The culvert is done on Windmill Hill Road (Better Roads Grant).

The department is grading to get roads ready for winter

The new highway truck is at ATG having final prep work done.

- E. Executive Session – **Note: miss-lettered on agenda as item D** – Mr. Hughes motioned to move to executive session for the specific purpose of discussing personnel matters involving contractual creations and augmenting contracts moving forward with essential personnel. Ms. Hamilton seconded; motion carried 4-0 by voice vote.

7. **Boards, Committees and Commissions:**

- A. ARPA (American Rescue Plan Act) – Paul Banik thanked the Board for adopting the Mission Statement of

the ARPA committee – Mr. Banik said most of the presenters at the last meeting were not prepared for proposals were incomplete. Amber Parris (Putney resident) presented a proposal for mapping benefiting Westminster. Westminster’s Planning Commission did similar mapping in 2019. Mr. Banik said the Committee suggested Ms. Parris present her proposal to the Selectboard. Other incomplete proposals were for replacement of Elm trees on Route 5 in the Village and for digital speed limit signage around Westminster. Mr. Banik said there were specific guidelines regarding signage, and information contained in sign display. Other inquiries were regarding a cemetery restoration project and monies for the swap shop at the Rockingham Recycling Center. Mr. Banik said the Committee was supportive of the swap shop while questioning if a proposal qualified for ARPA as funding the request would be perpetual as well as Westminster’s interest in the Center. Mr. Banik noted Pauline Blake had resigned from the ARPA Committee.

In another matter: Mr. Hughes talked about information included in the packet from WSWMD (Windham Solid Waste Management District) – Hughes said they were supporting the expansion request of \$600,000.00 federal grant for Battlegrow Compost partially distributed by Allen Brothers in Westminster and other area companies. Mr. Hughes said the financials for WSWMD were distributed to the Board.

In another matter: Jason Perry read a letter (included in packet) from Alma Beals, member of the Westminster Conservation Commission. There will be a forum October 27, 2022 from 6:30 to 8:00 p.m. at the Westminster Institute with John Ungerleider facilitating discussion/perspectives and ideas concerning stewardship of the Allen Marsh (set back area) behind Allen Brothers business. An RSVP (response) to attend the meeting is requested by to westminstervtconservation@gmail.com.

Mr. Perry read a letter from Mark Levine, MD (SOV Commissioner of Health) congratulating Ms. Bigwood on her Health Officer commission appointment for a three-year term.

Ms. Bigwood suggested others using the historical society meeting space return the space as they found it and not move the electronic equipment.

8. Other Business:

A. Conflict of Interest policy –Information included in packet - Mr. Hughes said Westminster had a Conflict of Interest Policy, the SOV had adopted a code of ethics policy S.171, in addition there is a SOVE Ethics Commissioner. Mr. Hughes suggested discussion by the Board if a member acts in contradiction to the policy the member can be censured by the Board. Censorship does not have a civil penalty but is declared. The guidelines and policy from 2010 are specific and clear and Mr. Hughes stated he did not know why the policy had not been updated. The policy is not new and had been previously adopted. In addition, due to a Board member action, the person can be asked to step down from their position though the member was not required to step down as requested. Mr. Hughes recommended expanding or amplifying specific violations in the current policy under B, C, D, E, F, G including constricts of duress, defamation, black-listing, interference of commercial opportunity, menacing behavior and retaliation etc. He recommended the Board submit the policy for consideration/adoption with a full code of ethics for meeting October 26, 2022. Ms. Hamilton so moved motion, Nathan Dugat seconded, motion carried 4-0 by voice vote.

B. Mr. Perry said at present there was no heat in the Town Hall due to the need to replace the boiler. Ms.

Bigwood contacted four companies, 2 bids, from Streeter LLC and Decamp Plumbing and Heating received. Lucas Decamp noted his estimate was based on a 20% savings in fuel consumption and included a chimney liner due to condensation, eating away the chimney mortar from a new boiler in an outdoor chimney. At present there is a clay tile liner. His quote includes a separate water heater. Streeters quote includes a Trio boiler from FW Webb, separate water heater, indirect fired. Cole Streeter said currently there was an electric water heater in the upstairs bathroom. Also, low mass boilers did produce acid and as stated, it was a gray area. Mr. Perry noted Decamps estimate of \$16,656.03, Streeter estimate \$11, 482.31. Ms. Hamilton noted, including the liner there was an approximate \$3,000.00 difference in quotes.

C. Paul Guido suggested publishing in the *Westminster Gazette* a list of recyclables accepted by Ruggiero. Mr. Perry noted Ruggiero could post notice on resident recycling containers a list of appropriate recyclable items if there was a problem with pick up or another suggestion was to include an acceptable list in the next mailing of trash stickers. Mr. Streeter suggested inquiring of Mr. Ruggiero about a 'white' or tire pick-up day. Mr. Lawrence said the highway department was filling (about) a 30 yard dumpster (yearly) of things left on the side of the road. In a lengthy discussion, Ms. Bigwood noted Rockingham and Bellows Falls residents were not required to purchase stickers to use the local recycling center and others talked about rates Rockingham was charging to dispose of tires, contractor materials versus lower rates other area companies/facilities charge and the volunteers and management of Walpole, NH recycling facility.

9. Date of Next Meeting: October 26, 2022, 6:30 p.m. Ms. Bigwood is not available to attend this meeting.

The Board moved to executive session at 8:03 p.m.

At 8:58 p.m. the Board reconvened regular session, no action taken, Kevin Hughes motioned to adjourn, Mr. Dugat seconded, motion carried by 4-0 voice vote.

Clerk

Date