

## **WESTMINSTER SELECTBOARD MEETING**

**Wednesday, February 8, 2023 - 6:30 p.m.**

In person at Westminster, VT Town Hall

**Selectboard Present:** Jason Perry (Chair), Katrina Hamilton (Clerk), Kevin Hughes (Vice Chair), Craig Allen and Nathan Dugat

**Staff Present:** Millie Barry (Recording clerk – Alison Bigwood (Interim Town Manager/Zoning Administrator) and Chuck Lawrence (Road Foreman)

**Others Present:** Ronald BosLun, Justin Mason, Paul Guido, Fran Renaud, Yvette Hendler and Sarah Waldo

**1. Call to Order:** The Chair called the meeting to order at 6:36 p.m. The delayed start was due to technical difficulty.

Information to access a future meeting using a remote connection is available on the Town of Westminster website or by calling the Westminster Town Hall

**2. Adjustments to Agenda:** Jason Perry noted to add under new business, C. Manager Discussion

**3. Acceptance of Minutes:** January 25, 2023 – Kevin Hughes motioned to approve the minutes of the Westminster Selectboard meeting January 25, 2023 as printed, Craig Allen seconded, motion carried by 5-0 voice vote. The meeting minutes for the special selectboard meeting held February 6, 2023 will be addressed at the next board meeting.

**4. Communications and Public Comments:** None

**5. Unfinished Business:** (Discussion/Action)

A. Green Mountain Power Projects – Justin Mason representing GMP (Green Mountain Power) addressed the board regarding electric wires and poles located in wooded areas and cutting across fields and pastureland. Poles and wires located in wooded areas were once fields and pasture making access now dangerous and difficult. Mr. Mason's company would like to re-locate line in places where they can be serviced and accessed by burying power lines. He noted there were various places in Westminster where a line cuts through the woods that services multiple houses. These lines can be buried in the Town roadway. He talked about in the area of the Gageville monument where the line cuts over the bank to Forest Road was particularly treacherous. The would connect the line on the last pole on Forest Road in the vicinity of the mobile home to the next pole down. On Daigle Road a line cuts through a field and the property owner would like to bury the line in the field or on Daigle Road to reclaim the farmland. Kimball Hill South has another very long stretch in the woods. Mr. Mason said the specifications were to bury lines 42 inches by digging, or blasting or chipping out ledge by excavation. Mr. Mason said there would be good documentation for the Town to show where the lines were buried and there was marking tape used in case a line was unburied. Mr. Lawrence noted when culverts were replaced it was customary to call Dig Safe to locate lines in the vicinity of the culvert. Mr. Perry said for full disclosure purposes he had done work on Windmill Hill South for GMP noting the conduit was placed inside a sleeve two feet under a culvert. Mr.

Lawrence said there was no present permit process to bury lines to protect the Town or contractor. He noted standards vary regarding digging and burying. Mr. Mason noted he was in favor of a permit process as it would create a good record of line placement in roadways for the future noting Rockingham had a permit process. He will get a copy of Rockingham's process for the road foreman.

B. Personnel Policy – Review/Discussion – Mr. Hughes referred to the January 25, 2023 meeting minutes to review the policy February 8, 2023. Mr. Hughes moved to adopt a uniform provision in order to insure that all highway department personnel are working in a safe and protective manner the town shall provide necessary clothing and protective outerwear to meet the rigorous demands of working on the towns infrastructure each employee shall receive 11 pants, 11 shirts and 2 jackets with employee name and town seal. Used pants, shirts and 2 jackets will be picked up weekly to be cleaned. Each employee shall receive one pair of boots per year with price not to exceed \$200.00 per employee. This policy can be amended and or changed as the need requires at any time. Mr. Allen seconded the motion, motion carried by 5-0 voice vote.

Katrina Hamilton motioned to add Juneteenth as a holiday to the personnel policy, Mr. Allen seconded; motion carried 5-0 by voice vote.

Hamilton noted she believed the State of VT (SOV) sick leave policy had changed and was unsure how the changes affected municipalities. Mr. Allen noted it would be good to define 'sick' to be accurate with changes. This item will be tabled to a meeting after March 4, 2023.

C. 5 Year Capital Plan – Overview/discussion – Tabled to after March 4, 2023

D. Town hall security update – Mr. Perry met with Home Security Systems to go over quotes for the town hall and the town garage. He continued the policy recommendation was to secure three estimates, but this was not a requirement if the quotes were up to \$10,000.00. Mr. Allen believed the requirement was to seek two other quotes and if the companies did not provide a quote, one or two quotes were sufficient. Perry noted both buildings (town garage and town hall) could have security cameras and door alarms installed for under \$10,000.00. To ensure neighbor privacy the focus would be on doors. Countryside, located in Mount Holly, VT system is manufactured by the Honeywell Company made in the USA and comes with 30 days of recorded back-up, a screen and server for the office and an option alert to a cell phone. The quote of under \$5,000.00 would cover four cameras on entrance doors and door alarms on the town hall. A \$25.00 monthly fee is invoiced quarterly. Perry suggested pursuing ARPA (American Rescue Plan Act) funds to cover equipment and installation, agreeing to write up a proposal for the ARPA committee meeting February 15, 2023. Mr. Allen motioned to authorize the board chair to seek a contract with Countryside Alarms not to exceed \$6,500.00, Hughes seconded; motion carried by 4-0 voice vote. Perry abstained from the vote due to involvement pursuing quotes and contract. Sarah Waldo suggested inquiring if Countryside would consider a lower price if a system was installed at the town garage.

E. Town Meeting update – childcare. Perry said he had contacted Andrea Carlson, guidance counselor at BFUHS (Bellows Falls Union High School). She indicated she could find students interested in community service hours to provide childcare March 4, 2023 for 4-5 hours. Perry noted there was money available to pay students if the childcare service was not used.

## **6. New Business: (Discussion/Action)**

A. Road Foreman Report – Chuck Lawrence said a 4000 hour service was being completed on the grader and six tires were replaced at \$1,500.00 each. Loader 1 has 5,000 hours and is presently at Nortrax due to a blown turbocharger and a head gasket leak. Truck #6 had a EGR (exhaust gas circulation) cooler fail, this is covered under warranty and is presently at ATG for repair. Mr. Lawrence confirmed paving bids will go out in February and his plan was to have the side roads ‘taken care of’ in Gageville (North Westminster) to have paving done from the 121 Road bridge back to Bellows Falls when the bridge and road is closed. He added Grout Avenue will be taken back to dirt, reshaped, and graded due to a drainage issue where water ‘ponds up’ in front of the fire station. He has talked to Cole Streeter regarding paving the fire station parking lot. Also, due to a leak in the wood boiler at the town garage the water was drained from the boiler, finding the material in the top of the boiler to be very thin due to 8 years of wood burning wear. Decamp Plumbing/Heating has suggested, with information from a previous engineering study at the garage, two thermo cyclers, propane fired, 39”x39” by 10’ tall. Mr. Perry said two units installed was \$38,685.00 not including propane tanks. To purchase an above ground propane tank is approximately \$6,500.00 to 7,500.00, an option is also to lease a propane tank adding the thermo cyclers could be moved and or used at another facility. Perry said the boiler was a bit larger than a homeowner wood boiler taking approximately 40 cord of wood per year to heat the garage. To fire and feed the boiler required paying a highway member on weekends as well as for labor cutting wood. Mr. Lawrence added specifications for the present boiler suggested clean, seasoned, split stove wood. The wood used was usually from old, fallen-down trees. Mr. Lawrence will write up a proposal to ARPA.

In another matter: Lawrence said information forwarded to the board from J.D. McCarthy (SOV) indicated the 121 Bridge in Gageville would probably not be designed until 2024, would go to bid and the work could possibly be completed in 2025. Ms. Hamilton noted to use ARPA monies would require obligating funds for the bridge in 2024, and spending by 2026.

Lawrence said due to changes in the SOV bridge report format the most recent bridge inspection is available to view on the website, past progression reports are no longer available. In answer to Craig Allen’s question, Lawrence said there was a sink hole in front of Temple Chiropractic (Route 121) office. Bazin has filled and patched the hole. Lawrence believes the pipe is a piece of culvert pipe, the pipe does not show in any of the town road plans.

B. Executive Session: None

C. Manager Discussion – Perry said the board/town was beginning a new search for a town manager and would decide on a direction to proceed. Allen said (in part), he believed one of the biggest mistakes the selectboard had made while he was a member was not including enough people in making major decisions i.e. budget and other town matters. He believed the manager search, to include more people in the process should include five or six people to include 1 current selectboard member, an outstanding citizen (possibly a former selectboard member) and employees from the town office to evaluate applicant/candidates. The board members agreed the time commitment for selectboard members was large. Perry noted the board’s use of executive sessions in the last two months were for legal matters they were not able to discuss in open session noting these sessions might have been frustrating for the public and Westminster community. Sarah Waldo suggested posting on the town website or in the

Westminster Gazette things such as the closing of the town hall or other issues the public could be interested in. Hughes said he had joined the board for many reasons and recently the board had passed an extensive conflict of interest policy using as a guideline the 2010 policy that had not been updated since 2010. It was important when someone with a conflict of interest disclosed the conflict. He believed it was a great idea to have town participation, term limits for board members and a rotating board chair. At the time the board was searching for a town manager they interviewed the head of an organization town managers join. The board was asked about things they wanted in a town manager; one that was honest, ethical, competent, accountable, transparent, someone good with people etc. He continued there was a committee to find a town manager 9 years ago and suddenly that all was gone. He had no idea what happened and did not believe what happened should have taken place. He added, it had been a privilege to serve the town and the board did not set out while using good criteria to hire a person for a town manager to fail, they set out looking for someone with all the best intentions. He apologized for himself that the process did not work for the town and the employee. Hughes said he had been asked about the difference between a town administrator and the current process. No one specifically said the board would go from a town manager to town administrator. To change the process, there is a statute, 24 V.S.A. Section 1242 governing the procedure to be put before the voters to adopt the change. The reasoning to move back to a town administrator is the statute 1233 gives the selectboard the authority to make the final determinate to separate an agreement or change managers. Due to a supreme court decision in 2015, the statute has changed and is 'up in the air.' The board discussed they wanted someone that was accountable to the taxpayer. Once an appointment is made, what happens if the person does not work out, or is not the best for everyone involved? The board has learned that if the person is not the best for the town it is no longer a simple procedure to terminate the person. The board is accountable to the taxpayers and if something were to go awry, there is accountability and liability for the town. Allen said a town manager has much more control and power than an administrator, taking day to day responsibilities away from the selectboard. With a town the size of Westminster it made more sense to have someone that is trained to do the job, present every day. In the case of the last manager, the board gave the person more and more roles, the board had 'pawned' the responsibilities off on the person. Also, there were differences in what managers wanted to do as well as their job strengths. Hughes said he appreciated Allen's words and realized being the town manager in Westminster was a very difficult job. Once too much authority is concentrated on one person, when that person is already overbooked and everything is funneled into one person, Mr. Hughes said that person cannot be the 'Jack or Joan of all trades and master of none' while doing the best possible job. The town needed and wanted a manager that had relationship management skills, someone that listened to the town's citizens whenever they came to the town hall. Hamilton said she had contacted VLCT (Vermont League of Cities and Towns) two times inquiring about the possibility of an interim manager for Westminster. As many VT towns are in the same situation as Westminster, VLCT had no time frame someone might be available and no person available to help. Perry said VLCT would do a full search for a town manager costing \$9,000.00 to \$14,000.00 cost determined by their involvement without a guarantee of candidates. The town used VLCT for the background search on the former manager. Mr. Hughes said financial competency was a large factor in hiring a town manager as in 2019 one citizen held up the entire budget of the town requiring the manager to be fully vetted and competent in handling budgetary matters. The board is required to have accountability to the taxpayer when a manager is not competent in finance. A financial administrator or another officer was required to be sure the budget issues were correct. He said at the time the budget was questioned, there was no

disclosure about a conflict of interest, when there was a definite conflict. Now with a policy, this will not happen. Yvette Hendler questioned if the town was prepared to make the switch to an administrator at some point in the future and noted there was never a wrong time to discuss the change from a town manager to an administrator. The board agreed the search committee should have a good balance of townspeople including town employees. In answer to Ron BosLun's question, Ms. Bigwood said the board's discussion of a hiring committee, having other people involved, was a 'light in the tunnel,' she was not going anywhere. Hughes made a motion to advertise the formation of a committee to assist and or designate in finding the next town manager for the town of Westminster. There was not a second to Mr. Hughes motion. After a lengthy discussion regarding the number of people on the He committee, the amount of board influence in the committee, the need for someone with financial or working knowledge of basic accounting skills, Mr. Allen motioned to advertise for community members to act as volunteers interested in joining a committee for a search for a town manager and finance director to contact the town office before February 22, 2023. Hughes seconded the motion, the motion passed by 5-0 voice vote. The board agreed to advertise on the town website and the town and highway garage Facebook page. The board said those interested should know this was a long-term commitment requiring time during the day and or business hours

**7. Boards, Committees and Commissions: None**

**8. Other Business:**

Paul Quido questioned, after six months, the person by the town charter, tasked with enforcing the ordinance regarding the illegal junk yard. He believed the sheriff's department had issued a case # asking what the next step was? Mr. Quido continued the ordinances were for a purpose, if there was no enforcement of ordinances what was the purpose of having them? Ms. Bigwood will email the sheriff's department to let them know there was no resolution. She believed the sheriff's department was to provide a letter to the owners of the junkyard to sign at the town office and this did not happen. Mr. Hughes questioned the toll amount as the violation continued. Ms. Bigwood said the owners had not been formally served and the sheriff's department had not completed the process. Perry said after a contact to the sheriff's department, a contact would be made to legal counsel to find next steps.

**9. Date of Next Meeting: Wednesday, February 22, 2023**

**10. Adjournment:** Katrina Hamilton moved to adjourn the meeting at 8:42 p.m., Kevin Hughes seconded; meeting was adjourned by 5-0 voice vote.

---

Clerk

---

Date