

Meeting of the Westminster Selectboard

Wednesday, April 12, 2023

Westminster, VT Town Hall

Selectboard present: Katrina Hamilton (chair), Stephen Major (vice chair), Dan Crocker (clerk), Jason Perry and Kevin Hughes

Others Present: Richard Crocker, Yvette Hendler, Jason Smith, Chuck Lawrence (road foreman), Alison Bigwood (interim town manager), Peter Terrell, Patti Terrell, Lise Sparrow, Claude Pepin, Donna Dawson, Cole Streeter, Pete Smith, Mark Adams, Blythe Korsula, Markee Burnor, Don Dawson, Pauline O'Brien, Lisa Merton, Sarah Waldo, Oliver Brody, Tammy Kissell, Jim Comtois, Nathan Dugat and others unidentified.

Call to Order: The Chair called the meeting to order at 6:31 pm

1. **Adjustments to Agenda:** None
2. **Acceptance of Minutes:** Kevin Hughes made a motion to accept the minutes of the March 22, 2023 meeting of the Westminster Selectboard, Jason Perry seconded, motion passed unanimously.

3. Communications and Public Comments:

Tammy Kissell addressed the board regarding the Town's dog ordinance, specifically citing article 5 running at large, article 6 defecating in a roadway and article 8 impounding and dispositioning an animal. Ms. Kissell requested that the board consider amending article 5 to adjust the "running at large" to be less strict regarding a more rural area of town than the village. She recommended eliminating article 6 regarding defecation in a public area completely. She also asked the board to consider eliminating Article 8 regarding impounding and dispositioning of an animal. As stated in the dog ordinance, the Animal Control Officer has the right to impound any domestic animal and dispose of that animal humanely within 7 days if it has not been claimed. Ms. Hamilton stated that Vermont state law states that an animal can be disposed of after 5 days. Additionally, not all dogs are friendly either towards people or other animals and owners need to take responsibility for their animals for their own animals safety. Ms. Hamilton stated that to amend an ordinance there is a specific legal protocol to be followed and a discussion regarding amending the dog ordinance would have to be a warned agenda item to start the process.

4. Unfinished Business:

- A. List of Appointments: Ms. Hamilton spoke with Marc Lund regarding his appointment as tree warden. The Town Clerk needed confirmation to file with the state.

Jason Perry made a motion to appoint Kevin Hughes as a Westminster representative for the Windham Regional Commission, Dan Crocker seconded, motion passed 4-0, Kevin Hughes abstained. Stephen Major made a motion to appoint Katrina Hamilton as a Westminster representative for the Windham Regional commission; Kevin Hughes seconded, motion passed 4-0, Ms. Hamilton abstained.

Kathy Kingston had emailed the selectboard informing them of her resignation from the Planning Commission.

An additional email from Kathy Kingston as a letter of interest in being appointed to the conservation commission. Stephen Major made a motion to appoint Kathy Kingston to the conservation commission, Kevin Hughes seconded, motion passed unanimously.

- B. Hazard Mitigation Plan Survey- Ms. Hamilton contacted the state representative overseeing this survey, Caroline Paske, regarding getting a discussion started as it had been tabled twice previously. Caroline Paske clarified that this current survey was a requirement for the State's Hazard Mitigation Plan as their plan is up for review this year. She confirmed that it did not impact the Town of Westminster's current plan and that if it helped we could use a recent storm as an example to get the discussion started. With regard to the most recent snowstorm, some of the difficulties that the town encountered that impacted the ability to respond and communicate were down power lines from fallen trees. Cole Streater would like a Green Mountain Power representative to communicate with the town better regarding when trees were down on lines and the power was off to those areas and it would be safe for emergency services personnel and the highway department to work on cleaning up those areas. Mr. Lawrence stated that he had contacted Green Mountain Power and they will not allow the town to cut anything off from their lines at any time because some of those lines are high tension lines and there is too much risk of injury and liability. Mr. Lawrence also requested more residential support for controlling roadside vegetation. Ms. Hamilton will report this information to the State per their request.

5. New Business:

- A. **Declaration of Inclusion** – Ms. Hamilton read the draft Declaration of Inclusion that Lise Sparrow, Sarah Waldo and a group of other individuals had written for selectboard review. Mr. Major suggested that the Declaration of Inclusion be a warned agenda item at Town Meeting to get wider input and endorsement from the citizens with regard to adoption of the Declaration of Inclusion. Nathan Dugat asked if this were adopted, are there next steps and if so what are they? Beyond passing the statement what are the requirements? How does this statement change or add to the civil rights act? Stephen Major made the motion to add the Declaration of Inclusion to the agenda for the next Town Meeting. Dan Crocker seconded; motion passed unanimously.
- B. **Right of Way Work Application** – The highway department proposed a draft Right of Way Application for when an individual or contractor needs to work within the public highway right of way. Mr. Perry suggested changing the wording for work on the surface, grading of driveways etc. Mr. Perry asked that the permit application be reviewed by the board and tabled for the next meeting. Stephen Major made a motion to table the application approval until the next meeting, Kevin Hughes seconded, motion passed unanimously.

- C. Liquor & Tobacco License approvals:** Mr. Hughes presented the Department of Liquor and Tobacco applications as provided by acting Town clerk Patricia Mark. Applications were presented individually.
- Kevin Hughes** made a motion to approve the DLL Application # 21893, a second-class liquor license to Paul Harlow, Daniel, and Thomas Partnership. Jason Perry seconded; the motion passed unanimously.
- Mr. Hughes made a motion to approve DLL application # 22609, a second-class liquor license for Allen Bros Inc. Jason Perry seconded, motion passed unanimously.
- Mr. Hughes made a motion to approve DLL application # 22623, a Tobacco license for Allen Bros, Inc. Jason Perry seconded, motion passed unanimously.
- Mr. Hughes made a motion to approve DLL application # 24836, a second-class liquor license for Westminster Station Market. Jason Perry seconded; the motion passed unanimously.
- Mr. Hughes made a motion to approve DLL application # 24839, a Tobacco license for WSM, Inc (Westminster Station Market) Jason Perry seconded, motion passed unanimously.
- Mr. Hughes made a motion to approve DLL application #24849, a first-class restaurant and bar license for Allen Bros, Inc. Pauline O'Brien stated that there were plans to enclose what used to be the garden center and provide seating in this space. Jason Perry seconded; the motion passed unanimously.
- Mr. Hughes made a motion to approve DLL application #24860, an outside consumption permit for Allen Bros, Inc. Jason Perry seconded, motion passed unanimously.
- The selectboard signed a letter provided by Patricia Mark approving the renewal of the above-listed licenses.
- D. FACTV Request to Purchase TV –** Fact TV had spoken with Alison Bigwood and asked if they could purchase the unused TV that is upstairs in the Town Hall. Jason Perry made a motion to allow the sale of the unused TV to Fact TV for the purchase price of \$1,020. Kevin Hughes seconded; motion passed. Mr. Lawrence noted that ARPA funds had been used to purchase that equipment and that if monies were received from the sale that the board should consider returning those funds to ARPA once the sale is complete. Jason Perry made a motion to reimburse the ARPA fund once the sale is complete, Kevin Hughes seconded, motion passed unanimously.
- E. Manager's report –** Alison Bigwood reported that trash tags are in and will be working on that. The ad for Town Manager is posted and have had 2 inquiries so far. The Operations and Safety Bureau has responded to our letter requesting a decrease in the speed limit in front of Faiths Ford on Route 5. They will be holding a meeting later this summer and performing a traffic study before making a final determination.
- F. Road Foreman's report –** Mr. Lawrence reported to the board that they are still working on storm clean up and had gotten in touch with the state regarding the catch basin in front of the post office and using salt instead of sand in the post office parking lot.

There was a lot of material that had been plowed off the road during the last storm. Mr. Lawrence suggested that the board consider using some of the monies that the Town has received from FEMA for reimbursement to purchase a stockpile of sand and gravel for road maintenance citing that he has received notification of price increases occurring. He has received a projection for next year's cost per yard to be near \$25 per yard. At this time, he can still purchase gravel locally for \$12 - \$14 per yard. Mr. Lawrence also suggested that the town should consider paving some of its main roads moving forward, such as Morse Brook Road, Pine Banks Road, and the West Road to decrease sand and gravel usage. A multi-year plan needs to begin to investigate this. Mr. Perry believed that the FEMA monies were in a fund and that voter approval to use those funds is required. Ms. Hamilton did not believe that was the case but will get clarification to discuss this at the next meeting.

G. Executive Session – Jason Perry made a motion to go into executive session for a personnel matter with possible action resulting and invited Pauline O'Brien to join, Kevin Hughes seconded. Kevin Hughes made a motion to leave the executive session at 8:17 pm, Jason Perry seconded, motion passed unanimously. Action taken: Kevin Hughes made a motion to appoint Pauline O'Brien as Interim Town Clerk for the Town of Westminster, Jason Perry seconded, Motion passed 4-1.

H. Board Committees and Commissions: Mr. Major requested that the Cemetery Commission discuss Cemetery maintenance at a future board meeting.

I. Other Business: None

6. **Date of Next Meeting** – April 26, 2023

7. **Adjournment:** Kevin Hughes made a motion to adjourn, Jason Perry seconded, motion passed unanimously, meeting adjourned at 8:23