

WESTMINSTER SELECTBOARD MEETING

Wednesday, March 26, 2024 – 6:30 p.m.

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

Selectboard Present: Dan Crocker (chair), Real Bazin (clerk), Stephen Major (arrival at 6:47 p.m.), Jason Perry (vice chair), and Katrina Hamilton

Staff Present: Charles (Chuck) Lawrence (road foreman), Lou Bordeaux (town manager) and Millie Barry (clerk)

Others Present: Sarah Waldo, Kathy Kingston, Mark Lund, Sam Potter, Rich Talbot, Craig Allen and 1 person from FACT TV

1. **Call to Order:** Dan Crocker, chair called the meeting to order at 6:30 p.m. Information to access a future meeting using a remote connection (when available) is on the Town of Westminster website or by contacting the Westminster Town Hall.
2. **Adjustment to Agenda:** The chair noted per Chuck Lawrence there would be no road foreman's report.
3. **Acceptance of Minutes:** March 13, 2024 – Jason Perry motioned to approve the minutes of March 13, 2024 with a correction on page 3, D. "loader 2 (not 1 as written) was used 384 hours per year and loader 1 was used 269 hours per year." Katrina Hamilton seconded; motion carried by 4-0 voice vote.
4. **Communications and Public Comments:** None
5. **Unfinished Business:** (Discussion/Action) –
 - A. Proposed Loader Purchase – Information included in packet - Mr. Crocker said he believed the board had a fiduciary responsibility, the loader was a big-priced item and he was not completely convinced the Town needed a new loader. Mr. Lawrence said the loader was used to load sand, to move trees, and was stored in Westminster West. He said the taxpayers included a new loader in the approved budget. He believed if the board decided not to purchase a loader it would take longer to do some things, as plowing snow etc. Jason Perry said the money would remain in the equipment fund if not used to purchase a new loader. Real Bazin said there was one loader for 15 years and loader 2 had more hours than in the last nine years. Katrina Hamilton said the loader purchase was approved by the voters, it was getting old, it was not necessarily getting used every day, and asked how worn out was the machine. Jason Perry noted the total highway budget number was approved, there was no specific piece of equipment approved. He continued, his opinion was with the hours on the two machines and the condition they were in, they had a long life ahead of them. Craig Allen said in his line of business, the Town could not lease a truck but could lease a loader, backhoe, excavator etc. The payments could be a credit toward a purchase to try it out making sure it was the piece of equipment wanted. Jason Perry motioned to table the purchase of a loader for the time being until a proper RFP (request for proposal) was established.

Real Bazin seconded; motion passed by 4-1 voice vote with Stephen Major voting nay. Jason noted a 'proper RFP' was the Town policy for a purchase of over \$10,000.00.

In another matter: Stephen Major questioned if the minutes of the March 13, 2024 minutes had been sent to the selectboard members noting he had not received the minutes. Lou Bordeaux said the minutes were emailed to all the selectboard members and the minutes were posted on the website. The recording clerk agreed to email a draft of the minutes to Mr. Major.

6. New Business: (Discussion/Action) –

A. Meeting Structure – Dan Crocker said as chair of the Board he would like to have some structure/norms for the meetings.

1. He would like Board members to be present 5 minutes before the start of meetings.
2. For Board members to read the information sent to them before meetings and to be prepared for discussion and actions to be taken.
3. He requested people be recognized by the chair before speaking.
4. To keep discussion to three minutes and for general discussion, two minutes.

Real Bazin motioned to limit the open discussion to three minutes per person and any extra time be added at the discretion of the Board chair. Jason Perry seconded. Katrina Hamilton noted that multiple side conversations by the Board members and people in the audience were rude and disrespectful.

Craig Allen mentioned in the past, agenda items have an actual time frame noted beside the item to keep the meeting on track.

The motion passed by 5-0 voice.

Jason Perry motioned to limit discussions on motions by Board members to two minutes with any additional time at the discretion of the chair. Real Bazin seconded; motion carried by 5-0 voice vote.

B. Addendum to Pine Banks culvert contract – Information included in packet – Lou Bordeaux said Mr. Adams was concerned about the language in the contract due to extra work and costs. After consulting with Everett Hammond (engineer), additional wording was added to the agreement under 2. Schedule: "In the event the contractor is unable to receive the box culvert by the end of August 2024; consideration will be made for time extension based on each day the box is delayed into September or October resulting in loss of work".

Wording added in 3. Price and Payment: "Contractor shall notify the Engineer immediately if additional work is required beyond the original scope of the contractor's proposal. The contractor shall then submit a change order to the engineer within 1 day containing backup date for review by the engineer. The engineer will review the change order and make a recommendation to the Town".

Real Bazin noted, after reading the contract, there was a clause that the price may

change if they ran into ledge and if the material coming out was not suitable to go back in. Mr. Bordeaux believed the language entered by the engineer was ‘an all-encompassing thing’, Mr. Hammond seemed content as was Mr. Adams. Jason Perry motioned to approve the amended agreement for the Pine Banks Road box culvert as presented. Katrina Hamilton seconded; motion carried by 5-0 voice vote. Mark Lund questioned how the box culvert project would be paid for. Jason Perry said the Town may be required to take out a short-term borrow on a line of credit to pay for the culvert project before reimbursement is received. As this was an emergency situation, voter approval was not required.

- C. Authorization for Municipal Planning Grant closure - Mr. Bordeaux said the unused grant issued by Windham Regional Commission expired February 29, 2024. The grant was executed May 1, 2022 with the expectation the Town would revise its town plan. As the time to use the grant has come and gone the Commission would like to close out the grant paperwork. Stephen Major questioned if the grant money needed to be returned even though he understood the Town had not done its town plan. Mr. Bordeaux will follow-up regarding the grant. Jason Perry motioned to approve the town manager sign the Municipal Planning grant closure paperwork with Windham Regional Commission. Katrina Hamilton seconded; motion carried by 5-0 voice vote.

D. Road Foreman’s Report – Deleted under adjustments to agenda –

E. Town Manager’s Report –

- Information included in packet – Mr. Bordeaux said he continued to standardize processes adding a public records request and requests for proposal forms to the Town website.
- Eight firms attended a mandatory pre-bid meeting March 18. Bids will be opened March 29th at 2:00 p.m.
- March 19th Mr. Lawrence and the manager went to Bennington for a workshop hosted by VT Fish and Wildlife entitled ‘Beaver Management and Conflict Resolution Workshop’. This was an informative program with information that will be useful now and in the future.
- Meetings: 3/15 – Lise Sparrow next steps for Declaration of Inclusion (email from Attorney Slason included in packet). 3/21 – Meghan Brunk, VTrans, annual meeting; Grants in Aid. 3/21 – Inclusion Meeting with Lisa Sparrow, Sarah Waldo and Donna Dawson. Stephen Major motioned to approve the Manager’s report, Katrina Hamilton seconded; motion carried by 5-0 voice vote

F. Executive Session – None

7. Boards, Committees and Commissions – None

8. Other Business – In answer to Kathy Kingston’s question regarding the status of the Planning Commission – Mr. Bordeaux noted the appointment of four new Planning Commission members at the March 13, 2024 meeting. Ms. Kingston hoped the Board was vetting people for the commission to see it move forward. Mr. Major noted the Planning

Commission was an open meeting. Mr. Bordeaux suggested an additional person interested in the Commission may be interested in being an alternate member. Jason Perry noted he did not have a problem with a seven-member Commission if there were seven people interested in being members.

In another matter: Kathy Kingston said the forum, 'Beavers Among Us' recently held in Westminster West was well attended and informational.

In another matter: Chuck Lawrence questioned the board if the present loader should be included as a trade in the RFP bid for a new loader. Mr. Allen suggested putting the used loader as an option, so much for a loader, so much for an option as a trade to choose either way.

In another matter: Mr. Allen noted VLCT (Vermont League of Cities and Towns), for a small price, would send a person to come and meet with a new Planning Commission committee to explain the commission, how it works and responsibilities.

9. Date of Next Meeting: Tuesday, April 9, 2024 at 6:30 p.m.

10. Adjournment: Jason Perry motioned to adjourn at 7:29 p.m., Real Bazin seconded; motion to adjourn carried by 5-0 voice vote.

Clerk

Date