

# DRAFT

## WESTMINSTER SELECTBOARD MEETING

*Wednesday, April 9, 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, Jason Perry (vice chair), and Katrina Hamilton

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

**Others Present:** Chris Potter, Sam Potter, 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. **Adjustments to Agenda:** The chair noted item C under New Business is off the agenda.
3. **Acceptance of Minutes: March 26, 2024 –** Real Bazin motioned to approve the minutes of March 26, 2024, Jason Perry seconded; Millie Barry noted a correction, page 2, Stephen Major noted he had not (not had had as written) received minutes. Motion carried by 5-0 voice vote.
4. **Communications and Public Comments:** None
5. **Unfinished Business:** (Discussion/Action) –
  - A. RFPs (request for proposals) for highway department – information included in packet – After Board discussion, Stephen Major motioned to amend the front-end loader RFP to request bids for a 3-yard, front-end loader instead of, comparable to specific brands/ models listed in the RFP. Mr. Major withdrew his motion. Real Bazin motioned to add Caterpillar 930 to the RFP (in addition to John Deere 544P, Case 621G and or Komatsu WA270-8). Jason Perry seconded; motion carried by 5-0 voice vote.

Real Bazin motioned to post the RFP for Cab and Chassis as written, Jason Perry seconded; motion carried by 5-0 voice vote.

Real Bazin motioned to post the RFP as written for Body and Hydraulic System, Katrina Hamilton seconded; motion carried by 5-0 voice vote. Chuck Lawrence said the RFPs would be posted on the VT Business Assistance Network and mailed to dealers. He did not recommend posting RFPs in newspapers as there was little or no response.

6. **New Business** (Discussion/Action) –
  - A. Bid Review: Cemetery Wall project – Information included in packet – Real Bazin said after reading the bids there was about \$130,000.00 difference between the highest and lowest bid. He questioned why only one bid included 2-18” culverts across driveways, and noted there was only one bid with an engineering plan. He asked why the Town did

not come up with specifications and plans so all companies submitting estimates had the same information for bidding purposes. Lou Bordeaux said the first RFP (sent out for bid 1-2 years prior) called for the replacement of the wall and one estimate received at that time encompassed the south side of the driveway necessitating culvert work and an additional 80' of wall. Jason Perry noted the additional 80' of wall was a want but not necessarily a need. Stephen Major noted the estimates were for a concrete block wall opposed to a stone wall that would be more aesthetically attractive. Chris Potter said when the first RFP was put out to bid, there was no town manager, there were ARPA (American Rescue Plan ACT) monies some people felt needed to be spent in an allotted amount of time and the cemetery wall was chosen as a project. At that time, there were other bids, but Bazin was the only company that attended a bid meeting. Mr. Potter said he had done his own research regarding stone versus concrete. Two stone masons said longevity wise, stone would not stand up to concrete and stone was estimated to be two times the cost of concrete. Mr. Potter said after attending an ARPA committee meeting about the wall bids, he was not sure what happened, he heard nothing more about the project. Stephen Major noted the project seemed to be driven by ARPA monies being spent in a bit of a rush and was uncomfortable spending federal monies just to spend money. He did not want to support any of the proposals when the money could be spent elsewhere. Mr. Potter said he was asked to research the project, to use ARPA funds and understood there were deadlines. Katrina Hamilton said after researching meeting minutes, the Board had talked about the wall replacement/repair since 2017. Mr. Bordeaux said the deadline to commit ARPA monies to a project was by the end of the present calendar year and monies spent in two years. Real Bazin motioned to hire an engineer to come up with a plan for the wall and to resubmit the RFP. Jason Perry believed if the project/RFP was re-worked and put back out to bid, it would be difficult to have the work completed in the allotted time. There was no second to Mr. Bazin's motion. Chris Potter noted his belief the Town wanted to have the wall changed but no one wanted to take responsibility to get the project done. He also noted when submitting the first RFP, he let bidders know once a bid was submitted and approved by ARPA Committee and Selectboard, contractors could not make adjustments or changes if costs increased. He reiterated there was a lot of pressure to spend ARPA funds when he previously worked on the project. Jason Perry motioned to award the cemetery wall bid to Bazin Brothers for \$291,410.00 as proposed, Katrina Hamilton seconded; motion passed by 3-0 voice vote. Mr. Major voted nay, Real Bazin abstained from vote.

B. VTrans request for closure of Route 121 – Information included in packet – Dan Crocker read a letter from VTrans requesting the Board approve and sign a letter agreeing to close Route 121 at the bridge construction site from March 1, 2025 to October 31, 2025. Katrina Hamilton motioned to approve and sign the letter, Real Bazin seconded, motion carried by 5-0 voice vote.

C. Road Foreman's Report – Information included in packet –

- Mr. Lawrence said grading has resumed on dirt roads.
- At a meeting with Everett Hammond and Marc Pickering (SOV) for solutions at the end of Pearl Street in North Westminster to fix water run-off. Mr. Pickering suggested a very expensive high wall to stop run-off. Mr. Lawrence said the water coming off the bank adjacent to Oak Hill went into a catch basin in front of
- the business and over a bank into a second catch basin underground. Mr.

Mr. Lawrence said the homeowner had agreed to take over the maintenance of Pearl Street once the problem was resolved. Jersey barriers will be placed at the top of the slope to hold the ground and give the Town some time to obtain an engineer and more information.

In another matter, Real Bazin questioned if a different sign could be placed at the end of Piggery Road where it intersected with Route 5 to discourage big tractor trailers using Piggery Road. Mr. Lawrence said a DOT (department of transportation) officer recently fined a Home Depot tractor trailer driver getting stuck on Beebe Road in Westminster West \$10,000.00. Home Depot's insurance company would be billed for the \$5,000.00 estimate to repair Beebe Road. He added the truck on Piggery should be stopped and encouraged people to call the Windham County Sheriff's office.

Katrina Hamilton said she had been questioned if the Town was looking for a highway crew member as the crew had gone from seven members to five. Mr. Bordeaux said at the moment, the Town was not hiring an additional highway crew person and he and Mr. Lawrence were in constant communication. Jason Perry motioned to approve the road foreman's report, Real Bazin seconded; motion carried by 5-0 voice vote.

D. Town Manager's Report – Information included in packet –

- In the past two weeks Mr. Bordeaux drafted several RFPs working with Mr. Lawrence regarding specifics.
- Bid openings were the cemetery wall and chip seal.
- Last week Mr. Bordeaux attended a Municipal Solutions Summit in Woodstock that included great information. Key sessions included employee retention/recruitment, a local business roundtable, shared services and regionalization, public engagement, and the future of local government. He said the 19 managers and administrators attending agreed to form an alliance to get better prices from area vendors. He noted the difference between shared services and regionalization with the overview being possible intermunicipal agreements such as sharing a zoning administrator. Real Bazin motioned to accept the Town Manager's report, Katrina Hamilton seconded; motion carried by 5-0 voice vote.

E. Executive Session – None

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

**8. Other Business:**

- A. Everett Hammond Paving Bid Tabulation spread sheet and note included in packet. Mr. Bordeaux stated the bids submitted were Springfield Paving \$182,103.50, Bazin Brothers \$187,766.00 and All States \$224,001.00. Mr. Crocker said Bazin Brothers was about 3% more than the others, but noted he believed it was a minor amount as the contractor was local meaning the money remained in the community. Mr. Lawrence

said all contractors had been used in the past by the Town. Jason Perry motioned to award the paving bid for summer 2024 (FY2025) to Bazin Brothers for \$187,766.00, Stephen Major seconded; motion carried by 4-0 voice vote. Real Bazin abstained from vote.

Chip Sealing: Mr. Lawrence said chip sealing was for preservation of the whole road putting down rubberized asphalt, then putting down stone to seal cracks before there was an issue. Jason Perry questioned if the total of \$358,916.00 (paving of \$187,766.00 and chip sealing estimate of \$171,150.00) would be available in the budget in 2025. Mr. Bordeaux said there should be enough funneling ARPA together with retreatment monies. Jason Perry motioned to award chip sealing for summer 2024 (FY2025) to All States Construction. Katrina Hamilton seconded; motion carried by 5-0 voice vote. Chip sealing will be done on Westminster Heights 1, Westminster Heights 2, School Street, Kurn Hattin Road 1, and Westminster West Road (north) 7A, beginning one mile south of the town line, 2640 linear feet. The Town may chip seal further south depending on dollars available.

**B. Annual Appointments –**

- Jason Perry motioned to reappoint Rachael Shaw to the Conservation Commission, Katrina Hamilton seconded; motion carried by 5-0 voice vote.
- Jason Perry motioned to reappoint Chris Potter, Oliver Brody and Ed Harty to the Development Review Board. Katrina Hamilton seconded; motion carried by 5-0 voice vote.
- Jason Perry motioned to reappoint Mildred Barry and Doreen Kelton to the Activities Committee. Katrina Hamilton seconded; motion carried by 5-0 voice vote.
- Stephen Major motioned to invite Jim Calchera to serve on the Westminster Conservation Commission pending his interest in the available slot on the Commission. Katrina Hamilton seconded; motion carried by 5-0 voice vote.

In another matter: Dan Crocker said the Board served as a group. He understood members of the Board had received some difficult phone calls. He said the proper procedure was to refer the caller to the Town Manager. If people were not comfortable talking to the Town Manager or did not believe their issue was addressed or solved, they were welcome to request being put on the agenda and present information to the entire Board.

**9. Date of Next Meeting:** Tuesday, April 23, 2024 at 6:30 p.m.

**10. Adjournment:** Real Bazin motioned to adjourn the meeting at 7:36 p.m., Katrina Hamilton seconded; motion carried by 5-0 voice vote.

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Chair

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Date