

**TOWN OF WESTMINSTER
SELECT BOARD MEETING
NOVEMBER 23, 2015**

Members Present Select Board: Paul Banik (Vice Chair), Craig Allen (Clerk), Peter Barrett, Toby Young Sheldon Beebe (Chair) @ 6:43 p.m.

Others Present: Russell Hodgkins (Town Manager / Planning & Zoning Administrator), Karen Astley (Recording Clerk)

1. CALL TO ORDER: Paul Banik called the meeting to order at 6:32 p.m.

2. ADJUSTMENTS TO AGENDA: Added an item under Other Business “9A: Dog Bite Circumstances per Russ Hodgkins, Town Manager”.

3. ACCEPTANCE OF MINUTES: Paul Banik asked whether there were any changes to be made to the November 11, 2015 meeting minutes. There were revisions as noted: Line Item 5 B; third sentence reads “the Commission” should read “the Committee”. The fourth sentence reads “the TM noted the Commission or “Board” should read “the TM noted the “Committee or “Board”. Line item 6 A: the word “accessed” should read “assessed”. Line item 6 C; remove the word “are” in the third sentence. **Craig Allen made a motion to accept the minutes as amended with corrections. Peter Barrett 2nd the motion. Motion passed with a 4-0-0 vote.**

4. COMMUNICATIONS and PUBLIC COMMENT: None

5. UNFINISHED BUSINESS (Discussions/Action):

A. **Update on FEMA Buyout:** Russ Hodgkins gave the Board an update on the FEMA Buyout (Sandra Dupuis) by explaining the multi-phased process. An appraiser has been hired. The firm of Dave Montesi will appraise property at “pre-Irene” value. The town should have the appraisal by the end of December. Once this is done the state requires a copy and we can move to the next phase which will be the closing/transfer of property. Toby Young asked who currently owns the property which is Sandra Dupuis and Peter Barrett questioned whether the town could sell the property once it is cleaned up. The town will retain the property and make it a green space but it will not be able to sell it.

B. **Natural Burials (Town ordinance?):** There has been a request for a natural burial on private property. Currently there is no ordinance relative to “Natural Burials”, the question is, does the Select Board want one, if so now is the time to create one. The Select Board have several concerns and questions relative to this topic such as health, vaults, ground collapsing, natural disasters (floods), contamination of water sources, selling of property in the future, rules/regulations for natural burial and advantages of an ordinance. The state rules for Natural Burials governs if the town doesn’t have an ordinance in place. The Town and Cemetery Sexton Chris Potter have a general rule in place since 1980 that anyone being buried shall be in a vault. This is for all town cemeteries. Craig Allen stated that a natural burial should follow similar state and town regulations as far as recording a deed in the land records. He also asked whether there would be a fee for this?

The Board requested Russ Hodgkins to research natural buries in relation to water sources/ways, state rules and regulations; permit requirements, if any, for natural burial on private property.

This agenda item is tabled for additional information until the next meeting.

C. **Map of Dunklee gifted land:** A newly created survey, conducted by DiBernardo Associates, plan was presented to the Select Board showing the added triangular piece of fifteen acres to the town forest.

Russ Hodgkins brought to the Board's attention an email from town council and the town clerk regarding the "gifted land" and language contained in the minutes from the October 28, 2015, line item 5E. According to Town Clerk, Ali Bigwood the word "abate" is incorrect. The Select Board has the authority to abate but there is a process. The word "abate" should be changed to state "absorbed" as that is what occurred, not an abatement process. **Sheldon Beebe made a motion to change the word "abate" to "absorbed". Peter Barrett seconded the motion. Motion passed 5-0-0.**

- D. FY 16-17 Budget Discussion:** Discussion ensued around various items in the budget as noted. Russ Hodgkins pointed out the rate of COLA and CPI which changes periodically but at present is 1.7% and 2.2% respectively. These figures are associated with payroll. Town Clerk/Treasurer is still working on their budgets. Salt, sand and gravel budgets are up. There was a miscalculation under the Sanitation budget. Disposing of Waste should be \$40,000 + and will be corrected on the next "draft" budget. Windham Solid Waste Management District budget line item dropped 11%, and is at present \$38,800. County tax is not going to change. It will remain at \$20,000.00.

Windham County Sheriff's Department budget is up \$3,000.00. Craig Allen asked how the Deputy Sheriff was doing with revenue? Russ stated he is doing better. Paul Banik asked about Highway wages relative to the overtime. He did not understand the line items having zero dollar amount and questioned how do you see the overtime expenditure if all the wages are in one line item?

Russ Hodgkins gave the Select Board a correspondence from Windham Solid Waste Management District on their proposed budget for FY 2017. Russ prepared a report as there was a question presented by Paul Banik relative to a 10% increase in assessment by the WSWMD in previous years. The increase was shown to be in 2013-2014. The report generated by Russ from previous budgets shows there was no clear reason and it was hard to explain with the figures all over the map. Paul Banik did make mention that he doesn't like that the town pays for WSWMD's losses. There was no further comment from the Board and they moved on.

There was a consensus by more than one Select Board member that the budget report reflects the actuals to date when presenting a budget for approval. Perhaps the 2015 column can go away and add a FY 2016 actuals so there is a comparison of current expenditures.

Russ Hodgkins will make this change for the next "draft" budget review.

Craig Allen requested a revenue report to go along with the "draft" budget.

Russ Hodgkins gave a hand out with two quotes for a new town highway grader which is approximately \$260,000.00 with our current grader as a trade. Question is whether or not the expense should be in the budget for 2016-2017 as an additional article at town meeting or whether or not the Select Board would take into consideration a note for the equipment? The Capital Equipment Fund which is an article each year at town meeting has a budget of \$130,000.00 and has never been increased over the years. Craig Allen mentioned if the town considers a note they should only borrow for the amount of time as the warrantee and the loan should be a fixed payment amount. With that being said the warrantee is for seven years. Paul Banik questioned why we needed this equipment. Mark Lund stated that the grader we have is fifteen years old, it has 9,000 hours on the engine and it requires much needed work. The Town is looking at approximately \$50,000 – 60,000.00 worth of repair.

A comment was made by Craig Allen regarding dirt floors and housing equipment on them as they will age and rust quicker. Mark Lund stated there is not much the highway department can do with the current building as new equipment is bigger and the present town garage is small. The town should be aware in the future this will be a bigger problem.

Craig Allen stated we can consider an article or increase the Capital Equipment Fund for the new equipment. Peter Barrett made comment that we should use the money from that state that is sitting in the "Rainy Day Fund" of \$289,911.00.

This item was tabled. Russ Hodgkins will request the Town Clerk to gather information relative to borrowing money. Town Clerk will contact several institutions for further details pertaining to a seven year note and amount of a payment with interest. Russ to bring back in front of the Board.

Health & Welfare Allocations: Town appropriations for state and local agencies how do other towns handle this? Russ Hodgkins handed out an email from Putney and Rockingham Town Manager's explaining their process for appropriations to agencies. The process of petitioning for funding requires a percentage of signatures from residents which requires some work to be done by the agencies. The petition is then an article on the town warning for town meeting. Currently agencies request appropriation for a three year period. If they don't request a change in the appropriation amount they remain on the list without further action. As Toby Young stated they have "tenure" and why would they want to change if they are guaranteed that amount each year. Russ mentioned that Westminster is on the high end of allocating funds to agencies with no process in place knowing whether or not these agencies are utilizing the funds for our community or the funds are going outside of the community. The Current is now own by Deerfield Valley but does accommodate residents although they will not pick people up at the Park & Ride.

Both Sheldon Beebe and Craig Allen recall there were articles and there was a vote on agency appropriations. **Russ Hodgkins will research history on this and bring back to the Board. The Select Board will review email and this topic will be tabled for further discussion once additional information is available.**

Municipal Buildings Maintenance: Should Select Board consider an Article at town meeting to sell the buildings? Peter Barrett stated that the buildings are costing the town money and there is no revenue being generated from them. If the buildings were razed the lots could be sold. Toby Young stated the Westminster West building is being utilized. The Select Board is was unaware of this and wondered who has a key to that building?

Russ Hodgkins questioned Sheldon Beebe whether he did any work at the North Westminster Grange as there was a window missing on the Northside of the building. Sheldon said he was not but he would go and board the window to keep the animals out.

Paul Banik stated that the Board would need a unified consensus on what should be done with the buildings.

Lister's Office: Russ Hodgkins informed the Board that NEMRC will get training for the three appointed Lister's so they can get up to speed. Training will take all of a one year if not more. There are webinars that can be completed in the office or at home.

- E. Post Office Parking Lot:** Russ Hodgkins updated the Board with regard to the application for extension of the parking lot. The application was approved by the HRB and the minutes part of this meeting. The only concern for the HRB was what was going to be done with the topsoil? The HRB did not want the soil sold. Toby Young asked why the town needed to expand the parking lot? Russ Hodgkins explained the concerns about the current parking limitation and when the town hall renovations commence the added parking will be needed. This expansion will allow for overflow. Question Toby raised was how will people know it is there? Russ stated there will be signage.

6. NEW BUSINESS (Discussion/Action):

- A. Town Meeting Article:** Russ presented a proposed article on Renewable Energy Taxation for the Select Board to review and consider. Paul Banik stated it works for him.
- B. Town Report Dedication:** The Select Board doesn't have anyone in mind.

7. MANAGER’S REPORT:

1. Russ Hodgkins handed out an explanation from the Lister’s Office showing the **Hodson** grand list difference as there was a question by the Chairman. The difference is 149,700.00 once everything was sorted out.

Craig Allen requested a revised Grand List. Russ to follow through with the Lister’s for this.

2. **Conservation Commission’s Response to Forest:** Stephen Major came into the office and researched the creation of the commission and their responsibilities from 2012. Toby Young commented that she was not sure why we are having an issue with the Conservation Commission at this time? She also stated someone should have been on the site walk with the forester as everyone would have been informed all at once.

Peter Barrett added that the forest does need to be cultivated from time to time. Sheldon and Craig both agreed that whatever the circumstances the Select Board has authority over the town forest not the Conservation Commission.

3. **Important Dates:** Russ gave the Select Board the dates for the town meeting and school district meetings.
4. **PSB Meeting:** Russ updated the Select Board about the Public Service Board meeting that he and Paul Banik attended. In a nut shell the PSB have no concerns wildlife or about how municipalities feel about solar array projects going up in their districts. The PSB is appointed by the Governor and they listen to the Governor. The Advisory group is made up of young people who have no experience. The attendees were allowed to ask questions but did not get any answers. A recorder was hired which meant the minutes of this meeting is not public.

8. **BOARD’S AND COMMISSIONS:** No report. Planning Commission and Development Review Board are currently working on the Interim 2014 Zoning Bylaws.

9. OTHER BUSINESS:

- A. **Dog Bite** added to the agenda by Town Manager, Russ Hodgkins. Russ as acting Health Officer felt the Board should be informed of another dog bite/attack. The town has dealt with the dog owner (Derby, Pine Banks Road) in the past multiple times. A dog was removed from the premises last year and euthanized. This new dog was loose and entered the neighbor’s yard along with a smaller Pomerania dog. The victim (neighbor) was in his yard with his dog when the Derby’s dog attacked the victim’s dog. The victim tried to fend off the attacking dog and was bitten on the left arm and right hand. He required medical attention at the Bellows Falls Clinic. The Deputy Sheriff did go and investigate. Questions from the Board arose. Is there a leash law? How many times does this need to happen? What are the fines? What can be done? Toby Young told Russ to do whatever tikes in your power to deal with this. Craig Allen stated that the Deputy Sheriff will have to serve papers as the Select Board will not tolerate this.

Russ to send a letter to the Derby’s.

10. **DATES OF NEXT MEETING:** December 9, 2015 and MONDAY, December 21, 2015.

11. **ADJOURNMENT: Craig moved to adjourn the Select Board meeting at 8:20 pm. The motion was seconded by Sheldon Beebe. Motion passed with 5-0-0 vote.**

Signature of Clerk

Date