

MEETING OF THE WESTMINSTER SELECTBOARD

Wednesday, July 28, 2021

Westminster, VT Town Hall and by Zoom Conferencing

Members Present: Kevin Hughes (Chair), Craig Allen (Vice Chair), Susan Harlow (Clerk), Toby Young and Jason Perry

Prudential Committee & Fire Dept. – Chris Harlow, Katie Dearborn, Dan Green, Cole Streeter, Greg Holton, and Pete Harrison

Others Present: Russell Hodgkins (Town Manager/Zoning Administrator) Chuck Lawrence (Road Foreman), and John Jones, and others by remote access not identified

- 1. Call to Order:** Kevin Hughes, Chair of the Selectboard called the meeting to order at 6:30 PM sharp. The meeting was held with in person attendance at the Westminster Town Hall and by Zoom Conferencing available through FACTV. Information to attend by Zoom (remote means) is available on FACTV Facebook page or by contacting the Westminster Town Hall.

Joint Meeting of the Selectboard and Prudential Committee

The Selectboard Chair welcomed the Prudential Committee and the Fire Department personnel and immediately asked who wanted to start the conversation. Katie Dearborn told the Chair that she would start and explained why the Prudential Committee requested this joint meeting. Katie explained that the Fire Department is creating a grant application for Federal dollars and needs to prove that the allocated funds, coming from the State of Vermont, are actually going to the Fire District and are being spent appropriately within a given year. The funds in question are from the Hold Harmless and PILOT programs that the State has in place to offset tax dollars that are not eligible through the normal tax-based system. Katie told the Selectboard that she has had conversations with the State Tax Department (Casey O'Hara) and the formula for these allocations, that the Town receives, actually are derived from the Town and Fire District eligibility. The amount as told to Katie due to the Fire District is in the approximate amount of 13.25% of the total amount allocated. Katie told the Board that in talking with the Town Manager, she thought that the first payment due in September would be reduced in the amount of the 13.25% +/-, then a check would follow in November for their portion of the allocation when the State sends the actual payment with the remaining regular half payment sent in February as usual. Kevin Hughes asked the Board if they had any questions. Susan Harlow asked why this new method was needed for the grant application. Katie responded that multiple sources of actual income strengthen our chances for the grant in the eyes of the grant Board. Toby Young asked who was requesting this information after all of these years. Katie said that Casey O'Hara from the State of Vermont is the one that explained the allocation disbursement and the grant application is requiring this section to be filled out. Toby asked if this was a new allocation of money. Katie said no, its just a source of revenue that needs to be shown. The allocation needs to be captured with a paper trail. Russell Hodgkins verified the payment schedule as presented by Katie and told the Selectboard that Chad Hewitt thought that at initial glance that this would be no problem in auditing the Town or Fire District. Kevin Hughes asked Russell Hodgkins if this new information was removing the objections posed by Mr. Hewitt back in October of last year. Russell said yes, that this information was given to him today.

Katie commented that she also talked with Chad Hewitt this afternoon and he gave her the same conclusion. She also said that it should be clarified that Mr. Hewitt deals with Fire Departments and not Districts like Westminster, so his knowledge is limited to how this should be handled properly. It was asked of Katie do you have an example of a Fire district that has this similar scenario. Katie told the Board that Casey O'Hara from the Department of Taxes said UVM has a Fire District that receives this allocation separately from the City of Burlington. Russell Hodgkins requested that a separate check be cut to the Fire District from the State after this year as then the burden of a true calculation would not be the Town's or Fire District's. Katie responded that Casey had told her that he was not interested in changing the present format. This would be on the Town to allocate the funds appropriately. Katie told the meeting that Hold Harmless and the PILOT allocations are Federal monies that are sourced out to the State, and therefore they want verification of disbursement. She continued that she was unsure why this procedure wasn't completed last year when requested by the Fire District. Kevin Hughes replied that they went by the Town's Auditor, Chad Hewitt. His opinion was dated right after the meeting and stated that this was not necessary and that he does many Towns audits and had never seen this done before. This was given to Mr. Hackett (the Chair of the Prudential Committee) at that time and hearing no objections from him thought this point was not needed. Katie replied that this is crucial to them completing the grant application and wants a letter from the Selectboard approving the steps of payment that has been clearly requested by the middle of August as they will be finalizing their proposal in September with grant submittal in October. Katie also requested that legal opinion be identified in the letter verifying that the Town can reduce payments of Town Meeting approved monies as is suggested for this year. Kevin Hughes agreed that the letter will have three entities opinions in the letter, and they are: The State Department of Taxes, Sullivan, Powers Auditing, and Legal Counsel. It was agreed to try to achieve this by the 3rd Monday of August.

Kevin Hughes asked if there was anything else that needed to be discussed and Katie mentioned that in the conversation with Mr. Hewitt, she had discussed the problem that the Fire District was experiencing because Paul Harlow (Treasurer) did not process the final requisition for payments until after June 30th placing this debt into this year's budget and not last year's as needed. This will be a problem all year as finances are looked at, explained Katie. She would expect a Treasurer to be in the office more than what's presently being done. Chuck Lawrence asked why the Fire Department is a District and not just a Fire Department. Cole Streeter responded that this was the way it was created many years ago so that the Department would have its own Board of Directors and its own budget. Hearing no further comments or questions, the Selectboard Chair declared the discussion over and the Board would continue their meeting.

2. **Adjustments to Agenda:** Mr. Hodgkins requested to add 2 items: 6B – North Westminster Community House request and under 9. A Cemetery Deed. The Chair noted the additions.
3. **Acceptance of Minutes: July 14, 2021 and July 19, 2021** – Susan Harlow made a motion to accept both documents of minutes. Craig Allen seconded the motion, motion carried for the July 14th and 19th minutes as printed. The vote was 5-0.
4. **Communications and Public Comments:** The Town Manger read a press release stating that a memorial service would be held to honor Vermonters who lost their lives to COVID-19. The service will be held on Sunday, Sept. 19 at 3:00 PM on the Statehouse lawn.

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

A. **Discussion/Action for Prudential Committee (if any):** The Town Manager asked the Board for a formal request of any action that would be required to comply with the Prudential Committee's request. Toby Young made a motion to get formal opinions from the State Dept. of Taxes, the Town's Legal Counsel, and the Town's Auditor before the letter is written to the Prudential Committee. The letter should reflect their opinions and advise. Jason Perry seconded the motion and it passed 5-0. Kevin Hughes asked the Town Manager to request from Katie Dearborn a formal request of the required steps to base this letter on and to make sure the three parties that we are asking advise from know exactly what they are responding to. All Board members agreed to this action.

6. **New Business (Discussion/Action) -**

A. **Trash/Recycling Statistics (6 yrs.)** – Russell Hodgkins told the Board that with the fiscal year just ending and a new contract for trash/recycling needed for FY23, he compiled 6 years' worth of statistics verifying the usage of the curbside program that was just ending and what could be possibly happening in the future. The data clearly verified the usage has gone up extremely and this is why the program costs have gone up sharply when the Haulers price increases remain marginal. The Chair thanked the TM and said that this information will be very helpful moving forward. Chuck Lawrence asked that the "Mud Season" details within the new contract be strengthened and clearly written so that it matches the new mud season policy approved last year. All agreed that this would be an important detail in the new wording of a contract. John Jones wanted the Board to recognize the hiring of local contractors is very important whether they are the low bidder or not.

B. **North Westminster Community House (NWCH) Request** – The Town Manger made mention of a request of usage for the Community House. In the packet of information, there is an email, he continued. After a brief discussion about heat, water & sewer hookups, and parking the Board came to the conclusion to start serious conversations about getting the building up to code and reopening it. As for the request, the Board concluded that its too early to negotiate an agreement with this woman for immediate use of this facility. John Jones mentioned that there was a report from VLCT stating items that needed to be repaired prior to opening. The TM concurred with the report received a few years ago.

7. **Manager's Report 7/28/2021 -**

1. Bids for the Town Hall's front entrance will be going out at the beginning of August.
2. Fuel Bid - The bids are due on Friday at Noon and will be shared with the SB on their August 11th Meeting.
3. Trash Bid - The invitation to bid will go out early September for a three-year contract. The current year ends June 30, 2022.
4. The Town's audit is July 28-July 30, 2021
5. The TM will be cleaning out the trailer behind the Post Office soon and is requesting approval to place the furniture not need right now to be placed in the NWCH. All agreed.

8. **Boards and Commissions** - John Jones, as one of the Windham Regional Commission's Town Representatives gave the Selectboard a document showing highlights of staff activities during the month of June.

9. **Other Business:** Cemetery Deed – Susan Harlow made a motion to accept the request of the purchase of two cemetery plots to Sean Long. Craig Allen seconded the motion and it passed.

10. **Date of Next Meeting:** August 11, 2021, in person and by Zoom.

11. **Adjournment:** Susan Harlow made a motion to adjourn, and Toby Young seconded. The motion passed and the meeting was adjourned.

Clerk

Date

Minutes composed by Russell Hodgkins 7/29/2021