

WESTMINSTER SELECTBOARD MEETING

Wednesday, April 13, 2022

Westminster Town Hall and remote through FACT TV

Selectboard Present: Jason Perry (Chair), Kevin Hughes (Vice Chair), Katrina Hamilton (Clerk) and Craig Allen

Staff Present: Patty Mark (Assistant Town Clerk), Chuck Lawrence (Road Foreman), Ali Bigwood (Temporary Finance/Administrative Clerk), Cassandra Pedigo (Interim Treasurer) and Millie Barry (Clerk)

Others Present: Paul Banik, Molly Banik, June Streeter, Willis (Chip) Stearns, Paul Guido, Nancy Dalzell, Bonnie Anderson, Chris Potter, Sam Potter, Jim Matteau and others (signatures not legible - By remote means, Alice Caggiano, Toby Young, Robert Feinberg and others not identified)

- 1. Call to Order:** The Chair called the meeting to order at 6:30 p.m.
Information to access a future meeting remotely is available on the FACT TV Facebook page, the Town of Westminster website or by contacting the Westminster Town Hall.

- 2. Adjustments to Agenda:** The Chair added Cold Springs Corner bid under New Business and 3 liquor licenses under Other Business

- 3. Acceptance of Minutes - April 6, 2022 -** Kevin Hughes motioned to approve the minutes as printed, Craig Allen seconded the motion. Katrina Hamilton requested to correct under Adjustments to Agenda fiancé to finance. The motion carried 4-0 by voice vote with the correction.

- 4. Communications and Public Comments:**
 - Bonnie Anderson - Creation of a Bike-Ped Committee - Ms. Anderson addressed the board requesting to create a committee of five Westminster residents to make recommendations to improve roads and sidewalks for safety reasons. The committee would take photos, note safety issues and present data to the Selectboard as well as work with Windham Regional Commission, VTrans (VT Agency of Transportation and other towns. Ms. Anderson told the Board the Town of Rockingham had accepted her proposal and were in the process of forming a committee. She believed VTrans planned road improvements without considering safety for bikers and added there was no intent for the Town to spend more money but to re-direct existing funds and or use/access grant money. Benefits would increase bike activity, the safety of walkers in the Town including students walking to school. She noted the Bald Hill Trail and Saxtons River Trail

Initiative were attempting to connect trails from Bellows Falls to Saxtons River and noted there were other new bike/walking trails in Bellows Falls. Anderson noted safe trails and paths would improve the economy bringing more riders to Town. Mr. Allen said he believed the Board might sanction a committee but would not create a committee due to responsibility to the Board. He also noted there was no sidewalk in the Town except at the Bellows Falls Union High School. In the past, the Town had investigated, with the State creating a bike path and cross walk on and adjacent to Route 5 without success.

- Paul Guido - Road Conditions - Mr. Guido addressed the Board regarding the poor (chronic) condition of Morse Brook Road. He believed poor drainage and the non-existent base of the road contributed to the present state of the road. He added the road had no crown and from his research a 20' (foot) wide span should have a 5-7' (foot) wide crown. He added the bulk of the road was much like pond silt and challenged the Town to conduct a traffic count of the road to figure the high volume of traffic and use of the road. He added in the last two weeks, due to mud and road condition, there was no possible chance a fire or emergency vehicle could get to anyone on the road in case of emergency need. He stated for the amount of property taxes received from residents on the road taxpayers deserved to have the Town address repairs if only scheduling a section at a time requesting this be a Town priority. In a recent contact to the Town Manager he was told the Town had no stone to put down to improve the present road condition. Mr. Hughes recommended the Board review the Morse Brook Road with the highway foreman writing a response to Mr. Guido within 30 days. Mr. Allen suggested individual Selectboard members travel the road with Mr. Lawrence.
- In another matter Alex Stradling, FACT TV said the Town had purchased the new equipment in use at the meeting. This equipment could be packed up to use at other locations and FACT TV could train someone to utilize the equipment for free (if needed) or contact a FACT TV person to operate. He added the present equipment was purchased for a bigger space, possibly the Institute. If two screens, owls were not needed, possibly these could be sold.

5. Unfinished Business: (Discussion/Action) -

- A. Hartley Hill Road - update - The Chair noted Mr. Slason has not yet reviewed an updated deed received from Fletcher Proctor. Mr. Allen confirmed the Board would wait for further word from legal counsel.
- B. Financial Report - Willis (Chip) Stearns, NEMRC (New England Municipal Resource Center) - Information included in packet - Mr. Stearns relayed information to the Board regarding ARPA (American Rescue Plan Act) fund balance

of \$406,533.69, money received not yet spent. \$40,207.41 was received for the Village and turned over to the Town. Expenditures of \$37,391.98 are for three of four purchases made. The fourth purchase, not completed, is for land records work for the Town Clerks office. Mr. Matteau noted the dollars received for the Village were a surprise. In transferring dollars over to the Town, they made the Town Manager agent recognizing with the transfer they were transferring the decision making. Mr. Stearns said the Town needed to appoint an agent for the ARPA funds, possibly an interim Town Manager or the temporary financial administrator to do the reporting for the Town. Mr. Allen motioned to appoint Alison Bigwood as the designated Westminster ARPA representative/reporter for the Town and Village. Mr. Hughes seconded, the motion carried 4-0 voice vote.

Mr. Stearns said the Comparative Budget Report - General Fund (information included in packet) represented expenditures that were intended to be represented in the Town Report for Town Meeting April 30, 2022. He said the balances between the Town Report, General Ledger (computer) and a spreadsheet all had different values. He determined the spreadsheet held by the Manager was correct, the Town Report was incorrect. Information included in the Comparative Budget Report should be presented/available to the public at Town Meeting. \$2,500,665.00 is the total budget for expenditures to be presented to the public. The Comparative report breaks out highway from the general fund. \$1,132,090.00 are total expenditures for the general fund separate from the high-way department's total expenditures of \$1,368,575.00. The article to be presented at Town Meeting includes a total for highway and general. Mr. Stearns noted it was not unusual the highway department expenses were more than half of Town funds due to payroll benefits, social security, Medicare and health insurance for employees. Also, general liability insurance covers equipment for the highway.

Westminster General Ledger Comparative Budget Report - General Fund (report included in packet) shows revenue for the general fund proposed is \$1,132,090.00. Highway income, per the report \$1,368,575.00. Mr. Stearns said in the revenue stream, property tax to be raised for the general fund anticipates to be raised 772,710.00. Highway to be raised anticipates \$1,141,075.00.

Westminster General Ledger Current Year, Period 10 - Budget Status Report (included in packet) - Mr. Stearns said this report shows all revenues, expenditures, year to date for general and highway and the contingency fund that the auditors claim is general fund money. He noted that \$150,000.00 was used and transferred to the FEMA (Federal Emergency Management Agency) fund. Also, delinquent property taxes collected of \$342,386.82 indicate taxes collected after the due date of

February 10, 2022 were treated as delinquent tax paid. Though the taxes are delinquent by practice they are not delinquent by budget. Mr. Stearns noted executive department salaries and wages, town manager, show 122.91% (percent) of budget as of 4/7/2022 due to a severe payout. In addition to the expenses stated, Ms. Bigwood has been hired, there will be services for NEMRC and an interim manager salary. Contracted services show 215.16% (percent) of budget, Mr. Stearns presumed the amount was due to NEMRC. Mr. Hughes agreed. Mr. Stearns noted zoning administrator wage at 123.74% of budget stating 19% of Mr. Hodgkins salary had been charged to zoning and there would be an additional expense for a new zoning administrator. Also, animal control salary and travel expense had not been paid and sheriff department salaries/wage was contracted for a certain number of hours, hours not provided for several months. His understanding was there were still hours due to the Town. Mr. Hughes said the additional costs include the termination value of the former Town Manager. Mr. Stearns said year to date total general fund the Town was in debt, actual revenue to actual expenditure \$141,616.22 with two and one half months left in the year. The budget was split for property taxes for the current year, based on the budget leaving the \$100,000.00 use of fund balance in general fund, leaving highway fund whole. The highway department will show more income due to State Aid to Highways revenue received in April and reimbursement for fuel from the fire department. FEMA reimbursement (when received) will go to the highway fund not to the general fund. Finally, the report showed the contingency reserve, funds put aside by the voters for need. The Board voted to transfer \$150,000.00 to the FEMA fund. Mr. Stearns said actual revenue to actual expenditures would show a deficit.

Westminster General Ledger - Trial Balance - Bridge Rehabilitation Reserve - Current year (included in packet).

This report shows \$174,716.43 for bridge rehabilitation, this amount available for the Route 121 bridge. Stearns said it was conceivable ARPA funds could be used to match funds for this project, not use bridge fund, an option once lost revenue was declared.

- C. Town Meeting Discussion - Tabled
- D. Appointment of Interim Treasurer - process - Tabled
- E. Conflict of Interest Policy - update from 2020 - Tabled
- F. Chart of Compatible Offices - discussion - Tabled
- G. List of Appointments - Mr. Perry noted appointments were required due to vacancies

left when the Town Manager departed.

- Emergency Management Coordinator - Ben Masure (highway department employee) has the credentials and is willing to be the coordinator. Mr. Allen motioned to appoint Ben Masure as Emergency Management Coordinator. Mr. Hughes seconded, motion carried by 4-0 voice vote
- Windham Solid Waste Management - Kevin Hughes will attend the meeting April 14, 2022 as Westminster representative.
- Zoning - The Chair noted there was not a way to approve permits without an actual zoning administrator. The position required training provided by NEMRC and/or VLCT and knowledge of Westminster regulations, especially the historic district. The Board agreed there was an urgency to appoint an interim zoning administrator. Ms. Bigwood agreed to be one of two people to train for the position. Mr. Allen noted the Town website was out of date and as there was no current Town Manager, the Selectboard should be listed with telephone numbers for contact. Mr. Lawrence requested to delete the highway department as a contact for fire permits. The Board agreed to advertise the zoning administrator position through VLCT for one month. This service is free.

6. New Business: (Discussion/Action)

- A. Manger Search - interim - discussion - Mr. Allen noted the Board needed specifics regarding, interim, full time etc. Ms. Hamilton said VLCT was attempting to find an interim manager for the Town without advertising. Mr. Hughes said for the record, the last day per contract, for Mr. Hodgkins, prior Town Manager was the end of business 4/12/2022.
- B. Zoning Administrator Search - interim - discussion - discussed earlier in the meeting.
- C. Robo-Call Discussion - Chris Potter believed it was important to notify people about the Selectboard meetings providing the opportunity to attend especially when there was no remote connection. The Chair noted the Board had discussed robo-calling previously and believed the service was not expensive. Information for residents wanting to be included in calls could be obtained by sending a mass mailing. Mr. Lawrence said he would have more information at the next meeting.
- D. Protocol for minute taking/reporting - Roberts Rules of Order - Tabled
- E. WCEDC - Name change - Mr. Hughes motion to approve the proposed name change of Westminster Commerce and Economic and Community Development to WEDC

(Westminster Economic Development Committee) as proposed by Cynthia Stoddard, Chair, letter dated 3/28/2022. Ms. Hamilton seconded, motion carried by 4-0 voice vote.

- F. New Cemetery Wall - discussion - Mr. Perry noted he met with a contractor and block price was about \$51,000.00, not installed. Mr. Perry did not have the estimate at the meeting. He has contacted a mason regarding repair with stone. He noted the highway department had picked up the stone and secured the door. Mr. Allen said another contractor in Woodstock was willing to estimate the cost to replace the wall.

Chris Potter noted there was a book published by the SOS (Secretary of State) detailing recommendations, cemetery rules etc. The Board will discuss this at a later time. Mr. Allen requested (on a future date) Mr. Potter provide the Board with a review of cemeteries. Mr. Potter believed the cemeteries in Town were generally in good shape excepting work needed in Westminster West.

- G. ARPA - Deposit Funds to Municipal Budget or Not - Jim Matteau report included in packet - Mr. Matteau reviewed the report he submitted after attending a recent webinar. He confirmed there is a report due April 30, 2022 for the period ending March 31, 2022. New rules effective 4/4/22 allow moving the unspent ARPA money into the general or municipal fund and generally how Towns use the monies and reporting information without being more specific than necessary. The new rules provide for the funds to be 'de-federalized', to use money as matching funds for future projects. The opportunity to implement and take advantage of the new rule is a one time and irrevocable change to be done by April 30, 2022. Mr. Banik said the committee recommendation is to move the funds into the Towns general fund adopting the 43 page rule and guidance. Mr. Matteau said three things the funds could not be used for were to pay down debt, pension funds and paying a settlement. He recommended checking with VLCT about specific expenditures. Mr. Allen motioned to move \$406,533.69 to the general fund from the ARPA budget line. Ms. Hamilton seconded, the motion carried by voice vote 4-0. Mr. Banik asked the Board to approve paying a clerk to take minutes for the ARPA committee as he was unable to find a volunteer. Mr. Allen suggested the Board would find the funds for a clerk to take minutes.

- H. Executive Session - Canceled

- I. Cold Springs Corner Bid - The Chair noted bids for the project had been received and Mr. Perry and the road foreman have discussed the low bid with FEMA. Mr. Allen motioned to award the bid, not to exceed \$88,400.00 to Adams Trucking and Excavating, Mr. Hughes seconded, the motion carried by voice vote 4-0.

7. Boards, Committees and Commissions:

- Mr. Allen motioned to authorize the Chair to sign as an agent on behalf of the Selectboard for the WRC grant. Ms. Hamilton seconded, the motion passed by voice vote 3-0. Mr. Perry abstained.
- NRCS Contract/Grant - Updated Administrative Contact - Mr. Allen motioned to approve Mr. Perry as the contact/administrator and Mr. Lawrence as the project director for the NRCS grant. Mr. Hughes seconded, motion carried 3-0, Mr. Perry abstained

8. Other Business:

- Mr. Hughes motioned to accept 2022 liquor license renewable application, 2nd class license to sell malt beverages and venous beverages, applicant, Paul Harlow, Daniel and Thomas partnership doing business as the Last Stand, 6365 Route 5, Westminster, VT. Mr. Allen seconded, motion carried by 4-0 voice vote
- Mr. Hughes motioned to approve 2022 liquor license renewable application for Allen Brothers, Inc. doing business as Allen Brothers, Inc. 6023 Route 5, Westminster, VT. Ms. Hamilton seconded, motion carried 3-0 voice vote, Mr. Allen abstained.
- Mr. Hughes motioned to accept 2022 liquor license renewable application, applicant WSM, LLC doing business as Westminster Station Market 519 US Route 5, Westminster, VT. Ms. Hamilton seconded, motion carried 3-0 voice vote, Mr. Allen abstained.

9. Date of Next Meeting: April 27, 2022 at 6:30 p.m.

10. Adjournment: At 8:45 p.m. Mr. Hughes motion to adjourn, Ms. Hamilton seconded, motion approved 4-0 voice vote, meeting adjourned.

Clerk

Date

Minutes composed by Millie Barry 4/15/2022

