



TOWN OF HARTFORD SELECTBOARD MINUTES

Tuesday, May 2, 2023, 6:00pm
Hartford Town Hall, 171 Bridge Street,
White River Junction, VT 05001

This meeting was conducted in person at Town Hall

Present: Michael Hoyt, Chair; Dan Fraser, Vice-Chair; Kim Souza, Clerk; Lannie Collins, Member; Rocket, Member; Lana Livingston; Gail Ostrout; Chris Holzwarth; Scott Hausler; Scott Cooney; Greg Sheldon; Mark Bradley; Heidi Duto; Gabrielle Lucke; Aaron Warner; Christina Cooper Warner; Patrick Adrian; Paula Nulty; Steven Pomije.

Present Via Zoom: Ally Tufenkjian, Member

Absent: Mary Erdei, Member

Zoom Participants: Marie Alvin; Mike Morris; Michele Boleski

JAM Link:

<https://www.youtube.com/watch?v=va21WXpal7A&list=PLAdkf9ugxof7FGsvb7b8PHLFaNfKZbq-g&index=1>

- I. **Call to Order the Selectboard Meeting** by Selectboard Chair, Mike Hoyt at 6pm.
- II. **Pledge of Allegiance** was recited and led by Rocket.
- III. **Local Liquor Control Board:** None
- IV. **Local Cannabis Control Board:** None
- V. **Order of Agenda:** There were no changes to the order of agenda.
- VI. **Selectboard**

1. **Public Comment**

Steven Pomije from WRJ addressed the Board about his comments at the last Selectboard Meeting on April 18th. He asked at the last meeting and at this meeting if the Board, as the governing body of this Town, can address and remedy the situation at Big Fatty's BBQ, 186 So. Main Street concerning the amplified noise as noise nuisance. This is on the agenda this evening, item 5.I and will be discussed then. Mr. Pomije handed out to the board suggestions to remedy the situation.

Heidi Duto from WRJ spoke to the Board about emails she sent to the Board concerning the Planning Board Opening. She has not heard back from anyone and is still waiting for a response. She would like to know why no one has answered her email and what we are doing concerning that position. Mike Hoyt apologized that he didn't get back to her and that position will be addressed later in the agenda. She emphasized that communication and transparency and respect is needed.

Aaron Warner from WRJ and the Vermont Daily Chronicle asked the Board if DEI training is now being done in the Town. Kim Souza

explained what training is scheduled for the Board this year. All training is equity based. He also asked about the safety review scheduled. Mr. Warner said that DEI training is highly controversial especially in California at this time and asked if the Board was aware of that. The Board was not aware.

Mike Morris from Hartford called to comment of previous zoom sessions he was able to see everyone and also had a live chat. He wanted to know why we are not still seeing these. Kim Souza explained that a while ago the chat function was on for Selectboard meetings. It became increasingly difficult to monitor and ultimately record the chat conversations along with the Board room conversations. So the chat was disabled. He noted that at HCOREI meetings the chat is on as well as he can see everyone in the room. He would like the selectboard go back to these functions.

Marie Alvin from WRJ reviewed the last meeting minutes and she would like added that she brought up the overflow Haven parking. Where are those people going to go? Suggestions were by the Tea House and across the street by the old 25,000 gifts. This needs to be looked at – where are the overflow people going to go besides the park and rides which are not ideal. She also brought up the idea of the Town donating land for the homeless to camp on which has been discussed in the past and if there is anymore discussion of a campground for them. She would like an update on these. Marie also is concerned with the job posting for the Planning Commission. Her last recommendation is for Michelle Boleski to help the Town out concerning policies and procedures. She would be a benefit to the Board.

Michelle Boleski thanked Marie for volunteering her. The board does have the policy and procedures on the agenda for tonight.

2. Selectboard Comments and Announcements

Rocket commented that the Board is being distracted and there are so many obvious material issues that need to be addressed in our own Town.

Ally Tufenkjian hopes that they can find common ground to move forward with the issues.

Kim Souza was able to tour DPW departments as well as a ride-a-long with PD. She was impressed with all that they do.

3. Appointments:

Openings - Process Discussion led by Kim Souza and the email she sent to the Committee Chairs. It was suggested that the Boards, Commissions and Committee openings be published monthly on the 15th to include listserv, Facebook and twitter and they will stay open for 30 days prior to the Selectboard appointments.

4. Town Manager and Significant Activity Report

Significant Activity Report link:

<https://cms5.revize.com/revize/hartfordvt/Total%20for%20May%202023.pdf>

5. Board Reports, Motions & Ordinances

- a. GovHR Compensation Study Presentation by Paula Nulty and Rachael Skaggs. Information only.
- b. Arbor Day Proclamation: **Selectboard Member, Rocket made the motion to approve the Arbor Day Proclamation. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**
- c. Older Americans Month Proclamation: **Selectboard Member, Rocket made the motion to approve the Older American Month Proclamation. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**
- d. Personnel Policy: Adoption of Amendment
Selectboard Vice Chair, Dan Fraser made the motion That the amendment to add Juneteenth Freedom Day as an official holiday, and to add Indigenous Peoples' Day as an official holiday in place of Columbus Day, to the Town of Hartford General Personnel Policy be adopted. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.
- e. Town Hall Condenser Warranty Information update presented by Gail Ostrout. Information only.
- f. FYE 2023 Ambulance Write Off
Background: The fire department currently bills for patient transports. The current rates are: ALS 1 \$900.00, ALS 2 \$1200.00, BLS \$650.00, Loaded miles \$16.25 per mile, Paramedic Intercepts \$375.00 plus procedures. Uncollected debt accrues annually, from Medicaid and Medicare mandatory write-offs and uncollectable debt from untraceable patients or refusal/inability to pay.
Discussion: The finance department and the fire department have developed a process to only record two years of uncollectable debt. The third year is written off each calendar year. This year the total write-off required for the 07/01/2019-06/30/2020 period is \$148,910.49.
Motion: Selectboard Vice Chair, Dan Fraser made the motion to authorize the Town Manager to direct the Finance Director and the fire department to write-off \$148,910.49 as uncollectable ambulance debt. Selectboard member, Rocket seconded the motion. All were in favor and the motion passed.
- g. Financial Plan TA 60
Background: The TA-60 is a form that the State requires completion and submittal on an annual basis and establishes a budget for

activities in the municipality for the year. It demonstrates the town is raising appropriate funds to support infrastructure.

Discussion: DPW administrative staff completed this form with approved FY 24 budgeted amounts. The form assists the State in determining grant amounts (regular state funds, infrastructure grants, and emergency grants).

Motion: **Selectboard Member, Lannie Collins made the motion that the Selectboard endorse the Annual Financial Plan.**

Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.

h. Re-Allocation of ARPA Funds

Discussion:

Removing the Quechee Main Street Water Main project from the ARPA list and Re-allocating \$240,000 to the Quechee Main Street Culvert project and \$20,000 to the Fairview Terrace Water Main project for immediate construction and dedicating the remaining \$140,000 to the Nutt Lane water main project for construction across the railroad in the spring of 2024. Moving the \$140,000 to the Nutt Lane project is necessary to overcome the current market conditions and inflationary pressures going into next year caused by the amount of stimulus in the marketplace.

Impact:

The Quechee Main Street Culvert and the Fairview Terrace Water Main projects will have adequate funds for immediate construction and the Nutt Lane Water Main will have funding to cross the railroad and provide a fire hydrant to the eastern side of the tracks.

The Quechee Main Street Water Main and remainder of the Nutt Lane Water Main project will need additional funds appropriated through FY 25 funding, loans, or bonds.

Motion:

Selectboard Member, Lannie Collins made the motion that the board approve re-allocating the \$400,000 of ARPA funds previously approved for the Quechee Main Street Water Main project as follows; \$240,000 to the Quechee Main Street Box Culvert project, \$20,000 to the Fairview Terrace Water Main project, and \$140,000 to the Nutt Lane Water Main project.

Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.

i. Fairview Terrace Water Main Replacement Award of Contract and Approval of Engineers Amendment

Background:

The project replaces the ageing and undersized cast iron water main along Fairview Terrace and connects it to the main in Gates Street at Maplewood Terrace. This project enhances fire protection capabilities in the vicinity of larger historic homes, some of which are converted to apartments, and abandons the water main in Gates Street along the failing retaining wall.

Discussion:

The bid from Nott's totaled \$352,765, Hebert's totaled \$360,850, and Issacs totaled \$348,975. The engineers have recommended awarding the bid to Issacs. The contract amendment to incorporate the remaining engineering oversight through construction and required post construction services is \$32,280. A minimum 10% contingency fund is recommended for this project due to the unknown conditions subsurface conditions that may be encountered.

Impact:

The Issacs and DG contracts will expend \$381,255 of the dedicated ARPA funds leaving an approximate contingency of 10% for unforeseen items.

Motion:

Selectboard Member, Rocket made the motion that the board authorize the Director of Public Works or the Acting Town Manager to execute an amendment to the DG contract for completing the engineering services through the construction and post construction phases, a contract to Issacs for construction of the water main, and to execute any necessary change orders within the project budget of \$420,000. Emergency or other expenses beyond the project budget shall follow the purchasing policy procedures. Selectboard Vice Chair, Dan Fraser seconded the motion. All were in favor and the motion passed.

j. Quechee Main Street Box Culvert Award of Contract and Approval of Engineers Amendment

Discussion:

The bid from Nott's totaled \$698,497.00. The contract amendment for the remaining engineering oversight through construction and required post construction services is \$43,000. A minimum 10% contingency fund is recommended for this project due to its complexities and the unpredictable nature of stream work.

Impact:

Funding includes Grant #BC1965 which is for \$175,000, Purchase Order #6734 which has \$300,000, \$100,000 from FY 23 account #10-313-318-000, \$225,000 of previously allocated ARPA funds transferred to Highway Reserves, and \$240,000 of ARPA funds about to be reallocated to the project totaling \$1,040,000. The Scituate contracted work, Nott's contract, DG's contract amendment, and the landscape mitigation will expend \$945,024 of the dedicated funds leaving an approximate contingency of 10% for unforeseen items.

Motion:

Selectboard Clerk, Kim Souza made the motion that the Selectboard authorize the Director of Public Works or Acting Town Manager to execute a contract amendment with DG to complete the engineering services through construction and post construction phases, execute a contract to Notts for

construction of the project, and to execute any necessary change orders within the project budget of \$1,040,000. Emergency or other expenses beyond the project budget shall follow the purchasing policy procedures. Selectboard Member, Lannie Collins seconded the motion. All were in favor and the motion passed.

k. Solid Waste Feasibility / Assessment Award of Contract

Discussion:

RFQ Renewal: In advance of FY24 beginning July 1st, 2023, the RFQ rankings should be renewed to facilitate a seamless transition into the new year.

Facility Assessment & Feasibility Study: Selectboard approval of this expense of more than \$20,000 which integrates the services provided to date by Sanborn Head and represents an extension of their valued services is required. Approval of the board to waive section 3.6 of the purchasing policy for these negotiated services is also required as allowed by section 3.7 of said policy. It should be noted that with all professional services requiring an invasive service, there could be some unforeseen or hidden expenses.

Impact: The project is anticipated to be completely funded by ARPA funds

Motion:

Selectboard Member, Lannie Collins made the motion:

- 1. That the board approve renewing the RFQ rankings for solid waste consulting, engineering, and environmental monitoring service providers with Sanborn Head recognized as the highest ranked firm.**
- 2. That the board waive section 3.6 of the purchasing policy for this project as allowed by section 3.7 of said policy.**
- 3. That the board authorize the Director of Public Works or Acting Town Manager to execute a contract with Sanborn Head to complete the facility assessment and feasibility study in the amount of \$87,500, and to execute any necessary change orders within the project budget of \$100,000. Emergency or other expenses beyond the project budget shall follow the purchasing policy procedures. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**

l. South Main Street Noise Complaint: presented by Police Chief Greg Sheldon. Information only. No action taken.

m. Adopt 2023 Local Emergency Plan

Background:

In accordance with 20 VSA 6 and the 2-13 Emergency Operations plan, "each Vermont jurisdiction is expected to develop and maintain a Local Emergency Operations Plan". A current local emergency plan is also required for municipalities to receive federal preparedness funds and increased state reimbursement through the Emergency Relief and Assistance Fund (ERAF).

Discussion:

Municipalities should review and update the emergency plans annually and readopt them after Town Meeting every year. Municipalities report adoption of LEMPs through their Regional Planning Commission with the LEMP adoption form.

Motion:

Selectboard Member, Lannie Collins made the motion that the Selectboard adopt the 2023 Local Emergency Management Plan. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.

- n. Community Safety Review RFP Discussion present by Gail Ostrout, Fire Chief, Scott Cooney and Police Chief, Greg Sheldon.

*1st meeting of 3, next discussion 5/16/23, finalize 5/30/23

Background: In January 2022 HCoreI recommended that the Town of Hartford contract with a qualified consultant to produce a Community Review of Public Safety. This review process should include a focused examination of how Town resources, non-profit organizations, social service agencies and other community services are currently utilized and can be optimized to ensure equitable community health, wellness, and safety. It should also incorporate the perspectives of community members most impacted by these services. On 9/8/2022 an RFP was released and only one response was received in the amount of \$600,000.

Discussion: This will be the first of three discussions, with residents, board members and staff. The next discussion will be held at the 5/16/2023 board meeting. Staff will then review and consider the recommendations as the design an RFP to be finalized at the final session at the 5/20/2023 board meeting. The RFP will be released and managed by staff in June.

Financial Impact: \$50,000 approved in the FY24 Budget.

The next discussion on this will be held at the 5/16/2023 Selectboard meeting.

VII. Commission Reports

Mary Erdei:

Parks and Recreation

Director Hausler reported a few issues of note: the robotic, precision painting at Kilowatt and Maxfield Parks striping was in error necessitating that it be done again or wait for the grass to grow and then cut the painted grass down. Normally this is the most efficient way to measure for sports' boundaries, taking one day versus 2-3 days manually. We have a new kayak trailer for Kilowatt North with replacement docks "down the road" for Kilowatt South, have been pruning street trees with the Tree Board's help, advertised for a full time administrative assistant and received 32 applications, and had good evaluation of the pool to use as a base or template moving forward. Lastly, of note, Director Hausler talked about Goal #9 of the 2022 Department Goals in that we have been very successful in raising money for the Brian Hanson Scholarship Fund, but have had more difficulty in getting applications to use this fund. Regarding Public Health, Parks and Rec. have purchased 3 AEDs with 2 being placed at Maxfield Park. Also, of note and under new business, was the discussion led by

Brett Mayfield that 8 needles were found at Watson Park. Usually that amount may be discovered over the full year and from Parks like Kilowatt and Radcliff. Concerns were over possible health issues affecting children and dogs. Current canisters for used needles are located at the Haven and at the Police Department. Where else should we locate such canisters?

Ally Tufenkjian:

Resilient Hartford:

- There is work being done on a rain gutter system to support irrigation for the Clifford Park Food Forest. The Growing Team is planning a work outing in the coming weeks.
- The Quechee Abenaki Garden and the Wilder School food forest continue to progress; the Wilder School project will hopefully have a design by June.
- There are two open Committee seats.

Hartford Committee on Racial Equity & Inclusion:

- The Committee discussed topics that could be included as part of the joint School Board and Selectboard meeting as well as possible late May dates. This info was shared with the Superintendent, School Board Chair and Selectboard Chair.
- The Committee discussed the Public Information Officer position, which is budgeted for FY24, and if they could support drafting a job description.
- A draft of a resolution to honor late committee and community member Ann Reynolds is in progress.
- There is one open Committee seat.

Hartford Committee on Housing and Homelessness:

- The Committee has continued to refine its work plan, categorizing work into short, medium and long term categories.
- Members agreed that some of the initial work should involve reaching out to other local housing committees to learn from their work; compiling information on current housing developments, programs, and initiatives in Town and the Upper Valley; and identifying how the Committee's work fits in with other housing-related Town boards and commissions.
- Members are reaching out to local housing groups to hear about their work, successes and challenges and logging those responses into a database system in development.

Kim Souza:

Town Manager Search Committee met on April 27. Members who facilitated listening sessions in 4 villages and virtually reported to the group and all are summarizing their notes for the committee's reference. An electronic survey is being produced to give community members another opportunity to share their thoughts about an ideal Town Manager. That should be available for town-wide distribution later this week. It was reported that Dominic Cloud of VLCT has been doing outreach with various stakeholders and should have some profile and marketing materials ready to share with the group by the next meeting on May 11th.

- VIII. **Consent Agenda: Selectboard Vice Chair, Dan Fraser made the motion to approve the Consent Agenda. Selectboard Clerk, Kim Souza seconded the motion. All were in favor and the motion passed.**

Approve Payroll Ending: 4/29/2023

Approve Meeting Minutes of: 4/18/2023

Approve A/P Manifest of: 4/28/2023 and 5/4/2023

Approve Selectboard Meetings **Already Approved:** 5/16/2023, 5/30/2023

- IX. **Executive Session:** Pending litigation 1VSA 313(a)(1); Evaluation of public employee(s) 1 VSA 313(a)(3)

Selectboard Clerk, Kim Souza made the motion move to find that premature general public knowledge of current litigation will clearly place the Town at a substantial disadvantage by disclosing litigation details. Selectboard Vice Chair, Dan Fraser seconded the motion. All were in favor and the motion passed.

Selectboard Clerk, Kim Souza made the motion to move that we enter into executive session to discuss current litigation under the provisions of 1VSA 313(a)(1); and to discuss the evaluation of a public employee(s) under 1 VSA 313(a)(3). Selectboard Vice Chair, Dan Fraser seconded the motion. All were in favor and the motion passed at 9:35 pm.

Selectboard Member, Rocket made the motion to Close the Executive Session at 9:50 PM. Selectboard Vice Chair, Dan Fraser seconded the motion. All were in favor and the motion passed.

- X. **Adjourn the Selectboard Meeting: Selectboard Member, Rocket made the motion to adjourn the Selectboard meeting at 9:51PM. Selectboard Vice Chair, Dan Fraser seconded the motion. All were in favor and the motion passed.**



Kim Souza, Clerk
May 2, 2023 Meeting