

## Selectboard Meeting Minutes

Monday, June 28, 2021 at 6 pm, Town Hall and via Zoom conference call

**Present:** Denise Wheeler (Chair), Sharon Winn Fannon (Vice Chair), John Brabant (Member), Clif Emmons (Member), Rick Kehne (Member), ORCA Media\*, Katie Lane-Karnas (Recording Secretary)\*, Barbara Butler (Assistant Town Clerk)\*, Doug Lilly, Richard Hyde\*, David Delcore (Times Argus)\*, Leslie Matthews\*, Maureen Cassidy, Bruce Campbell, Scott Bassage, Alfred Larrabee (Road Commissioner)\*, Sandra Ferver (Town Treasurer)\*, Reed Cherington, Reenie DeGues\*

\* Indicates attending by Zoom

1. Call to Order: Denise Wheeler called the meeting to order at 6:00 pm.
2. Personnel Matters:
  - a) FY 22 staff salary increases: The Board discussed staff salary increases at the 6/14/21 meeting, where they explained that the FY 2022 budget includes 2.1% “pot” for salary increases. Rick Kehne made a motion to approve a 2.1% staff salary increase as was budgeted for in the FY ‘22 fiscal year. Denise Wheeler seconded the motion. The Board discussed the framework for calculating this amount. The formula for budgeting salary increases was started two cycles ago, using the Northeast region CPI (consumer price index) at the end of the previous fiscal year, plus .75%. This methodology is applied with a cap of 3%. In other words, under this approach, the town would not budget more than 3% for salary increases. Last year’s budget in January used the end of January 2021 rolling 12-month CPI for the Northeast (established by the US Department of Labor) and available at this link: [https://www.bls.gov/regions/mid-atlantic/news-release/consumerpriceindex\\_northeast.htm](https://www.bls.gov/regions/mid-atlantic/news-release/consumerpriceindex_northeast.htm)  
The board discussed whether applying the January number is sustainable, given the pressure of completing the budget early in the year. The board noted that in the future it will use the December CPI number instead of January.  
This is the method the Board has determined for budgeting using the rolling 12-month number in December, adding .75% (originally), although for 2022 the board added 1%, and capping at 3%. The Board emphasized the importance of sustaining a predictable practice over time. Sharon Winn Fannon noted that she created a document outlining the approach and keeps it current year over year for historic reference.

Rick Kehne noted that an unbudgeted increase for staff following the pandemic is potentially an appropriate one-time market-adjustment due to COVID. Approving the budgeted allowance for salary increase, and separating a staff bonus that is really for COVID relief, maintains the Board’s planned, budgeted process. Sharon Winn Fannon commented that a market adjustment budget should be a different discussion based on careful benchmarking. She added that she has previously expressed, and will continue to express, a strong preference for an approach to increases that considers merit, based on

performance evaluations, rather than awarding each staff person the exact same increase. She favors an executive session discussion to discuss a merit increase, based on actual performance, for the future. She added that she will vote for the increases tonight, but doesn't like that the Board does not have the time and has not built the culture to consider merit.

The Board returned to the original motion on the table. Doug Lilley encouraged the Board to consider the Town's road crew compensation in relation to neighboring towns. The motion was voted and passed 4-0.

- b) Newly elected town clerk salary: Wednesday will be the election for the new town clerk. The Town has \$43,709 budgeted with the 2.1% increase included for the next fiscal year. That number evolved over time, built around the particular experience of the town clerk. Clif Emmons suggested the Board decide on a starting level salary, offering an increase if that is appropriate after a certain amount of time and following a performance evaluation; it will be important they have the tools or training they need to succeed (which could impact the budget). The Board noted that the town clerk does not report to the Board, but to all voters in Town, and therefore it may not be the Board's job to assess performance and that \$43K is not a high amount for a full-time, demanding professional job, sometimes including working beyond office hours (on a learning curve or during election times). Sharon suggested a shift from an hourly to salaried position, and noted the Board does not have authority to set vacation time hours. Denise Wheeler added that candidates running have surely looked at the budget and are aware of a salary level; the town clerk reports to the voters and will hopefully come up to speed quickly, taking training as needed. She also reiterated that the Town Clerk does not report to the Board and sets their own office hours, vacation time, etc.. Rick Kehne proposed learning the salary and weekly hours worked by town clerks in similar towns. The Board planned to ask the newly elected person to join them soon after election day, and regularly thereafter. Sharon Winn Fannon made a motion to pay the newly elected town clerk a salary of \$43,709 for FY22. The motion was seconded, voted, and passed 4-0.
- c) Consideration of Covid bonuses for staff: The Chair explained everyone had to do things differently to respond quickly and flexibly to COVID-19 protocols. ARPA funds may be available to use for staff bonuses; the Chair has contacted professionals about the grant administration reporting services for this (the funds may be used to pay the professional for this service). The Board has planned a significant portion of ARPA funds for the CVFiber high-speed internet effort. The purpose of the request (not a specific amount) must be submitted by July 15. Hiring an accounting firm for grant management would ensure trained personnel would be onboard for the length of this project.
- d) Public records request: Richard Hyde submitted a public records request for the file the Board developed while in union negotiations. The information gathered wasn't a true benchmarking tool; the Board was trying to find out what other union towns and some towns around Calais offer. It contains some very specific details around what was happening in union negotiations. The Board noted that even though they are no longer in negotiation with the Union (the Chair reiterated that the Union decertified; the Selectboard did not withdraw), there may still be sensitive information to be redacted. The Board

discussed best practice and confidentiality. The part that is public information—various pieces of information obtained by doing legwork talking with other towns—could be shared with the understanding this is incomplete and not necessarily apples-to-apples comparisons, and the Board does not intend to rely on it as benchmark data. Not all towns shared information, but the Board asked about wages, dental, and health insurance, but the comparison misses the full picture of all benefits. It allowed the Board to compare it to what the Union was asking for.

The towns looked at were towns with and without unions; this document was research done fairly early on in the process, to gain a sense of relevant information to inform the Board's concept of what they were dealing with. All information gathered from other towns is public. Regarding any public records request, the Board has three business days to respond. The Town Attorney has reviewed the Board's working spreadsheet (the requested document) and recommended redactions which the Board reviewed electronically at this meeting. Clif Emmons recommended the Town include the requested documents with redactions in the public folder associated with this meeting (this happens at every Calais Selectboard meeting). Sharon Winn Fannon noted it should be pointed out, in writing, that this document is not a benchmark the Town is using. Sharon Winn Fannon made a motion that the Board respond to Mr. Hyde's records request by providing the study of wages and insurance (May 2020) and make it available to the public, within three business days, and the Board is redacting as advised by Town attorney. Doug Lilley commented with his thoughts about the hours the town clerk's office is available. The town clerk sets their own schedule (this is established by statute) and the Board encourages him to provide feedback to the newly elected person.

Bruce Campbell (road crew member who has been circulating a petition) asked to speak about the road crew's process in the defunct union negotiations. He noted there was a long time without meetings and that every time another proposal came out, there was nothing for the road crew, but additional proposals in other areas that benefit the Town. He continued that the Union got frustrated after Paul left, there were only two union-supporting employees left and they didn't sign it because they were not satisfied with the proposed pay rates. They didn't feel it was a good deal and the Union dropped out. He then thought they should in fact go with the Union deal.

The Chair clarified there was one item filed with the Labor Relations Board early on in negotiations: that the process hit them as COVID hit, during budget season; then Bruce had three months off, and was unavailable for virtual meetings at the times in-person gatherings were disallowed. The Board met many times with their consultant via Zoom, and it is the nature of negotiations that neither party gets everything they want. The Board asked by memo dated May 24, 2021 to meet with the road crew in regards to retroactive pay. Sharon Winn Fannon added that in addition to the innumerable times the Selectboard met with their consultant to work on their piece of the negotiation, their consultant and the union rep met many times. The Chair noted, that there were times where the Selectboard put forth proposals to the Union where it was months until they heard back from the Union. The first joint meeting was just as the town was headed into budget planning, and by the time that was finished, it was March 2020 and COVID had a big influence in the ability of the group to be productive. The Chair commented that the record must be set

straight: that the only time (statutorily permitted) that the Board may respond as a group to concerns is in a warned meeting. She encouraged learning from this experience and finding a way to move forward working together.

Bruce Campbell asked about the value of the health insurance plan, the difference in value with other towns, and premium details. The Board doesn't have this information in front of them and Bruce and the Board planned on a Selectboard-road crew meeting on Wednesday June 30, 2021, at 4pm at the garage. Bruce will let the road crew know and the Chair will warn the meeting. It will be a public meeting, but it will not be able to include Zoom (unstable internet connection).

- e) Resignation: Sharon Winn Fannon made a motion to circulate and accept the letter of resignation from a road crew member Jacob Earle. Rick Kehne seconded. The Board planned to request an exit interview for Wednesday (a personnel item, held in executive session) and to sign the letter at that time.
  - f) ZA hiring process: The Planning Commission (PC) recommends, and the Selectboard hires, the zoning administrator (Bob Martin intends to resign). The Board's due diligence is to advertise for the position and delegated this effort to the PC. Sharon Winn Fannon made a motion to delegate to the Planning Commission the task of advertising the position in the Town's identified locations and additionally the Hardwick Gazette. Denise Wheeler seconded the motion which was voted and passed 4-0.
3. Public Comment: Scott Bassage commented that acoustic-absorbent material would be welcomed in the Town Hall; it's difficult to hear with much echo and bright noise. The Board will be meeting with the Friends group to talk about the management agreement; the edible gardens group may help with maintenance, and a road crew member mows. Reed Cherington offered to do an initial mowing for the season at the Town Hall with his equipment; Clif Emmons from the Friends group suggested taking him up on this offer and then to ask Ed Rowell to mow the lawn around the building going forward. Reed also offered to talk to Ed about it, and to coordinate with Jamie Moorby of the edible gardens area. This would be a one-time occurrence, especially helpful because there is not a management agreement in place. Clif Emmons explained that it is the responsibility of the Town to manage the property, but the Friends group would work with them as needed.

Clif Emmons added that the Friends group noticed Andy Felice is needed to handle the plywood used to protect the windows (it has fallen and is exposed to the weather).

- 4. Review, Additions/Changes to Agenda: None.
- 5. Treasurer/Delinquent Tax Collector Updates:
  - a) *May 21 Treasurer's Report*: The Town Treasurer's overview was that this report was predictive of ending the year on a positive note, with fund balances in both Highway and General accounts. Revenues continue to come in on the General Government side, and we look to end the year having spent less than budgeted. A preliminary June report

(unaudited) shows both General Government and Highway being in the black. If there are no more Highway bills to pay, she will be rolling over \$152,576.33 into the Highway Capital Equipment Fund (out of which the 19 West Star lease payment of \$41k will be paid in January) before she closes the year for the audit. The large Highway Fund balance is largely due to grant monies that came in during the fiscal year and a one time state-aid-to-highway payment of almost \$43K that was unanticipated (related to COVID relief). A bit more than was budgeted was spent to do municipal business under COVID protocols; election expenses were more than anticipated, however, many were reimbursed by the Secretary of State's Office. It looks like \$36K will be rolled into the General Fund balance. It is expected that the auditors will come in and make some tweaks to Highway and General Government budgets when they come in July (July 15 and 16). Numbers will be finalized after the audit is concluded.

- b) *Delinquent Tax Collector (DTC) Report*: The DTC characterized the Report as very positive: \$6,700 remains uncollected and there remain six delinquent parcels, which she then reviewed individually. Three taxpayers planned to pay in full, but paid after the next bill came out (a delinquency therefore technically occurred). Two parcels require no action at this time (one on a payment plan to be paid in full in July). The other has a tax sale going through and new owners to be identified in a few days, so she recommended giving them time to pay the 2020 taxes in full (the tax sale is for 2018 and 2019). The final parcel has had no payments and made no contact at all; monthly USPS mail, emails have not been responded to. This taxpayer is a senior, has not been delinquent before, and the DTC has exhausted all means of contacting them. This parcel meets all of the Town's policies for going to collection, but she asked if the Board desired to see if a member of the community can make contact with this person on a personal level. The taxpayer is Joanne Ihley, at the end of Chapin (Blackberry Ridge). The Chair encouraged anyone who has awareness of the situation to contact the Town Treasurer. The DTC suggested abating the small amounts through the Board of Abatement.

The Town Treasurer brought up a possible action to consider: the Town may have the ability to fund the Highway capital equipment fund with a line-item appropriation. This year is an outlier in terms of amount rolling over, in an unusual year; next year, there could be nothing or a very small amount. This could be the year to initiate a Highway capital equipment plan. Rick Kehne described his work creating capital plans for building infrastructure, allowing modeling, estimated life, inflation, etc. and agreed that this one-time windfall would be a good opportunity to establish such a plan. The Town Treasurer explained that the Operations Manager has kept a consistent number of loan amounts, but there is not a steady amount of funds going in to pay for leases, down payments, etc. that would stabilize the budget. This may be the year to engage in this conversation. The Board identified this conversation as important for the budget planning process.

- c) *NEMRC Contract*: This is the contract for software and support for the modules the Town uses. The costs remain the same. Signing this item will be tabled for the meeting on Wednesday.
- d) *Life/Disability Contract*: These joinders must be signed with the new company that VLCT has joined. The premium has gone down. Sharon Winn Fannon made a motion to authorize

Sandra Ferver to sign the joinder agreement with a new insurance company. Rick Kehne seconded and the motion passed 4-0.

Denise Wheeler made a motion to lift restrictions for daily health checks and the mask mandates at town garage. Sharon Winn Fannon seconded, and the motion passed 4-0. The Board discussed asking the Town Treasurer and the Town Clerk to attend in-person, presuming those positions will be in attendance at every meeting unless not needed.

6. ARPA funds (Coronavirus Local Fiscal Recovery Funding CLFRF): The Chair will be working on identifying an accounting firm that can manage the grant; otherwise, a new plan for identifying someone soon will be found. (See discussion item earlier in the meeting.)
7. Request CVRPC Traffic Study.: Cindy Gardner-Morse informed the Board that there has been a recent traffic study done on County Road and forwarded those documents. The Chair spoke with Todd Eaton (Vermont Local Roads) about the next step for reducing the speed on County Road (Class 2 designation). Maureen Cassidy asked if speed reduction is not secured, if a “No Passing” sign could be put in by her driveway, where there are four driveway entrances, and the speed at which people are passing is very dangerous, especially without law enforcement. The Board planned to return to the discussion when they get more information.
8. Domestic Animal Ordinance: Board members have received the information presented by the working group on this issue, who have signed off on it, and have had the Town Attorney review. The Chair asked everyone to look at the documents provided. She is anticipating a meeting on July 12 to hold a public hearing on the matter, which starts the clock ticking (they reviewed the statutory requirements for getting to adoption). The emphasis of their work establishes a solution for “repeat offenders,” while allowing latitude and judgement for the Animal Control Officer. People in the working group are large animal owners. It is not an attempt to address a farmer who has an animal occasionally get out, but rather an animal owner who repeatedly does not keep an animal safely contained.
9. Town Highway Discontinuance: Gary Schultz requested to discontinue the ancient Town Highway 7 on his property on West County Road. This would involve a site visit, walking the property, and several steps the Town Attorney will weigh in on. The Chair will ask the resident to send the Board an official letter.
10. Other Updates: Upcoming topics include: Town Hall Usage policy (at the 7/12/2021 meeting) and to present the Town Hall Management Agreement and Rental Schedule at that time, with a designated meeting to follow (Friends Group to propose a date).
11. Review and approve minutes, warrants
  - a) The Board reviewed and approved processing of invoices and orders.
  - b) Clif Emmons moved and Denise Wheeler seconded to approve the minutes of the 4/12/2021 meeting, with the changes as noted; the motion passed 4-0.
  - c) Denise Wheeler moved and Clif Emmons seconded to approve the minutes of the 4/19/2021 special meeting, with the changes as noted; the motion passed 4-0.
  - d) Clif Emmons moved and Rick Kehne seconded to approve the minutes of the 4/26/2021 meeting, with the changes as noted; the motion passed 4-0.

- e) Sharon Winn Fannon moved and Rick Kehne seconded to approve the minutes of the 5/10/2021 meeting, with the changes as noted; the motion passed 3-0 (Clif Emmons abstained).
- f) Rick Kehne moved and Sharon Winn Fannon seconded to approve the minutes of the 5/24/2021 meeting, with the changes as noted; the motion passed 4-0.
- g) Clif Emmons moved and Denise Wheeler seconded to approve the minutes of the 6/7/2021 meeting, with the changes as noted; the motion passed 3-0 (Sharon Winn Fannon abstained).

12. Other Business/Old Business/New Business: The Chair reminded members to contact her with agenda items that need to be put on a warned meeting. This is Clif Emmons's last meeting and the Chair appreciated his knowledge and patience and noted how much he will be missed. All agreed on the Town's benefit having had him serve on the Board. He thanked the Town for voting for him to be in this position. The first regular Selectboard meeting he attended as a Board member was the final one in the Town Hall prior to renovation, and now his last meeting is also at the Town Hall, post-renovation. He thanked all for having had him serve.

13. Adjournment: Rick Kehne made a motion to adjourn at 9 pm. The motion was seconded, voted on and carried 4-0.

Date: 6/29/2021 Respectfully Submitted, Katie Lane-Karnas, Recording Secretary  
*Approved by the Selectboard at the 8/26/2021 meeting*

*Click on the link below to view documents associated with this agenda:*  
<https://drive.google.com/drive/folders/1xwk2ln4UevGCfn-9QRNI8LrvCWu-LLJt?usp=sharing>