



**TOWN OF HARTFORD  
SELECTBOARD MINUTES**

Tuesday, May 5, 2020, 6:00pm  
Hartford Town Hall  
171 Bridge Street  
White River Junction, VT 05001

**This meeting will be conducted in compliance with  
Vermont Open Meeting Law with electronic participation.**

**Present on Site:** Dan Fraser, Selectboard Chair; Brannon Godfrey, Town Manager; Lana Livingston, Administrative Assistant.

**Present on-line:** Simon Dennis, Selectboard Vice-Chair; Dennis Brown, Selectboard Clerk; Alan Johnson, Selectboard Member; Joe Major, Selectboard Member; Alicia Barrow, Selectboard Member; Kim Souza, Selectboard Member.

**CATV LINK:** <http://catv.cablecast.tv/CablecastPublicSite/show/11927?channel=1>

Read by the Chair, Dan Fraser,

*As Chair of the Town of Hartford Selectboard I find that, due to the State of Emergency declared by Governor Scott as a result of the COVID-19 pandemic and pursuant to Addendum 6 to Executive Order 01-20 and Act 92, this public body is authorized to meet electronically.*

*In accordance with Act 92, there is no physical location to observe and listen contemporaneously to this meeting. However, in accordance with the temporary amendments to the Open Meeting Law, I confirm that we are:*

- a) Providing public access to the meeting by [telephone/video/other electronic means], with additional access offered through telephone, zoom and youtube.com. We are using Zoom for this remote meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through this platform and the public has access to contemporaneously listen and, if desired, participate in this meeting by <https://zoom.us/j/549799933> - Please mute your microphone, [youtube.com/catv810](https://www.youtube.com/watch?v=810) – click “live now”. If you're calling in from phone dial: (415) 762-9988 Type in the Room ID: 549-799-933 followed by #. Press # a second time. Press \*9 to raise your hand for public comment.*
- b) Providing public notice of instructions for accessing the meeting. We previously gave notice to the public of the necessary information for accessing this meeting, including how to access the meeting using telephone, zoom and youtube.com in our posted meeting agenda. [Instructions have also been provided on the town website on the “Agendas and Minutes.”*
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access. If anybody has a problem, please call 802-369-9036 and*

d) *Continuing the meeting if necessary. In the event the public is unable to access this meeting, it will be continued to a time and place certain.*

*Please note that all votes taken during this meeting that are not unanimous will be done by roll call vote, in accordance with the law.*

*Let's start the meeting by taking a roll call attendance of all Selectboard members participating in the meeting.*

**I. Call to Order the Selectboard Meeting:** Dan Fraser, Selectboard Chair called the meeting to order at 6:00 P.M. All were present.

**II. Pledge of Allegiance** – Dan Fraser led The Pledge of Allegiance.

**III. Local Liquor Control Board: N/A**

**IV. Order of Agenda:** No changes

**V. Selectboard**

**1. Public, Selectboard Comments and Announcements:**

Citizen Comments:

Mike Morris asked about Town Ordinances that were in violation of Federal Laws other than the Welcoming Hartford Ordinance as Selectboard Member, Alicia Barrows stated at the last Selectboard Meeting. Alicia Barrow said she was mistaken and it was State Laws, not Local. Mr. Morris later asked if it is unconstitutional to have a Federal law that says one must report immigration status of an individual. Why is it not unconstitutional for the town to have an ordinance that says one cannot report immigration status?

Lannie Collins voiced concerns about the costs of finding and recruiting a Town Manager in this economic downturn as we are still in the Coronavirus situation. He is also concerned about potential law suits over the Welcoming Hartford Ordinance. He asked where will the Town get the money for these events?

Selectboard Comments:

Selectboard Member, Joe Major thanked Brannon for his professionalism, commitment and love for this community. He is very sad to see Brannon leave Hartford.

Selectboard Clerk, Dennis Brown also thanked Brannon & Leslie for their time in Hartford. Mr. Brown announced that he would be resigning from the Selectboard of Hartford after this meeting.

Selectboard Members commented that they hoped Mr. Brown would reconsider and stay on the Board.

**2. Appointments: None**

**3. Town Manager's Report:** Significant Activity Report ending May 4, 2020.

Link: <https://www.hartford-vt.org/ArchiveCenter/ViewFile/Item/184>

#### 4. Board Reports, Motions & Ordinances:

- a. Hartford Conservation Commission Forest Management Plan Presentation (Information Only)

A presentation was given by Jon Bouton and Matt Osborn representing the work that the Hartford Conservation Commission has done.

The purpose of this agenda item is to inform the Selectboard of the HCC's current work program for the Town Forest. The HCC is presently working with County Forester A.J. Follensbee on an update of the Forest Management Plan and is planning a small selection timber harvest in the winter of 2021 or 2022. The reasons for the timber harvest include: increase diversity of trees species and habitat to improve resilience, improve wildlife and bird habitat, serve as a public demonstration of sustainable forestry and local renewable forest products and generate income for conservation projects. The cost of the harvest typically is covered by the tree company's sale of the timber. The HCC also is planning two public outreach/input sessions before the plan is finalized and is confident that the impact on recreational use will be minor.

- b. South Main Street Utility and Roadway Infrastructure Improvements Contract Award (Motion Required)

On April 20<sup>th</sup>, 2020, bids were received for Phase 1 of the South Main Street reconstruction project. This project is the culmination of several years of planning, design, and funding coordination to address deficiencies in our utility infrastructure, stormwater system, the retaining wall, and roadway. The project extends from Nutt Lane to a location near Gates Street.

**Selectboard Member, Kim Souza made the motion That the Selectboard awards the bid for the South Main Street Project to Munson Earth-Moving of Williston, Vermont in the amount of \$ 1,899,411.00. Selectboard Clerk, Dennis Brown seconded the motion. All were in favor and the motion passed.**

- c. Determination of Lack of Necessity for Validation Vote Special Town Meeting (Motion Required)

On April 16, 2020, we received word from Secretary of State's Office and legal counsel Paul Giuliani that the Town is not *required*, either by law or by the Secretary of State, to hold a validation vote. Both advised that the time frame for contesting the initial vote in court has now passed and further, that even if the budget was somehow otherwise challenged in court, a judge would look at the facts and say the error was not significant enough to invalidate the vote.

**Selectboard Member, Joe Major made the motion that the Town not hold a special town meeting to validate the vote from the March 3<sup>rd</sup> election on the budget article. Selectboard Member, Alan Johnson seconded the motion. All were in favor and the motion passed.**

- d. COVID-19 Response Committee Report Presentation (Motion Required)

On March 10, the Selectboard created the ad hoc Committee on Coronavirus

Response and drafted the Charge. In addition to tasks to monitor and develop recommendations for specific response actions, the Committee Charge included: "Submit a brief report to the Selectboard to explain recommendations no later than April 30, 2020." During April, the Selectboard has considered and approved several recommendations for action from the Committee, including various communications, approving the recommended mask and mask donation program, directing the Town Manager to advertise and appoint a Deputy Town Health Officer, amending the Committee charge and issuing a letter to out-of-state homeowners.

Within the committee's report were 4 short term recommendations and 8 long term proposals.

**Selectboard Member, Kim Souza made the motion to accept the report from the Ad Hoc Committee on Coronavirus Response. Selectboard Member, Alicia Barrow seconded the motion. All were in favor and the motion passed.**

Selectboard Chair, Dan Fraser asked the Town Manager to present the individual recommendations in the report at a subsequent meeting.

- e. Appointment Recommendation for Deputy Town Health Officer (Motion Required)

Town health officers are given authority by the Vermont statutes to investigate and mitigate any potential or existing public health hazard in their town. The Town Health Officer has extensive authority to take emergency mitigation steps and enforce any state health regulation and order and local health ordinances in their town. The Deputy Health Officer will assist the Health Officer.

**Selectboard Clerk, Dennis Brown made the motion to approve the recommendation to appoint Thomas Franklin as the Deputy Town Health Officer for a term of 3 years and forward the request to the Vermont Commissioner of Health. Selectboard Member, Alan Johnson seconded the motion. All were in favor and the motion passed.**

Dr. Franklin's term will begin June 1, 2020.

- f. Town Manager Search Process - Committee Formation and Charge, and Search Consultant (Information Only)

On April 29, Town Manager Brannon Godfrey submitted a letter of resignation to the Selectboard with an effective date of end of employment on August 1, 2020.

The Chair and Vice Chair have discussed moving forward with the formation of a Search Committee, enacting the Charge for the Committee, and securing a search consultant. The Committee Charge for the 2018 search process is attached as a template. In 2018, the Selectboard contracted with Municipal Resources, Inc. (MRI) of Meredith, NH for the executive search consultation.

**Selectboard Alan Johnson made the motion to approve the Charge as amended and to post the ad for the search committee members. Selectboard member Kim Souza seconded the motion. All were in favor and the motion passed.**

*Hartford Town Manager Selection Committee Charge Ratified 5/5/20 Terms The Hartford Town Manager Selection Committee (HTMSC) will serve for the purpose of guiding the Town through the selection process of Hartford's next Town Manager. The committee will be disbanded as soon as a job offer, made by the Selectboard, is accepted by the intended applicant. Constitution The HTMSC will consist of seven voting members. The seven voting members appointed from the residents of Hartford. All members will have equal voice and vote in matters that come before the committee. The HTMSC will elect its Chair, Vice-Chair and Clerk at its first meeting. Committee Member Selection Process Interested members should apply as soon as possible and not later than 12:00 PM Thursday, May 21st. Interested members should also endeavor to be present for a brief interview at the May 26th, Selectboard Meeting via Zoom.us at 6:00 PM. Members unable to be present at this time may also apply and may be admitted onto the Committee at the discretion of the Selectboard. After the interviews, applicants will be discussed by the Selectboard in executive session, and a motion will be made to constitute the Committee at the same meeting on May 26th. Committee Charge*

*1.To guide the selection process for Hartford's Next Town Manager in accordance with the attached Town Manager Selection Process Guidelines as ratified by the Selectboard.*

*2.To work with a professional recruiting firm who will carry out the search.*

*3.Search activities will include: ○publicize position opening, job description, timeline, selection criteria, etc.*

*○solicit citizen input on direction and managerial characteristics*

*○review and investigate applications*

*○respond to applicants*

*○check references*

*○conduct interviews*

*○additional elements as needed.*

*These activities will be distributed between the committee and selected recruiting firm.*

*4.To recommend two to four applicants to the Selectboard*

*5. To communicate with the Town and Press about the selection process as needed.*

*As with all Hartford Committees, the Hartford Town Manager Selection Committee must operate in accordance with the Statutes of the State of Vermont and the Ordinances and Policies of the Town of Hartford. In particular, all meetings will be warned and open to the public and the minutes of these meetings will be recorded and posted in accordance with Vermont's Open Meeting Law.*

**VI. Commission Meeting Reports:**

Selectboard Member, Kim Souza attended her first HBRLF meeting. It was a good session.

**VII. Consent Agenda: Selectboard Member, Kim Souza made the motion to accept the Consent Agenda. Selectboard Member, Alicia Barrow seconded the motion. All were in favor and the motion passed.**

Approve Payroll Ending: 4/5/2020

Approve Meeting Minutes of: 4/21/2020 & 4/28/2020

Approve A/P Manifest of: 5/1/2020 & 5/5/2020

Selectboard Meeting Dates of:

Already Approved: 5/19/2020

Needs to be Approved: 5/26/2020, 6/2/2020, 6/16/2020 and 6/30/2020

**VIII. Executive Session: Selectboard Member, Alan Johnson made the motion to go into executive session for discussion of a contract for an executive search consultant for which premature general public knowledge would clearly place the public body at a substantial disadvantage [I VSA §313(a)(1)(A)] at 9:00 P.M.**

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

**Selectboard Member, Alan Johnson made the motion to close the executive session. Selectboard Member, Kim Souza seconded the motion. All were in favor and the motion passed.**

**Selectboard Member, Alicia Barrow made the motion to hire Don Jutton of MRI to begin a focused search on an hourly basis. Selectboard Member, Kim Souza seconded the motion. All were in favor and the motion passed.**

Selectboard Vice-Chair, Simon Dennis made a commendation of appreciation of Dennis Brown and hopes he considers staying on the Board until the end of his term.

**IX. Adjourn the Selectboard Meeting (Motion Required):**

**Selectboard Member, Alan Johnson made the motion to adjourn the meeting. Selectboard Member, Joe Major seconded the motion. All were in favor and the motion passed.**

All Meetings of the Hartford Selectboard are open to the public. Persons who are seeking action by the Selectboard are asked to submit their request and/or materials to the Selectboard Chair or Town Manager's office no later than noon on the Wednesday preceding the scheduled meeting date. Requests received after that date will be addressed at the discretion of the Chair. Citizens wishing to address the board should do so during the Citizen Comments period.



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