



**TOWN OF
HARTFORD
SELECTBOARD
MINUTES**

Tuesday, June 15, 2021, 6:00pm
Hartford Town Hall
171 Bridge Street, White River Junction, VT 05001

Present: Dan Fraser, Chair; Joe Major, Vice Chair; Kim Souza, Clerk; Dennis Brown, Ally Tufenkjian; Tracy Yarlott-Davis, Town Manager; Lana Livingston, Administrative Assistant; Hannah Tyler, Director of Publics Works; Jeremy Delisle, Public Works; Lannie Collins; Marianna Iskandar; Joyce Perkins.

Zoom participants: Veronica Golden – applicant for the West Hartford Library trustees; Kate Lamphere and Malaika Puffer from HCRS.

CATV LINK: <http://catv.cablecast.tv/CablecastPublicSite/show/14781?channel=1>

- I Call to Order of the Selectboard Meeting:** Selectboard Chair, Dan Fraser called the meeting to order at 6:00 PM.
- II Pledge of Allegiance:** The Pledge of Allegiance was led by Resident, Lannie Collins.
- III Order of Agenda:** NO changes to the order of Agenda.
- IV. Local Liquor Control Board:** Selectboard Chair, Dan Fraser recessed the Selectboard meeting and opened the Local Liquor Control Board at 6:02 PM.

NEW:

- a. Modern Country Store LLC at 3699 Woodstock Road, White River Junction, VT 05001 (Second Class)

Selectboard Member, Dennis Brown made the motion to approve a second-class liquor license to Modern Country Store LLC at 3699 Woodstock Road, White River Junction, VT 05001. Selectboard Member, Ally Tufenkjian seconded the motion. 3 were in favor, 1 recused (Souza) and 1 abstained (Fraser). The motion passed.

Selectboard Chair, Dan Fraser closed the Local Liquor Control Board at 6:04 PM and reopened the Selectboard Meeting.

V. Selectboard

1. Public Comments:

Lannie Collins from Hartford asked about his earlier question if the Town Manager can make policies. Tracy Yarlott-Davis said that they have sent it to the lawyer and have not heard back from them yet. Mr. Collins would like to request, as a public record request, what was sent to the lawyer.

Joyce Perkins from Hartford asked if the Wellness Coordinator position and the Peer Coordinator are the same positions. The Town Manager said yes, they are.

Mike Morris from Hartford called to follow up on his email about the structure by the VFW. He said he was aware of a signed contract to remove the structure and would like to know the timeframe. Hannah Tyler, DPW, said hopefully within the next calendar month. Also, the reason for a contract to cleanup the Prospect St. property that is not Town owned was done for significant health and safety reasons. The Railroad was not able to respond in a timely matter. However, the State will reimburse the Town for the cost of the cleanup. We don't know how much it will cost yet.

2. Selectboard Comments and Announcements

Selectboard Vice-Chair, Joe Major announced that Allene Sweinckowski, Chair of HCOREI, will be moving to Michigan to be with family. She has been a great asset to the committee and her tireless commitment to the Town has not gone unnoticed. Allene plans to stay in contact and to be a resource to the committee as much as she can.

3. Appointments

- a. Consider the appointment of Veronica Golden to the West Hartford Library Trustees until the March 1, 2022 elections.

Selectboard Clerk, Kim Souza made the motion to appoint Veronica Golden to the West Hartford Library Trustees until the March 1, 2022 elections. Selectboard Vice Chair, Joe Major seconded the motion. All were in favor and the motion passed.

4. Town Manager's Report:

Significant Activity Report

<https://www.hartford-vt.org/ArchiveCenter/ViewFile/Item/213>

Town Manager Report

Town Hall Reopening

I write my reports on Wednesday and Thursday prior to our meeting. As of this writing, we are still under a state-wide State of Emergency. However, there are some indications that the Governor may rescind it any day. We will be looking at the guidance as it comes out so we can put procedures in place.

On Monday June 21st, after a long 15 months, Town Hall will reopen! We are asking that those who have not completed their vaccine series wear a face covering. Staff will be available during normal business hours. They are authorized to serve people with their windows closed so please respect that. This is both going back to normal and treading new water, so I hope we can all treat each other with respect and compassion.

Upper Valley Haven – Hunger Free America

I was honored to be invited to hear from the CEO of Hunger Free America as well as leaders from Hunger Free Vermont and New Hampshire Hunger Solution at the Upper Valley Haven on June 3rd. The focus was on ongoing community-based hunger relief programs in our region and new legislative efforts at the state and local level. It was a moving experience to learn that one in three people in Vermont experienced food insecurity in the past year. I was saddened to learn that it took 12 years after the Great Recession of 2008 for hunger rates to decline to their pre-recession level of one in ten Vermonters going hungry, which is still unacceptable. The Upper Valley Haven is working to advocate for the continuation of federal policies and funding for food security programs such as universal school, summer, and childcare food funding and increases to 3SquaresVT benefits.

Diversity, Equity, and Inclusion Seminars

We have contracted with Groundswell Change to provide a series of three seminars to the Selectboard and Department Directors. These will be interactive, participatory seminars that will each conclude with action items the group can pursue before meeting again. Brian Cook, the principal of Groundswell, lived in Quechee with his family for many years and has worked with some upper valley organizations including The Quechee Club. We are currently finalizing a calendar that takes the budget cycle and the special election into consideration.

Pool Update

Things are progressing at the pool. Much of the work is focused on the pipping which will move the water to and from the pump station, as well as provide pool deck draining. Many thanks to Scott Hausler, Nott's Excavating, and BreadLoaf.

Christian Street Cemetery

Town staff continue to work on the logistics and administration for taking over the operations of this cemetery on July 1, 2021. Right now, my office is partnering with the Town Clerk to develop procedures and forms for when someone calls needing burial services or to purchase a plot. We're also ensuring that we have the structure within the general ledger to correctly record revenue and expenditures.

5. Board Reports, Motions & Ordinances:

- a. HCRS Contract: Presented by Town Manager, Tracy Yarlott-Davis, HCRS representatives Kate Lamphere and Malaika Puffer.

Background: In 2020, the Town began the discussion about creating a staff position providing direct health and medical assistance to individuals. Initially the position was named Wellness Coordinator. Due to staffing changes and shortages, this position has remained budgeted for, but not filled for at least fiscal years 20 and 21.

Currently, the Town has a full time Social Worker, who is contracted from HCRS. This individual works with our first responders and community agencies to identify people with needs and help provide them with resources. The Town also has a

Health Officer who is a trusted member of the community and provides connections to resources and services.

The Peer Support Advocate would complement the staff resources we already have in place. Peer support is an approach to building relationships on a person-to-person level, not from a real or perceived place of authority. The nature and scope of the position includes connecting with a supporting individuals experiencing distress or crisis in the community, providing ongoing one-on-one support, helping community members access resources, advocating with people accessing supportive services, providing referrals and assisting people with related paperwork and administrative tasks, and outreaching to the community. This one year contract allows both Hartford and HCRS to provide these services and gather data on the services that this person provided to the community. The one year contract is for \$24,000.

Selectboard Vice Chair, Joe Major made the motion to authorize the Town Manager to enter into a contract with HRCS for peer support and advocacy Services from 7/1/2021 to 6/30/2022. Selectboard Member, Dennis Brown seconded the motion. All were in favor and the motion passed.

b. Election Warning wording

Selectboard Clerk, Kim Souza made the motion to approve the language of the Warning of the Special Election and direct the Town Manger to notify the Town Clerk to prepare to post according to State Statue and the Town Charter. Selectboard Member, Ally Tufenkjian seconded the motion. All were in favor and the motion passed.

Voting by Australian ballot is to be held on **Tuesday, August 10, 2021**, at the Hartford High School Gymnasium. The legal voters of the Town of Hartford are further notified that voter qualification, registration, and absentee voting relative to said Special Town Meeting shall be as provided in the Town Charter and chapters 43, 51, and 55 of title 17, Vermont Statutes Annotated.

THE FOLLOWING ARTICLE WILL BE VOTED BY AUSTRALIAN BALLOT ON TUESDAY, AUGUST 10, 2021. POLLS OPEN AT 7:00AM EST AND CLOSE AT 7:00PM EST.

1. To elect the following Town Officers: Selectboard Member for remainder of three year term ending March, 2023; Selectboard Member for remainder of two year term ending March, 2023. (By Australian ballot)

Dated at Hartford, Vermont this 15th day of June, 2021.

c. 2021 Street Paving and Reclamation RFP approval

Selectboard Vice Chair, Joe Major made the motion the proposal of Blaktop, Inc. be accepted to allow the services to occur a.s.a.p. Selectboard Ally Tufenkjian seconded the motion. All were in favor and the motion passed.

d. Aggregate and Winter Sand Bid Award

Selectboard Member, Dennis Brown made the motion to Authorize the purchase of aggregate materials from Twin State Sand and Gravel for the current fiscal year. In the event of any shortage of materials from Twin State Sand and Gravel, it is also the staff's recommendation that the Department of Public Works be authorized to purchase aggregate from Pike Industries on an "as needed" basis during the 2021-2022 fiscal year. Selectboard Vice Chair, Joe Major seconded the motion. All were in favor and the motion passed.

e. Calcium Chloride and Magnesium Chloride Bid Award

Selectboard Member, Ally Tufenkjian made the motion to Authorize the purchase of Magnesium Chloride from Innovative Municipal Products Inc. for the current fiscal year. Selectboard Member, Dennis Brown seconded the motion. All were in favor and the motion passed.

f. Results of 2021 ¾ Ton Pickup Truck Bids and Recommendation

Selectboard Clerk, Kim Souza made the motion that the purchase of the two trucks be awarded to Key Chevrolet of White River Junction with the optional sanders included. Selectboard Member, Dennis Brown seconded the motion. All were in favor and the motion passed.

g. On-Call Water People

Selectboard Member, Dennis Brown made the motion that the ratings be extended 1 year to allow the Department of Public Works to advance required and necessary projects. Selectboard Vice Chair, Joe Major seconded the motion. All were in favor and the motion passed.

h. Solid Waste: Hannah Tyler, Director of Public Works presented updated information to the Selectboard about the Solid Waste facility.

The solid waste market continues to evolve more rapidly, our costs for managing waste are increasing outside of our control, regulations are becoming more stringent, and the facility condition continues to decline without the ability to make significant capital investment. The Town can no longer continue to operate the facility at our current level of service without significant capital investments and ongoing fiscal support from the general fund.

Joe Major suggested the Ms. Tyler start the RFP process for the plan to hire a qualified solid waste person to assess and provide guidance for what the options are for the facility and the potential closing of the facility.

i. Strategic Equity and Inclusion Plan

Joe Major is working on the data collection portion of the Strategic Plan. There is no money in the budget to accomplish this. He is looking for ways on how to proceed.

VI Commission Meetings Reports

Joe Major reminded everyone on the Juneteenth Celebration this Saturday, the 19th from 3:30 – 5:30 Lyman Point Park. Everyone is welcome.

Kim Souza reported that the Planning Commission has given preliminary approval for a self-storage facility in downtown White River Junction.

Dennis Brown reported from the Conservation Commission. They are having a work detail this Saturday beginning at 8:30 AM at the Hurricane Forest. All are welcome. The Zoning Commission approved one application and are working on another. The Hartford Preservation Commission and the Planning Commission had its first public session for the proposed demolition ordinance. There are some concerns about the potential increased costs for demolition.

Ally Tufenkjian reported from the Resilience Hartford Committee. They are meeting weekly to plan for the Hartford Food Forest project. They are now working with a design team.

VI Executive Session

1. **Selectboard Clerk, Kim Souza made the motion that In accordance with Vermont's Open Meeting Law requirements, I move that the Selectboard enter into Executive Session to discuss confidential attorney-client communications made for the purpose of providing professional legal services to the body; Title 313(a)(1)(F). Selectboard Member, Dennis Brown seconded the motion. All were in favor and the motion passed.**

Selectboard Clerk, Kim Souza made the motion to close the Executive Session at 9:00PM. Selectboard Vice Chair, Joe Major seconded the motion. All were in favor and the motion passed.

2. Post Executive Session Motion:

Selectboard Member, Ally Tufenkjian made the motion to authorize Selectboard Vice-Chair Joe Major to execute on behalf of the Town any

Lana Livingston

From: Lana Livingston
Sent: Thursday, July 8, 2021 2:08 PM
To: Lana Livingston
Subject: FW: Vahey and SB Mtg Minutes IMPORTANT UPDATE

From: Tracy Yarlott-Davis <tyarlott-davis@hartford-vt.org>
Sent: Thursday, July 8, 2021 2:03 PM
To: Lana Livingston <llivingston@hartford-vt.org>
Subject: RE: Vahey and SB Mtg Minutes IMPORTANT UPDATE

I've spoken further with Paula. Please make this change under the advisement of the case's attorney.

Tracy Yarlott-Davis

Town Manager
Town of Hartford
171 Bridge Street
White River Junction, Vermont 05001
802-295-9353

From: Lana Livingston
Sent: Tuesday, July 06, 2021 11:09 AM
To: Tracy Yarlott-Davis <tyarlott-davis@hartford-vt.org>
Subject: FW: Vahey and SB Mtg Minutes IMPORTANT UPDATE

Tracy –

Can I have a note from you asking me to change the minutes to read like the paragraph below. I think this is what Paula is asking me to do.

This is the first time that I have been instructed to actually change minutes.

Thanks, Lana

From: Paula Nulty <pnulty@hartford-vt.org>
Sent: Friday, July 2, 2021 2:15 PM
To: Tracy Yarlott-Davis <tyarlott-davis@hartford-vt.org>; Lana Livingston <llivingston@hartford-vt.org>
Subject: RE: Vahey and SB Mtg Minutes IMPORTANT UPDATE

Lana and Tracy,

Following my and Tracy's conversation, and having just now spoken to Atty Conway (who called because he received a media inquiry on this matter), the minutes of the 6/15/21 SB meeting should read as follows:

1. Post Executive Session Motion:

Selectboard Member, Ally Tufenkjian made the motion to authorize Selectboard Vice-Chair Joe Major to execute on behalf of the Town any and all necessary and incidental documents required in connection with the above-described Settlement Agreement and the General Release (settlement of claims asserted by Robert Vahey currently pending before the United States District Court for the District of Vermont, captioned Vahey v. Town of Hartford, Vermont, Docket No. 2:20-cv-00122 kjd). Selectboard member Dennis Brown...

We believe in the live meeting, the "above referenced" refers to documents the SB had in hand and were part of the agenda. It is impossible to recreate the meeting in the minutes, but the facts and purpose of the meeting can be reflected in the minutes, and that is what is being done here. Additionally, it provides the reader exactly what documents are being referenced.

Please let me know if you have any concerns.

Thanks,

Paula

Paula M. Nulty
Director of Human Resources
Executive Assistant to the Town Manager
Town of Hartford
171 Bridge Street
White River Junction, VT 05001
(802)281-0596

From: Paula Nulty
Sent: Friday, July 2, 2021 8:59 AM
To: Tracy Yarlott-Davis <tyarlott-davis@hartford-vt.org>; Lana Livingston <llivingston@hartford-vt.org>
Subject: FW: Vahey and SB Mtg Minutes

Good morning,

Here is the proper wording to be used verbatim for the 6/15/21 minutes:

1. Post Executive Session Motion:

Selectboard Member, Ally Tufenkjian made the motion to authorize Selectboard Vice-Chair Joe Major to execute on behalf of the Town any and all necessary and incidental documents required in connection with the settlement of claims asserted by Robert Vahey currently pending before the United States District Court for the District of Vermont, captioned Vahey v. Town of Hartford, Vermont, Docket No. 2:20-cv-00122 kjd

Thanks,

Paula

Paula M. Nulty
Director of Human Resources
Executive Assistant to the Town Manager

Town of Hartford
171 Bridge Street
White River Junction, VT 05001
(802)281-0596

From: James Conway <jconway@msdvt.com>
Sent: Thursday, July 1, 2021 2:41 PM
To: Paula Nulty <pnulty@hartford-vt.org>
Subject: Re: Vahey and SB Mtg Minutes

[EXTERNAL EMAIL: DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

H Paula,

Your second proposed substitution works.

Thanks, and sorry for the delay.

James

James F. Conway, III
Monaghan Safar Ducham PLLC
156 Battery Street
Burlington, VT 05401
Tel: 802.660.4735

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On Jun 30, 2021, at 9:04 AM, James Conway <jconway@msdvt.com> wrote:

Hi Paula,

I think your second proposed substitution would work, but I'm going to run it past Brian so that we all agree that it's clean.

Back in touch shortly.

James

James F. Conway, III
Monaghan Safar Ducham PLLC
156 Battery Street
Burlington, VT 05401
Tel: 802.660.4735

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On Jun 30, 2021, at 8:51 AM, Paula Nulty <pnulty@hartford-vt.org> wrote:

Hi James,

The Selectboard last night put on hold approving minutes of the meeting in which they met to authorize Joe Major to sign the Vahey settlement agreement.

Here is the improper way the minutes were presented for approval:

2. Post Executive Session Motion:

Selectboard Member, Ally Tufenkjian made the motion to authorize Selectboard Vice-Chair Joe Major to execute on behalf of the Town any and all necessary and incidental documents required in connection **with the above-described Settlement Agreement and the General Release.** Selectboard Member, Dennis Brown seconded the motion. 4 were in favor and 1 recused (Major). The motion passed.

Can we simply remove that red highlighted phrase (because there is no "above described" anything) and insert something that directly references::

Vahey v. Town of Hartford, Vermont, Docket No. 2:20-cv-00122 kjd

or

settlement of claims asserted by Robert Vahey currently pending before the United States District Court for the District of Vermont, captioned Vahey v. Town of Hartford, Vermont, Docket No. 2:20-cv-00122 kjd;

Thanks,

Paula

and all necessary and incidental documents required in connection with the above-described Settlement Agreement and the General Release (settlement of claims asserted by Robert Vahey currently pending before the United States District Court for the District of Vermont, captioned Vahey v. Town of Hartford, Vermont, Docket No. 2:20-cv-00122 kjd).

Selectboard Member, Dennis Brown seconded the motion. 4 were in favor and 1 recused (Major). The motion passed.

VI Consent Agenda

Selectboard Clerk, Kim Souza made the motion to accept the Consent Agenda. Selectboard Member, Dennis Brown seconded the motion. All were in favor and the motion passed.

Approve Payroll Ending: 6/12/2021

Approve Meeting Minutes of:
6/1/2021

Approve A/P Manifest of: 6/11/2021 & 6/15/2021

Selectboard Meeting Dates of:

Already Approved: 6/29/2021

Needs Approval: 7/6/2021, 7/13/2021 and 7/27/2021

VII Adjourn the Selectboard Meeting

Selectboard Member, Dennis Brown made the motion to adjourn the meeting. Selectboard Member, Ally Tufenkjian seconded the motion. All were in favor and the motion passed at 9:05PM.

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.



Kim Souza, Selectboard Clerk